

NEGOTIATING UNCERTAINTY IN THE RIGHT TO ASYLEE STATUS:
RE-CONCEPTUALIZING AGENCY FROM A SPACE OF LIMINALITY

A DISSERTATION
SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE OF DOCTOR OF PHILOSOPHY
IN THE GRADUATE SCHOOL OF THE
TEXAS WOMAN'S UNIVERSITY
COLLEGE OF ARTS AND SCIENCES

BY
ERIN RIDER, B.A., M.A.

DENTON, TEXAS

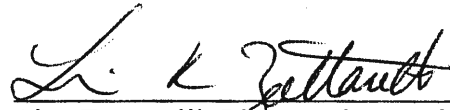
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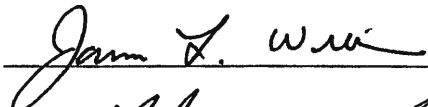
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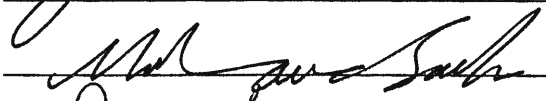
I am submitting herewith a dissertation written by Erin Rider entitled "Negotiating Uncertainty in the Right to Asylee Status: Re-Conceptualizing Agency From a Space of Liminality." I have examined this dissertation for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Philosophy with a major in Sociology.




Lisa Zottarelli, PhD, Major Professor

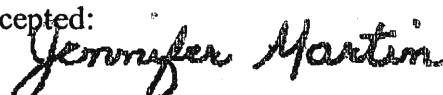
We have read this dissertation and recommend its acceptance:







Department Chair

Accepted:


Dean of the Graduate School

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ACKNOWLEDGMENTS

To Dr. Zottarelli,

Thank you for your support and confidence in the development of this research project. I appreciate your mentorship in this research endeavor and throughout the PhD program.

To Dr. Sadri,

I appreciate your constant interest and support of my focus on agency in all of your classes and in my dissertation research.

To Dr. Williams,

Thank you for your feedback and guidance.

To the research participants,

Thank you to each person for your courage and willingness to share your stories of seeking asylum for this research project. Your participation and insight is appreciated.

To my peers in Sociology, particularly the “Team” (Patrice, Pakeithe, Eddy, and Damon), Thank you for the continuous support and encouragement throughout the process of this program. Thank you also to Bev and Kavi for all of your friendship and advice in this program.

To my family and friends,

Thank you for your unconditional love and support in my academic pursuits.

ABSTRACT

ERIN RIDER

NEGOTIATING UNCERTAINTY IN THE RIGHT TO ASYLEE STATUS: RE-CONCEPTUALIZING AGENCY FROM A SPACE OF LIMINALITY

MAY 2010

Theories of migration that address action tend to dichotomize economic migrants and asylum seekers by differentiating their degree of agency. Despite efforts in the asylum system to privilege asylum seekers' need for protection over that of economic migrants, this dichotomy has incurred negative consequences for asylum seekers with regard to the barriers they experience as they mitigate insecurities. The asylum system regards asylum seekers as actors with privilege and resources, and expects them to present sound cases documenting their rights to asylee status. Asylum seekers are also expected to overcome deterrent measures that aim to identify economic migrants. However, the asylum system fails to consider the lack of autonomy of asylum seekers, as they must manage trauma, lack of resources, new host societies, and barriers inherent in the asylum process. I interview individual asylum seekers with diverse experiences securing asylee status. General findings reveal that for certain asylum seekers the process has involved aspects of insecurity, fear, and trauma, while for others, they have been able to utilize available resources to navigate structural barriers. Additionally, the asylum system has been set up to offer security from persecution, however, some asylum seekers

have merely exchanged insecurities linked to persecution in the country of origin with uncertainty associated with whether they will or will not attain asylee status. The research provides first hand accounts of asylum seekers negotiating asylum in the U.S., as well as theoretical and practical developments that modify agency to coincide with their liminality.

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CHAPTER I

OVERVIEW

This dissertation aims to develop both a theoretical and practical comprehensive framework to understand the agency process of marginalized individuals as they respond to and negotiate structural barriers in order to advance their own needs and goals. A central component of this project is to expand previous theories of agency to better capture the action process of individuals who by definition have less autonomy and resources to achieve their own ends. Marginalized actors are often theorized using a model of action that is based on the experiences of privileged actors. The homogenous lumping of actors without denoting their varying degrees of power misrepresents the agency process of privileged and otherwise actors. This project seeks to develop a negotiated agency model that directly addresses marginalized actors. As such, the empirical component of this dissertation is to examine asylum seekers as they negotiate the U.S. asylum system to achieve asylee status.

The context of asylum seekers based on the present empirical data is to acknowledge the extreme marginalization and lack of autonomy they encounter in overcoming insecurities not only related to persecution in their country of origin, but uncertainty associated with the U.S. asylum system. Despite the labeling of asylum seekers as marginalized, it is important to also clarify that asylum seekers in general enact agency and showcase evidence of their ability to secure their own ends even in

situations in which structural barriers restrict their degree of autonomy. One of the significant issues accounting for the action processes of individuals is to avoid the dichotomy of agency versus structure (Campbell 2009:408), especially in labeling actors as either more or less privileged. In recognizing the differences in power afforded to actors, and to avoid a static label of an actor either being privileged or marginalized, efforts will address the context of actors, and acknowledge incidences in which actors have privilege and situations in which they are at a disadvantage. For example, although economic migrants tend to be labeled as privileged, they experience different barriers compared to asylum seekers. Economic migrants are differentiated based on skill level in which high skilled workers have more opportunities to migrate than low skilled workers (Massey et al. 1993:433), while asylum seekers are openly eligible to migrate to a host society if they have a valid case under human rights' policies. In turn, asylum seekers experience greater barriers relating to gathering resources due to the potential urgency of their situation that may be avoided by the planned process of economic migrants (Massey et al. 1993:434). These two scenarios are not necessarily a universal experience by economic migrants or asylum seekers, but are used to demonstrate aspects in which both economic migrants and asylum seekers encounter differing forms of privilege and marginalization simultaneously.

Rather than assuming that privileged actors automatically have agency to overcome structural barriers while marginalized actors have less autonomy to mitigate structural constraints, the agenda is to formulate an action theory that can both

accommodate the role of structural barriers and the degree in which marginalized individuals interact and negotiate these restrictions as they attempt to advance their own ends. I envision this model to both confirm the presence of structural constraints that limit the agency ability of marginalized actors, while simultaneously validating the incidences in which they can mitigate barriers to achieve their own ends. This project will apply the experiences of asylum seekers attempting to gain asylee status to explore the theoretical propositions that correspond to a more refined definition of agency. The proposed form of agency to address marginalized individuals will be labeled as negotiated agency in order to allow for agency to be characterized as an interaction with structure. In consideration of the task at hand a significant aspect of this dissertation is to give voice to the experiences of the asylum seeker participants of this study, and to incorporate their own experiences, concerns, and recommendations by sharing their stories and allowing them to evaluate the asylum system. I anticipate utilizing their experiences to inform policy makers and academics about both the positive and negative aspects of the asylum system in order to improve asylum seekers ability to better secure human rights and protection.

This dissertation also attempts to avoid the dichotomy between economic migrants and asylum seekers in favor of a more nuanced interconnection between the shared degrees of voluntary and involuntary experiences of migration. Specifically, on one hand economic migrants encounter lack of autonomy, while on the other hand, asylum seekers also demonstrate voluntary will. Furthermore, the imposed segregation

of either labeling individuals as economic migrants or asylum seekers actually increases the structural barriers encountered by asylum seekers negotiating the asylum system, rather than facilitating their access to greater human rights afforded by asylee status. The asylum system is characterized by officers' ability to identify and restrict the entrance of economic migrants posing as asylum seekers (Black 2003), and the effects of this process places additional pressure on asylum seekers to prove that they indeed have experienced persecution. Their eligibility to asylee status is based upon their ability to prove that they are not making false claims.

In acknowledging the potential exposure to vulnerability experienced by asylum seekers, this context does not negate their ability to negotiate structural barriers and attain their end of asylee status. The negotiated agency model to frame the action of marginalized individuals seeks to understand the degree in which structural barriers exist in limiting the will of actors, while also exploring the process by which marginalized actors negotiate structure and other privileged actors in order to attain their ends. This model requires emphasis on: identifying the role of norms and liminality that restrict actors' will; recognizing agency in situations in which actors respond to structure; conceptualizing action processes as dynamic and reflexive as a way to overcome the centering of a means to and end model; and acknowledging the varying degrees of autonomy engaged in by actors that also modifies depending on the situation at hand.

Overall, the present research will give voice to the experiences of asylum seekers, develop a model of agency that concerns the action process of marginal individuals, and

in theoretical and practical terms evaluate the U.S. asylum system from the subjective insight of asylum seekers dependent on the process to gain security and human rights. This research provides a unique opportunity to explore the experiences of marginalized individuals seeking asylee status in a context in which their experiences and concerns are often overlooked. I anticipate that this research will contribute to the scholarly discussion on asylum seekers' experiences, and provide sociological insight into how marginalized individuals mitigate their vulnerability in coercive conditions.

According to international policy and human rights, asylum seekers forced to flee from conditions such as armed conflict, sexual violence, repressive cultural practices, and/or oppositional political affiliations are entitled to rights of international security and protection. Although the United Nations High Commissioner on Refugees (UNHCR 2009) validates refugees under the conditions of "fear of or actual victimization of persecution," refugees and increasingly asylum seekers experience difficulty in accessing and securing safety and rights. Asylee status is defined as "a surrogate protection granted in response to the State of origin's inability or unwillingness to provide protection to persons facing persecution" (Bailliet 2007). According to the United States Citizenship and Immigration Services (2010:1), to qualify as an asylum seeker, an individual identifies as "an alien in the United States or at a port of entry who is found to be unable or unwilling to return to his or her country of nationality." Existing literature documents the deterrent policies that developed nations implement in order to limit incoming refugees and asylum seekers under the pretense of mitigating illegal entry of economic

migrants as well as protecting their own national security and resources reserved for natural citizens (Abeyratne 1999). The emergent concern with regard to devising policies aimed at limiting incoming asylum seekers on the basis of appropriate qualifications undermines the rights of asylum seekers by forcing them into a liminal zone in which their rights and safety are compromised. In comparing forced migration contexts with the asylum process, general assumptions arise that declare the asylum process as safe against the backdrop of the trauma and detrimental conditions relating to the persecution in the country of origin. The comparison of these contexts is problematic because asylum seekers' vulnerability is not minimized automatically in the asylum process. For instance, asylum seekers prior to being granted asylee status must navigate a system that incorporates uncertainty and unfamiliarity. Acknowledging this context does not simply suggest that asylum seekers will be disadvantaged, but that they experience obstacles that increase their vulnerability at times. Asylum seekers occupy a marginal space because they are in a vulnerable state of transition in which their homeland of origin invalidates their safety and they are unable to access adequate rights or protection because they are awaiting confirmation of asylee status.

Asylum seekers' agency is rendered invalid in at least three significant ways: first, asylum seekers are forced to prove their status in a context in which their vulnerability is high (Ranger 2005; Sarre 1999); second, international policies require asylum seekers to prove their eligibility on the assumption that they are assumed to be making false claims (Abeyratne 1999; Black 2003); and lastly, international policies and deterrent measures

further marginalize individuals fleeing from persecution by limiting their decision-making power in efforts to secure the best interests of the host nation-state (Abeyratne 1999). The last factor is evident in policies that either send asylum claimants back to third “transit” countries, make social, economic, and political resources contingent upon verification of refugee/asylee status, and/or promote repatriation (Loescher 1989; Uçarer 1989; Abeyratne 1999; Barnett 2002). In examining the context of asylum seekers’ marginalization in their country of origin, the UNHCR (2009) has mandated that refugees and asylum seekers access protection in host societies and are protected from coercion to return to the country of origin. However, despite these efforts to restore human rights to asylum seekers escaping persecution, deterrent policies expose the loopholes in the system in which accountability for the refugees’ and asylum seekers’ safety is positioned against the vested interests of the host society (Abeyratne 1999). The vast consensus among the literature is that host societies are resisting the larger international policies aimed to grant protection to refugees/asylum seekers in a way that does not directly negate the two basic principles of refugees’ rights (Neumayer 2005; Loescher 1989). However, the consequences of these policies exacerbate refugees and asylum seekers’ vulnerability by placing them into a liminal zone in which they lack decision-making power, agency, and autonomy.

The liminality associated with top-down policies determined by international and nation state agendas is illustrated by the failure to consider and support the refugee/asylum seeker's process in securing protection from their subjective, vulnerable

standpoint. Part of the lack of validation for marginal individuals/communities seeking refugee/asylee status derives from the assumption that individuals access general autonomy, and have at least minimal resources and privileges at hand. One of the central differences noted in the literature between economic migrants and political refugees is their degree of agency in the immigration process. In general, economic migrants demonstrate privilege because they are assumed to have more resources and networking connections that enable them to successfully immigrate and adapt to another host country (Castles 2003:17). However, the migration experiences of economic migrants are also bound with insecurity, unfamiliarity, and to a degree lack of autonomy in consideration that economic migrants have to secure resources and social support networks to migrate. However, forced migration of political refugees/asylum seekers is problematic because they occupy a space of liminality in which their agency is reduced to securing protection.

Similarly, asylum seekers are exposed to and are expected to negotiate new systems and experiences in foreign countries that require prior knowledge and the ability to successfully assimilate to different cultures and structural conditions (De Jongh 1994:222). This process of refuge/asylum incorporates a heightened degree of marginality and vulnerability because they must successfully achieve asylee status. In this sense, asylum seekers are confined to a liminal zone that as a result of the conditions and uncertainty in the forced migration process, they lack agency and autonomy to decide their immigration process, and maximize their sense of security and self worth. Differentiating between economic migrants and political refugees positions political

refugees/asylum seekers in the context of coercion and lack of agency compared to economic migrants, who are typically classified as voluntary and privileged. Although economic migrants also experience push factors and must secure resources to effectively immigrate to a host country, what is unique about forced migrants is their high degree of marginality that situates them in a desperate position in which their security rests on being granted asylum. Ironically, this distinction tends to undermine refugees' rights as protected by international law. Particularly, refugees/asylum seekers are suspected as economic migrants until proven otherwise either through securing refugee status in their country of origin or as asylum seekers in a host country. In this case, asylum seekers access privilege in their automatic consideration for protection in the host society through asylee status, however, the immigration system is concerned that economic migrants falsely declare themselves as asylum seekers in order to gain citizenship. These types of assumptions not only discredit individuals seeking asylee status, but also further increase their vulnerability in coping with negative perceptions and mitigating barriers.

Theoretically, it is pertinent to develop an inclusive model of action that can address the agency process of marginalized actors in the asylum system. Several models (see Richmond 1993; & Kunz 1973) have devised a theoretical account of the forced migration process of seeking refugee status and the coercive conditions that limit individuals' autonomy and agency. These models significantly elaborate on the conditions that prevent marginal individuals' agency potential and ability; however, their efforts utilize the distinction of posing refugees as separate from economic migrants. In

addition, these models tend to contextualize the forced migration process between the country of origin and host country, and depict the armed conflict setting in a linear manner transitioning from pre-impact to post-war peace conditions and resolutions.

In response to these models, I envision an ideological and theoretical shift to first render the agency process of asylum seekers by developing an abstract action model that emphasizes marginalized individuals. This model strives to resist individualist assumptions that require political refugees and asylum seekers to prove their claims of insecurity in response to perceptions that they are illegally entering host societies. The abstract action model facilitates the ability to validate the agency process from a marginalized standpoint, and provide a theoretical account of the experiences that asylum seekers encounter with regard to their negotiation of international policy that presumes some manner of privilege and agency exertion to successfully secure asylee status. I propose to examine the qualitative experiences of asylum seekers in securing protection in host societies under the status of an asylee. Specifically, the research question poses: How does an asylum seeker negotiate the asylum process in order to either advance toward asylee status or secure asylee status in the U.S.? The aim of this question is to explore the process of securing asylee status and examine the asylum process from the perspective of individuals seeking protection.

Previous literature has focused on examining and critiquing international and nation-state policies by citing areas in which potential refugees are disadvantaged, however, only a few studies have directly sought to understand the asylum process from

individuals attempting to acquire protection. This study aims to explore asylum seekers or asylees experiences as agents negotiating structural constraints that coerce them into liminal spaces in an effort to understand international policy and its limitations and possible beneficial aspects. In addition to first exploring the experiences of asylum seekers in order to include their perspectives and integrate them into international debates, the second objective of this research is to theoretically test the abstract model of agency from the first-hand accounts of asylum seekers. This dissertation is organized in the following chapters, which include: an overview, the literature review, a theoretical model of action, the methods section, an analysis of the interviews (Part I and II), case studies, and a conclusion.

CHAPTER II

LITERATURE REVIEW

Research and scholarship on refugees/asylum seekers and forced migration patterns and processes tend to emphasize the following topics: macro conditions at the global and local levels that coerce refugees in push and pull flows; refugee statistics; international refugee policies and reactive nation-state policies, conditions that contribute to refugees' experiences in both the country of origin and host societies; refugee camps and violence, and post-war restorations and return factors/experiences. Each of these sub-topics largely develops with the acknowledgment of humanitarian assistance to provide resources to reduce refugees/asylum seekers' vulnerability, and of the management role of the host society in meeting the needs of refugees/asylees and native citizens equally and simultaneously. According to the recent asylum statistics reported by the United Nations High Commissioner on Refugees (2009), approximately 383,000 asylum claims were documented in 2008, and 49,000 of those claims were filed in the U.S. The UNHCR (2009:7, 35) also reports that the U.S. "receives the largest number of new asylum seekers," and among these asylum claims-makers, the majority identify their country of origin as "China, Mexico, and El Salvador." As a signatory to the UNHCR (2009), the U.S. is responsible for complying with the 1951 Refugee Convention mandate, the 1967 Protocol, and the Non-Refoulement clause, which collectively ensures that refugees acquire protection in a host country if in fear of or lack protection from

persecution in their country of origin and are also not at risk of removal from the host country (see Chan 2006). Although refugees/asylees access security through these international policies, the role and implementation of individual nation's policies (Mountz, Wright, Miyares, & Bailey 2002; Uçarer 1989; Loescher 1989; Abeyratne 1999), individual responsibility to meet refugee/asylee status (Sarre 1999), potential conflicts/competition with native citizens (Uçarer 1989), and lack of access to resources constituting (in)voluntary returns to the country of origin (Stein & Cuny 1994), serve to place asylum seekers in precarious situations of liminality that undermine their rights to security and safety in a non-conflict setting.

INVOLUNTARY MIGRANT MODELS

Theories of immigration and refugee movements have focused on factors that contribute to immigrants moving from their homeland to a host country. Lee (1966:51) offers a framework for understanding individuals' migration processes and decisions at the micro level from the standpoint of a rational actor. Particularly, Lee (1966) reformulates earlier migration theories to reduce migrant movement to the transition between a home and a host country constituted by push and pull factors. In addition, theories of immigration have privileged the abilities of the "voluntary migrants" to make rational economic choices toward socioeconomic improvement of their livelihoods (Massey et al. 1993:434; Castles 2003:17). From the micro standpoint, the immigrant actor engages in a conscious process of seeking employment opportunities in order to improve his or her socioeconomic livelihood. This process requires a significant degree

of pre-established resources in order to evaluate the migration route and successfully assimilate to new economic conditions. Overall, the basis of the macro and micro approaches to explaining migration patterns and processes is to evaluate the economic conditions of nation-states and evaluation process of individuals. However this economic-influenced migration process has neglected to consider actors that are not economically motivated, or experience different forms of privilege and marginalization. The focus on a single economic actor reifies the assumption that actors have the ability to manipulate resources and enact their own economic motives without the influence of other factors or constraints. This historical, exclusive focus has neglected to include the forced migration processes of asylum seekers.

Underlying this linear migration model is the validation of a privileged migrant, who has the capabilities and resources to determine his or her migration route and solidify this “journey” by integrating into the host country. A problematic component of this model in hindsight is the neglected aspects of migration from the basis of a marginalized actor in terms of forced migration conditions. Although transnational migration offers the potential for individuals to mitigate their vulnerability associated with their country of origin, this assumed voluntary component does not illustrate all types of migration patterns, particularly with regard to asylum seekers, but also with some types of economic migrants. In addition, there seems to be a component of passivity in conceptualizations of adapting to the host society, rather than take into account the active negotiation process that immigrants continuously experience in the

host country and the influence of their country of origin (see Archdeacon 1985:123). For example, Lee (1966:50) mentions a degree of uncertainty in regard to the conditions of the country of destination; however, this uncertainty seems to be a common element throughout the migration act. Moreover, intervening obstacles that occur between the place of origin and destination are also a factor within the origin country and during the arrival to the country of destination.

PUSH FACTORS

Although economic migrants experience various push factors contributing to their urgency to migrate, political refugees and asylum seekers often are forced to migrate as a result of persecution. Significantly, Schmeidl (1997:302) finds that “political violence, genocide, and foreign military intervention” constitute as “push factors” for political refugees. In this sense, they lack choice to prepare and choose to migrate because their survival is at risk. Accordingly, Richmond (1993:10) characterizes political refugees as “reactive migrants” in order to highlight their lack of choice in migration. For instance, existing literature on forced migration acknowledge the lack of autonomy and strategic ability of forced migrants in determining their migration decisions and routes (Riddle & Buckley 1998:237; Kunz 1973:131). Political refugees and asylum seekers encounter dire conditions in which according to Moore and Shellman (2007:601) they must consider whether to “abandon one’s home” and if so, “where to relocate” in order to survive. Even though this process is common to economic migrants to a certain extent in making decisions to migrate and which country to immigrate to, political refugees/asylum

seekers are coerced to migrate and as a result, lack the power to fully negotiate their situations due to their lack of choice.

Theories have developed to explicitly address the non-voluntary aspect of refugee movements; many of the theories tend to modify the economic migrant model (Richmond 1993; Kunz 1973). Significantly, several models have made progress in re-modifying immigration models to reduce the focus on the pull factors in order to acknowledge the role of push factors in minimizing refugees' agency and migration ability. In response to the economic migrant model, Richmond (1993:10) develops a model that utilizes Giddens' "structuration theory" in order to theorize "a continuum between the rational choice behaviour of *proactive* migrants seeking to maximize net advantage and the *reactive* behaviour of those whose degrees of freedom are severely constrained." Similarly, Kunz (1973:131) developed a "kinetic model" that identified the heterogeneous circumstances of refugees by categorizing them either as taking part in "anticipatory or acute movements." Furthermore, Kunz (1973:132) re-modifies the role of push and pull factors by emphasizing the coercion refugees experience and also their potential influence regarding their destination in a host country. Each of these two models provides a theoretical account of the barriers that are particular to refugees' experiences that are invalidated in economic-based immigration models. In this research study, an abstract model of action is proposed to appropriately consider the situation of marginal groups/individuals negotiating conditions that limit their choices and agency potential.

Although the aforementioned models developed both by Kunz (1973) and Richmond (1993) emphasize the coercion that is central to refugees' movement and agency process, refugees appear to be held to the standard assumptions of economic migrants with regard to their potential access to resources and their responsibility to "prove" their eligibility for refugee/asylee status (see Sarre 1999). The context of refugees must be fully acknowledged in order to differentiate their circumstances from "voluntary" economic migrants. Hence, simultaneously the recognition that economic migrants experience coercion is also an important issue to address. Particularly, Hakovirta (1993:43) identifies several "push factors" that influence refugee flows, which include "decolonization, military government, poverty, and environmental crises." These conditions force refugees to migrate to safer areas that offer more resources to aid in immediate survival. Correspondingly, Davenport, Moore, and Poe (2003:32) identify that refugees also migrate in response to "state violence, dissident violence, or state-dissident violence." These macro situations constitute the forceful migration of refugees in which their agency and autonomy is deemed inefficient to fully mitigate their vulnerability. The salience of agency is further diminished as a result of individuals' inability to secure other alternatives to mitigate violence, except in the form of migrating to safer areas. Consequently, their vulnerability associated with the conflict zone tends to increase as they negotiate new territories, and lack of knowledge and resources to effectively acquire security (De Jongh 1994:222). Throughout the migration process, despite the fact that refugees migrate in order to mitigate their vulnerability associated

with the armed conflict context, they are likely to experience increased vulnerability as they attempt to negotiate international migration processes, asylum, and adaptation to a host country. As a result, political refugees seem to be merely escaping one context of insecurity, which becomes replaced with other forms of insecurity and risk. This process serves to exacerbate their potential risks, despite the assumption that they are fleeing conflict zones to reside in peaceful contexts.

ECONOMIC VERSUS POLITICAL

In response to the limited framework that divorces the economic migrant from the political refugee/asylee on the basis of the voluntary/involuntary nature of their migration; it is possible to advance propositions that identify the involuntary aspects of economic migration (see the concept of reactive migration, Richmond 1993), as well as support agency exertion in involuntary migration. As mentioned earlier, economic migrants search for host societies that present them with greater opportunities to mitigate economic insecurity and facilitate survival. For the focus of this research, despite the coercive and restrictive conditions that asylees in particular experience in their attainment of asylee status, they actively negotiate structural barriers to secure protection. A continuum is useful to acknowledge the interface between barriers to asylee status and the ability to mitigate these barriers by strategically utilizing resources and arguing a sound case for asylum eligibility. In extending the continuum theorized by Richmond (1993) to account for the degree of choice afforded between “proactive and reactive migrants,” it is significant to develop an additional diverse model to account for the

varying degrees of agency and marginality evident in asylum seekers' negotiation of the asylum process. This continuum can facilitate the ability to analyze asylum seekers as a heterogeneous group with varying degrees of access to resources and different exposures to barriers.

Conceptualizing agency with regard to the experiences of asylees is theoretically challenging. By equating the agency of privileged, rational actors to that of asylees would overlook the oppressive conditions that asylees encounter. Asylum seekers grounds for asylum are contingent upon their ability to prove their persecution and provide ample documentation in a context in which they tend to lack stable housing, food, transportation, and other economic and social resources. In addition to limited access to basic necessities, Boersma (2003:526) identifies other barriers that include: language barriers and psychological trauma stemming from persecution. Moreover, Harris (2003:408) concludes that disabled refugees/asylum seekers experience difficulties managing and overcoming trauma and poor mental health after escaping persecution. Within a context of limited resources and the corresponding high factor of vulnerability and trauma, the agency exerted by asylum seekers includes how they respond to and negotiate barriers in an effort to survive.

However, stating that asylum seekers are unable to exert agency is problematic and illogical. In this dilemma, modifying the definition of agency to include an aspect of negotiation enables the ability to interconnect agency with situations in which action merely responds to structural barriers. Perhaps the conceptualization of agency as a

negotiated process provides a more accurate depiction of agency by validating asylum seekers' consciousness in responding to and managing barriers as they attempt to secure asylee status. However, it is important to acknowledge asylum seekers as marginal actors because the discriminatory conditions they negotiate limit or in some cases prevent them from making strategic and self-interested choices to mitigate insecurity and persecution. For example, Harris (2003:409) asserts that refugees/asylum seekers are coerced to prioritize their efforts toward accessing basic human needs at the expense of attaining other resources related to their health. As a result, their exertion of agency is limited in terms of free choice, but nevertheless they do evaluate their conditions and attempt to make strategic decisions in order to prioritize their needs within a context of liminality, uncertainty, and lack of resources.

ASYLUM DETERRENTS

At face value, the human rights refugee policy appears to provide ample security and validation to overcome refugees and asylum seekers' vulnerability since the policy validates the right to freedom from persecution, and protection in the host country from forced return to the country of origin (UNHCR 2009). However the literature on refugees' rights and international refugee and asylum laws indicates that host societies actually work against the establishment of refugees' rights to security and safety (Rottman, Fariss, & Poe 2009, Black 2003; Loescher 1989). In the practical application of the framework of refugees' rights, two limitations arise that exacerbate refugees and asylum-seekers' vulnerability and confine them to a liminal space. Host societies in

particular experience difficulties in resolving the problem of fraudulent claims of asylum due to a potential increase in unsecure borders and the probability that undocumented asylum seekers may be “valid” refugees (Abeyratne 1999:613, Black 2003). In addition, migration patterns have contributed to increases in asylum seekers causing “an overburdened asylum procedure” (Widgren 1987:601), which presents accommodation difficulties for host societies. From this standpoint, host nations encounter difficulties in upholding their international responsibility to protect refugees/asylees, and also maintaining security from the illegal entry of “economic” migrants (Black 2003:34). Second, the rights that political refugees/asylum seekers have access to are positioned against the lack of open entry of “economic” migrants and their inability to receive protection (Black 2003). Although many nations and scholars support the distinction between economic migrants and political refugees based on concerns to fully provide resources to refugees as a result of their coerced status and increased vulnerability, which is not a default characteristic of economic migrants; ironically, this classificatory system induces barriers particular to refugees and asylum seekers. Due to an atmosphere in which different treatment and rights are given to refugees/asylum seekers and economic migrants, identifying who is considered a “legitimate” refugee/asylee becomes a matter of individual responsibility, particularly refugees/asylum seekers’ ability to “prove their eligibility” for protection (Sarre 1999; Ranger 2005; Schafer 2002; Barnett 2002).

There are several problematic issues that result from the classification scheme and individual responsibility. First, refugees/asylum seekers are held to the standard of a

privileged, autonomous agent in which “eligibility must be proven.” Although they are entitled to privilege by being able to apply for asylum, their potential insecurity and unfamiliarity may pose as barriers in their ability in developing a sound case. Second, the emphasis on individual responsibility in providing evidence of eligibility as a refugee/asylum seeker is to be exercised against the backdrop of stereotypical assumptions that the particular refugee/asylum seeker is actually making a false claim in order to hide his or her “economic migrant” identity (Black 2003; Ranger 2005; Schafer 2002). If individual responsibility, which is of itself problematic, is linked to challenging the assumption of being considered an “economic” migrant, political refugees and asylum seekers as a result, are reduced to a liminal space in which they lack agency to effectively mitigate these barriers. Specifically, even though asylum seekers are eligible to secure asylee status, the process requires them to prove their reasons by telling their story and providing evidence. The presence of obstacles, such as stereotypes, lack of resources, or the inability to obtain evidence undermines their ability to justify their need for asylum. In this situation, the ability to access privilege is limited in the asylum process based on the severity of barriers to overcome.

In addition to the invisible barriers that surface in the application of the refugee rights’ definition, Western societies particularly the European Union and the U.S., have implemented specific policies to prevent the entry of “economic migrants” from illegally entering under the label of political refugees/asylum seekers and to even limit the total number of political refugees accepted (Black 2003; Rottman, Fariss, & Poe 2009;

Loescher 1989; Abeyratne 1999; Mountz, Wright, Miyares, & Bailey 2002; Neumayer 2005; Barnett 2002). Subsequently, Western societies have implemented a focus on criminalizing immigration, which tends to limit the entry of economic migrants, and in response, increase the barriers to attain asylum (Engbersen & Leerkes 2010:211; Demleitner 2010:229). Several deterrent policies were mandated to compensate for the increase in refugees and applications of asylum (Uçarer 1989:292). The two most common policies exercised by the European Union as well as the United States were the added responsibility of “third countries/transit states,” (referring to countries not involved in granting asylum) and changes made to the asylum application procedure, generally increasing the length of the process and official reviews made by non-official agents (Loescher 1989; Uçarer 1989; Abeyratne 1999; Barnett 2002; Mountz, Wright, Miyares, & Bailey 2002).

The policy instigated under the idea of “third countries/transit states” sought to limit incoming refugees/asylum seekers based on the likelihood that prior to entering a host society they may have transitioned through another country that was “equally” presumed as safe. Although perceptions of this policy may be neutral and assumed to not be in violation of the non-refoulement clause (see Chan 2006), this policy serves to undermine the agency and rights to safety guaranteed to refugees/asylees. For example, “third countries” that do not appear to directly persecute a refugee, may not be a legitimate host opportunity for refugees if they are not a UNHCR signatory country or if they are unable to provide adequate resources necessary for refugee/asylees to adapt

sufficiently. In these cases, refugees/asylees are at continued risk of vulnerability. Furthermore, this policy invalidates the migration process in which migration is usually characterized as “step process” with regard to the lack of resources to make a single transition between the country of origin and host society (Lee 1966). From this example, refugees/asylum seekers are treated in a similar context as “economic migrants” concerning the assumption that they have access to resources and autonomy to effectively transition and adapt to the host country as well as qualify for protection. The problem with this assumption is that international policy and its enforcers neglect to acknowledge the coerced conditions that refugees and asylum seekers’ experience, and the difficulties they encounter as they exercise agency from a coerced, traumatized, and liminal space.

MANAGING VULNERABILITY IN THE ASYLUM PROCESS

Importantly, refugees and asylum seekers face a high degree of vulnerability within the forced migration process from persecution, and in their process of seeking safety in temporary or permanent opportunities of asylum. Although it may be envisioned that asylum seekers access safety by fleeing persecution in their country of origin, the literature in general documents the refugee/asylum process as subjecting individuals to inequalities, poor conditions, lack of communal support, and further violence (Ashford 2008:200; Ahearn & Noble 2004:402). Here the country of origin’s condition is interconnected with the refugee process and ability to secure asylum in a particular host country. Specifically the conditions asylum seekers are escaping from and the degree of trauma they are managing constitute their vulnerability in negotiating

forced migration and the asylum process. As discussed earlier, refugees/asylum seekers lack access to essential resources to navigate the refugee/asylum process sufficiently.

A central theme emergent in the literature concerns the limited degree of autonomy asylum seekers' access in reporting victimization and seeking validation through asylum in aim of the opportunity to seek a safe context in a host society. However, underlying this definition is the idea that a person seeking political refugee or asylee status must prove their qualification. Importantly, individuals' eligibility to take part in forced migration as an asylum seeker is uncertain because their experiences of victimization have to be legitimized from an outside authority (see Visweswaran 2004:490). Several studies reveal that asylum seekers are likely to be invalidated for their claims by authorities (Stabile & Rentschler 2005; Ranger 2005; Pickering 2007; Shafer 2002). From this standpoint, entry into the host society is hindered by the ability to present a legitimate claim for asylum and protection. In Ranger's (2005:415) examination of Zimbabwean refugees asylum claims in Britain, he finds that the legitimization of asylum claims was often denied based on lack of knowledge of the violence in a particular context and the discrediting of the fear individuals encountered in their country of origin. For example, one case study indicated that a teacher's right to asylum was discounted because the authorities neglected to recognize the vulnerability to violence experienced particularly by teachers (Ranger 2005:415). Here, although asylum seekers were presenting valid claims concerning their risk of persecution, the power was associated with the authorities in their discretion of whether or not to legitimate their

claims. Similarly, Schafer (2002:38) substantiates the lack of credibility women experience filing for asylum, by documenting that “[s]ome of the women [from Malawi] who were brave enough to come forward found out that their claims were not taken seriously by Malawian [male] asylum officers.” This finding is problematic because asylum seekers must recount their traumatic experiences, and are susceptible to being denied asylee status because in some cases their victimization incidences are not automatically met with validation by authorities.

Individual’s agency and situation is precarious in the asylum process because their sense of safety and self-worth hinges on the ability to be validated for their experiences, and gain access to social services and citizenship the host society. Schafer (2002:33) notes that women experienced pressure to have their claims legitimated because if “rejected” they would have to “leave to apply for asylum in the next nearest safe country.” This context of liminality exacerbates women’s vulnerability because they have access to minimal resources, and lack the ability to fully negotiate their predicament because the process denies them full participation and validation of their victimization. Accordingly, asylum agents tend to require documentation and a sound argument claiming the extent of persecution and need for asylum, however, agents seem to identify “vagueness, contradiction and lack of credibility among some of the applicants” (Bailliet 2007). Although the asylum agents experience weak or unclear claims, these claims may not be fraudulent, but actually signals the lack of agency and high degree of trauma, insecurity, and lack of knowledge pervasive in asylum seekers process of securing status.

Correspondingly, Stabile and Rentschler (2005:17) note that women are encouraged to recite “particular kinds of narratives about their victimization” in order to attain asylum. Here, women’s lack of validation requires them to risk seeking asylum, and as a result, they engage in a strategic task of attempting to provide an account of violence that corresponds with the initial assumptions held by authorities. The problem associated with this action is asylum seekers risk providing a pre-formulated experience that may fail to meet the authorities’ guidelines for asylum, and in doing so, they do not retell their actual victimization. As a result, their agency is limited because their experiences are invalidated. Correspondingly, Pickering (2007:30) argues that “[w]ithin this narrative, asylum-seekers are considered an alien group with no connection to the body politic or to the cultural or social mores of the nation in which they seek asylum.” This space of liminality subjugates asylum seekers to further insecurity that builds on their earlier vulnerable status related to persecution in their country of origin that coerced them to migrate. These practices, in the asylum system, devalue asylum seekers and reject their ability to exert autonomy in seeking safety from victimization.

Similarly, evidence reveals that asylum seekers encounter a lack of validation of their circumstances by the agents who are assigned to validate their eligibility (Ranger 2005; Mountz, Wright, Miyares, & Bailey 2002). In addition to the underlying prevalence of assuming that political refugees/asylum seekers are “economic migrants” and that it is their responsibility to disapprove of these assumptions, comes the problem of unqualified agents deciding the outcome of these cases. Particularly, several studies

identify that airline agents and immigration officers are responsible for deciding the status of potential refugees/asylum seekers, although, it is fairly evident that these agents are not qualified to make such decisions (Abeyratne 1999; Eades 2005; Rottman, Fariss, & Poe 2009). These agents may be more likely to devalue the claims of refugees/asylum seekers based on the presumption of the prevalence of false claims made by “economic migrants.”

Moreover, several studies have critiqued asylum agents for failing to grant asylee status to “valid” asylum claims due to their own ignorance of the situation (Stabile & Rentschler 2005; Ranger 2005; Pickering 2007; Shafer 2002; Mountz, Wright, Miyares, & Bailey 2002). Additionally, asylum agents may lack cultural knowledge, particularly in authenticating the asylum seekers’ persecution, such as linguistic evidence to determine nationality (Eades 2005). Evidence shows that asylum agents either invalidate the claims because they do not coincide with typical asylum scripts or they automatically assume that false documents indicate economic motives for entry (Barnett 2002). However, research has illustrated that asylum seekers may be coerced to obtain false documents to enter due to their precarious situation and limited resources (Ranger 2005). Since asylum seekers’ survival is contingent on securing asylee status, they may present typical claims that necessarily do not fit with their own particular circumstances (Shafer 2002). The basis of asylum seekers presenting universal claims is to gain a better chance of having their claims validated, and to reduce the risks of their claims being rejected based on the agent’s lack of knowledge regarding their persecution. Here, asylum

seekers' agency is exerted to directly resist discriminatory practices of agents and policies that characterize them as fraudulent and/or as economic migrants. In comparison to voluntary migrants, asylum seekers forced migration experiences contribute to their greater degree of vulnerability because of their marginal status. However, in the process of seeking safety, asylum seekers cannot expect to be validated for their victimization or depend on access to protection. As this chapter has documented, asylum seekers must persuade authorities and argue for their right to safety since it is not a given right in the asylum process without outside authorization that exposure to violence was a legitimate concern.

CONCLUSION

I argue that in order to appropriately examine asylum seekers' experiences' securing asylee status, researchers must explore their marginal status from the conditions in which their forced migration derived from. Thus, a larger framework of liminality is useful to trace asylum seekers' experiences of forced migration from persecution through their process of asylum. For instance, Archdeacon (1983:123) proposes that "[r]esearchers must not only continue to recount the histories of various immigrant and ethnic groups but must also begin to give more attention to that neglected dimension of the field which seeks to understand immigration and ethnicity as a process." This idea is applicable to the forced migration and asylum process of those individuals escaping persecution because it facilitates the opportunity to explore how individuals navigate the system of asylum from a position of liminality and lack of autonomy. Based on this

literature review, the larger process of asylum and forced migration fails to take into account asylum seekers' marginal status, and as a result, their degree of vulnerability is continuously magnified throughout their efforts to seek safety. In this sense, asylum seekers are unable to fully mitigate their vulnerability because the system neglects to validate their experiences of victimization, and account for the lack of autonomy and resources in the process of forced migration. However, it is important to recognize that asylum seekers do exhibit agency because they are able to migrate to other host countries and secure asylee status. Overall, in order to accurately address the asylum process engaged in by asylum seekers and improve the system, it is critical to address the entire process of forced migration regarding individuals' persecution in their country of origin, and how this liminality informs their experiences and navigation of the asylum process.

This dissertation extends earlier studies and theories regarding asylum seekers by reporting a qualitative study that addresses the experiences of asylum seekers negotiating the asylum system in order to secure their safety and rights. This focus on the experiences of asylum seekers facilitates the ability to explore how they exert agency amidst coercive conditions. Their experiences offer the opportunity to understand how individuals at the micro level interact with and navigate international policies and practices. The aim of the study is to apply an abstract model of action as a framework to the negotiated agency process of asylum seekers.

CHAPTER III

THEORETICAL MODEL

INTEGRATING MICRO AND MACRO THEORY FROM A SPACE OF LIMINALITY

The debate central to sociological theorizing is addressing the dilemma between macro- structural relations versus subjective micro-interactions to explain the interconnection between individuals and society. Classical and contemporary sociological theories have devised a dichotomy in either emphasizing a macro or micro perspective. These theories have not necessarily neglected the other dimension, but accounted for social order by either claiming that individuals actively construct society or that society structurally underdetermines social relations at the local level. In this process, the dichotomy between micro and macro is sustained and hinders the potential to formulate an interconnected aspect of individuals and society that is mutually supportive and dependent. Importantly, the theories developed by Parsons (1968), Giddens (1984), Bourdieu (2006), Alexander (1994), and Collins (2008) especially have sought to account for agency by merging key aspects of micro and macro theories. Briefly, in each of these theories, individuals' agency plays a central role in their abilities to actualize ends and contribute to structure and institutions. Albeit, in their interaction processes, individual actors must also address conditions that circumscribe the degree of will they are able to exercise. From this standpoint, structural conditions and individual agency are theorized

from a context that positions micro and macro as inseparable in a complex and mutually-equal manner. Although these efforts have made important contributions in understanding the structural and micro processes for sociological theorizing, these theories have neglected an intriguing and potentially revealing issue; specifically, how action can be understood from a marginalized actor's standpoint. I propose an abstract model that reorients the action process to validate the agency of marginalized individuals amid structural constraints, specifically with regard to the agency process of asylum seekers/asylees.

LIMITATIONS OF THE MICRO-MACRO MODEL

Although Parsons (1968), Giddens (1984), and Bourdieu (2006) have developed significant models that elucidate the relationship between individuals and society, their understanding of action incorporates an element of power or autonomy based on the actors' ability to overcome structurally constraining conditions. In order to understand agency from a marginalized standpoint, the challenge is to give structural conditions more weight without necessarily suggesting that marginalized individuals are incapable of agency. First, agency has to be reconceptualized to fully account for constraint and still validate the negotiation process that a marginalized individual undertakes, even if he or she lacks power and resources. Second, structure has to be partially removed from the "internalization" and subjective manipulation of the individual (Parsons 1968:387), and be demonstrated as objective and remote to the subjective realities of marginalized individuals. Third, action has to be in a sense decentralized from the power located in

each actor in order to address aspects of objective norms and lack of autonomy. The difficulty surrounding this particular task of emphasizing structure is to account for the agency potential of marginalized individuals in negotiating their structural conditions. Hence, action is reformulated not as reducible to particular actors, but as situations that are dynamic and nonlinear. Lastly, marginalized actors experience a sense of disconnection and powerlessness in negotiating spaces of liminality, particularly evident in asylum seekers' experiences of forced migration and the asylum process. This space of liminality subjects asylum seekers to focus on survival efforts as they negotiate structural barriers that exacerbate their vulnerability. The aim of this chapter is to examine the context of asylum seekers in particular in order to recreate an abstract model of action that addresses the agency potential of marginalized actors, and action that exceeds the boundaries of linearity and means-end motivations.

SPACES OF LIMINALITY: THE CONTEXT OF ASYLUM SEEKERS

The examination of the asylum process of asylum seekers offers a unique vantage point for exploring the relationship between structure and agency from the perspective of marginalized individuals. Conditions of persecution in which asylum seekers are vulnerable to violence coerce these individuals to migrate toward safe zones in order to decrease their vulnerability. Briefly in considering forced migration factors, asylum seekers encounter several disadvantages that include the selected following: gender inequalities, trauma and/or fear of violence, loss of family, lack of access to resources, possible transnational migration routes, and lack of knowledge to negotiate the asylum

process, etc. (Wood 2006; Green 2004; Diken and Laustsen 2005; Schafer 2002; Castles 2003; De Jongh 1994). Moreover, the salience of uncertainty marginalizes asylum seekers and counters their agency efforts (see De Jongh 1994). By comparing political refugees/asylum seekers to economic migrants, Castles (2003:17) suggests that economic migrants access more resources and support networks that contribute to their abilities to successfully migrate and adapt to a host country. Within the context of political refugees/asylum seekers, individuals are unable to access resources or make informed decisions to the extent of voluntary migrants as a result of their forced migration in order to seek protection.

The context of forced migration of asylum seeker as a result of persecution places this particular group in a space of liminality. Specifically, the term “liminality” is defined according to Turner (1969:95) as “entities [that] are neither here nor there [. . .]. [A]s liminal beings they have no status, property, or insignia [. . .]. Asylum seekers forced to escape the violent conditions of their country of origin experience vulnerability not only in their immediate context due to uncertainty and limited resources and preparation to escape, but also in the asylum process. Here, they lack autonomy and the decision-making power to voluntarily migrate (Schafer 2002:31). In addition, asylum seekers must present asylum cases that document their experiences of persecution in order to gain asylee status. This process is difficult because asylum seekers are unable to work, and lack the necessary resources, knowledge, and stable mental state to navigate the asylum system efficiently. In this sense, their experience of insecurity and

marginality in their country of origin remain a constant factor as they not only escape persecution, but also undergo the asylum process in a host country.

Although asylum seekers lack agency in the migration and asylum processes as a result of the coercive conditions, these precarious situations do not necessarily negate their agency. While it is significant to acknowledge the lack of autonomy accessible to asylum seekers, simultaneously it is problematic to assume that their actions do not qualify as agency. I argue that it is possible on one hand to address the lack of agency related to the imposed and coercive objective structure, while on the other hand, theorize marginalized actors' form of agency based on their ability to respond to coercive structures and actively negotiate these conditions in order to secure their own and their family's safety. Addressing the structurally limiting conditions is significant because asylum seekers are dependent on the system's policies. Based on this brief contextualization of asylum seekers' experiences, structure has to be reconceptualized in a primary role linked to constituting and also being influenced by agency in a similar manner as Giddens' (1984) conception of the "duality of structure." The emphasis on structure as imposing limitations on agency is significant because marginalized individuals lack opportunities to inform structural policies and experience limitations to their agency potential as a result of their non-autonomous status. As such, by positioning structure in the center alongside with agency, this interactional relationship is able to account for the limitations structure places on agency, and the validation of marginalized individuals' ability to negotiate structure interdependently.

ABSTRACT THEORY OF ACTION: REVISING THE “UNIT ACT”

The main conceptualization Parsons (1968:731) developed in connection with his “voluntaristic theory of action” is the “unit act,” in which all action can be reduced to a single formulation incorporating several analytical elements. Specifically, Parsons (1968:731) argues that

[i]t takes a certain number of these concrete elements to make up a complete unit act, a concrete end, concrete conditions, concrete means, and one or more norms governing the choice of means to an end. . . . It need only be noted that while each of these is, in a sense, a concrete entity, it is not one that is relevant to the theory of action unless it can be considered a part of a unit or a system of them.

Here, Parsons (1968:44) constructs a comprehensive form of action that involves an “actor, an end, a situation involving means to facilitate the particular ends, conditions that limit the means to an end, and a normative orientation that influences the particular development of means.” This action system is complex because it acknowledges the process in which actors develop “rational” ends. In this action process, actors’ agency is contextualized within a larger system of social norms that constitutes their means and includes conditions that serve to create boundaries to their means-end development. The significance of the “unit act” is the incorporation of actors’ agency in developing means to actualize goals, and the structural influence of norms that guide means and conditions actors’ experience in attaining their ends. Here, agency and structure are developed in a mutually integrated, dynamic relationship. Specifically, actors are able to seek their own

ends, and access the means to attain those ends in a subjective sense. However, simultaneously, actors must also contend with social structure by acknowledging certain limits that infiltrate their means and constitute the development and organization of multiple “unit acts.”

Parsons (1968) effectively accounts for the necessary factors of action and correlates them into model that functions to emphasize the interface between structure and agency. However, Parsons overlooks actors that lack autonomy. Particularly, Parsons (1968:65) neglects to directly displace the influence of the utilitarian form of agency structured in the “means-end relationship” as he originally stated in his earlier critique. What Parsons (1968) does accomplish is limiting the agency of the actor, not by negating agency, but by acknowledging the influence of structure. Parsons (1968:45) contributes to this relationship by incorporating a “normative orientation and conditions” that mitigate the “means-end relationship.” The focus on the means-end centralization with the supplemental role of the normative orientation and conditions disregards how objective structures underdetermine the agency of marginalized individuals.

Significantly, Parsons’ (1968) elements of the “unit act” facilitate the abstract action process for actors. However, these components need to be modified to better account for marginalized individuals. In addition, the “unit act” fails to adequately address the influence of norms on actors and their particular ends as well. According to the structure of the “unit act,” an actor selects a goal, then the context adapts to that particular goal, or the actor negotiates that particular context to attain his or her goal. In regard to the “unit

act,” the goal of the actor seems to be outside of the confines of the specific adaptations of the “conditions and normative orientation.” The role of structure in the “unit act” is reduced to a trivial position in which it simply informs the “means-end” relationship, without really playing a significant role. The “means-end” relationship is still dominant because the actor’s agency is positioned in a prominent role based on his or her ability to consult conditions and social norms in the process of engaging in means toward the attainment of a particular set of goals.

In the proposed revised model, the normative orientation, meaning the objective and subjective social norms/values, is considered as the framework of situations which inform, and to varying degrees, guide individuals’ action. This overarching normative orientation can be conceptualized as dynamic and flexible to account for the specific situation and the varying degrees of power that diverse actors hold. Importantly the normative orientation serves to influence how an actor’s identity is conceived either in imposed or voluntary ways. Moreover, the normative orientation influences the ends a particular actor is attempting to achieve. In this sense the actor and goal are not the first component of an action process or even the most prominent because general social norms guide this process of agency. In challenging the “unit act,” I argue that Parsons (1968) fails to contextualize agency within structure, and also negates structure by reducing its role to the periphery. This model develops a complex form of action in which agency and structure play a central role in order to explain the action processes of marginalized individuals.

The individual is not an individual without the constituents of structure or culture, and in addition, his or her own goal cannot be formulated without the influence of social norms. The “means-end relationship” developed by the actor cannot exist as a separate entity of structure. Instead, the actor is socially constructed. His or her sense of identity, action, and position in a collective framework is constructed by social guidelines. For example, in referring to Mead’s (1967) concept of the “I, me, and generalized other” the individual is never isolated from the influence and expectations of others. Even in isolated individual action, the actor is not disconnected from the influences of other individuals and social norms. Individuals’ self-conceptions, even if contrary to imposed definitions of their identity, are socially constructed, meaning that actors incorporate the appropriation of pre-defined roles and internalize them in a subjective fashion (Parsons 1951). Thus, the process of action does not simply consult “norms in the situation of means,” but social norms inform the actor. The entire action process is encompassed within the contextualization of a normative orientation.

Although I am clearly arguing that the objective informs the subjective process of action in which individuals engage, this does not nullify individuals’ agency, even when the “means-end” relationship is organized into a structural format/context. Subjective agency has not been reduced by the increased status of the “normative orientation” because individuals must still negotiate social norms in their own action process. This recognition of an actor’s consciousness (similar to Giddens 1984) in his or her ability to negotiate the action process validates subjective agency more aptly than afforded in the

“means-end” relationship. Since the actor represents a structural exponent, his or her agency becomes an informed process that is not reduced to a self-interested motive for actualizing an end. Here, the actor must consult with other individuals and existing norms, and actually enact a subjective process that requires a heightened degree of consciousness (see Mead 1967; Blumer 1986). In a similar way as the actor is socially constructed, his or her own end is also socially influenced. An actor’s end is still considered subjective, however, it is also developed in a structural context in which social norms and others influence this process.

For marginalized individuals, structure serves to underdetermine their decision-making ability, opportunities, and goals. For instance, Parsons (1968:387) supports Durkheim’s formulation of social norms by summarizing “since normative rules, conformity with which is a duty, become[s] an integral part of the individual’s system of values in action.” Here, social norms that are previously considered to be “external constraints” are also adopted by individuals and become central components of their identity. In regard to marginalized individuals, it is possible to consider social identity as imposed and subjective simultaneously, but the problem associated with conceptualizations of structure concerns the relationship between structure and marginal individuals. Specifically, objective structure may be internalized by marginalized individuals coercively. These structures may not be subjectively upheld or identified by marginal individuals who lack the ability to manipulate structure based on their own needs. For instance, Giddens’ (1984:3) theory of “structuration” implies that actors

“produce and reproduce structure” based on their “knowledgeability or reflexive monitoring.” This assumption in regard to action acknowledges that individuals have the ability to negotiate and influence structure based on their own use of power. However, marginalized individuals lack power to identify with and challenge imposed structural conditions.

The possibility that agency can be granted in action that responds to structural coercion requires a new conceptualization. For example, the idea that actors may negotiate their situation, but lack the ability to fully mitigate their conditions, is a central component added to re-conceptualizing agency. Agency presumes that actors are able to exert their own will and decision-making power to execute action, however, marginalized individuals lack this practice of autonomy (Giddens 1984:9). Particularly, subordinated individuals may experience coercion and lack of power to mitigate objective structures. For example, asylum seekers’ may be forced to migrate because their existence and self-worth is threatened. In this type of context, they may respond to the situation and seek asylum because there are no alternative choices. Subsequently, they must successfully engage in the asylum process and overcome the system’s inherent barriers as their best strategy for securing protection. Asylum seekers’ action process requires a new conception of agency in which they negotiate the situation and even comply with authoritative demands in order to secure their survival (see Schafer 2002). Due to experiences of forced migration, lack of autonomy, and uncertainty prevalent in attempting to secure asylee status, asylum seekers’ action processes must be considered a

form of agency. Their agency is reconfigured as a negotiated process with regard to their ability to prioritize their safety and seek ways to mitigate this vulnerability, even if they are unable to actively make decisions of their own free will. In the process of negotiating the asylum system, the structural conditions are unknown to asylum seekers and they may be coerced to respond to the policies and expectations as their only way to survive.

The context of liminality on one hand presumes that asylum seekers are interacting in a context that is unknown and detrimental to their access of autonomy, while on the other hand, it implies that actors must continuously negotiate structure based on their own needs and survival. Structure in this sense lacks an internalized quality because in the context of liminality, previous conditions and norms are no longer valid and emergent new norms are also distant or unfamiliar (see De Jongh 1994; Wood 2004; Schafer 2002; Castles 2003; Pickering 2007). Asylum seekers in a liminal zone must negotiate conditions that are transitory and develop new norms and processes in an effort to migrate and attain asylum successfully (see Nikolic-Ristanovic 2003; Ross-Sheriff 2006). It is important to clarify that refugees/asylum seekers unlike voluntary migrants are less likely to access resources and decision-making capabilities because they experience forced migration that is not willingly planned or they must seek refuge/asylum as a way to sustain their safety (Castles 2003:17).

EXTENDING CONTEMPORARY MICRO-MACRO THEORIES

In conditions of forced migration experienced by asylum seekers seeking asylum, the objective structure underdetermines their choices in the decision-making process.

Importantly, it is possible for asylum seekers to lack options in migrating, and they experience a lack of autonomy in transitioning to safer conditions (Castles 2003; Schafer 2002; Schmeidl 1997; De Jongh 1994; Ashford 2008; Ahearn & Noble 2004; Nikolic-Ristanovic 2003; Koshen 2007). Furthermore, they are dependent on needing to secure asylee status in the asylum process as their main chance to prevent further victimization. Advancing beyond Giddens' (1984) conceptualization of structure as directly engaged in by "knowledgeable actors," Bourdieu's (2006) theory of "habitus" offers a beneficial tool to understand the limitations of agency as a result of structural conditions. According to Bourdieu (2006:95), "habitus" refers to "an endless capacity to engender products—thoughts, perceptions, expressions, actions—whose limits are set by the historically and socially situated conditions of its production." In this sense, free will or full agency is reduced because in collective situations, individuals' action processes are limited by structural conditions, available means, restricted goals via social norms, and the actions and situations of others. The concept of "habitus" is a useful framework for understanding structural conditions because Bourdieu (2006:95) identifies that via "habitus, the structure which has produced it governs practice." In other words, structural conditions pertain to the particular situation that shapes the extent of actors' ability to perform subjective agency. Throughout the political asylum process, asylum seekers may be responding to the concrete conditions, and lack the opportunities to make "informed or planned" decisions (see Schafer 2002; Nikolic-Ristanovic 2003). Using the

concept of “habitus” to explain the relationship between structure and agency indicates that agency is a process that is guided by a larger framework of structural conditions.

However, in addition to structural conditions related to the context of action, the use of “habitus” can also be applied in a similar sense to address the flexibility and influence of the “normative orientation.” Since “habitus” restricts actors’ subjective motivations to the particular concrete conditions, this process can also integrate individuals’ motives with the larger social norms that inform his or her action process. Social norms provide guidelines and justification that inform the degree of self-interest an actor performs in a particular situation in a similar manner as conceptualized by Parsons’ (1951:59) “pattern variables” that orient subjective action to objective conditions. Here, individuals’ self-interest is informed by social norms that either corresponds with a particular situation or general interaction. In accounting for marginalized actors’ degree of agency, the normative orientation not only surrounds their action process, but also flexibly interacts with the concrete conditions. The role of the normative orientation as a result contributes to an interaction context in which marginalized individuals negotiate social norms as a main component of their action process.

Individuals’ action from this standpoint challenges earlier theories of agency that are based on strategic action or “knowledgeability” (Parsons 1968; Giddens 1984). Theories of agency and structure have been developed on the assumption that actors’ access and perform power in their ability to enact autonomy and utilize resources (Parsons 1968; Giddens 1984). This presumption has been formulated in response to the

macro/micro dilemma of exaggerating structural determinants at the expense of agency and even the utilitarian dilemma. For instance, Parsons' (1968:64) theory of action attempted to overcome the utilitarian dilemma which posited that action was either reduced to hedonistic drives or was structurally determined. In both of these perspectives, agency was lacking autonomy and individuals' action was constrained by other forces predicated on their unconsciousness. In order to overcome this dilemma and resituate agency in a more active role accompanied by the consciousness of actors, agency developed into a heightened form of consciousness either in usage of the centralization of the means-end relationship (Parsons 1968), or "structuration theory" concerning an individual's ability to affect structure (Giddens 1984). Although agency was not conceptualized in isolation of structure, the emphasis of agency has been to account for actors' consciousness and decision-making ability in addition to the manipulation of structural conditions in order to actualize their particular ends.

My interpretation of this development is theories of agency have been positioned to secure autonomy processes in order to construct agency outside of potential structural determinants. However, this conceptualization of agency has made the error of assuming that actors are equal and capable of exercising autonomy. Marginalized individuals historically have been unable to be considered autonomous on the basis of discrimination practices regarding gender, race, class, sexuality, and so forth. Earlier theories that have attempted to interconnect structure and agency mutually have neglected to clarify the relationship between structure and agency from the perspective of marginalized

individuals. From spaces of marginality and liminality the reconstruction of agency needs to account for lack of decision-making power and access to resources. In addition, structure needs to play a more dominant role in restricting practices of agency. Prior to re-conceptualizing agency and structure from a marginal space, I will clarify the limited role of agency. By restricting agency to compliment structural conditions, this process does not negate the agency potential of marginalized individuals, but redefines agency to account for marginalized individuals' experiences with structural conditions. Existing theories have implied that individuals have some control or direct input on structural conditions, and that these structures and social norms are actively "internalized" as a process of individuals' subjective identities (Giddens 1984; Parsons 1968; Bourdieu 2006). However, objective structures for marginalized individuals have been constraining in regard to limiting their actualization of rights.

The practice of agency for marginalized individuals diverges from the typical action process of dominant individuals. Rather than supporting that marginalized individuals either lack agency or have less access to exert agency compared to privileged individuals, it is important to redefine agency as a process of negotiation of structural conditions that may include elements of response or compliance to structural demands, in addition to "unknown situations and conditions" that reduce the ability to make informed choices (Giddens 1984). For example, the conditions of structure are constituted prior to the actor, in which the actor plays a role of responding to conditions rather than modifying or interacting with them. This emphasis on the constraining conditions is not

necessarily detrimental to the definition of agency because actors are still managing their situation. However, individuals' varying degrees of access to privilege involves different relations with structure. Significantly, the focus on negotiation offers a mutual, dynamic, and equal relationship between structure and agency, without reverting to hierarchical constructions of the micro/macro dichotomy. Instead of assuming that actors can influence structure and control their actualization of ends, marginalized individuals actively negotiate structural conditions even if they are unable to prioritize their own motives or concerns. Marginalized individuals exercise the ability to evaluate and interpret the power of perpetrators and coercive conditions, which constitutes as agency even if they are unable to change the situation. For instance, asylum seekers seek ways to secure their safety and asylum, but they also lack resources and opportunities to mitigate forced migration and lack of validation by asylum agents. As a result, their efforts of negotiation are limited to managing insecurity.

At this stage, marginalized individuals' action development must focus on the negotiation process, which demonstrates active agency on the part of subordinate individuals interacting with structure even if they lack autonomy to alter the system or structural conditions. Importantly, within this negotiation process, individual actors do not have the power to make autonomous decisions and they may not have full access to knowledge concerning the situation. Although they are conscious of their situation, there are unknown structural conditions that prevent them from making informed decisions to the same extent that a privileged individual or even a voluntary migrant may have more

access to in regard to their performance of agency (Castles 2003; Schafer 2002). The assumption of “unacknowledged conditions” as Giddens (1984:8) has proposed needs to be reformulated from a marginal space to address the implication of passivity that may underlie the lack of awareness to certain conditions. For instance, marginalized individuals do not have access to full knowledge and/or familiarity with structural conditions as a result of their lack of capability to manipulate structure. As a result, they are actively negotiating structure despite the inability to be fully aware of the structural conditions. Introducing elements of “unknown or unfamiliar conditions” facilitates the ability to show the limitations of agency for marginalized individuals because they lack full decision-making power and knowledge of their options and situation.

DISPLACING THE PRIVILEGED ACTOR: A SITUATIONAL CONTEXT OF ACTION

The abstract formulation of action developed by Parsons (1968) in his concept of the “unit act” reduces action to a particular linear pattern engaged in by a single actor. As mentioned earlier this basic conceptualization is useful in understanding action, and when reworked provides for a better ability to examine marginalized individuals’ action processes. However, the reduction of action to an actor does not offer an adequate tool in comprehending the process of marginalized individuals’ action. In considering the balance between structure and agency in order to incorporate new versions of agency that are underdetermined by structural conditions, the actor may be associated with the particular context and interaction setting as a result of his or her lack of power. In

extending our understanding of marginalized individuals' lack of access to fully enact their autonomy due to structural conditions, then it is also important to displace the focus on a particular actor as central to the action process. Assumptions that actors have power to alter their conditions and the linearity of this process neglects to understand action that does not conform to this model. Marginalized individuals' action process is theorized from a situational context, which incorporates the role of objective structure and other individuals. Despite their own motives to attend to their concerns and needs, the situation also underdetermines the extent of their agency. Collins (2008:20) in particular provides a situational theory of micro-relations that decenters the idea of individual motive in an effort to prioritize the interaction process as informed by the collective rituals engaged in by participants.

A situational analysis exemplifies the structural-agency interconnection that actors negotiate in interactions because they must not only consult the factors associated with their particular concrete condition, but the structural constraints and actions of others. Collins' (2008:3) emphasis is on displacing motive-based theories in favor of action that is informed by the interaction setting and other participants. Here, Collins (2008:19) does not necessarily suggest that actors do not have motives, but that their action process is influenced by the dynamics of the particular interaction setting. This identification of the significance of the interaction setting and participants enables the ability to better examine marginalized individuals who lack power to coerce or manipulate action processes. From a situational standpoint, the role of structure

becomes directly engaged in by the actor. The prominence of structure in the abstract model of action functions to coerce individuals' action, however, actors' agency from a marginal position of power must continuously interact with structure and negotiate its influence. This account does not imply that structure is ordered first and places agency in a supplementary role, but indicates that actor's agency must continuously manage the presence of structure and the limiting conditions of the interaction, social norms, and others' action. Structure and agency thus are constructed in an interactive context in which the actor cannot be separated from the structural norm context because social norms are incorporated as part of his or her own subjective identity (Parsons 1968). Importantly, the action process is demonstrated in a continuous and flexible interaction of diverse normative orientations and actors' socially constructed realities. Marginalized individuals' agency in situational terms relies on an active level of consciousness in the ability to mitigate their survival needs and discrimination. However, they lack the ability to familiarly engage with structure, since there are elements of uncertainty and unknown conditions in addition to lack of resource use. In this sense actors have varying degrees of power depending on the interaction dynamics, and as a result, they must actively engage with and respond to the limitations of their situation.

STRUCTURE AND AGENCY IN THE PROCESS OF ESTABLISHING TRAUMA

Trauma plays a critical role in the agency process of asylum seekers as they negotiate forced migration and asylum while also managing their experiences of trauma (De Jongh 1994; Ahearn & Noble 2004; Kanter 2008; Boersma 2003). Their degree of

agency as a result is reduced to mitigating migration and trauma in an effort to secure their access to safety. Importantly, Alexander's (1994:10) theory of the social construction of trauma introduces a prominent placing of agency in the ability for a social group to identify and validate their experiences of trauma. Significantly, Alexander, Eyerman, Giesen, Smelser, and Sztompka (1994:12) accomplish two important facets of the construction of trauma which includes: the agency of victims in acknowledging trauma; and second, the role of an outside audience that mitigates the degree in which trauma claims are legitimated. In addressing the process of the emergence and management of trauma claims that pertain to Alexander's (1994) theory, social groups must actively enact agency and respond to the conditions set by outsiders. Here, in using Alexander's (1994) theory as an example of trauma claims, there is evidence of a negotiated relationship between agency and structure.

One of the significant aspects extracted from Alexander's (1994) theory is the balance involved in the relationship between structure and agency in which agency is rendered dependent on structural conditions, and structural limitations can be addressed by agency simultaneously. For example, Alexander (1994:12) states that

[t]he goal of the speaker is persuasively to project the trauma claim to the audience-public. In doing so, the carrier group makes use of the particularities of the historical situation, the symbolic resources at hand, and the constraints and opportunities provided by institutional structures.

In examining this process several characteristics of the mutual interconnection between agency and structure can be devised. First, individuals must actively be conscious of their experience of trauma by labeling it as a problematic situation associated with the collective social group. This process removes the passivity associated with social groups, and actively positions them in a space in which they must make claims and interpret their experiences. Second, even in this ability to represent a traumatic experience, the victim-agents are limited to seeking legitimacy from outsiders (Alexander et al. 1994:14). For instance, Alexander (1994:18) locates limitations associated with the mass media in terms of legitimacy by claiming that “there is the competition for readership that often inspires the sometimes exaggerated and distorted production of the ‘news’ in mass circulation of newspapers and magazines.” From this example, despite the agency associated with victims making trauma claims, their activities are directly related to structural conditions and others’ degree of validation, which affects how the trauma is conceptualized and represented. Accordingly, the trauma experiences of a particular social group may not be accurately legitimated and accepted by outsiders, which derives from previous hierarchical relations of dominance and subordination (Alexander et al. 1994:21).

In examining these potential outcomes, the conceptualization of agency is not necessarily depicted as invalid, but the structural conditions and role of other social groups may challenge the abilities for victims to seek and demonstrate autonomy. Thus, the agency process must take into account the action of others and structural conditions.

The involvement of interacting with structural limitations constitutes as a form of agency, even in situations in which victimization claims are invalidated.

NEGOTIATED AGENCY: A REVISED ABSTRACT MODEL

The component of response as a form of agency is a significant addition to earlier conceptualizations of agency because rather than assuming that a response to structural conditions implies no active agency on the part of an actor, it can be reconceptualized as a conscious process of consulting with structural conditions. In the asylum context, agency can be conceptualized to explore how asylum seekers devise ways to mitigate insecurities associated with detrimental structural conditions from their country of origin and in the asylum process as well. Importantly, agency as a negotiation process removes the presumption of power associated with actors' ability to manipulate structural conditions based on their own means-end motivations by acknowledging the likelihood that for marginalized individuals structural conditions may seem coercive and dominant (Parsons 1968; Giddens 1984:9). Giddens' (1984:9) definition of agency emphasizes power by stating that "[a]gency concerns events of which an individual is the perpetrator, in the sense that the individual could, at any phase in a given sequence of conduct, have acted differently." The problematic assumption concerning this definition of agency is in regard to the degree of power accessible to individuals, since marginal individuals do not have the autonomy or resources to mitigate the structural conditions of their reality. In addition, disadvantaged individuals are subordinated by structural conditions and others, which contributes to their inability to adequately evaluate and exercise alternative options

to the same degree as a privileged actor. Interestingly, Giddens (1984:15) acknowledges a lack of power associated with certain individuals, however, claims that actors modify structure in their continuous actions. Giddens (1984:27) is careful to qualify this statement concerning the dual relationship between structure and agency by asserting that individuals “produce and reproduce action in a knowledgeable way;” however, their action outcomes contribute to “unintended consequences” and future “unacknowledged conditions.” The neglected component in this statement stems from the privilege linked to actors, since marginalized individuals do not adequately access the ability to contribute to or inform structural conditions. Agency has to be tailored to address the process of action engaged in by disadvantaged individuals and the likelihood that their actions are constituted by the context and structural policies in place.

THEORETICAL PROPOSITIONS:

- (1) Agency is a negotiated process based on marginalized actors’ active management and response to structural limitations.
- (2) The normative orientation encapsulates the action process and functions to inform the agency and structure relationship.
- (3) Structure underdetermines the extent in which agency and autonomy is performed characteristic of the particular situation and actor.
- (4) Given the prominence of structure, action is conceived of as an open-ended, circular process and is situational.
- (5) Action cannot be reduced to a particular actor’s means-end attainment due to the influence of situations and the normative orientation.
- (6) The relationship between structure and agency is mutually dependent and flexible as a result of actors’ varying degree of autonomy and resources.

In revising the abstract model to displace the actor and his or her ability to attain ends and modify structural conditions, I begin to devise a shift in how action is conceptualized as a process (see Figure I). Marginalized individuals still negotiate structure and seek to secure their survival and needs, but their process is limiting. Previous conceptualizations of the action process even in integrating a dyadic relationship between structure and agency have considered action to be a linear process (Parsons 1968; Giddens 1984). This linear process sustains the autonomy of an individuals' ability to seek ends and interact based on his or her motives. I am unconvinced that the accomplishment of one particular end leads to the completion of one unit of action, and then leads into the next. This linear thinking fails to address the complexity of action because it reduces the action processes to a single end or a continuous ends process.

Revised Version of Social Action & the Unit Act:

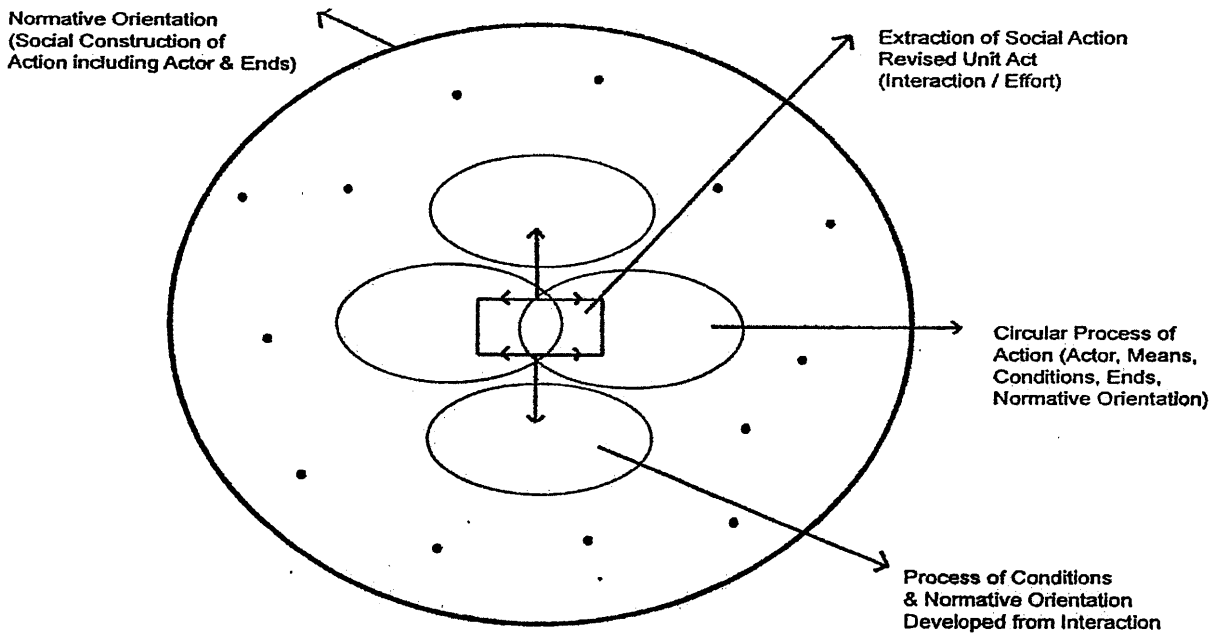


Figure 1: Revised Version of Social Action and the Unit Act

In examining the interactions engaged in by marginal individuals, the action process is hypothesized as less linear-oriented and more fragmented or circular. According to Figure I, the outer circle represents the normative orientation that guides the action process of individuals. The smaller dots inside the normative orientation symbolize possible means, conditions, other actors, and ends. The four larger ovals represent the action sequences of an actor, which includes a reflexive interaction between conditions, norms, means, ends, the normative orientation, and other actors. These interactions not only respond to the agency exerted by particular actors, but also contribute to conditions impacted the action process of other individuals (see Giddens 1984:27). Lastly the rectangular box indicates that when specifically exploring a

particular action process, the extraction of the action is not complete, and involves components of others actions or conditions. For example, extracting part of an asylum seeker's experience in the asylum system will incorporate some of the conditions, means, and barriers, but will not fully include the starting point of the action process or the end outcome. This results from the idea that the starting point of action cannot be solely tied to the beginning of persecution or the end of gaining status or not, simply because these actions may be tied to other conditions, or in the case of the end, gives way to future means and ends.

Based on this model, the restructuring of the “unit acts” requires a more prominent position of the “normative orientation, which displaces the “means-end” relationship by contextualizing it. The “means-end” relationship cannot exist as the main source of action because this invalidates the role of structure and the individual as a social member. Here the linear process of the “unit act” must also take a new form, specifically, a cyclical, open form (Figure II). This model specifically attempts to characterized action as reflexive, and that even when actors strive toward a particular end they encounter points in the action process in which they must make decisions, and secure sufficient means to overcome conditions. As a result, at times in the action process, a potential dilemma may require an actor to find ways to overcome a barrier that at the time may displace his or her attention or success in advancing toward attaining the particular end. Thus, the focus on open-ended circles demonstrates the variability an

actor experiences in interacting with multiple actors, conditions, means, normative orientations, and ends.

The cyclical model validates two important analytical elements of the “unit act.” First, it ensures the agency process of the individual by enabling him or her to negotiate structural norms throughout the entire process of action. In this sense, the individual consults structure and other individuals in his or her own process of developing an end, seeking specific means, and responding to conditions in order to enact action. Second, this process is dialectical because the “means-end” relationship is no longer dominant, but the actors’ negotiation with structure plays a central role in the development of action. This process requires a cyclical formation because it is hypothesized that the actor is not solely serving a self-interested end, but taking part in a larger system in which the means, ends, and conditions are all in equal association with the role of the “normative orientation.” Moreover, the actor is continuously confronted and in direct relation with other individuals, even in isolation (Mead 1967).

Social Action as Circular rather than Linear:

Circular Process of Action as Extracted
from Interaction Context.

The Circular Process shows the Variability
of Multiple Actors, Conditions, Means,
Normative Orientations & Ends.

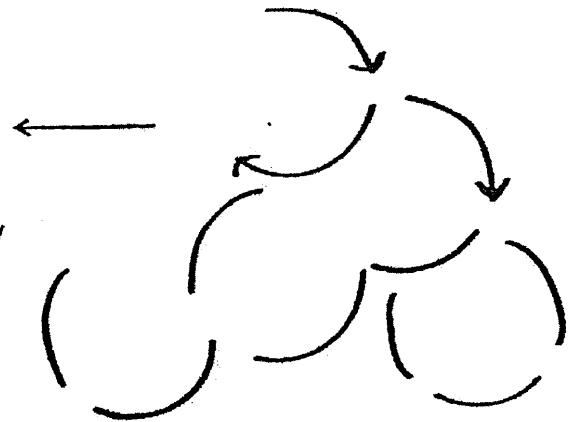


Figure 2: Social Action as Circular Rather Than Linear

This circular conception of action reinforces a situational analysis, meaning that in the interaction setting, diverse means, ends, conditions, norms, and actors will converge and diverge. If we extract a particular situation (refer to the rectangular box noted in Figure I), the enactment of agency highlights certain elements, such as means and conditions, but neglects to fully illustrate others, such as ends depending on the particular situation. According to Figure II, the development of a circle reveals the process in which actors make choices that influence their future conditions and attainment of their anticipated goal. The circle formation demonstrates that the process of action is open-ended and varies depending on the conditions. A complete circle indicates that the end has been achieved, however, the process may have entailed spinoffs (to the circle) in situations where an actor had to overcome a barrier, thereby disrupting his or her advancement toward an end. This circularity of the action process occurs because the dynamic situation modifies depending on the changing conditions, means,

ends, and interaction of participants. For example, although an individual may seek asylum, the actual process of application may rely on finding ways to illegitimately enter because legitimate entry is banned (Schafer 2002). The means and ends in this situation change based on the concrete conditions that an asylum seeker experiences. This process is reflexive because an individual may experience a condition prior to settling on a particular end, and the means may be executed prior to an actual end as a motivation. For example, action can be enacted without a particular end in mind, or not as the sole motivating force that guides an actors' agency. The process of action must flexibly account for the interchange between the elements of the "unit act" in order to better understand a marginal individual's enactment of agency in response to structure.

The continuous flexibility of the relations between actors, means, ends, conditions, and norms is contingent on the particular interaction. The "unit act" can no longer be constructed as a linear process because the individual is interconnected with other actors and the process of action is continuously interrupted by emerging conditions, means, actors, and norms. The aforementioned linear construction of the "unit act" is unable to incorporate the dynamic action process. An actor's means and ends change as the interaction process evolves, and the actual interaction may not have a definite open and close in regard to actualizing a particular end in an exchange process. Furthermore, an actor may not be motivated in an interaction setting by a concrete end, but may be coerced to participate because of the structural context and limiting conditions. In this sense, the ends cannot be conceptualized as the final product of an action because action

is a continuous process, and actors are not capable of compartmentalizing their various “unit acts.” These types of scenarios provide deviations from a traditional assumption that action is linearly motivated and that the actor is considered as the central role of the action process. In the revised model of action, action is constructed as open-ended and circular in order to account for the uncertain and changing context of interactions. This change is central to an action process that addresses the experiences of marginalized actors because they have been denied the ability to autonomously engage in a direct means-end relationship due to the impact of structural constraints and dominant actors.

Correspondingly, I propose that the “unit act” must be interconnected with other “unit acts” and never reduced into a single “unit act,” as Parsons’ (1968:741) identifies in his concept of a “knot.” The process of reducing action to a “single unit act” commits an error by privileging the actor’s single act outside of a “normative condition” or the influence of others. Individuals’ acts continuously engage with other individuals, and are in a relationship process with larger social norms and social institutions (Mead 1967). Importantly, Parsons (1968:741) develops a framework for linking action to a complex network of other actors and acts by stating that

[a] given concrete unit act is to be thought of, then, as a ‘knot’ where a large number of these threads come momentarily together only to separate again, each one to enter, as it goes on, into a variety of other knots into which only a few of those with which it was formerly combined enter with it. . . . A concrete web of threads can, in fact, be untied, the threads unraveled from each other.

This interconnection of multiple “unit acts” is significant because these acts are constructed together in a continuously changing way in which various “unit acts” merge and detach at different points. I argue that the revised “unit act” must be integrated into this similar sort of pattern. Although these points vary in the different interconnections of the “unit acts,” I assert that a “unit act” cannot be separated from other “acts” as well as from the “normative orientation.” Rather, the utilization of the “knot” diagram for understanding the “unit act” is important because these acts are variously interconnected and overlapping.

In order to account for the complex analysis of individual action and to locate it in a collective context, the “unit act” cannot be reduced to a single action, even if a particular actor may be acting in isolation toward one specific goal. First, it is important to propose that actors engage in multiple goals, and also serve to assist in the action process of others, even if they are not necessarily assisting others to reach certain goals. Second, I posit that an actor is never outside of a particular social institution or social norms, especially in consideration that the actor’s self identity is socially constructed as well as the fact that he or she internalizes social norms (Parsons 1968). By contextualizing the actor into the social setting, agency and structure are intertwined and their relationship modifies depending on the access of power and autonomy associated with a particular actor. For marginalized individuals, structure is theorized as underdetermining the agency of actors. However, individuals with more power are able to manipulate structure to accommodate their subjective interests more efficiently. This

abstract model serves to account for the diversity of power accessible to different actors. Thus, any reduction of a specific action must not be at a level below a particular “knot” in order to make sure that action is appropriately contextualized within the social boundaries of an interaction context. As a result, the “unit act” as previously conceptualized in isolation cannot theoretically or concretely exist as a result of its attachment to the interconnection of other acts. Focusing on a particular individual must take on a more complex understanding of the negotiation process an actor develops in conjunction with the actions of other individuals.

Overall, the revised “unit act” incorporates marginalized individuals’ action processes as a form of agency alongside the action contexts of privileged actors. Actors, despite their degree of autonomy, are socially constructed based on social norms. However, despite the external and internal variances of structure in relation to social actors (Parsons 1968:387), structure and agency must be formed as an interactive and balanced process. Similar to Bourdieu’s (2006) concept of “habitus” and Giddens’ (1984) concept of “reflexive monitoring,” individuals’ agency directly responds to and to varying degrees either negotiates or manipulates structural conditions. This feedback process modifies in practice depending on the degree of autonomy and agency exercised by individuals. Although privileged individuals have more ability to restructure conditions, marginalized individuals may be coerced to respond to situations in which their immediate concerns are reduced by structural limitations and discriminatory conditions. A “situational analysis” developed by Collins (2008) and evident in

Alexander's (1994) concept of "collective trauma," displaces the prominence of actors' power capability as the center of the action process, and instead reorganizes individuals' action processes in the context of social norms and other individuals. This process interconnects the normative orientation and actors' subjective agency as mutually dependent.

As such, agency departs from actors' positions of power in interactions to be reconceptualized as an active negotiation and response to structural conditions. This change in conceptualization does not negate the ability for actors to make informed decisions and execute action. Simply, the revised conception of agency facilitates the ability to situate actors within structural conditions, and identify and validate marginalized actors as agents, even if they are unable to constitute the conditions of objective structure and social norms. This revised model will be tested with the emerging themes and experiences presented by asylum seekers in this study. The broadening of agency acknowledges an active consciousness of all actors, but takes into consideration the power and restrictions of a structural framework that may not be mitigated by actors equally or always effectively. Furthermore, the flexible construction of the relationship between diverse social norms, conditions, and actors is particular to the present situation at hand. Agency in diverse contexts takes on different forms, but the overall conceptualization of agency is to validate the ability of actors to consult with the situation and others, and negotiate these contexts actively, even if they are unable to manipulate structure to coincide with their subjective needs.

CONCLUSION

At this stage, this model of negotiated agency facilitates the ability to explore action situations enacted by marginalized actors. Rather than utilizing earlier action theories that center the means-end relationship, the model proposed in this chapter emphasizes the influence of conditions that minimize the effectiveness of means or prevent actors from fully achieving their ideal ends. Based on the literature contextualizing the experiences of asylum seekers, the process of securing asylee status involves overcoming certain barriers. In considering that asylum seekers are unfamiliar with the host society and asylum system, and also must cope with trauma, their ability to exert agency is limited. The upcoming chapters analyzing the interviews and examining particular cases will apply the negotiated agency model to determine if this action model better captures the experiences of asylum seekers as they strive for asylee status.

CHAPTER IV

METHODS

In response to the evidence provided in the literature concerning the barriers asylum seekers are exposed to in securing their rights—despite the fact that their rights are supposed to be guaranteed—it is pertinent to this research to provide a context in which asylum seekers can openly share their experiences negotiating their rights to asylee status. Significantly, this study will explore asylum seekers' exertion of agency in negotiating their asylum application process in order to secure rights and resources entitled to them as asylees. The purpose is to understand the asylum process from the “bottom-up,” and examine asylum seekers' agency not only in their process of securing asylee status, but seeking their information and experiences to illustrate the impact of international and national policy structure on asylum seekers.

This study identified asylum seekers and asylees' experiences either presently navigating the asylum system or their retrospective experiences having gone through the asylum process in an effort to gain asylee status. Asylum seekers are defined in this study as individuals currently involved in the asylum process, specifically having filed their application and participated in the interview. Asylees refer to individuals who have successfully completed the asylum process and have been granted asylee status. Specifically, the research focuses on a retrospective account of asylum seekers/asylees discussing their experiences negotiating the asylum process and international policy. The

dissertation research is approved by the Texas Woman's University's Institutional Review Board (see Appendix A). I recruited participants from the Southwest region of the United States who have been or are currently involved in the asylum process. These individuals learned about my study through flyers (see Appendix B) posted at agencies that provide legal and social resources to asylum seekers. Initially I contacted agencies that assisted asylum seekers both by email and phone to inform them of my research project and desire to distribute information to recruit potentially interested individuals. Contingent on approval from particular agencies, I provided them with recruitment flyers to distribute to individuals. The recruitment flyer requested asylum seekers to contact the researcher if interested in sharing their experiences filing asylum applications through the U.S. asylum system. Potentially interested individuals contacted me either by phone or email to learn more about participating in the study.

The sample size for this study was set at 14 participants. This limited sample size was chosen for several reasons which include: seeking detailed information from diverse individuals with various experiences, as well as limited access to this population, and time and financial constraints. There is limited research that qualitatively explores asylum seekers' experiences. Qualitative studies concerning this topic tend to range in sample size; for example, Ranger (2005) conducted a contextual analysis of 80 cases, Mountz, Wright, Miyares, & Bailey (2002) conducted 29 in-depth interviews, and Harris (2003) interviewed 38 refugees. Based on previous literature and the research conditions of this study, the sample was narrowed to fourteen participants in order to obtain in-depth

information. Data collection took place over five months revealing the difficulties finding this population.

The criteria for participation was to be either an asylum seeker who has learned of the decision outcome and was still in the process of securing status, or has already been through the asylum system and either was granted asylee status or denied. Their asylum cases had to have been determined within the past ten years, however, many of the participants had started within the past three years. The criteria are based on several concerns, particularly to include asylum seekers who by definition are a difficult group to access, and to include those cases that took longer to determine.

The participants represent a diverse group of individuals from countries in Africa and the Middle East with asylum case processing lengths ranging from 6 months to 15 years. Based on the difficulties reaching this marginalized population, no restrictions were placed on gender, and thus individual participants were male or female. To protect the privacy of participants and minimize any psychological risks stemming from research participation, participants were not asked about their experiences of persecution. The interview questions focused solely on their navigation of the asylum system necessary in securing protection (see Appendix C). Many of the questions were aimed at the resources they had access to and the barriers they experienced in filing asylum applications in order to attain asylee status.

Data were collected through individual in-depth interviews in order to maintain confidentiality and enable the participants to share their particular accounts. Once

participants contacted me, we arranged a time to meet in a private room at an agency they had access to for social services. I scheduled individual interviews in order to protect participants' identity and maintain their confidentiality. Prior to each interview, participants were given a consent form to read and sign in order to agree to voluntary participation. They were also asked before and after the consent form if they had any questions. Once they agreed to participate, they were given a list of the counseling resources and a gift card in the amount of \$25.00 to compensate them for their time. In addition, they were also informed on the consent form that they could request a written report of the results. I mentioned to each participant that if there were any questions they did not want to answer they could skip those questions without any penalty. Moreover, participation was voluntary and that they could end the interview at any time. I used a semi-structured, open-ended interview guide in order to ensure the same questions were asked to all of the participants for comparison during the coding and analysis stages. The open-ended format enabled the participants to answer the questions based on their own beliefs and experiences. The interview guide was divided into the following sections: information about the asylum process, filing the application and attending the interview, the time period awaiting a decision, and the overall experience including recommendations to improve the process. This last section facilitated a dialogue in which participants could provide suggestions and advice to future asylum seekers or craft modifications to improve the asylum system.

The interviews ranged in length from 35 minutes to two hours, which corresponds to the degree of success with the asylum process. Each interview was audiotaped, with the exception of two in which the interviewees expressed discomfort with being audio-recorded. The interview was conducted chronologically according to the interview guide or flexibly to allow the participant to describe their asylum process on their own, followed by my probes and interview questions to obtain more information. For example, some participants after being asked the first question took initiative and explained their entire process, while other participants answered each question. At the end of each interview, participants were asked if they had anything else to add that was not asked in the interview or if they wanted to clarify, change, or omit any information. Out of confidentiality and respect of the participants, I have omitted information about their country of origin, the organization in which they were seeking services, and current location. I conducted a total of 14 interviews for analysis in this study. The first fourteen interviews met the pre-determined criteria and the data collection ended after obtaining the last interview. All of the cases are included in the analysis.

During the interviews, I took notes in addition to the audiotaping. With the exception of the two interviews that were not audiotaped due to the requests of the participants, I transcribed the interviews verbatim. The coding procedure uses the qualitative software program, *NVivo 8*, in order to organize the data by emergent themes. Coding was conducted by taking initial notes, expanding notes and jotting down themes in the form of free writes, and also identifying themes in each interview as well as

collectively across all interviews. I examined the interview data by identifying barriers experienced by asylum seekers and how they were able to overcome them or access resources. For example, I examined their access to resources by exploring how they gathered information, completed the application, obtained shelter and food, prepared for the interview, and so forth. I also mapped out a timeline of each participant's process in order to examine the length it took at each stage of the asylum system, and the barriers they encountered and how they responded to them. Once I noticed general themes, I used the qualitative software program to note when participants' experiences corresponded to or diverged with the themes. Based on the emergent themes, I developed frameworks utilizing existing literature as well in order to comprehend and analyze participants' experiences navigating the U.S. asylum system.

According to the U.S. Citizenship and Immigration Services (2010:1) the asylum system requires individuals to apply within a year from when they enter the United States. Although, applications for asylum can be made available to individuals who exceed this time deadline if they prove that their conditions in the country of origin have changed, as was the case for a few participants in this study (U.S. Citizenship and Immigration Services 2010:1). After successfully completing an I-589 form for asylum individuals are required to have their fingerprints taken and undergo an interview (U.S. Citizenship and Immigration Services 2010:1). Upon completion and review of the application and interview, the asylum officer deems the request for asylum as either being granted or denied. If approved, the asylee can gain legal status and apply for a work

permit (U.S. Citizenship and Immigration Services 2010:1). If the case is denied, the asylum seeker can file an appeal to prevent deportation, and re-attempt to have their case approved by an immigration judge (U.S. Citizenship and Immigration Services 2010:1). Throughout the asylum process, individuals are able to gather information online and with the help of organizations. They have the ability to consult legal and interpreter services at their own expense. Additionally, after 150 days after the application for asylum has been filed, asylum seekers can request a work permit (U.S. Citizenship and Immigration Services 2010:1).

In the written results, participants' identities are protected by the use of pseudonyms and the omission of other identifying information. Accordingly, each individual is referred to as participant and then given a letter corresponding to the order of their scheduled interview (A-N). Of the participants in the sample, ten were female and four were male. Nine of the participants came to the U.S. with the primary motive to apply for asylum. The remaining six participants originally came under a student or work visa, and due to changes in their circumstances with regard to the likelihood of encountering persecution when returning to their country of origin, they filed for asylum to mitigate impending or actual victimization (based on temporary visits to their country of origin). Each participant had successfully progressed through both the application and interview stages, however, their decision outcomes varied. A total of nine participants were granted asylum after their interview and in a few cases, second interview. Two individuals received a denial, but were able to receive access to legal citizenship status

based on in one case, economic hardship, while in the other case, an extension of their expired work visa. The other three cases resulted in a denial of asylee status, however, each of these participants is currently in the appeals process.

The methods of the dissertation facilitate the ability to explore the specific experiences of asylum seekers in order to gain a better comprehension of how they interact with the asylum system in order to prove their right to asylee status.

Correspondingly, the interviews provide rich data as to the individual process of seeking asylum enacted by participants and the degrees in which they were able to exert agency and negotiate structural barriers. The following analysis section organizes the data by adhering to the thematic order of the interview guide, as well as general emergent themes coinciding with the interviews and existing theories. Each theme is supported by the direct quotes of participants, which not only represents the commonalities of their experiences, but their individual, diverse accounts as well in order to highlight their varying degrees of agency and marginalization.

CHAPTER V

ANALYSIS OF INTERVIEWS (PART I)

This chapter provides a detailed analysis of the information gained from the interviews of the fourteen participants. The information was coded by addressing various experiences filing the application and partaking in the interview, and also by identifying emergent themes related to the issue of structure and agency. In this chapter, the analysis is organized into subheadings and includes the direct quotations of asylum seekers in order to better capture their experiences negotiating the asylum system.

The analysis of the data reveals several themes relating to asylum seekers' process and experiences navigating the U.S. asylum system to attain asylee status. The data represents a diversity of experiences that include differences associated with whether asylum was a primary or secondary motive; the degree of access to legal assistance and basic necessities; the ability to gather supporting evidence of persecution; the interview experience; the decision outcome; the timeline of the process; the barriers and means to file an application and have a successful interview; and the overall experience of the asylum process either characterized as satisfactory or traumatic. In response to the diversity of experiences at the various stages of the asylum system, specific themes emerge depicting the interaction between structure and agency. The following four emergent themes that derive from the asylum seekers' experience and correspond to the structure/agency relationship are: developing and proving the case, story disconnection,

insecurity and trauma, and individualized trauma in a setting lacking collective support. These four themes are salient issues relating to the participants' experiences. The themes are explored using the participants' accounts of their story, and are analyzed based on the degree in which their experiences refer to structural barriers and exertion of agency to progress toward asylee status. The following chapter will be organized based on expanding each of the four themes. Subsequently, the conclusion will illustrate the recommendations offered by the participants to improve the asylum system, and generalize the findings to explore the theoretical propositions identified in Chapter III. Moreover, the conclusion of the results will evaluate the research data and identify other themes excluded from analysis.

Using the structure/agency relationship as a framework serves to examine how asylum seekers interviewed for this dissertation undergo the asylum process in an attempt to secure asylee status, with an emphasis on the structural conditions they encounter and the degree in which they interact with the system. The structure/agency framework operates as a tool to explore the emergent themes. The first theme that emerged from the data is the degree in which asylum seekers developed a sound case at the application stage of the process. One of the main requirements to begin the U.S. asylum process is to complete an application that documents the claimant's identity and experience of persecution in their country of origin. In general, it is assumed that asylum seekers can complete this application without legal assistance; however, some of the individuals' accounts in this study reveal that legal assistance was needed to overcome language

barriers, write their story, and/or gather evidence to support their claim. Individuals who filed the application independently typically seemed to have documents to support their claim to asylum and were fluent in English. Additionally, a few asylum seekers expressed an interest in obtaining assistance from an agency, however, due to time restrictions related to eligibility guidelines, incurred risk filing the application on their own. The application according to U.S. asylum policy must be filed within a year of arriving to the U.S., although exceptions may be considered due to extenuating circumstances. The filing of the application plays a significant role in attaining asylee status because it determines an individual's eligibility, and their likelihood of a successful interview and decision.

THEME I: PROVING CASE (APPLICATION)

Several issues arise at the application stage that pose as obstacles to successfully filing for asylum. Generally, individuals must complete the lengthy application, by showcasing a sound case and attaching relevant evidence. All of the individuals in this study were able to file an application successfully, but some individuals experienced more barriers than others at this initial stage.

Filling Out the Application

Despite encountering difficulties or setbacks when filing, individuals were able to take the necessary steps to overcome these barriers in order to submit the application. For example, Participant F was able to fill out the application successfully, but notes that

yeah it was okay even though some areas were kind of repetitious, yeah you had to write the same, there were some questions that were kind of the same, but it was generally okay yeah, and it was kind of long too.

This individual was able to meet the application requirements, but she observed areas in the application that are difficult for other applicants. Participant G had similar concerns, stating that “I found the application itself was a little tricky because you could repeat yourself very easily. Yeah so they [an organization] helped me out, actually to fill it out.” In this statement, the application is viewed as daunting because applicants must illustrate a sound case with corresponding evidence via the completion of a document. Her agency is evident in the ability to be conscious of the application areas that are challenging and consult with an organization to sufficiently answer certain questions. Individuals expressed difficulty describing their stories, and encountered confusion with answering similar questions repeated throughout the application. Participant M, although fairly fluent in English, needed assistance comprehending the legal jargon. She claims that “well sometime you don’t understand the legal terms, you don’t wanna say something when you mean another thing, and they [asylum agents] will take it the wrong way. I would seek advice if I didn’t understand anything at all.” Similarly, Participant B reports also having some language difficulties, such as “[I] did not know what ‘alien’ meant and had to ask a neighbor.” These two examples illustrate that even when individuals are fluent in English, legal terms used in the application present problems with comprehension. In regard to comprehension difficulties, some asylum seekers do

not have the resources, such as help from an organization to assist with interpretation. As a result, legal terms present difficult obstacles to overcome and hinder the application process.

Supplemental Documentation: Accessibility Obstacles

Participants who had documents accessible to them or already had evidence of persecution documented were able to show proof of their story without the presence of barriers. Other individuals experienced greater difficulty locating documents confirming their need of asylum and/or were unable to gather documents regarding their risk to persecution because the documents did not exist in written form. For example, Participant J expressed concern with regard to the lack of validity of his evidence. Specifically, he shares that

they [asylum agents] say no I didn't prove enough, I didn't show what I had to prove. They say [to Participant J] that something that never happened [. . .] they were telling me that I lie and finally they say to my case, no. They say the proof I have was not evidence; it was not enough, and I was really frustrate[d].

The lack of validation concerning the documents reveals not only that the documents required by asylum agents are challenging for asylum seekers to obtain, but also that there is an assumption of a similar modernity inherent in the system.

For instance, the documents requested by the asylum system may not exist, and/or the asylum seeker's evidence is not always considered valid documentation. Accordingly, Participant N discusses the barriers to providing background information,

stating that “I do remember my case was twice rejected. They needed a home address [and] I didn’t know what to put [. . .] we don’t have zip codes in my country. [. . .] They needed a real home address and I didn’t have any.” This statement reveals that the applicant is required to provide background information on his or her identity and origins. However, the ways that residential information is documented creates problems for particular asylum seekers given that address information is not standardized across countries. Although this may seem as a minor barrier to the application process, these types of barriers in combination with others create time constraints and place additional stress on individuals. Additionally, individuals asked to provide certain information encounter a challenge in making it match the criteria expected in the application. Theoretically, agency is enacted by asylum seekers in their ability to consider the requirements of proof and through their attempts to gather relevant documents to demonstrate their eligibility to asylee status. However, in their process of gathering evidence, certain asylum seekers experience problems acquiring the exact types of evidence expected by asylum agents. Correspondingly, Participant H notes that “I wish I had evidence. I wish it was possible for me to have evidence of my story, but it isn’t really possible. [. . .] [I]t doesn’t fall well into any classical group, I just put it under social, social group.” In this situation, her story did not fit into typical scripts of persecution due to ethnic, religious, social groups, and so forth, making it difficult for her not only to obtain proof, but also to develop a sound case. The legitimacy of her case had to coincide with situations that classify as persecution.

The request for evidence requires individuals to provide written documentation verifying their story, however, there is an inherent assumption relating to modernity that this evidence exists, is accessible, and meets the asylum systems' expectations of acceptable written documentation. The rules place asylum seekers at a disadvantage if they lack the means to obtain documentation or their documentation is deemed as invalid. In addition, there is a modernity-based assumption that they can obtain written evidence from their country of origin, however, in doing so, they might increase their exposure to risk or be unable to find the resources or consent from others to access the necessary written proof. Importantly, some asylum seekers must consider the risk of obtaining information in relation to the affect the information will have on their asylum status. For example, Participant K when asked by an immigration judge to present documentation reacted by claiming

but what he is asking was not possible, it's my country so I know what is going on in my country, they [immigration officials] can't decide. [. . .] I didn't want to sign it. [. . .] I don't want more bad things to come because it would affect many people's lives. The judge said it would be critical to my case.

The dilemma evident in this example is whether to try to obtain hard to find information which increases risk, but improves the credibility of the case. In his expression of the problem, his subjective viewpoint is not understood or taken into consideration. The response from the immigration judge emanates from a structural barrier that limits the ability to act, and could eventually affect the chance of asylee status.

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Individuals who are able to obtain evidence have a greater opportunity to develop a sound case. For instance, Participant L not only had access to documents verifying her persecution, but also strategically demonstrated her credibility by attaching documentation for all of her actions. In her particular case, asylum was a secondary motive, since her first entry to the U.S. was not based on the need to apply for asylum. Eventually the conditions changed making her eligible for asylum. In this situation, her eligibility was likely to be questioned due to her original motive for entry into the U.S., however, she made efforts to provide documentation for the decisions she made and the reasons she believed made her eligible for asylee status. Specifically, she explains that “I did a chronology of events, [. . .] I even provided the documentation. [. . .] I [had] documentation for pretty much everything, so that when I say something I had documentation to back it up. So yeah they wanted dates, I had the dates.” This strategy enabled her to put together a well-developed case and showcase her credibility that was already verified with evidence. She was able to capitalize on her access to documentation to substantiate her reasons for applying for asylum status. Importantly, her actions demonstrate the ability to understand the asylum agents need to verify evidence, and as a result, she was able to meet the asylum agents’ expectations.

Resources and Barriers

Throughout the asylum process, the degree of fluency in English enabled some individuals to develop their case efficiently. Individuals who did not comprehend English were exposed to challenges in finding a translator or organization to help them

prepare the application and participate in the interview. Participant D explains her language barrier by stating

I have to go get someone to translate it for me and it's expensive. So I think, I don't know if I am going to be able to pay for it. She [the lawyer] said she cannot do it for me [free of cost] because it was too long, so [as a result] we didn't use the newspaper.

Here, Participant D was aware of her language barrier, however, she lacked resources to overcome it. This situation reveals a problem with the resources available to asylum seekers. In cases in which necessary evidence is in a different language, the expectation for the asylum seeker to find resources to translate documents is problematic when considering their lack of translation and economic resources. This barrier leads to serious consequences if certain evidence is left out or individuals are unable to fully describe their stories as a result of language barriers and lack of resources to mitigate them.

Seeking help from legal and social organizations throughout the asylum process was helpful for several individuals in developing sound cases and preparing for the interviews. The organizations typically were able to provide guidance, legal consultation, and other resources, such as basic necessities, transportation, translator services, counseling, and social support networks. Individuals able to access the assistance of organizations improved their success in filing and defending their claims to asylum. Although the individuals who accessed assistance seem more prepared to successfully gain asylee status, some individuals noted difficulties working with their lawyer and

telling their story. In these situations, even with the help of an organization, individuals still had to provide their own resources, such as transportation and had to allot time to work with the organizations.

Interview Process: Preparation

The asylum process thus far has been characterized as time-consuming and potentially stressful for individuals because asylee status is contingent upon the strength of the case. Correspondingly, many of the participants exercised preparation strategies to help them achieve a successful interview. The participants relied on preparation strategies prior to the interview in order to be able to answer the officer's questions sufficiently, and to minimize their own fears and nervousness with regard to their unfamiliarity with setting. Some individuals' practiced making their explanation of their situation clear and coherent. For example, Participant L asserts that "basically I went through all the information and I made sure it flowed, my dates flow. There is no, like a break in the information I provided because I basically gave a [. . .] summary of what happened." Here, she reviewed the details of her story in order to be able to present a clear and consistent report. Similarly, Participant G remarks that "I had to kind of like repeat, make sure I had the dates on my fingertips. That was pretty challenging for me cause I had so many dates to remember." He notes the pressure to memorize the dates of his persecution in order to present an accurate portrayal. In both of the aforementioned examples, despite that it is their story, they must practice putting together the information and making it understandable to the officer. Although they are presenting a case they

believe to be accurate, the possibility of them getting confused on the exact dates could result in the officer becoming suspicious that they are making a false claim. Based on the conditions of insecurity and trauma experienced by asylum seekers, mistakes or errors in their story seem plausible and not necessarily evidence of falsifying information. The interview can be an intimidating setting for individuals in which their nerves and fears make it difficult to present a case in a confident manner. Additionally, the threat of making mistakes or given that the information is presented inaccurately undermines the asylum seekers' level of confidence, especially if the officer becomes skeptical of their story.

Some individuals sought advice from their lawyers about how to effectively prepare and present their case in the interview. The lawyers offer useful insight with regard to being able to inform the asylum seekers of the officer's impressions and expectations. Furthermore, lawyers serve as a support person that can increase the confidence of the asylum client. Participant N claims

they [her lawyers] just told me to stay calm, tell the truth, to basically answer the questions the immigration officer ask me. [. . .] They told me I needed to stay comfortable telling my story, it is what happened to me, that I should be able to tell them. [. . .] I shouldn't be afraid of talking about it.

This advice given to Participant N appears to have focused on increasing her sense of confidence and reducing fears of sharing her story. The legal advice given to Participants I and E also attempted to boost their confidence. Specifically, Participant I recounts that

he was told to “just go there and explain yourself and try to be strong. We [the lawyers] know your past, your persecution is really painful and, just go there and be confident and explain when they ask you a question.” This information seems to acknowledge the difficulty individuals are likely to experience in retelling their victimization, but also encourages asylum seekers to try to overcome the fear and trauma by partaking in the interview. As for Participant E, her advice downplayed the trauma aspect, and focused on the interview as if it were a task to complete. Accordingly, she communicates that “she [her lawyer] told me it was not going to be difficult because he was just going to ask me questions that I had to answer and that’s it.” This particular strategy helped make the interview feel achievable. Each of the preparation strategies advised by the lawyers offered ways for their clients to feel as comfortable as possible in the interview in order for them to effectively describe their stories and interact with the asylum officers. Preparation strategies enacted by asylum seekers provide them with a greater sense of control and authority over their story. By preparing for the interview, individuals are able to effectively manage or even reduce their fears, and strengthen the presentation of their case.

Interview Dynamics

Regardless of the fear and uncertainty of the interview process, difficult questions to answer, and a few officer’s personalities as formal and not friendly, most of the participants reported that the interview process was a fairly positive experience. Of these portrayals, the participants felt believed by the officers, and reported that the

interview was conducted in a somewhat supportive and friendly manner. According to Participant D, she describes that

the interview was better than what I thought it was going to be. [. . .] The immigration officer, he was nice. He told me to sit down and feel like you are in your living room. [He also said] if I ask you a question you don't understand let me know and if I'm going too fast to let me know, and if the same thing happen to you I am going to let you know so we can slow down and explain it to me.

The interaction developed between the officer and asylum seeker demonstrates the ability to create a mutually equal dialogue, and ease feelings of nervousness and intimidation.

Participant B also confirms that the asylum officer was nice and listened to her carefully.

She noted that the officer seemed to understand her answers. Her only sense of difficulty was describing her story to male officers. As for Participant I, he claims that "the asylum

officer was kind and was good to me. [. . .] It was like a conversation." In each of these

interview accounts, the power and tension that could develop between the officer and

claimant seemed to be actively resisted by both sides in order to make the setting and

interaction as comfortable as possible, while still being able to obtain the necessary

information and verification of evidence. Participant L was able to dispel pre-conceived

notions of what the interview was like in the following statement: "well I have been told that they don't believe you or expecting that it be really tense, but it wasn't actually bad.

[. . .] The lady who I spoke to was actually quite nice and telling me about her daughter."

Due to the pressure involved in the interview, the ability of officers to actively reduce

stress by making the interaction less formal and more of a dialogue helped asylum seekers feel more confident and at ease. This type of comfortable setting enables asylum seekers to share their story and make their case stronger.

Discussion

Overall, in consideration of the theme of proving eligibility and the case for asylee status, despite various experiences of both privilege and lack of resources, the inherent barrier associated with application and interview is the pressure on the asylum seeker to present and defend their need for protection from persecution. Applicants were required to provide detailed accounts of their persecution, obtain supporting evidence, and persuade the asylum officer. Hence, asylum seekers were held accountable for proving the reasons as to why they should be granted asylee status. Irrespective of the validity of their case, asylum seekers had to take responsibility in documenting a sound case and overcoming obstacles in the application and interview stages. As a result, access to resources was significant component of this process, and required individuals to make the time and effort to work with organizations or secure evidence to confirm their claims. A concern that arises in this process is the possibility that as a result of the lack of autonomy and resources of asylum seekers, they are limited in their ability to sufficiently meet the demands of the asylum system. For example, the validity of their claims depends on their ability to showcase adequate evidence. Importantly, asylum seekers demonstrated that they could find means and resources to overcome barriers,

however, their situation was precarious given that their responsibility to prove their case determined if they were given status or not.

THEME II: STORY DISCONNECTION

Cultural Misunderstandings

The development of a sound case in the application stage intensifies at the interview stage, when individuals must answer questions, which aim to determine if they qualify for asylee status. During the interview, asylum agents seek to verify the individuals' stories and evidence. From the standpoint of the asylum seekers, the aforementioned interview experiences appear to correlate the ease of the interaction with their degree of confidence in sharing their story and supporting their claims to asylum. In addition, access to legal assistance, translators, and documentation seem to increase the likelihood of success in the interview. Significantly, a dilemma emerges in the interview process based on asylum agents' expectations of what a sound case implies and how the asylum seeker is able to present his or her story. Participant J concludes that

you have the threat of the judge. You have the threat of explaining clearly what you know, and when you mix all of those things its like you are not saying what you have to say, and the judge will never consider that. The judge is just like prove it. If you don't prove it you have to go back.

The pressure to prove one's case and also handle potential cultural misunderstandings limits the ability to successfully attain asylee status. Asylum seekers' consciousness of the need to present a strong case illustrates their agency in meeting the expectations of

asylum agents, however, they must have the means to accomplish this task. Many participants in this study claim that they were cognizant of the need to present a clear and well-supported case. However, some individuals experienced difficulties in telling their story concisely because they also felt the need to provide a background context and further explain cultural misunderstandings.

There seems to be an inherent disconnection between asylum agents' expectations of a sound case and the way asylum seekers tend to present their case. This potential disconnection and the ramifications of hindering one's chances to gain asylee status is a central theme that emerged from the data. The obstacles to presenting a strong case seem to increase if asylum seekers lack compelling evidence and/or are unable to sufficiently describe their persecution. For example, in one individual's interview, she was asked to account for why other family members were not at risk when she felt that her own safety was compromised in her country of origin. Specifically, Participant L describes that she was asked to

justify why I thought [. . .] I was in danger and that I need to remain in America, if your [relative] was in [the country of origin] and he hadn't been attacked. It basically mean that I could be in [the country of origin] and not be in trouble.

In this situation, despite presenting a case illustrating the need to be granted asylum, she was asked to account for the decisions made by another relative. This is problematic the perception that an asylum seeker's degree of safety is contingent upon another family member's choice and likelihood of being persecuted. Additionally, the questioning of

other's experiences places stress on asylum seekers to feel accountable for comparing their case to another person. In this situation, the asylum seeker feels obligated for trying to find ways to explain someone else's decisions and experiences, when that person's circumstances are not fully known and/or equally comparable.

In a similar context, Participant H felt pressure to explain her lack of safety in response to the asylum agent invalidating her persecution experience. Participant H claims that

he [asylum officer] says that he doesn't see any harm done to me in the past or any harm in the future. [. . .] It was really surprising for me when he said that because I didn't think I had to go and wait until they harm me before [. . .] they approve the asylum.

Here, her claim to asylum was questioned based on the interpretation made by the asylum agent that she was not at risk. In response, Participant H concludes that

what is happening is if you don't have documentation I don't think they believe you because how can I, just tell me how can I prove this kind of situation. It wasn't something they were filming or someone was there to take pictures. [. . .] I wasn't thinking that anything could happen to me know to keep evidence.

This critique reveals that in some cases evidence may not exist, which limits the likelihood the asylum agent will validate an individual's right to asylum. Interestingly, this participant raises a key point regarding the assumption that evidence is available when in the context of persecution or after that evidence may not exist. Her case, as well

as some other participants' cases, exposes the inability to justify the lack of evidence as a result of the cultural misunderstandings on the part of asylum officers' assumptions.

In the situation of Participant E, she was denied asylum because the officer told her a law was coming into effect to protect her from impending persecution. Specifically, she explains that

he [the asylum officer] say[s] [. . .], my government, the government in my country were doing all the effort possible to come up with a law to ban [the persecution] [. . .], which means I am going back to my country [. . .] and all this was going to be, going to end.

The officer's interpretation of the situation caused distress to the participant because she still felt at risk of persecution and did not see this possible policy change as a form of protection. These examples seem to take a Western bureaucratic approach to determine what evidence should be accessible to prove the need for asylum, and also that policy changes mitigate individual risk to persecution. However, based on the accounts of individuals applying for asylum, their circumstances and risk make it difficult to access valid forms of evidence or overcome future persecution.

Cultural misunderstandings between asylum agents and asylum seekers disrupt the chances to secure asylee status. Differences in cultural understandings seem to place certain asylum seekers at a disadvantage in being able to efficiently proceed through the asylum process and prove their case. For instance, Participant I acknowledges that "it seems to me they [asylum agents] don't understand what I am saying because they don't

really know what is going on in my country.” Here the asylum seeker is responsible for documenting the conditions in the country of origin and the persecution in a coherent manner in order to inform and persuade the asylum agent to deem him eligible for asylee status. Similarly, Participant D encountered barriers to submitting her application prior to the deadline because she was unable to work on the asylum application due to traditional cultural beliefs. For instance, she states that while pregnant, she was “not supposed to do anything. [. . .] You know I am going to find my way once I have my baby [then] I can talk to them [asylum officers].” Her ability to start the asylum process was hindered until she was able to fully commit spiritually as a way to honor her cultural traditions. Diverse cultural practices evident in this situation make it difficult for individuals to prioritize the asylum process within the timeline of filing an application.

Lack of cultural diversity on the part of asylum officers seem to add additional pressure on asylum seekers to explain their inability to gather evidence and describe their risk of persecution in their country of origin. Moreover, traditional methods of verifying asylum seekers’ stories are less likely to be sufficient in situations in which there is a lack of information available regarding the persecution. Rather than validate asylum seekers’ stories in these cases by understanding the reasons for the lack of written evidence, these select asylum seekers seem to be held responsible for finding a way to show proof of their persecution. This burden places asylum seekers in a precarious situation in which they are responsible for proving their case using evidence, however, due to their circumstances they are unable to obtain the evidence needed.

In response to a lack of evidence, their experiences show that they try to explain the context, government, and traditional practices in their country in order to demonstrate why the evidence does not exist. Although they strategically attempt to compensate for a lack of evidence through explanation, the asylum officers' expectations and understanding seem to characterize their situation as a false claim or that the case can be further proved by taking the time to obtain the evidence. This disconnection undermines the asylum seeker's story because they feel unable to produce the evidence and meet the asylum officers' expectations. The inherent assumptions regarding the ability for asylum seekers to prove their victimization and future risk to victimization serve as rules in the asylum system. As a result, the failure to demonstrate proof of persecution hinders the process of attaining asylum and even leads to a denial of asylee status.

Individual Responsibility: Striving to be Persuasive Amidst Skepticism

In the interview setting, asylum seekers are expected to provide a sound case and be able to answer asylum officers' questions as a way of demonstrating their qualifications for asylum. Aside from potential cultural misunderstandings that contribute to disadvantages for certain asylum seekers, asylum seekers are also responsible for providing a clear account of the persecution they experienced. According to some of the participants in this study, stating a concise account of their reasons and evidence for asylee status became challenging due to trying to contextualize and describe their experiences in a limited time span and stressful atmosphere. For asylum seekers,

the interview is significant because the asylum officer determines whether asylee status will be granted or denied. Participant I characterizes the interview as

you just say I'm not going back to [his country of origin] to die. So if the officer denied me asylum or send me back, what am I going to do, am I going to kill myself? Am I going to run away? What am I going to do? You have a lot of stuff on your mind."

This unpredictable and risky situation exposes the liminality of asylum seekers dependent upon a sound case and approval in order to mitigate their victimization. Although not all of the asylum seekers' associated the possible denial of asylum with forcible return or impending death, many of the asylum seekers had similar concerns of what alternative choices were available to them and felt the pressure to achieve a successful interview.

The emergent theme of a disconnection between the asylum officers' expectations and the responsibility of the asylum seekers to meet the requirements of proving the need for asylum seems to increase the stress experienced by asylum seekers in carrying this responsibility. Several of the participants in the study were able to understand the responsibilities of the asylum officers' agenda of asking multiple questions to verify their claims. Despite this awareness, some participants began to doubt the information they were providing and became confused and burdened by the idea that they perhaps could not remember specific details or that they miscommunicated aspects of their story. For example, in Participant C's experience, she indicated that interviews were conducted daily and continuously. She was concerned that when questions were repeated that it

signified she was giving the false information. The repetitive questions left her confused, and she thought that the asylum officer did not believe her story. In this situation, she was unable to understand why the asylum officer kept asking her the same questions, causing her to doubt her own story. Similarly, Participant N explains her asylum agent as

kind of aggressive because actually they want to prove, that is how they think they want to prove you are lying to them, you are trying to get status. [. . .] They start talking to you nicely and then there is a shift. [. . .] He started asking me many, many questions at the same time and I felt like I was gonna, I was confused because I was trying to answer a question and think about the other one. Yeah, I was kind of upset about it because I saw he did not give me the time I needed to answer every single question.

During the interview in which the asylum seeker is aiming to showcase his or her proof for asylum, the series of questions with a limited time to answer each burdens him or her, and generate an uncomfortable interview experience. As described by Participant N, she felt unable to fully answer the questions because she had to manage multiple questions and possible answers simultaneously. Given the power hierarchy between the officer and asylum seeker as well as the unfamiliar setting, she was unable to express her concern and difficulty with handling the overlapping of questions.

Participant B also expressed concern of reporting her story accurately. Specifically, she described that she was aware of the possibility of messing up, such as forgetting a date, which she believed would bring about suspicion from the officer. She

clarified that she could have provided incorrect answers by accident. However, she explained that the details had to be right and consistent, and that mistakes are evidence of a false claim. Moreover, she felt pressured to not make mistakes. This account reveals that clear information correlates to the likelihood the story will be accepted as true. Albeit, this case exposes that a successful interview requires the asylum seeker to clearly and accurately report her story. If there are inconsistencies in the information presented, the officer may consider the story to be false as a result. A key concern with the process is the possibility that even if an asylum seeker has a valid claim for asylum, that he or she gives inaccurate information or conflicting accounts of their victimization. From the standpoint of the asylum seeker, they are dealing with trauma, uncertainty, and potential intimidation and unfamiliarity during the interview process. Based on these factors, they encounter barriers to presenting a sound story and pressure to create a flawless account as their only chance to secure asylee status.

Asylum agents' expectations and verification process fails to take into account asylum seekers' experience and the possible disadvantages they encounter in presenting their case. Importantly, a few of the participants were able to acknowledge the perspective of the officers in terms of what type of information they were attempting to compile to make their decision. For example, Participant J summarizes that "she [the asylum agent] just say 'stop it there, explain' and short word 'oh, I don't have time for that'" and also acknowledges that "it should be precise and short." However, he expressed difficulty meeting her demands by explaining that

if I can't explain of how the government is linked to my country, my city, how can I answer this question. I know, I have written a book, you cannot just like jump, I am going to talk to this and this is the fact. You have to kind of bring it clearly and then, 'no, you are changing the subject,' [. . .] I can't just cut it short like this [. . .].

Although this participant is aware of the need to be clear and concise, he was unable to consolidate all his information and evidence regarding the persecution into this format. His frustration illustrates the disconnection because he is responsible for providing evidence and knowledge of his country of origin's conditions in a condensed format acceptable to the asylum agent. However, meeting the asylum agent's desire for a condensed version increases his risk of providing an insufficient account of the victimization he experienced and consequently impacts his chance for status. Participant K also encountered problems during the interview justifying the length it took to file the application. Specifically, he describes that during the interview that "he [the officer] was always asking why you wait for so long to come. [. . .] He asked that question so many times. [. . .] I was confused, I didn't know how to answer it [. . .] because it is not my fault." Here, the submission delay was due to the inaccessibility of lawyers. He felt pressure to account for the time lapse, but the repetitive inquiry by the asylum agent made him feel that he was not believed or that his circumstances were not understood. Overall, the officers' desire to acquire direct stories is not easily achievable by asylum

seekers because they are responsible for claiming their right to asylum in a setting in which they lack resources or the ability to comprehensively explain their victimization.

Discussion

The interview context exposes the cultural disconnection between officers and asylum seekers, which further exacerbates the power hierarchy between these two groups. Here, the individual responsibility component of the asylum system surfaces in the interview, in which the asylum seeker is held accountable to meet the expectations of the officer and present a persuasive claim in order to be granted asylee status. Asylum seekers' exertion of agency is hindered based on the skepticism of officers, the discrediting of certain forms of evidence, and the way the asylum seeker reports his or her story. Specifically, asylum seekers demonstrate agency in their consciousness of the need to make their story direct and concise, however, this is a difficult task to achieve because they must provide a background context of their persecution and explain their sense of fear in their country of origin. Additionally, asylum seekers experience vulnerability in sharing their stories with strangers and overcoming potential language barriers. Interestingly, they must also meet the standards of modernity, specifically, in presenting certain forms of evidence, despite that for some asylum seekers this evidence does not exist. In the cases in which evidence is lacking, asylum seekers do not have a forum to adequately explain these conditions because officers' assume that without evidence then they may be false claimants.

Thus, even if the asylum seeker is prepared to share his or her story and provide sufficient evidence, he or she encounters barriers overcoming fear and insecurities, and meeting the expectations of asylum officers. As a result, the eligibility for asylee status with regard to having a valid claim cannot be automatically granted unless the asylum seeker can verify and confirm their experience of persecution. Their initial privilege to take part in the asylum system is reduced to their ability to prove that they are qualified and can meet the system's expectations. As such, certain valid claims-makers will be unable to sufficiently be granted status, despite the validity of their claim. Asylum seekers demonstrate agency continuously in their ability to attempt to meet the expectations of officers, albeit, this process incorporates uncertainty and fear because their status is contingent upon their ability to overcome barriers and present a sound case.

CHAPTER VI

ANALYSIS OF INTERVIEWS (PART II)

THEME III: INSECURITY/TRAUMA (ASYLUM EXPERIENCE)

Throughout the asylum process, the barriers encountered by asylum seekers contribute to their degree of stress, uncertainty, and insecurity. Asylum seekers main motive to attain asylum is to gain protection from persecution, however, despite the ability to apply, their right to asylum status is not guaranteed. The process requires that they prove their circumstances and demonstrate evidence of their victimization. Although the asylum process is considered a right to those individuals who qualify for protection, the process is organized based on the individual responsibility for asylum seekers to obtain information and submit the necessary documents. In consideration of the asylum process, the general public presumes that if individuals experienced persecution, and followed the necessary steps to showcase their evidence, then the result of this action would be the attainment of asylee status. Furthermore, those that were unable to acquire status would be stereotyped as making false claims and not in “true” need of asylum. Based on the experiences of the participants in this study and in correlation to existing research on deterrent measures, individuals with “valid” claims to asylum experience challenges to gaining status, and that their “right” to asylum is not simply guaranteed. Even in cases in which evidence exists and resources are accessible, individuals are likely to deal with various barriers that contribute to distress and

vulnerability. For example, the asylum process requires the ability to rely on one's own resources as a form of sufficiency until status is achieved and eligibility for a work permit is available. Additionally, to successfully pass each stage of the asylum process, asylum seekers are expected to utilize their own resources or obtain assistance from organizations as a way to overcome barriers associated with economic resources, legal and social services, and time constraints. The individual responsibility ideology serves as a basis for the asylum process concerning the expectation that individuals will be motivated and able to take part in the process by demonstrating their qualifications for asylee status.

Among the participants in the study, some individuals reported a fairly easy process in attaining asylum and characterized the process as fair. Other participants experienced greater disadvantages in attempting to gain asylee status, which contributed to a longer process and the possibility or actuality of being denied asylum. In acknowledgement of the varying experiences throughout the process, a consistent theme amongst the majority of participants was a sense of insecurity and uncertainty that could be linked to trauma. The prevalence of lack of security and certainty was evident in individuals' claims of constant worrying and nervousness awaiting the outcome of the decision, physical and emotional distress, and negative experiences relating to: accessing basic necessities, filing an application and obtaining evidence, sharing their story with lawyers and asylum agents, and awaiting and dealing with the decision results, including potential denial of asylum.

The Salience of Uncertainty

Uncertainty with regard to the outcome of the asylum process, specifically whether an individual is approved or denied status, is a prevalent and continuous aspect of stress for asylum seekers. Significantly, even for individuals who are confident in their case and their likelihood of attaining status, they still experience anxiety while taking part in the interview and/or awaiting the interview decision. Individuals that did not make clear plans while awaiting a decision outcome can be an illustration of a coping strategy to minimize the high degree of uncertainty and vulnerability evident in the asylum system. For example, Participant M describes her emotional state as “nervous,” claiming that “I don’t know what’s going to happen because her [asylum agent] yay or nay will determine my life. So until the day I got the letter, my approval, I don’t know if I even slept five hours. I was just under terrible stress.” Here, the time period between the interview and the decision letter increased her sense of stress. As for Participant A, her response to the possibility of being denied asylum after trying to get status for the past fifteen years is expressed in the following statement:

I am actually a strong woman [. . .] by that time I just give up. I was crying. [. . .] I was yelling what kind of justice is here? I cannot go through this anymore, and I was telling my husband I would rather be dead then what we went through.

I would rather be dead then what went through in the United States here.

Her strong statement reveals that in recollecting over the entire process and the negative experience in the courtroom increased her sense of trauma and insecurity. In each of

these examples, the constant pressure and need to attain asylee status placed the asylum seekers in a state of emotional distress, especially given denial as a possible outcome.

Accessing Basic Necessities and Persons to Depend On

Individuals interested in pursuing asylum must find ways to secure shelter, food, and other basic needs until they are able to become eligible for a work permit. Based on the inability to legitimately work until asylee status is achieved, many individuals along with finding information and evidence to prove their case, must also secure basic necessities. Interestingly, the interviews uncover that asylum seekers strategically select locations in the host society that enable them to depend on social support networks. Similar to existing literature on economic migrants taking part in network routes to ease the barriers associated with migration (Massey et al. 1993:449), the decisions made by asylum seekers in this study also correspond with following established routes. Specifically, participants selected states in which they had a contact person to either assist them in finding a community of a similar cultural background or inviting them to live with them and provide basic necessities and assistance. These individuals either were acquaintances without an existing relationship with the asylum seeker or they were family members. Although the asylum seekers demonstrate their calculations as an actor in contacting individuals they can depend on in the host society while they proceed through the asylum process, disadvantages also appeared with regard to relying on an acquaintance. Due to the possible lengthy process of applying for asylum, which in this study they tended to take about a year on average to determine the decision, asylum

seekers had to rely on their contact person or their own resources to maintain their livelihood. In consideration of the limited resources that must extend the length of the asylum process, individuals had to depend on the contact person to assist them with basic necessities.

However, many individuals reported pressure from their contact person and lack of self-worth in not being self-sufficient. In situations in which the contact person was able to fully provide resources, the asylum seekers tended to feel inadequate. In some cases, asylum seekers did not have long term, secure forms of residence, and as a result, had to consider new places to live or identify new contact persons in order access shelter and other basic necessities. According to Participant A, in trying to mitigate deportation, she began to contact individuals in a phonebook who shared her same ethnicity. Her strategy was to make a community contact in order to seek advice and assistance. Specifically, she claims that

I called a couple of people, and so finally somebody answers and asks us what is going on [. . .] and I told him. [. . .] He saying in fifteen minutes I will be there with my wife, and I am going to pick you, you are not staying a hotel. Never seen this guy before [. . .] and surely enough the door knock after fifteen minutes and you know I was so happy to see these people [. . .] even today we have ties you know.

Her strategy was innovative and effective in identifying individuals from the same cultural background and requesting their assistance. This action was a way for her to

mitigate the insecurity of deportation, and find individuals that could provide shelter, basic necessities, and social support. Her spontaneous plan reveals her ability to calculate the situation and make an effort to overcome the lack of resources and general uncertainty and risk.

As for Participant K, his original plans to stay with an acquaintance became unreliable once his contact person was concerned about his stay and possible conflicts with the landlord. Given the abrupt change in plans, Participant K explains that “I was asking for the shelter [and] they [the shelter staff] say if I can wait maybe, if I can discuss with my friend to maybe keep me a month or two then maybe [they] can do something.” Here, Participant K’s original contact person and living arrangements became undependable and his second option to stay in a shelter was not an available option because the shelter did not have any openings. In this situation, his resources to resolve his lack of a place to reside were exhausted. His ability to mitigate this housing issue is limited given his unfamiliarity with the host society, and lack of knowledge and access to alternative resources. He was able to contact a reference in his country of origin, and then move several states away to reside with a new acquaintance. This process evolved based on his own ability to make connections, rely on previous social networks, and utilize his saved resources to move. Asylum seekers demonstrate their consciousness of their insecure position in the host society and are able to consult with different options in their decision-making, however, their ability to actualize strategies and alleviate their insecurities and lack of resources is restricted. Even when Participant K was able to

obtain reliable housing, he experienced pressure from his roommate concerning his inability to help contribute to the household. For instance, even when able to obtain food from a food pantry, the food was not culturally appropriate.

Their planning process aside from the high degree of vulnerability, seems to help them secure housing and shelter. However there were some time periods in which their sense of stability was insecure. For example, Participant G explains that “in the beginning he [person dependent upon] was supportive, but as a human being you get tired. Yeah he felt going to my attorneys on a weekly basis was too much.” This statement exposes that even when there are individuals the asylum applicant depends on, the constant dependence on basic necessities, including transportation and support, is not be sustainable and results in a weakening of the relationship. The tension in the relationship places the asylum seeker in a difficult position because the dependence necessary to survive, successfully pursue asylum, and avoid persecution becomes increasingly unstable. Participant E also experienced similar circumstances of insecurity after her main source of support was disrupted. She had relied on a family member to provide her with financial assistance for shelter and basic necessities, including legal assistance. However, her relative passed away. She states that

I couldn't work to pay for my studies or anything so when he passed away I couldn't go to [other relatives due to the risk of persecution]. So I had to leave the country because I was here as a student and not going to school anymore and they want me to leave.”

Her first strategy had been to depend on her school status and support from a family member as a way to mitigate the risk of persecution in the country of origin. This strategy was effective temporarily. Particularly, she was forced to find a way to protect her safety after her student status and financial stability was compromised. In her case, she sought legal advice and learned that she was eligible to apply for asylum.

In each of these situations, basic necessities and social support when depending on someone else may only be temporarily comforting because asylum seekers are at a disadvantage if those relationships change in a way that jeopardizes their source of stability and self worth. In other cases, the dependence upon a contact person increased an asylum seekers' ability to pursue asylum and access necessary resources that enable them to advance their claims. According to Participant B, she was able to rely on a family member and community member to assist in editing and interpreting the application and transportation to the interview. Part of her success in attaining status could be attributed to her social support network being able to assist her with the asylum process.

Some asylum seekers kept secret their work toward asylum due to suspicion and distrust. This is an important finding because their strategic efforts to rely on social support networks are also unstable based on secrecy of their actions. In the case of Participant J, he purposively left his family and moved to another state as way to prevent any connection between him and the persecution in his country of origin. His suspicion served as a way to increase the safety of himself and his family by living in anonymity

and disconnecting from his family. Interestingly, the majority of these contact individuals had not been through the asylum process and lacked information about the asylum system. Based on this unfamiliarity, disclosing their asylum motives does not necessarily increase their efficiency navigating the asylum system.

In general, asylum seekers participating in the current study had to find ways to access resources in order to maintain their livelihood and successfully advance through the asylum system. Their situations are considered precarious because they often are dependent on a few individuals and are unable to work legitimately. The assumption that they can access necessary resources is also irrespective of their migration process because their own resources are limited, and they are susceptible to losing their saved resources, such as paying for assistance. For instance, prior to applying for asylum, some participants abruptly immigrated and lacked resources to help them settle. Participant C explained that she was unaware that she and her family would be forced to migrate internationally as a result of persecution. Due to their circumstances, they migrated with only the clothes they were wearing and had no other belongings with them. The little money they originally had was quickly spent on gasoline for their vehicle. Once she was able to apply for asylum, Participant C's eligibility for citizenship status was hindered because her documents were stolen at the airport. The lack of these documents delayed her ability to secure basic necessities as an asylee and prevented her from applying for a work permit. Lacking basic resources was also an issue for Participant A, in which she and her husband had their belongings stolen in the country they were passing through.

Their arrival into the U.S. was considered illegal because they lost their documents. Based on this initial loss of resources and perceived illegal entry to the host society, they were considered ineligible for asylum, and had to persuade immigration authorities for years to allow them to apply for asylum. This process was further challenging because immigration authorities on numerous occasions required them to depart the U.S. Several individuals had to depend on their own resources throughout the asylum process.

Self-Reliance

Individuals who had less social support networks had to rely on their own strategies to maintain self-sufficiency and navigate the asylum system. A few participants were able to earn supplementary income by working illegitimately within their community. Participant J due to the circumstances of moving to a different state to avoid identification by authorities in his country of origin explained that “I just used credit cards, it was really lack of money. [. . .] It was very, very hard just believe me it was. [. . .] I was just lucky I had the card, I mean if I didn’t have the card, what will I do?” His insecurity was somewhat alleviated by his ability to utilize his prior resources attained from his temporary working status, however, even by using credit cards to facilitate his process of applying for asylee status, he had to manage both the short and long term consequences. For example, even with the availability of relying on credit cards, his economic resources were limited, especially in considering the unknown timeline of when he may or may not attain status. Correspondingly, after being denied,

but given access to a visa instead, he still had to resolve his credit card debt, which limits his ability to secure financially autonomy.

Other individuals experienced a sense of self-reliance on their ability to obtain the necessary knowledge and resources needed to apply for asylum because they did not have access to social or legal assistance. Specifically, Participant L states that

I don't have the time [to wait to be assigned a lawyer], it will [be] a year and no one will believe me for asylum. So I will have to tell them why it took me more than a year to come in and apply for asylum. So I have to do it on my own, no lawyers, nothing, no assistance."

Here, the uncertainty of the dilemma concerning whether to wait for an available lawyer or begin the asylum process independently involved some risk-taking. Although depending on legal aid increases the likelihood of having a stronger case, Participant L acknowledges the risk of filing after the deadline if she was unable to acquire immediate legal assistance. Similar to another case in which an asylum seeker was questioned why he applied after the one year deadline, in addition to not following the rules of eligibility with regard to when a person must file, is the risk of being labeled as a false claimant. In this particular situation, Participant L encountered pressure based on the system's guidelines to take her chances and file for asylum instead of risking the wait for a lawyer. Fortunately in her case she was able to defend her case and attain asylee status, however, the coercion to submit an application on her own increased her risk of being denied because she did not have access to outside help.

In a similar situation, Participant H attempted to secure a lawyer to help with her case, but was unable to do so by the time her interview was scheduled. She explains that after attempting to get a lawyer from two organizations and waiting on their response that “when I was just a week from my court date, that is when they said I think one of them one lady I think she was pregnant and the other one had an accident or something. So the lawyer wasn’t available at the time so I could not have anyone to represent me.”

Concerning this situation, the chance of having a lawyer could not be confirmed, and Participant H was informed late that she would not have legal assistance. Finding out near to her interview date that a lawyer could not be assigned her case limited her ability to prepare without legal aid or seek another organization for help. Although in her situation, she may have expected the chance not to have a lawyer, the inability of being able to access legal assistance added barriers to her developing a strong case. Ultimately, her case was considered weak and she was advised to see an immigration judge to determine the results.

Available Resources as Sources of Potential Barriers

Interestingly, the presumption of free legal consultation neglects to account for the possibility that legal aid is not available. Individuals who proceed through the asylum system without a lawyer are at a greater risk of denial, unless they are able to utilize other resources to develop a sound case. Furthermore, the availability of legal aid, either pro bono or with a fee, overlooks the limited situation of asylum seekers securing legal consultation. For instance, asylum seekers must be able to find information on

organizations and legal resources, and then take part in possible multiple consultations in order to sufficiently put together the case. This process requires the ability to use technology or resources to find legal assistance, transportation, and time to make use of legal aid. These types of conditions make the use of legal aid a challenge, and thus, should not be considered as an automatic or universal privilege in the asylum process.

The lack of resources contributes to barriers toward eligibility for asylum. Considering that the asylum system is organized in stages based on developing an application and defending the case in an interview, asylum seekers must actively seek resources, including knowledge and strategies in order to present a sound case with supporting evidence. Resources, such as application guidelines, organization assistance, and translators are available, but asylum seekers are expected to obtain this assistance on their own. As a result, the availability of resources is contingent upon asylum seekers' ability to find information and use their own resources to access help. Although the lack of some resources appears to be minor barriers to outsiders, for asylum seekers' the inability to obtain information or assistance prevents them from developing a sound case. Significantly, the asylum system assumes that asylum seekers presenting valid claims will be granted asylee status. The problem associated with this system is that when taking into account the liminality of asylum seekers, their ability to develop a strong case is constrained. In response to the awareness of their vulnerability, there are available resources to mitigate their marginality. However, access to these resources is limited and the inherent assumption that asylum seekers can exert calculated decisions is problematic.

The accessibility of services requires persistence and time on the part of asylum seekers, which is difficult to achieve considering the coping of trauma and lack of resources to depend upon. For instance, Participant K expressed his concern when attempting to contact asylum assistance, by stating that “I could not get through [by telephone]. That was the thing that made me worry, calling like everyday.” In this case, he needed assistance finding shelter and asylum information, and he was unable to contact the organization. In addition to the barrier of not being able to secure assistance, he also had to utilize the necessary resources to continue to make telephone calls, and manage the stress and insecurity associated with not being able to get information.

Based on the eligibility guidelines, Participant L was originally hesitant to apply because previously she had documented that she did not need asylum, albeit her conditions changed to where she was now a candidate. Upon receiving advice to apply, she responded “I don’t think I can [. . .] and that is why I am not applying.” Eventually an acquaintance persuaded her to apply. However, considering her initial perceptions that she was not eligible, there was a possibility that she would have not pursued asylee status. This incident offers insight into the clarity of the process, and the possible misinterpretations of eligibility rules. For instance, Participant E’s eligibility and right to asylum was also jeopardized due to a language barrier. Particularly, she asserts that

I did request a translator to translate all the questions for me, but the guy [the asylum agent] said I didn’t need it. [. . .] He knows how it is if I asked for a

translator and he said no I didn't need it. I mean what else can I do. I didn't even know I could say 'no, I can't do it, [. . .] I have to have a translator.'

This statement reveals that the agent is in a position of authority, and his or her decisions can intimidate and coerce individuals to submit to the conditions, without feeling that they can express their concerns. Although she needed a translator, in the interview setting, her request was denied. The concern in this situation is that her ability to express her case is undermined and could consequently prevent her from attaining status. Even if the asylum agent believed her language skills would be appropriate to handle the interview, the lack of a translator had a negative consequence on her level of confidence. Since the system is unfamiliar to asylum seekers, they do not have the tools to act as autonomous agents and secure their rights and resources. These types of barriers can serve as both minor and major obstacles to the asylum seeker's experience and ability to successfully navigate the asylum process in order to attain status.

Decision Outcome Uncertainty: Alternative Plans

Gaining asylum status was the main priority of asylum seekers. All of their efforts and decisions that were made concerned their ability to increase their chances toward securing asylum status. Although they actively sought the right to asylee status by proving their case, many of the participants in the study were aware of the possibility that they could be denied. In the case of denial, some participants were aware of an appeals process as an alternative strategy. For instance, Participant B acknowledged that if her asylum claim was denied, she could contact an attorney. This acknowledgement of

an appeals process reveals that even if the case is denied, some individuals would continue to work within the system by appealing the decision in order to continue to claim their right to asylum.

Other individuals responded to the potential of denial by waiting for the decision prior to considering alternative plans. Their plan to wait enables them to cope with their uncertainty and also to take into consideration the circumstances in order to prepare the most appropriate response. Accordingly, Participant K when asked if he had a plan on how to deal with a possible denial, he asserted that “I don’t even want to think about it.” This statement illustrates the pressure experienced by asylum seekers and need to acquire status. Many of the participants planned to devise a strategy if they were informed that their case was denied. For instance, Participant F claims that “I didn’t make any plans. I wanted to have the results first before I was making any plans.” Even though she characterizes her lack of plans until she knew the decision, her consciousness of having to make potential plans demonstrates her sense of agency in preparing to deal with the outcome of the situation. Her choosing to wait does not imply passivity because her decisions and action are contingent upon the situation. Participant H expressed a similar sentiment by stating “I don’t know what is going to happen. I don’t know. I don’t know, I just pray that they give me [status].” Her choice to wait and remain hopeful also involved the consideration of the consequences of a denial; specifically, she describes that “maybe they have to take me to immigration jail and maybe take my kids into a foster home.” Although her fears indicate a possible lack of agency regarding her

feelings of not being able to mitigate the conditions that would ensue from a denial, she does exert agency in being conscious of possible circumstances, and also maintaining a sense of hopefulness in her case.

Other individuals actively developed potential alternative plans to remain in the U.S. either by appealing the denial, secretly residing as an illegal citizen, or returning to their country of origin. According to the possibility of denial, Participant M states that “I didn’t know what to do, but I would ask myself what I am going to do, should I put my [child] to adoption? Should I run away? Stuff like that, I thought about that.” The active consideration of alternative plans exposes a mitigation strategy to find another way to protect her child and herself from persecution. In Participant L’s situation, she considered ways to return to her country of origin and escape detection. For instance, she asserts that

I was [. . .] thinking of what would be the best way of getting back home without the authorities, you know, without anyone knowing that I was actually back home. [. . .] I could fly [. . .] and come by road [. . .] I could easily pay for someone to pass me through the border and without them [officials] knowing that I was getting into the country, but the problem was that when I would be back home then what? I could not leave the house for the rest of my life [. . .] because the minute you go out neighbors could see that you are back and word goes around, so that was my problem and then what?

Her plans take into account the limitations and long-term degree of effectiveness in her ability to find ways to mitigate short-term entry and detection, as well as a more permanent residence in her country of origin. The ability to consider an alternative and thought-out plan demonstrates that in circumstances when the aimed end cannot be achieved, she was able to continue to strategize ways to mitigate persecution.

As for Participant D, she made plans to discuss alternative plans as the decision came closer. Specifically, she states that

if it don't work we have to find a solution, but I don't wanna. I am really tired because I am finding a place, if we can find a place where we can go. Go somewhere if he [family member] has a friend somewhere where we can get home and hide [. . .]. We are going to go there. I am tired I don't want to take it anymore."

Similar to Participant M, Participant D is also active in considering options in the case of a denial by trying to figure out the most effective strategies to combat risks of deportation and persecution. In considering a denial of asylee status, Participant E asserts that

I had made up my mind that if I have to I was going to stay here [in the host country] like uh like as a illegal immigrant if I had to because I really did not want to back to my country. [. . .] I knew all the consequences for that [returning to her country of origin] so I had made up my mind that even if I had to say here illegally to hide, to the immigration people, I was going to take the risk to do that.

The insecurity and risk associated with illegal citizenship status was a strategy to avoid the risk of further persecution in the country of origin. The association of illegitimate means to avoid persecution in these cases derives from the possible outcomes of the legitimate process of applying for asylum and the possibility that the right to asylee status is not guaranteed.

Insecurity in Sharing Story

Whether alternative plans were developed prior to the decision of the asylum agents or reserved if needed to mitigate a denial result, the consideration of alternative plans indicates a coping mechanism of trauma and a mitigation effort to insecurity. The prevailing assumption that individuals who have valid claims to asylum will be able to access status conceals the findings that for the participants in this study, the process of asylum incurred numerous barriers and lack of access to resources. Participants in this study were able to exert various degrees of agency to overcome barriers and strategically assemble a sound case to attain status. Regardless of their success in certain case outcomes, or perseverance to gain status, the presumption of false claims and lack of cultural understanding contributed to uncertainty and vulnerability.

The aforementioned fear of denial was one factor that contributed to distress and insecurity among asylum seekers' process. In addition, several individuals disclosed a fear in sharing and unveiling the details of their story with strangers. Interestingly, the expectation that asylum seekers can present a valid case by proving their victimization neglects to acknowledge the stress and burden, and potential re-traumatization of the

process particularly in regard to sharing humiliating and traumatic experiences with outsiders. For instance, Participant G reports his uneasiness discussing his victimization to female lawyers, by stating

when you go through certain things and you have to explain them, you never have even talked it, you never have told anyone. It had been your secret. It was a little bit too much. So I preferred writing it down, and then if she [the lawyer] had questions, then okay, ask what is was.”

Here, a barrier to telling his story was sharing the details of his victimization to other individuals, who were female. This barrier serves to minimize the legitimacy of his case since he has to find ways to become confident in order to persuade the asylum officer. Re-counting the story of victimization was also troublesome for Participant N, which she describes as “at some point I almost gave up because I didn’t feel comfortable talking about it.” Here, the trauma in talking about victimization is a significant concern for individuals because their only way to attain status is to explain their case. Thus, status rests on the capability of asylum seekers to present their experience by describing how their sense of security is threatened in their country of origin. Asylum seekers experience a daunting task because they are individually responsible for making a persuasive case to the asylum agent. Participant B notes a similar concern by recollecting that she did not want to talk about certain things and withheld details of her story. During the interview she wanted to keep the story brief. Here, she struggled re-telling her story due to reliving the trauma and sharing it with an asylum officer. Asylum seekers must manage the risk

of re-telling their experience or avoiding sharing all parts of their story. Regardless of the action asylum seekers take, they are likely to experience additional trauma or increase their chance of denial.

In these cases, survivors of persecution experience re-traumatization when proving their case throughout the asylum process. Additionally, many individuals were asked to not only re-tell their stories multiple times, but also had to respond to lawyers and asylum agents' disbelief and blatant questions of why their experience should entitle them to asylee status. Participant I notes that his sense of distrust prevented him from feeling capable of seeking help and sharing information about his victimization. Specifically, he explains that

they [legal organization] tried to ask me questions and I was trying to withhold myself because I wasn't trust[ing] anybody. See if I tell this person then they will be on the wrong side and I will be killed. That's what is going to happen. That was what was in my mind.

This revelation shows how a lack of trust developed as a survival strategy undermines individuals' ability to secure asylum. The foundation of individual responsibility to prove one's case and persuade asylum agents requires individuals to overcome their distrust and suspicion. Asylum seekers experience an inherent disadvantage in the asylum system because although the system provides an opportunity for security, the background survival strategies and coping mechanisms employed by asylum seekers limit their capability of securing status. In consideration of the emphasis on sharing the story

of persecution, the asylum seeker is placed in a precarious situation in which he or she must provide sufficient details of the persecution as a way to secure status, even if this process incurs trauma and emotional distress.

Conclusion

Interestingly, though the asylum system is the process of attaining rights to protection, the focus on proving a case is a challenging task for asylum seekers given their unfamiliarity with the system and general insecurity. Asylum seekers must exert agency in finding the best strategy in securing protection from persecution. However, a salient issue throughout their asylum process was the constant risk and uncertainty they had to manage. Significantly, asylum seekers actively sought to reduce their uncertainty, for example, by devising alternative plans to mitigate the possibility of denial.

The constant exposure to risk required asylum seekers to continuously overcome obstacles. For instance, even in situations in which asylum seekers access help from organizations, they still had to secure resources such as transportation or gather evidence to advance through the process. For example, their accounts revealed that they could obtain basic necessities and depend on another person in order to progress through the system. However these resources continue to expose them to risks when considering circumstances in which they no longer can depend on someone else or if they run out of resources. Overall, taking part in the asylum process contributes to trauma with regard to re-telling their story and risking deportation. In acknowledgement of asylum seekers' understanding of and trusting the purpose of the asylum system, conditions of proving

their stories and dealing with uncertainty of the outcome presents trauma in and of itself. Throughout the asylum process, asylum seekers must find resources and present their stories in order to attain status, which requires them to continuously manage insecurity and uncertainty. However, the experiencing of vulnerability and uncertainty diminishes their ability to successfully advance toward asylee status.

THEME IV: INDIVIDUALIZED TRAUMA AND A LACK OF A COLLECTIVITY: THE LIMINAL CONTEXT

Multiple forms of trauma manifest in the context of escaping persecution, and continue to be a prevalent aspect for asylum seekers as they attempt to gain security in host societies. One of the problematic assumptions that minimizes the trauma asylum seeker' encounter in the system is the emphasis on their victimization in their country of origin. The attention on the persecution indirectly limits the ability to acknowledge the trauma experienced in other aspects of forced migration and the asylum process. Automatically, a dichotomy emerges that positions persecution as the most traumatic experience on one end of a continuum with the asylum process and refuge in a host society on the other end of the continuum. This contrast tends to link the host society as the safety zone in which protection is upheld against the traumatic situation of persecution. However, based on the conditions of the asylum system, asylum seekers label and interpret their experiences attaining asylum as traumatic. Central to the asylum system is a high degree of insecurity and marginality as a result of the unknown outcome of the asylum process and the possibility of deportation. Asylum seekers operate in a

precarious situation in which they must secure asylum while also dealing with trauma and mitigating the misperceptions of the asylum/immigration officers' assumptions of fraudulent claims.

Asylum seekers experience liminality in coercive conditions of persecution as well as in the asylum process. Turner (1969) develops a conceptualization of liminality to explore the rites of passage associated with matrilineal African tribes. As discussed earlier in this dissertation, liminality according to Turner (1969:95) is defined as "entities [that] are neither here nor there; they are betwixt and between the positions assigned and arrayed by law, custom, convention, an ceremonial. [. . .] [A]s liminal beings they have no status, property, or insignia [. . .]." Based on this definition, liminal space is characterized as a situation in which an actor's subjectivity and autonomy is displaced by a lack of power. Significantly, Turner (1969:106) associates "liminality with status systems" by developing contrasting terms, such as the following:

"homogeneity/heterogeneity, absence of status/status, total obedience/obedience only to superior rank, silence/speech, acceptance of pain and suffering/avoidance of pain and suffering, [and] heteronomy/degrees of autonomy." These characteristics associated with liminality reveal an imposed marginality and stigma without the available means to mitigate the oppressive conditions. Asylum seekers' inability to have their claims validated and the barriers they experience through the asylum process that limit their success, categorize them in a zone of liminality. Their process requires the ability to negotiate eligibility policies and disprove the stereotype that they are economic migrants

in a context in which they fear rejection of their claim. The asylum process places the majority of the accountability on asylum seekers to demonstrate the validity of their claims as a means of security in avoiding deportation and further persecution in their country of origin. Specifically, asylum seekers are unable to fully rely on the entitlement of protection because they are perceived as privileged, autonomous actors able to inform authorities that their persecution experiences are legitimate and that they are deserving of asylee status. An emerging component of their liminality is that asylum seekers are held accountable to whether their claim is accepted or rejected, and the asylum system itself is portrayed as non-biased.

However, the asylum system's focus on individual responsibility is based upon a framework that assumes the asylum seeker has access to resources and knowledge to exert agency. In this context, the liminality of the asylum process is ignored because the situation of the asylum seeker is not validated by the larger system. The asylum system centers the individual responsibility of the asylum seeker to prove with verification the persecution they experienced in their country of origin. Subsequently, the asylum seeker must demonstrate that the degree of persecution coincides with the policy that they are in need of asylum in the U.S. Within this context, the asylum seeker's marginality, trauma, and lack of resources is minimized because the system perceives of him or her as a privileged actor. The assumption of a privileged actor is revealed under the auspices that an asylum seeker could provide an account of their trauma and relevant documentation. However, one factor that is not taken into consideration with regard to the asylum

seeker's responsibility to demonstrate their persecution is the prevailing stereotypes that individuals applying for asylee status are potential economic migrants making false claims. In dealing with misperceptions that actual asylum seekers are economic migrants, asylum seekers are placed with an additional burden in recounting and proving their experience of persecution. They are required to dispel the myths held individually by asylum officers and inherent in the asylum system. Rather than solely sharing their experiences and receiving validation as is, asylum seekers must strategically present their case and identify areas in which they were threatened or encountered violence. This process demands that they perform the role of a privileged actor in reorganizing their account to dispel assumptions, and demonstrate the truth of their situation and provide essential documents that strengthen their experiences. However, asylum seekers' encounter difficulties in acting as a privileged actors due to their marginality. For instance, typically they lack supporting documentation, and also lack legal and interpretation assistance to describe their stories, in addition to managing trauma and retelling their persecution.

Based on the experiences of asylum seekers negotiating the attainment of asylee status, there appears to be a high degree of miscommunication, lack of cultural understandings, and suspicion. A liminal context becomes dominant with regard to a normative system that renders the social norms and experiences of asylum seekers as invalid. Although the asylum system is supposed to facilitate access to protection for asylum seekers, in practice, deterrent measures and stereotypes tend to overlook the

conditions and needs of asylum seekers. This normative conflict results from a disconnection between the system's obligations and the micro situations of individuals securing status. There are elements of power hierarchies in this process because the asylum seeker must persuade officers, and overcome their marginalization and discomfort in order to secure asylee status. This focus on individual responsibility is problematic because asylum seekers' identities are primarily associated with economic migrants until they are able to showcase their evidence to be considered for asylee status.

On one hand, the asylum officers are in a position to evaluate the likelihood that the asylum seeker's story is true and corresponds with human rights violations documented by the international community. For instance, asylum agents determine that the story is particular and not simply exaggerated or appropriated by an economic migrant. On the other hand, the asylum seeker is forced to not only share his or her story, but to develop a cogent argument supporting the request for asylee status. The difficulty with this process from the asylum seekers' standpoint is recounting their trauma and then managing the asylum officer's potential lack of cultural understanding and lack of support. Several asylum seekers revealed that they were asked to remember dates and answer the same question multiple times, which decreased their confidence and made them doubt their own account. The misperceptions held by asylum officers tend to discredit asylum seekers and ignore the degree in which they are experiencing trauma and lack of a support network.

Correspondingly, Alexander, Eyerman, Giesen, Smelser, and Sztompka (2004:11) develop a new conceptualization of trauma that is mutually acknowledged and evaluated by a claims group and audience. Central to their argument is to establish that trauma is socially constructed based on the collective agency of a marginal social group, and is subsequently validated by the larger audience based on their evaluation of whether or not the claim is legitimated (Alexander et al. 2004:11). On the individual level, asylum seekers refer to their experiences filing asylum as traumatic. In further elaborating on the trauma process as outlined by Alexander et al. (2004), asylum seekers have some general knowledge of other individuals' dissatisfaction with the process, however, they lack an organized collectivity to express and mitigate the oppressive conditions. In this sense their experiences of trauma are withheld from a collective conscious due to the lack of solidarity among asylum seekers. Individually however, asylum seekers share similar accounts of their asylum process as a point of trauma.

From the standpoint of the audience, since the asylum process is associated with protection and support in contrast to persecution, to characterize the asylum system as a situation of trauma for asylum seekers would be perceived by the general public as an erroneous conclusion or statement. In addition to the misperception of the asylum system as a safe zone, as aforementioned in this paper, there is the assumption that individuals can provide adequate proof of their eligibility for the right of asylum if they experienced persecution. These two predominant beliefs about the asylum process serve to limit the ability to define the asylum process as a potential source of trauma. Furthermore, due to

the marginality of asylum seekers, they lack the autonomy to make visible their traumatic experiences negotiating the asylum process and the acknowledgement by officers and outsiders that their claims for asylum can be valid independent of documentation. Instead, asylum seekers must manage the discriminatory views of officers and the larger public by meeting their requirements as to what justifies a valid asylum claim. This dominant evaluative position of the audience and officers automatically marginalizes the asylum seekers' ability be validated for the persecution and trauma they experienced. There seems to be two different normative orientations at play in which the dominant position of the audience prevents the recognition of the inherent trauma in the asylum system. The asylum system is statically labeled as a respondent institution aimed to alleviate human rights injustice through the ability to provide permanent protection of individuals. Since this institution is oriented to meeting the needs of asylum seekers, the public is unable to critique the barriers associated with this process as conditions that exacerbate trauma. Additionally, since individuals seeking asylum lack agency and autonomy, they are unable to create a form of resistance.

Possibly, asylum seekers are hesitant to openly critique the asylum system since they are motivated to become an ideal candidate in order to attain asylee status. However, the prevalence of barriers and the uncertainty as to whether their claim will be accepted or denied serves as a traumatic experience to individuals negotiating the asylum system. The general public is ill-equipped to empathize with the asylum seeker because the dichotomous structuring of trauma in the country of origin does not seem equivalent

when using the same term to characterize the asylum system that grants protection from persecution as also a context of trauma.

The manifestation of liminality in the asylum process is constructed as invisible because the asylum seeker is a marginalized actor with minimal representation. As a result, asylum seekers are dependent on a system to meet their claims for asylum, yet find that the process incurs distress and trauma. As a result, asylum seekers lack a safe and open forum to share their experience and seek validation for their perceived trauma navigating the asylum system. In addition, they lack collective support from others also engaged in this process, which reduces their support networks.

CHAPTER VII

EVIDENCE OF THEORETICAL PROPOSITIONS

The dichotomy between economic migrants and asylum seekers tends to be differentiated by labeling the former group as privileged and the latter group as marginalized. In an effort to overcome this false dichotomy and challenge its limitations, economic migrants and asylum seekers should be contextualized by acknowledging situations in which they have access to privilege and points in which they deal with marginalization. Although conclusions can be supported that asylum seekers are a marginalized social group as a result of the liminality associated with the coercion to leave one's country of origin to escape persecution, this labeling does not translate into asylum seekers being characterized as non-agents nor being unable to exercise privilege. Asylum seekers' experiences differ based on the degree of success they have in securing status. Furthermore, there is also evidence from this study that the barriers and resources the participants' encountered are particular to their situation. Despite these differences, asylum seekers share a common experience of navigating the asylum system based on the motive to secure protection in the host society. In a general context, they share the experience of persecution and trauma, and face uncertainty and insecurity as they attempt to gain asylee status. Interestingly, asylum seekers in this study did not appear to have access to a collective support group in which they could interact as claims-makers. This lack of a collective conscious derives from a context of distrust and limited means to

secure formal social support routes. For example, Participant I describes his experience of trauma as “at that time I didn’t trust nobody because we don’t trust anybody because of our past.” This extreme characterization of suspicion and distrust highlights the potential isolation of individuals even among those with similar circumstances. The ramifications associated with a lack of solidarity among asylum seekers prevent them from creating awareness regarding their experiences, and using their claims to increase their role as agents and access to rights.

Utilizing a structure/agency model serves as a tool to address the various and even overlapping privilege and marginalization experiences of asylum seekers. In consideration of their lack of autonomy, developing a model that positions structure and agency in an equal and interactive relationship fosters the ability to explore how individual asylum seekers interact with structural barriers and mitigate them by utilizing means. The following propositions are evaluated based on the experiences of participants seeking asylum.

- (1) Agency is a negotiated process based on the marginalized actor’s active management and response to structural limitations.

A re-conceptualization of agency is proposed in chapter III in order to acknowledge the conditions in which marginalized actors do not have the autonomy or means to modify structural barriers. As a way to displace the means-end component of action in order to emphasize structural conditions, the conceptualization of agency includes situations in which individuals become conscious of structural barriers and respond to

them. For example, asylum seekers are required to successfully advance through the application and interview process in order to attain their end of asylee status. However, based on some of the examples provided, asylum seekers' response to barriers required them to abandon certain actions because they were unable to access the necessary means to overcome a particular barrier.

A few asylum seekers for example were asked to provide evidence to support their claims, but were unable to access all of the requested evidence due to an inability to obtain documentation from their country of origin, a lack of resources to translate the documents and/or in a few cases, the fact that the evidence did not exist. In applying this situation, using an example of the hypothetical privileged actor, he or she has the means to overcome this barrier and gather the documents as assumed by asylum officers.

Albeit, the asylum seeker who lacks resources is unable to meet the demands of the asylum officer for documentation, and as a result, must continue to develop a case without the pertinent information. Agency is demonstrated in the attempts of asylum seekers to obtain the information, however, their inability to provide documentation does not negate agency. Lack of autonomy is noted, but agency is shown in their conscious interaction with the structural barrier. The lack of documentation resulted for some cases in a denial of asylum, and although the desired end was not achieved, these individuals interacted with structure to strive toward the attainment of their end. The active component of their agency and response is visible in being conscious of the asylum

system, developing and enacting strategies, and negotiating structural barriers by making alternative plans and/or finding new resources.

- (2) The normative orientation encapsulates the action process and functions to inform the agency and structure relationship.

Revising the action process to address the significance of the normative orientation (which refers to social and cultural norms/values) is a vital component in contextualizing the actor's efforts to use means to achieve his or her ends. Norms and values guide the process of which means and ends link together, and how an actor interacts in certain contexts and with others. The normative orientation is a dynamic factor that informs and is modified by the situation. Analyses of the disconnection between asylum officers' expectations and how asylum seekers' desired to report their story indicate a conflict in norms. For example, asylum seekers seemed to be aware of the need to demonstrate a sound case because the system treated them as resourceful actors. Although many participants attempt to present a clear case for asylum in their application and interview, they experienced difficulty meeting the officer's expectations. From the point of view of asylum seekers, their quest to present a sound case involves clearly showcasing the conditions of their country of origin and proving victimization. The asylum system's guidelines and expectations provide a set norm as to how the asylum verification process should be enacted and verified. Asylum seekers must be capable of taking on those norms in order to successfully prove their case.

- (3) Structure underdetermines the extent to which agency and autonomy is performed characteristic of the particular situation and actor.

As briefly mentioned in the introduction of this section, the structural conditions and resources available to a particular asylum seeker is predictive of the degree in which he or she is able to exert agency and attain his or her ends. The ideology of the asylum system requires asylum seekers to prove their case by making evident that they are not making a false claim. In order to prove a case, each asylum seeker must submit an application and successfully pass an interview. Although these individuals, in general, tend to be marginalized and experience varying degrees of barriers, including an unfamiliarity with the asylum system and host society, they are deemed capable of accessing asylee status if they are presenting a valid claim. In exploring the experiences of asylum seekers, their degree of success does not rest necessarily on the validity of their claim, but rather their ability to navigate and overcome barriers to progress through the asylum process. For instance, the ability to have a valid claim to asylum based on eligibility must be proven, and in order to attain the status, an asylum seeker must be able to enact the necessary means to meet the system's requirements. As such, valid claims of asylum are not automatically sufficient, which implies that certain asylum seekers with valid claims who are unable to present a case that meets the guidelines of eligibility are not granted asylee status. In these situations, the degree of agency is constituted by the larger system, as well as the presence of barriers and the extent to which means can be implemented to advance through the stages of the asylum process. Hence, individuals

with greater resources are more successful attaining asylum compared to the more marginalized asylum seekers, even if both cases present valid claims to asylum.

- (4) Given the prominence of structure, action is conceived of as an open-ended, circular process and is situational.

In a theoretical sense, action has been historically conceptualized as a linear process in which an actor exerts appropriate means in order to attain a specific end. This formulation tends to normalize the linearity of action, which consequently overlooks other types of actions in which a clear end was not preconceived, multiple ends were considered simultaneously, or even if the main focus of an end was to be later modified into a mean to achieve a future end. In the case of asylum seekers, the process of securing asylee status can be identified as the main end, and the process of asylum incorporates the means to attain that end. However, some asylum seekers mentioned that they had developed alternative strategies as a way to deal with the chance that they would be denied asylum. In other cases, although certain asylum seekers prioritized their end to attaining asylum, they also perceived of asylee status as a means to securing protection, rights, self-sufficiency, and re-connection with family members. Respectively, there is still a linear component evident in asylum seekers' process since they strive to attain asylee status, and their efforts are directed to achieving this goal. Asylum seekers' consideration of alternative plans serves as multiple ends to minimize the uncertainty associated with a denial outcome. These alternative plans reveal that when asylum seekers focus on one end their vulnerability increases. Importantly, they seem to focus

their efforts toward attaining asylum, and in doing so, their potential alternative plans are vague. This is an aspect of agency given that they are conscious of the possibility of denial, and may have to consult other options at some period to mitigate the lack of protection.

Regardless of efforts to secure their ends, asylum seekers experience uncertainty in the process that makes them unsure as to whether they will achieve status or not. The process is broken into stages, which serve simultaneously as hurdles to overcome in order to progress to the next stage. Thus, it is possible that temporary ends or goals serve as means to reach the final end. These temporary ends might refer to means, albeit in the present data, asylee status as the major end is contingent upon means and temporary ends. The process cannot be reduced to a static end, when means and ends overlap, and the attainment of one end serves as a future mean to other ends, or conditions arise that modify the end at hand.

(5) Action cannot be reduced to a particular actor's means-end attainment due to the influence of situations and the normative orientation.

In this sense, action is situational because individuals interact with diverse means and conditions at various stages to attain an end. In this case, asylum seekers are unable to fully control or plan for the exact process, even though they are aware that they must demonstrate their case in both written and oral forms. Asylum seekers, as any other actor, must be prepared to respond to and interact with various conditions as they seek to secure their end. Correspondingly, asylum seekers as a vulnerable group must manage

the unavailability of resources and a lack of power to modify the system. Their degree of privilege is evident in their ability to overcome barriers and use strategies to make a strong case. Nevertheless, their privilege is limited due to their vulnerable state and interacting within a system that exposes them to challenging barriers that reduce their degree of success.

- (6) Throughout the asylum process of each of the participants, the relationship between structure and agency is exposed as mutually dependent and flexible as a result of actors' varying degree of autonomy and resources.

Structural barriers, such as lack of legal assistance or the inability to obtain evidence prevent asylum seekers from easily achieving their right to status. Their agency in these cases is less effective because in order to overcome barriers they must find means and strategies. However, means and strategies are not always effective, which minimizes the degree of agency to exert. Acknowledging the power associated with structural barriers does not render agency as inexistent, but merely contextualizes the ability to exert agency by addressing the role of conditions. In situations in which barriers are insurmountable, agency can be apparent in an asylum seeker's goals or hopes, and in their consciousness of and response to limitations. The inability to act in the desired way can still be labeled as agency given the predominance of structural limitations in certain situations. Based on this mutual relationship between structure and agency, the variability is significant because the type of interaction depends on the particular situation and the access to power associated with the specific actor and others.

Overall, the negotiated action theory facilitates a more inclusive framework to address the limited role of agency of marginalized actors, without suggesting that they do not exert agency. In the situation of asylum seekers, although they strive to successfully advance through the asylum system by developing a sound case in order to achieve their status, they encounter barriers relating to lack of resources and uncertainty that undermines their ability to secure status. For marginalized actors, the barriers they experience place them in a precarious role because they lack access to an abundance of resources to mitigate them. Thus, for some asylum seekers, their limited resources are exhausted before they have overcome barriers, such as in the situations in which certain individuals were unable to access documentation. Although these barriers do not necessarily make it impossible for them to secure asylee status, they do serve to hinder the progress and limit the ability to develop a sound case. As a result, agency is interconnected with responding to and negotiating structural barriers in order to strive toward a particular end. In addition, asylum seekers had to be conscious of the system and officers' guidelines in order to present their case in an appropriate manner. This process required them to develop their case in a way that would meet the officers' expectations.

Lastly, the action process illustrated by asylum seekers involved a reflexive component in which they had to respond to dilemmas and uncertainty that influenced their future acts. For instance, certain individuals who wanted the help of lawyers had to consider their timeline, and in some cases, decided to represent themselves because they

feared their application would be submitted late if they were to wait for the assistance of a lawyer. In this case, the coercive conditions required them to make a decision that may contribute to limitations or obstacles in the later stages of the process, however, in the short term context, their decision enabled them to overcome the obstacle of when to file. Thus, the asylum seekers' experiences reveal the agency-structure relationship as a dynamic process for marginalized actors as they attempt to strive for asylee status.

SOCIAL ACTION AS REFLEXIVE: ILLUSTRATION OF DIAGRAM II

The open-ended action model seeks to decenter the linearity of action in order to incorporate the salience of uncertainty in the action process with regard to means, ends, conditions, and other actors. Considering the marginalization of asylum seekers, their navigation of the asylum system involves numerous barriers and unfamiliarity that reduces the effectiveness of their means used to achieve asylee status. An underlying assumption of a linear-oriented action model is a sense of certainty toward attaining the end at hand based on the autonomous, resourceful actor. Using a reflexive-based action model facilitates the ability to theoretically account for the action process of privileged actors, but more importantly is inclusive of decisions and acts that do not directly contribute to an end. Particularly, the individuals partaking in the asylum system contend with unfamiliarity with the rules and process as well as limited resources available to mitigate barriers, stereotypes, and cultural misunderstandings.

In this section, I examine two cases of the asylum process using this reflexive model. The first case selected is the most linear oriented process because this particular

asylum seeker encountered the least amount of barriers as well as the fastest time period between applying and receiving asylee status in comparison to the other participants. I purposively selected a linear process as one of the cases in order to test whether the reflexive model could add insight that was lacking with the linear model. Specifically, this case is considered linear because the participant was able to overcome barriers using his own resources and initial strategies. Based on the formation of diagram II, the incomplete circles reference places in which actors must identify which means to exert in order to overcome barriers and advance toward their end. Ideally, if the end is achievable the action process would develop in a complete circle. However, open-ended circles allow for dilemmas and uncertainty in the action process, including acts that fail to progress toward the envisioned end.

A significant thread that became apparent in the participants' negotiation of the asylum system is the potential failure to secure status that underlies the uncertainty aspect of the process. Despite the possibility that the majority of barriers could be overcome with adequate resources, asylum seekers still felt insecure as to the decision outcome and its effect on their sense of security and livelihood. Although there is an appeals process for denied claims, the appeal stage reveals the burden of making the case more sound and dealing with even more limited options available to mitigate persecution in the country of origin.

The first case correspondingly shows that even though resources and means contributed to the successful attainment of asylee status, this participant continuously

managed uncertainty at various stages in the process. For example, between the application stage and attaining status, the asylum seeker exerted the following acts: had to travel to another state to be screened to receive a pro bono lawyer; although he already had most of his documentation, he requested calling cards from an organization to gather more evidence; he was able to ask his roommate to help him get to the meetings with his lawyers; despite their legal support, this was their first immigration case; he experienced difficulty sharing his story, however, he did prepare for the interview by practicing and memorizing dates; and he also provided evidence to the asylum agent of a scheduled counseling session in an effort to verify his nervousness. This process is straightforward with regard to his ability to surpass each point of the asylum process by relying on legal assistance and making sure to develop and present a sound case. On the surface level, his action process appears to be linear in the sense that his means were able to overcome potential barriers and facilitate his success in achieving status.

However, this process incorporated a reflexive interaction between means and conditions. At each stage of the process, this actor had to be conscious of the situation and seek the appropriate means to advance toward the end. Although, his process appears successful because there does not seem to be any serious barriers, the navigation of this system involved the possibility that his means would not be effective and a heightened fear of being denied. For example, even though he was able to use his resources to travel to be screened and obtained legal assistance, this outcome was not guaranteed. During this stage, he had to overcome the fears and discomfort of telling his

story, gathering evidence, and arranging travel in order to be eligible for a lawyer, then to wait again to see if a lawyer could be assigned to his case. His outcome is favorable and linear, but at each stage he had to use available means to prevent or surpass impending obstacles, such as making sure to present a valid case and gain legal aid. Interestingly, he indicates that while he was confident in his case, he had a constant fear of being denied and deported.

Thus, despite that means were available and effective, the work toward achieving asylee status was precarious given that the means could fail or that the asylum agent could fail to grant his request for protection. For example, during the interview, when asked to explain the situation, certain factors such as an unfriendly agent or nervousness could have limited his ability to clearly describe his case. These example scenarios could either have been overcome or resulted in negative consequences to the legitimacy of this case. As such, barriers that emerge in the asylum process place asylum seekers in a difficult situation because as a vulnerable group, their access to effective means is limited. For marginalized populations, conditions serve as critical obstacles that undermine individuals' ability to advance toward their end, causing them to consider alternative mitigation strategies or in some cases, new ends.

The second case selected illustrates a more difficult process toward asylee status. This case resulted in denial and is in the appeals stage, however, it is not the most extreme negative case of this study. In the following illustration of the participant's asylum experience, several barriers overpowered the effectiveness of his strategies,

contributing to the weakening of his case and general distress. For example, this participant had prior living arrangements upon arriving to the U.S., however, these perceived stable arrangements changed because the renter was concerned about landlord issues. As a result, within two weeks of arriving he was searching for a new place to live. His next strategy was to contact a shelter, but the shelter informed him that the next vacancy would not be available for two months. He was able to contact someone in his country of origin, and found another person to live with in the U.S., but it required him to use his personal funds to travel to another state. Several other obstacles became salient throughout the process, particularly, he was not fluent in English, and was asked to explain his story over several meetings with a legal organization. This process made him feel uncomfortable, confused, and frustrated. For instance, he experienced pressure on one occasion to report his story in writing within one day. In addition, he encountered issues with his roommate concerning basic necessities and transportation. Specifically, he was unable to meet with a legal organization for a few months because his roommate would not offer him transportation, and he had no other resources available to use public transportation. An organization did help him obtain food, but it was not culturally appropriate, and as a result, the roommate would not allow him to bring it into the home. He eventually was able to find new roommates, and a few months later, was offered a place of his own free of charge for a year. Due to the lack of available lawyers, he was not assigned legal assistance until the final month prior to the year deadline, and his application was filed on the last day of his eligibility. After the interview, the case was

denied because he failed to explain the last minute conditions of filing, and he refused to consent to having his documents authenticated because he feared it would cause harm to his family members in his country of origin. At the present situation, he consented to the request of authenticating the documents and is currently waiting for his court date.

This case illustration appears linear and somewhat effective if analyzed in the context of the asylum process because he was able to overcome the barriers that manifested throughout the process. However, these dilemmas required this participant to search for new resources to continue his quest for status, and jeopardized the strength and success of his case. Each dilemma resulted in not only extra effort to continue this path to asylee status, but in combination, these continuous and serious barriers increased his process length, which simultaneously contributed to roommate tension and reduced the availability of basic necessities. The constant barriers and uncertainty also places the asylum seeker in a precarious situation in which he lost confidence in the process and feared that his status would be ultimately denied even after the appeals process. The linearity of this process was compromised with each dilemma because in order to advance his claim he had to search for alternative resources and resolve the barriers.

These two cases begin to reveal that for marginalized actors, the process of securing means to attain an end is an uncertain process. Asylum seekers exert agency in their ability to be conscious of structural barriers and develop strategies to overcome them, but they lack an abundance of resources and/or sufficient resources to efficiently mitigate some of the barriers they encounter. In the general context of the asylum

system, asylum seekers operate as actors in a liminal zone because their sense of security is tied to achieving status, and based on the rules, it is their responsibility to develop and prove their case to coincide with asylum agents' expectations. However in order to accomplish the task of effectively securing status, asylum seekers must find resources and information to progress through each stage of the asylum system. Their ability to enact agency as a result is compromised when they are unable to secure resources, mitigate cultural misunderstanding, manage trauma and insecurity, obtain evidence, and so forth.

These example obstacles place asylum seekers in a precarious situation because their chances for status are reduced if they are unable to overcome these barriers. As a result, the asylum system incorporates a significant amount of risk and uncertainty that threatens asylum seekers' ability to secure asylee status. Thus, a linear account of action based on means-end emphasis neglects to highlight the influence of conditions that serve to hinder end attainment. As illustrated with the case study, despite in situations in which means are available to overcome barriers, the effectiveness is not guaranteed. Asylum seekers as they navigate through the asylum system must negotiate uncertainty and the likelihood that their resources may be limited or that they would succeed at various stages of the process. In this context, asylum seekers continuously respond to dilemmas in which they must implement strategies to further secure their ability to attain asylee status, however, fear and uncertainty make this process toward protection difficult to achieve.

CHAPTER VIII

CONCLUSION

Overall, the dissertation research explored the agency of asylum seekers as they prepared and defended their right to asylee status in order to mitigate persecution in their country of origin. The asylum system is founded on the principle of individual responsibility, and based on the participants' experiences, they actively made efforts to advance through the system in order to gain protection. However, in this process, participants had to overcome barriers regarding access to resources as well as to persuade officers of their claims. Additionally, they had to successfully file an application and partake in an interview. These participants not only experienced physical barriers, but also encountered feelings of trauma, uncertainty, and insecurity as they attempted to gain status. As a result, their agency is characterized as responding to structural barriers and seeking ways to minimize them in order to qualify for status. Theoretically, asylum seekers as marginalized actors do not have the autonomy or resources to modify structural barriers to the same extent as privileged actors. As shown with the participants in this study, they encountered dilemmas in the asylum process that required them to utilize strategies, receive outside assistance, and even consider alternative ends in order to reduce their sense of insecurity. As a result, their action process is not necessarily linear, but a reflexive process that requires a heightened consciousness of finding means to mitigate barriers. Despite these barriers, most participants did not hold the system at

fault, but simply recommended that greater cultural understanding and resources be considered for individuals engaged in this process.

SHARED RECOMMENDATIONS TO IMPROVING THE ASYLUM SYSTEM

Based on the positive and negative experiences the participants shared with regard to navigating the system, each participant during the interview was asked to give advice and recommendations to future asylum seekers and asylum agents, as well as the asylum system. As mentioned earlier in this chapter, the participants' asylum process ranged from a fair and easy process to attain asylum, to a difficult and hostile experience including various barriers that either resulted in attaining asylum or being denied. Despite some differences in either characterizing the asylum system as traumatic and/or fair depending on the particular circumstances, many of the participants found the actual asylum system to work, and offered ideas mainly to help future asylum seekers and alter the practices of the asylum agents. These ideas correspond to the information they wished they had known prior to applying for asylum, and some of the barriers relating to the disconnection between themselves and the asylum officers.

The main themes concerning the advice aimed at future asylum seekers are: to attempt to acquire legal assistance from an asylum organization; document the persecution immediately and gather evidence; relate the evidence and consequences of persecution directly to one's individual situation; to be aware that the information provided will be verified by the asylum agents and they are simply doing their job; and lastly have all the documentation prepared in order for the process to advance without

any barriers relating to the story or evidence. These ideas and advice are insightful because although they are labeled as strategies, they also reveal what types of resources and actions are necessary for developing a strong case in order to progress successfully throughout the asylum system. For instance, gathering evidence and having it prepared prior to the application process enables claims-makers to move more efficiently through the process because their case is already developed. Acquiring legal assistance is also important for individuals because they have better opportunities and resources to present their case. Interestingly, understanding the asylum agent's job as someone who is conducting the interview to verify the story and evidence helps make the asylum seeker feel more comfortable and decrease feelings of intimidation. Importantly, this type of advice focuses on ways to help individuals know what to expect and how to prepare as a way to decrease potential barriers. This shared knowledge identifies ways to meet the system's requirements, and does not craft ways to illegitimately secure asylum within the system. Their advice provides useful feedback based on their own experiences, and counteracts stereotypes and possible officer's distrust of false claimants, since they are trying to meet the asylum system's rules.

The recommendations for asylum officers seemed to focus on ways to increase cultural understanding of the asylum seekers' circumstances of persecution and the subsequent desire for asylee status. Accordingly, the asylum seekers offered the following suggestions: to be more patient and understanding of their experiences; make sure that translator services are made known to assist those who need to be able to

express their case; understand the challenges of telling one's story and if the story is believed, then allow them status; mail the results to ease transportation difficulties; take into account that the decision is based on an hour interview, and that perhaps more research and verification needs to be considered in order to make an accurate decision; gain more knowledge of the country's conditions and also be aware of the lack of documented information available; and allow the asylum seeker to fully describe his or her own experience. These would revolve the disconnection between officers' expectations and asylum seekers' stories because many of the participants had to manage a lack of cultural understanding and evidence during the interview, which decreased their chances of successfully achieving asylum. Their recommendations seem reasonable given that the concerns address ways to create more sound cases in a more comfortable setting and increase the comprehension of their situation. This improved process would help asylum seekers demonstrate their case, and officers to better understand their conditions in order to determine the outcome of the asylum application. Ideally, these suggestions would facilitate a better context for sharing stories of persecution, and enabling officers to make better judgments of the information of the claimant and the conditions in the country of origin.

Many of the participants also devised resolutions to improving the asylum system as a whole to foster a more supportive and efficient process. Some of the suggestions addressed lack of resources by asking for free legal and social services to be made available to asylum seekers. Similar to these requests, many individuals desired to have

access to a temporary work permit while they were in the application process as a way to ease pressure associated with a lack of income and self-sufficiency. Another suggestion would be to expedite the processing time of the request for asylum as a result of the lack of resources and insecurity related to the temporary indeterminate citizenship status. In addition, one participant suggested that a more supportive network be implemented between legal aid, social organizations, and the asylum process. This idea derived from acknowledging that often the social organizations are in a better position to understand the trauma and experiences of asylum seekers. Specifically, there is a more trustworthy relationship between workers at this type of organization and the asylum seeker. As a result, the social service organization could provide support to the asylum seeker in helping them present a sound case. Each of these recommendations to improve the system helps individuals access a more supportive atmosphere and available resources to sufficiently develop their case for asylum. As mentioned earlier, these suggestions offer useful policy ideas that can be implemented to modify the system, while still maintaining the current system's regulations for determining asylum claims. Overall, the recommendations demonstrate that asylum seekers are not asking for a free pass to asylee status, but would like to experience a less hostile environment while working to demonstrate their case for the right to asylee status. A supportive atmosphere can be achieved based on greater cultural understanding, access to resources and support organizations, and opportunities of self-sufficiency as asylum seekers partake in the asylum system.

DISCUSSION

The above suggestions facilitate the ability to enable asylum seekers the opportunity to better present their case and avoid stereotypes that mischaracterize their motives. I argue that the asylum system can be improved without eliminating the institution or altering the stages that determine eligibility. Based on the experiences of the asylum seekers, I would recommend that the system address these barriers as well as actively dispel the institutionalized assumption that asylum seekers are often making false claims and end deterrent policies that undermine the agency of asylum seekers' motives and conditions. In other contexts addressing victimization of marginalized populations, feminist theories have sought ways to change definitions in order to support victims/survivors. For example, feminist-based definitions of violence against women have sought for more inclusive definitions that mitigate the biases associated with patriarchal, Western views (see for example Brownmiller 1975:18). For instance, the definition of sexual assault can be reformulated from the victim/survivor's perspective in which if she or he does not consent to sexual intercourse then it constitutes as rape (Brownmiller 1975:18). This framework is significant because it avoids the individual responsibility and proof typically asked of the victim. In a similar method, the definition of asylum could be revised to validate the liminality of asylum seekers and mitigate the practice of deterrent measures based on assumptions of false claims. A working definition could begin similar to the definition of a refugee, and be based on the threat of or direct consequences of violence, however, the entitlement to this right to asylum

would be made valid by the individual asylum seeker. In this case asylum seekers could express their fear or experience of persecution, but would not be held accountable for individuals who make false claims to attain asylee status. This process requires a shift in thinking about rights to asylum. Although the making of false claims is problematic, all asylum seekers should not be held responsible for having to prove their claims because they are initially characterized as false claimants. Rather, their claims should be credited given the fact that they are escaping persecution that directly harms their livelihoods, and based on this precarious situation, they have more limited ability to implement strategies and calculated decisions to the same extent that privileged actors are able to exert. Resolutions to the issue of migrants making false claims should not be considered as the asylum seekers' burden, especially considering that valid claims-makers are negotiating the system in a legitimate way to access their rights to protection.

The participants in this study are resilient considering that despite the presence of barriers and hostility they encountered in the asylum system, they continued to make progress and strive to reach their aim of gaining asylee status. Ideally, barriers related to lack of resources, unfamiliarity with the system, and individual responsibility need to be addressed in order to find ways to make the asylum process a safe setting for individuals and reduce their experience of trauma and insecurity. For example, asylum seekers' conditions both in their country of origin and host society need to be considered in order to better facilitate their right to request asylee status. The general findings of the research reveal that asylum seekers enact agency throughout the asylum process in order to

achieve status, and in doing so, also mitigate barriers and lack of resources that operate to reduce their degree of success. Based on this liminal context, policy changes need to reconfigure the asylum process to reduce the emphasis on individual responsibility and the fear of false claimants in order to accommodate the situation of asylum seekers by recognizing the barriers they experience. For example, officers may need to be more respectful and open to cultural differences. They should also realize that evidence may not be obtainable. Additionally, the system must take into consideration the precarious situation of asylum seekers, particularly, their lack of resources and their unfamiliarity with the system and host society. In taking these issues into account, asylum seekers will have greater opportunities to sufficiently present their cases and access their right to asylee status.

The present research provides the opportunity to develop future theoretical and empirical inquiries on issues relating to: the relationship between limited forms of agency and significant structural barriers; the liminal context of asylum seekers; the limitations of a system based on individual responsibility; the similarities of privilege and marginalization between asylum seekers and economic migrants; and the cultural disconnections prevalent in the hierarchies between officers and asylum seekers. These ideas could be addressed by focusing on the experiences of asylum seekers, asylum agents, as well as the asylum system itself. The limitation of the present study is the small sample size, which results from the relative inaccessibility of this population. Future studies should attempt to interview asylum seekers to gain a more comprehensive

and nuanced understanding of their experiences. Furthermore, studies should also consider the objective of asylum officers and the way in which they make decisions based on the claims of asylum seekers. Lastly, theoretical inquiries should apply the action model proposed in this study to marginalized actors in order to test whether it is able to give a more complex account of the action process when actors lack autonomy and resources. Overall, this research provides insight into the experiences of asylum seekers as they negotiate the asylum system while also managing uncertainty and insecurity in order to achieve their sense of safety.

REFERENCES

- Abeyratne, R.I.R. 1999. "Recipients States' Treatment of Inadmissible Aliens and Refugees." *International Journal of Politics, Culture, and Society*, 12.4:613-32.
- Ahearn, F., and J. Noble. 2004. "Post-Civil War Adaptation and Need in Managua, Nicaragua." *Journal of BioSocial Science*, 36.401-15.
- Alexander, J., R. Eyerman, B. Giesen, N. Smelser, P. Sztopmka. 1994. *Cultural Trauma and Collective Identity*. Berkeley: University of California Press.
- Archdeacon, T. 1985. "Problems and Possibilities in the Study of American Immigration and Ethnic History." *International Migration Review*, 19.1:112-34.
- Ashford, M. 2008. "The Impact of War on Women." In B. Levy and V. Sidel (Eds), *War and Public Health*. New York: Oxford University Press, 193-206.
- Baillet, C. 2007. "Examining Sexual Violence in the Military Within the Context of Eritrean Asylum." *International Journal of Refugee Law*, 19.471:1-30.
- Barnett, D. 2002. "US Immigration Policy: Asylum-Seekers and Refugees." *The Journal of Social, Political, and Economic Studies*, 27.2:151-65.
- Black, R. 2003. "Breaking the Convention: Research the 'Illegal' Migration of Refugees to Europe." *Antipode*, 35.1: 34-54.
- Blumer, H. 1986. *Symbolic Interactionism: Perspective and Method*. California: University of California Press.

- Boersma, R. 2003. "Forensic Nursing Practice With Asylum Seekers in the USA—Advocacy and International Human Rights: A Pilot Study." *Journal of Psychiatric and Mental Health Nursing*, 10:526-33.
- Bourdieu, P. 2006. *Outline of a Theory of Practice*. New York: Cambridge University Press.
- Brownmiller, S. *Against Our Will. Men, Women, and Rape*. New York: Simon and Schuster.
- Campbell, Collin. 2009. "Distinguishing the Power of Agency from Agentic Power: A Note on Weber and the "Black Box" of Personal Agency." *Sociological Theory*, 27.4:407-18.
- Castles, S. 2003. "Towards a Sociology of Forced Migration and Social Transformation." *Sociology*, 37:13-34.
- Chan, P. 2006. "The Protection of Refugees and Internally Displaced Persons: *Non Refoulement* Under Customary International Law?" *The International Journal of Human Rights*, 10.3:231-39.
- Collins, R. 2008. *Violence: A Micro-Sociological Theory*. New Jersey: Princeton University Press.
- Davenport, C., W. Moore, & S. Poe. 2003. "Sometimes You Just Have to Leave: Domestic Threats and Forced Migration, 1964-1989." *International Interactions*, 29:27-55.

- De Jongh, M. 1994. "Mozambican Refugee Resettlement: Survival Strategies of Involuntary Migrants in South Africa." *Journal of Refugee Studies*, 7.2:220-38.
- Demleitner, N. 2010. "Is There a More Just "Fortress Europe"? A Review of Engbersen and Leerkes." *Contemporary Issues in Criminal Justice Policy: Policy Proposals from the American Society of Criminology Conference*. Belmont, CA: Wadsworth: 229-34.
- Diken, B., and C. Laustsen. 2005. "Becoming Object: Rape as a Weapon of War." *Body and Society*, 11.1:111-28.
- Eades, D. 2005. "Applied Linguistics and Language Analysis in Asylum Seeker Cases." *Applied Linguistics*, 26.4:503-26.
- Engbersen, G., & A. Leerkes. 2010. "Toward a Smarter and More Just Fortress Europe: Combining Temporary Labor Migration and Effective Policies of Return." *Contemporary Issues in Criminal Justice Policy: Policy Proposals from the American Society of Criminology Conference*. Belmont, CA: Wadsworth: 211-20.
- Giddens, A. 1984. *The Constitution of Society*. Berkeley: University of California Press.
- Green, J. 2004. "Uncovering Collective Rape: A Comparative Study of Political Sexual Violence." *International Journal of Sociology*, 34:97-116.
- Hakovirta, H. 1993. "The Global Refugee Problem: A Model and Its Applications." *International Political Science Review*, 14:35-57.

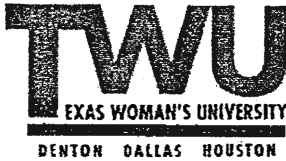
- Harris, J. 2003. "'All Doors are Closed to Us': A Social Model Analysis of the Experiences of Disabled Refugees and Asylum Seekers in Britain." *Disability and Society*, 18.4:395-410.
- Kanter, E. 2008. "The Impact of War on Mental Health." In B. Levy and V. Sidel (Eds), *War and Public Health*. New York, Oxford University Press:51-68.
- Koshen, H. 2007. "Strengths in Somali Families." *Marriage and Family Review*, 41:71-99.
- Kunz, E.F. 1973. "The Refugee in Flight: Kinetic Models and Forms of Displacement." *The International Migration Review*, 7.2:125-46.
- Lee, E. (1966). "A Theory of Migration." *Demography*. 3:47-57
- Loescher, G. 1989. "The European Community and Refugees." *International Affairs*, 65.4:617-36.
- Massey, D. et al. 1993. "Theories of International Migration: A Review and Appraisal." *Population and Development Review*, 19.3:431-66.
- Mead, G. 1967. *Mind, Self, and Society: From the Standpoint of a Social Behaviorist*. Chicago: University of Chicago Press.
- Moore, W., & S. Shellman. 2007. "Whither Will They Go? A Global Study of Refugees' Destinations, 1965-1995." *International Studies Quarterly*, 51:811-34.
- Mountz, A., R. Wright, I. Miyares, & A. Bailey. 2002. "Lives in Limbo: Temporary Protected Status and Immigrant Identities." *Global Networks*, 2.4:335-56.

- Neumayer, E. 2005. "Asylum Recognition Rates in Western Europe: Their Determinants, Variation, and Lack of Convergence." *Journal of Conflict Resolution*, 49:43-66.
- Nikolic-Ristanovic, V. 2003. "Refugee Women in Serbia—Invisible Victims of War in the Former Yugoslavia." *Feminist Review*, 73:104-114.
- Parsons, T. 1951. *The Social System*. New York: The Free Press.
- , 1968. *The Structure of Social Action: Volume I: Marshall, Pareto, Durkheim*. New York: The Free Press.
- , 1968. *The Structure of Social Action, Volume II: Weber*. New York: The Free Press.
- Pickering, S. 2007. "Transnational Crime and Refugee Protection." *Social Justice*, 34.2:47-61.
- Ranger, T. 2005. "The Narratives and Counter-Narratives of Zimbabwean Asylum: Female Voices." *Third World Quarterly*, 26.3:405-21.
- Richmond, A. 1993. "Reactive Migration: Sociological Perspectives on Refugee Movements." *Journal of Refugee Studies*, 6:7-24.
- Riddle, L., & C. Buckley. 1998. "Forced Migration and Destination Choice: Armenian Forced Settlers and Refugees in the Russian Federation." *International Migration*, 36.2:235-55.
- Ross-Sheriff, F. 2006. "Afghan Women in Exile and Repatriation: Passive Victims or Social Actors?" *Affilia: Journal of Women and Social Work*, 21.2:206-19.

- Rottman, A., C. Fariss, & S. Poe. 2009. "The Path to Asylum in the US and the Determinants For Who Gets In and Why." *International Migration Review*, 43:3-34.
- Sarre, R. 1999. "Justice For the World's Dispossessed: Going Beyond Contemporary Refugee Law to Establish a New World Order." *Contemporary Justice Review*, 2:37-48.
- Schafer, L. 2002. "True Survivors: East African Refugee Women." *Africa Today*, 49.2:29-48.
- Schmeidl, S. 1997. "Exploring the Causes of Forced Migration: A Pooled Time-Series Analysis, 1971-1990." *Social Science Quarterly*, 78.2:284-308.
- Stabile, C., and C. Rentschler. 2005. "States of Insecurity and the Gendered Politics of Fear." *National Women's Studies Association Journal*, 17.3:7-25.
- Stein, B., & F. Cuny. 1994. "Refugee Repatriation During Conflict: Protection and Post-Return Assistance." *Development in Practice*, 4.3:173-87.
- Turner, V. 1969. *The Ritual Process: Structure and Anti-Structure*. Chicago: Aldine.
- Uçarar, E. 1989. "Managing Asylum and European Integration: Expanding Spheres of Exclusion?" *International Studies Perspectives*, 2:288-304.
- UNHCR. 2009. "Asylum Levels and Trends in Industrialized Countries 2008." Geneva, Switzerland: UNHCR, Retrieved April 20, 2009
(<http://www.unhcr.org/cgi-bin/texis/vtx/home>).

- U.S. Citizenship and Immigration Services. 2010. "Obtaining Asylum in the United States." Retrieved January 14, 2010. (<http://www.uscis.gov>).
- Visweswaran, K. 2004. "Gendered States: Rethinking Culture as a Site of South Asian Human Rights Work." *Human Rights Quarterly*, 26.2:483-511.
- Widgren, J. 1987. "Asylum Seekers in Europe in the Context of South-North Movements." *International Migration Review*, 32.3:599-605.
- Wood, E. 2006. "Variation in Sexual Violence During War." *Politics and Society*, 34.3:307-41.

APPENDIX A
IRB Approval Letter



Institutional Review Board
Office of Research and Sponsored Programs
P.O. Box 425619, Denton, TX 76204-5619
940-898-3378 Fax 940-898-3416
e-mail: IRB@twu.edu

August 12, 2009

Ms. Erin Rider
P.O. Box 425821
Denton, TX 76204

Dear Ms. Rider:

Re: Negotiating Asylum and Refugee Status From Within: Re-Conceptualizing Agency From a Space of Liminality

The above referenced study has been reviewed by the TWU Institutional Review Board (IRB) and appears to meet our requirements for the protection of individuals' rights.

If applicable, agency approval letters must be submitted to the IRB upon receipt PRIOR to any data collection at that agency. A copy of the approved consent form with the IRB approval stamp and a copy of the original/final report are enclosed. Please use the consent form with the most recent approval date stamp when obtaining consent from your participants. The signed consent forms and final report must be filed with the Institutional Review Board at the completion of the study.

This approval is valid one year from August 7, 2009. According to regulations from the Department of Health and Human Services, another review by the IRB is required if your project changes in any way, and the IRB must be notified immediately regarding any adverse events. If you have any questions, feel free to call the TWU Institutional Review Board.

Sincerely,

Dr. David Nichols, Chair
Institutional Review Board - Denton

enc.

cc. Dr. James Williams, Department of Sociology & Social Work
Dr. Lisa Zottarelli, Department of Sociology & Social Work
Graduate School

APPENDIX B
Recruitment Flyer

Call For Participation

We are looking for women who have secured asylee status through the U.S. asylum process to participate in an individual, private interview concerning your experience navigating the asylum application process. This study is for research and it is voluntary.

To compensate your time, you will receive a \$25.00 gift card.

**For more information,
please contact the principal researcher:**

Erin Rider

Via Phone: 253-226-0765

Via Email: ridere@mail.twu.edu

"There is a risk of loss of confidentiality in all email, downloading, and internet transactions."

APPENDIX C
Standardized Interview Guide

Part I: Introduction and Prior Information about the Asylum Process:

Please provide me with some background information on your experiences with the asylum process.

1. How did you first find out about the asylum process?
 - Were you the first individual in your family seeking asylum?
 - Are you married?
 - Did you arrive with your spouse or on your own?
 - If on your own, was your spouse already in the U.S.?
 - Were you responsible for the wellbeing of other family members?
2. After leaving your country of origin, did you travel through or reside in another country prior to coming to the U.S.?
3. What information did you have about the asylum process in the U.S. prior to filing an application?
4. What were your opinions of the asylum process?
5. How did you learn about the rules?
 - How clear was the asylum process to you?
6. How did you get in contact with an agency to help you in the process?
7. Why did you decide to go through an agency?
 - What concerns did you have?
8. What information did you try to get to file an asylum application?
9. What resources did you need to begin this process?
10. What information did you need at the time, but did not get until after the process?

Part II: Resources:

11. What documents were required?
12. Did you have the necessary documents?
 - How did you obtain additional documents required?
13. Did you experience any difficulty filling out the asylum application?
14. Did you need an interpreter?
 - How did you obtain an interpreter?
15. Did you consult legal aid?
 - How did you obtain a lawyer?
16. Did you experience any barriers that may have limited the ability for you to get refugee status?

Part III: Proving Eligibility:

17. Did you receive any advice or strategies for having a successful interview?
18. Did anyone help you prepare for the interview process?
19. How did the asylum (or immigration) officers treat you?
20. What was your experience like during the interview?
21. What concerns did you have about the interview process?
 - Did you experience any emotional pressure or stress during this process?

22. What types of questions did they ask you?
23. Did you feel comfortable answering and/or explaining your situation?
24. Did you feel you could fully explain your need to be awarded refugee status?
25. How did you check the status of your application?
26. How long did it take for you to be awarded refugee status?
27. In the meantime while awaiting the outcome of your asylum application, how did you access basic necessities such as employment, housing, food, social services?
 - o Where did these resources come from?
 - o What types of resources did you need for your family?
28. If you depended on the assistance of an agency, what might have been your experience if you did not contact an agency?
29. What were your experiences like as you awaited the decision outcome?
 - o Did you feel confident that your application would be approved?
30. Did you have any plans to deal with the possibility that your application could be denied?

Part IV: General Analysis of Asylum Process:

31. Did you find the process to meet your expectations?
 - o Do you think the process was fair?
32. What would you tell other individuals who are in a similar situation as yours?
33. How did you find basic necessities, including housing, employment, and social services?
 - o Did you experience any difficulty in getting basic necessities?
34. Were resources available to you?
35. What resources did you need that were not readily available to you?
36. Did you fear having your application denied?
37. How did you avoid having your application denied?
38. What barriers did you experience?
 - o How did you overcome these barriers?
39. What suggestions would you provide to asylum officers to help other individuals with the asylum process?
40. What recommendations would you suggest to improve refugee policies or the actual asylum process?
41. Is there any additional information you would like to share that was not fully addressed in this interview?
 - o Do you want to clarify or change any of the answers you provided?