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Moral Exclusion, Dehumanisation, and Continued Resistance to Return: Experiences of Refused Afghan Asylum Seekers in the Netherlands

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ABSTRACT

This article examines how policies that deny the basic provision of shelter, food, and clothing to refused asylum seekers impact these individuals' lived experiences and their decision-making regarding return migration. A key policy argument for the removal of government assistance in the Netherlands is that refused asylum seekers will be more likely to accept and enter return procedures when they are not given these provisions. This article contests this claim. Through 40 interviews with refused Afghan asylum seekers in the Netherlands, this article first explores the embodied effects of state practices of dehumanisation for refused asylum seekers. Second, the article demonstrates that, despite experiencing dehumanised conditions in the Netherlands, return to Afghanistan is strongly resisted by refused asylum seekers who consider return an impossible and unacceptable outcome. The analysis centres refused asylum seekers as a key actor within the geopolitics of return governance and highlights their resistance to state coercion. The results conclude that the human rights of refused asylum seekers should be protected and that the provision of basic welfare should be considered a separate issue from that of enforcing returns.

KEYWORDS

refused asylum seeker;
Afghanistan; The
Netherlands;
Dehumanisation

Introduction

In the Netherlands, national government policy has sought to encourage compliance with return orders by denying humanitarian assistance to irregularised migrants. Since the 1998 'Linking Act' 'irregular' migrants have been excluded from state welfare provisions – a controversial policy which has been contested by local municipalities and civil society actors as well as ruled against by the European Committee of Social Rights (ECSR). More recently, a compromise has been found to provide basic welfare to irregularised

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migrants who cooperate on their return – however, this conditionality reflects the continued insistence by the Dutch government that ‘irregular’ migrants do not have a right to basic services or support, and that providing such assistance unconditionally would undermine an effective returns policy.

Despite increased policy interest and experimentation regarding methods to incentivise irregularised migrants’ cooperation on return, understandings of whether and how state policies influence return decision-making are limited (Koser and Kuschminder 2015). Studies which have focussed on the lived experiences of refused asylum seekers and other irregularised migrants within hostile and restrictive policy environments have noted their strong resistance to return in spite of such exclusionary practices (Bloch 2014; Crawley, Hemmings, and Price 2011; Kox, Boone, and Staring 2020; Smart 2009). Other studies have focussed specifically on the impacts of detention on irregularised migrants’ experiences and return decision-making, finding evidence of both continued efforts to resist departure, as well as instances of ‘giving up’ and acquiescence towards return (Hasselberg 2014; Leerkes and Kox 2017; Lietaert, Broekaert, and Derluyn 2015; Turnbull 2019). Of particular relevance is Leerkes and Kox’s (2017) finding that, within the context of detention, asylum seekers, as well as ‘family’ migrants, are particularly unwilling to return, relative to ‘labour’ migrants. This study therefore aims to further current understandings of whether and how policies designed to encourage the return of refused asylum seekers impact their decision-making through an examination of exclusionary policies that target refused asylum seekers living in the community – in this case, via the non-provision of welfare assistance.

The article is based on interviews conducted with 40 refused Afghan asylum seekers in the Netherlands between 2013–2014. The Netherlands presents a unique case for the examination of the effects of exclusionary policies on the decision-making of refused asylum seekers which nonetheless has broader relevance. First, as mentioned, the provision of assistance to refused asylum seekers has been a fraught political issue in the Netherlands. It has previously threatened to collapse the coalition government and remains a central point of contention between the national government and local municipalities, as well as in relation to human rights norms and legislation. The Netherlands has actively dismissed an order from the European Committee of Social Rights (ECSR) that the state is required to provide emergency social assistance to refused asylum seekers. The hard line taken against assistance for refused asylum seekers is surprising given the strong reputation for human rights and tolerance that the Netherlands promotes globally. The Netherlands is thus distinct from neighbours such as Germany, where assistance is provided to refused asylum seekers to prevent them from living in destitution. In 2014, a German court ruled that an asylum seeker whose application was refused in the Netherlands and who had subsequently moved to Germany should not be sent back to the Netherlands under the Dublin agreement due to the ‘inhuman

conditions' that they would face in the Netherlands (Dutch News 2014). Second, the Dutch policy context and its effects are worthy of attention given the European Union (EU)-wide policy focus on ensuring the return of irregularised migrants, and the similar policy efforts introduced in other countries to exclude irregularised migrants from social welfare and employment and thereby deter irregular entry and residence (Leerkes 2016; Rosenberger and Koppes 2018).

This study focusses on refused Afghan asylum seekers as a national group whose arrival in Europe as asylum seekers has attracted considerable policy-maker and public attention. This is firstly due to their numeric significance within overall asylum flows and, secondly, due to controversial efforts to enforce returns to Afghanistan in the context of political interests that have sought to classify Afghanistan as a 'post-conflict' and 'safe' country of origin and thereby portray Afghans as 'illegal' migrants or 'bogus' asylum seekers (Sajjad 2018). Afghans have been one of the largest asylum-seeking groups in Europe over the past decade. In 2016, 186,605 Afghans claimed asylum in the EU, an increase of more than 450% from 2014 (41,405) (Eurostat 2021). After the peak in asylum applications in 2015 and 2016, applications by Afghan asylum seekers declined considerably – to 48,105 in 2020 (Eurostat 2021). However, Afghans remain one of the main asylum-seeking nationalities in the EU and became the largest group of applicants in September 2021 following the Taliban's takeover in August 2021 (EEAA 2020).

A large proportion of Afghan asylum seekers have received a negative decision on their claim. In 2013, when fieldwork for this study began, only 54% of first instance decisions on asylum applications by Afghans in the EU were positive, while the recognition rate for Afghans in the Netherlands has been even lower – both in 2013 (46%) and in more recent years (Migration Policy Institute 2021). A study of the decisions given to Afghan asylum seekers in the UK found that key reasons for refusals have included: that parts of Afghanistan were deemed safe for return (notably Kabul); that Afghan asylum seekers lacked the required documentation; and that they reported inconsistencies in dates and times (Schuster 2020). Despite having a claim refused, research has demonstrated that Afghans often choose to live irregularly in Europe instead of returning to Afghanistan (Schuster 2011)

In light of the increase in asylum claims by Afghan nationals, and the high number of refusals, the return of refused Afghan asylum seekers became a priority in the EU. In October 2016, the EU and Afghanistan agreed the Joint Way Forward to facilitate the return and readmission of Afghan nationals. Between 2015 and 2016 recognition rates for Afghan nationals fell, while the number of deportations nearly tripled (Sajjad 2018). Both the forced removals of Afghans and the Joint Way Forward received criticism from the media, civil society, and academic community, which question the safety and sustainability of returns to Afghanistan. Indeed, 2016 saw the highest number

of civilians killed or injured in armed conflict in Afghanistan in recent years: 11,452 (of which 3,527 deaths), which represents almost double the number of civilians killed or injured in 2009 (5,969) (UNAMA/UN Human Rights Office 2021, 12). At the time of writing, the Taliban had recently re-occupied Afghanistan. The Dutch government halted deportations to Afghanistan and, in light of the ‘uncertain situation in the country’, has allowed a six-month moratorium on making any decisions on Afghan asylum applications (IND 2021). The Netherlands and other EU countries have nonetheless been reluctant to halt deportations or to appear welcoming to asylum applications from Afghans (Venturi and Vallianatou 2021).

This article contributes to this special issue on the geopolitics of return by focussing on the experiences and responses of refused Afghan asylum seekers both as the object of state bordering practices and as a key actor within return governance processes. First, drawing on a feminist approach to geopolitics we provide an account of the embodied effects of state practices of dehumanisation designed to induce the return of refused asylum seekers living in the Netherlands. Second, we examine their decision-making regarding return. As will be shown in the following analysis, refused Afghan asylum seekers strongly resist the biopolitical and geopolitical bordering practices that seek to remove them from the EU and restore them to their ‘proper’ place of citizenship in Afghanistan (regardless of whether Afghanistan is – or ever was – their ‘home’). Our finding that the denial of social welfare to refused Afghan asylum seekers does not motivate their compliance with return orders provides further necessary evidence against the use of such dehumanising measures as part of return regimes.

The article is organised into the five following sections. The first provides an overview of the theoretical perspectives that inform our conceptualisation of Dutch national policy as a state bordering practice that operates at the level of the body to dehumanise refused asylum seekers and thereby motivate their compliance with return. The second provides a brief overview of the legal and political context for refused asylum seekers in the Netherlands. The methodology used in this study is detailed in the third section. The fourth presents an account of, first, the embodied effects of state practices of dehumanisation and, second, the future planning and decision-making of refused Afghan asylum seekers. Conclusions and policy implications are offered in the final section.

Moral Exclusion and Dehumanisation of Refused Asylum Seekers

The implicit logic underlying the Dutch government’s denial of humanitarian assistance (food, shelter and other basic needs) is that, by producing a state of material deprivation, rejected asylum seekers can be motivated to return, either because their welfare and prospects in the country of origin would

begin to look better by contrast, and/or simply by weakening their resolve to resist return procedures. The intended bodily and internalised effects of this policy invite examination informed by a feminist geopolitical approach, following scholarship which has sought to understand how geopolitical processes play out and are constituted at the scale of the body, and in the intimate spaces of everyday practices and affective relations (Barabantseva, Mhurchú, and Peterson 2021; Hyndman 2004; Mountz and Hyndman 2006). In shifting attention away from the state as central protagonist in traditional geopolitical analysis and towards the everyday experiences and practices of those subject to state power, a feminist approach attends to the ‘force relations that operate through and upon bodies’ and also allows space for an understanding of how people seek ‘to negotiate and transform the geopolitics they both animate and inhabit’ (Dixon and Marston 2011, 445). Our analysis of the experiences and decision-making of refused Afghan asylum seekers therefore builds on work which has demonstrated not only ‘the everyday embodiment’ of borders but has also illustrated how everyday resistance by those subject to bordering practices challenges the order and control of border regimes (Tyerman 2021, 468; see also Achtnich 2021).

As for these bordering practices, we conceptualise the Dutch government’s policy towards refused asylum seekers as exclusion from the moral economy with the aim of securing their exclusion from the national community and territory. Moral economies can be defined as: ‘the production, distribution, circulation, and use of moral sentiments, emotions and values, and norms and obligations in social space’ (Fassin 2009). Psychological boundaries delimit inclusion within and exclusion from the moral economy. Within the bounds of a moral economy, rules of fairness govern conduct (Opatow, Gerson, and Woodside 2005). Moral inclusion refers to those who are inside the ‘scope of justice’ and are therefore viewed as deserving of just treatment (Opatow, Gerson, and Woodside 2005, 305). In a migration context, this tends to refer to those with citizenship and with a legal right to reside in a country.

Moral exclusion, on the other hand, refers to those who are outside the boundary of purported fairness. Those outside this boundary are ‘excluded, beyond our moral concerns, and eligible for deprivation, exploitation, and other harms that might be ignored or condoned as normal, inevitable, and deserved’ (Opatow, Gerson, and Woodside 2005, 305). In extreme circumstances, moral exclusion leads to the justification of human rights abuses and may even provide the precondition for genocidal violence. In a migration context, irregularised migrants, asylum seekers, and minorities can all be victims of moral exclusion, existing outside of the community of lives that are deemed worthy of concern (Willen 2012).

Moral exclusion is therefore similar to Agamben’s *Homo Sacer*, a figure who, excluded from the political community and the entitlements of citizenship, may be killed without legal consequence (Agamben 1998). The concept

of moral exclusion is also contained within an understanding of state technologies of abjection which ‘differentially determin[e] the value of life, adjudicating on who is expendable and who is of worth’ (Tyler 2013, 46). State-led efforts to police the boundary of the moral economy – the national community – have made citizenship status the dividing line. Just as Agamben in a later text conceived of the loss of citizenship as the pre-condition for the *Homo Sacer*’s ‘bare life’ (human existence reduced to its biological minimum) (2000), Goodale (2016) argues that, since the events of 9/11 and the demise of the human rights era, citizenship is increasingly used to justify the moral exclusion of the other. Excluded from the moral economy of a nation state, non-citizens can therefore not expect to receive fair treatment or the recognition of their human rights.

According to Opatow, Gerson, and Woodside (2005, 306–7), dehumanisation – described as ‘[d]enying others’ rights, entitlements, humanity and dignity’ – is one of the key symptoms of moral exclusion. Dehumanisation both explains the psychological process through which the boundary of the moral economy is established and describes the lived consequences for those placed outside the boundary. As a psychological process, dehumanisation allows for the positioning of an individual or group outside of the moral economy by justifying their moral exclusion. A dehumanised person is denied an individual ‘identity’; they are seen only as part of a collective other group that can be treated as a means to an end (Kelman 2017).

In this article, we explore dehumanisation both as a symptom of moral exclusion and as the means by which sovereign political power, in this case the Dutch government, seeks to effect not only the moral but also the territorial exclusion of refused asylum seekers from the nation-state. Regarding the former, this article builds on studies which have sought to understand illegalisation, abjection, and moral exclusion as an embodied state (Chavez 2007; Gonzales and Chavez 2012; Willen 2012), as well as a growing literature on the lived experiences of refused asylum seekers more specifically (see, for example, Bloch 2014; Crawley, Hemmings, and Price 2011; Kox, Boone, and Staring 2020; Schuster 2011). Regarding the latter aim, we follow recent work by Vandevordt (2020) and Davies, Isakjee, and Dhesi (2017), whose studies of irregularised migrants in Calais and Brussels have demonstrated how the deliberate production of suffering and ‘bare life’ by EU Member States are ‘power technologies’ used to force migrants into compliance with the refugee regime. In this study, moral exclusion is likewise conceived as a bordering technology, whereby state practices of dehumanisation target migrant bodies in order to produce ‘deportable non-citizens’ (De Genova 2002, 2013).

Refused Asylum Seekers in the Netherlands

Upon receiving a negative decision on their asylum claim, refused adult asylum seekers in the Netherlands are given a return order which requires that they leave the country within 28 days. They are not allowed to remain in the reception centres for longer than this specified period. However, exceptions are sometimes made. For example, as per the European Charter of Human Rights (ECHR), the Netherlands does not deport families with children under the age of eighteen, so these families are housed in family centres for refused asylum seekers and their children are able to attend school. Refused asylum-seeking unaccompanied minors (UAM) are entitled to a temporary residence permit if there is no option for safe reception in the country of origin (INDIAC 2010). This permit is valid until the minor turns 18 years of age, at which time the individual is expected to return to their country of origin. With this permit, UAMs can attend regular Dutch school and are able to stay in Community Residential Groups (CRGs) with other UAMs where all their daily needs are provided for by the government.

Having received a return order, the refused asylum seeker can choose to engage in various options for assisted return. Assistance can include not only transportation to the country of origin, but also financial support, and vocational or business skills training. However, instead of engaging with an 'assisted voluntary return' programme, many refused Afghan asylum seekers instead flee their reception centres in order to avoid being transferred to a detention centre from which they may be deported.

Refused asylum seekers' irregular stay in the Netherlands has been a central domestic political issue over the past decade. Since the 1998 Benefits Entitlement Act, or 'Linking Act', irregularised migrants have been excluded from public services such as housing, financial assistance, and education, and from access to the formal labour market. Exceptions are made for education for minors, 'medically-necessary' healthcare, and legal aid. The Dutch government's position has been that 'irregular' migrants must be excluded from social welfare and the labour market in order to effectively persuade them to return to their country of origin (Kos, Maussen, and Doomernik 2016; Leerkes 2016). This may also be understood in relation to broader policy efforts to reduce the costs of asylum-hosting, deter future arrivals, and 'placate an increasingly anxious public' (Bakker, Cheung, and Phillimore 2016, 119). However, faced with problems of homelessness and destitution among irregularised migrants who remain in their communities, municipalities and civil society actors have provided emergency assistance in the form of temporary accommodation, food and other basic assistance. The municipalities have argued that they are upholding their duty of care according to the Municipalities Act as well as their responsibility to maintain public order and safety (Van der Leun and Bouter 2015).

The national government has long clashed with local municipalities over the provision of so-called ‘bed, bath, and bread’ to refused asylum seekers (Kos, Maussen, and Doomernik 2016; Van der Leun and Bouter 2015). In May 2007, the then Dutch State Secretary of Justice and the Association of Dutch Municipalities (VNG) signed an agreement to end local assistance to irregularised migrants in exchange for a more effective return policy. In 2007, the Dutch State Secretary of Justice offered an amnesty to more than 28,000 people who became regularised (Wijkhuis et al. 2011, cited in Van der Leun and Bouter 2015). In addition, the Dutch Government further invested in return policies with a focus on promoting assisted voluntary return. Despite these initiatives Leerkes et al. (2014) found that only 38% of refused asylum seekers in 2008 had demonstrably left the country by 2013.

Subsequent to this agreement, some municipalities continued to provide ‘bed, bath, and bread’ arrangements for irregularised migrants (Kos, Maussen, and Doomernik 2016), and the issue remained a source of contention. In April 2015, following previous decisions by the ECSR in 2013 and 2014, the Committee of Ministers of the Council of Europe adopted a resolution that the Netherlands is required under the European Social Charter to provide emergency social assistance to irregularised migrants in respect of their ‘fundamental rights’ and to restore their ‘human dignity’ (Committee of Ministers 2015). A similar statement was issued in April 2015 by the United Nations Human Rights Council Special Rapporteur on extreme poverty and human rights, Phillip Alston, who condemned the Dutch government’s position for its infringement of basic human rights (Dutch News 2015).

The Dutch government chose not to comply with the ECSR’s non-binding ruling, arguing that their system of providing temporary accommodation in the state-run ‘Freedom Restricting Shelter’ (VBL) in Ter Apel to ‘irregular’ migrants who are willing to leave the Netherlands ensures that no ‘irregular’ migrant is ‘forced to live on the streets’ (ECSR 2016). Nonetheless, the continuing ‘bed, bath, and bread’ debate nearly led to the collapse of the national coalition government in 2015, until a plan was agreed to set up further Pre-Removal Centres for temporary accommodation. This plan was not realised, but further developments since 2017 have seen renewed collaboration between the central government and municipalities on a pilot project for National Aliens Facilities (Landelijke Vreemdelingen Voorzieningen, LVVs). Since mid-2019, existing bed-bath-bread shelters in five Dutch municipalities (Amsterdam, Rotterdam, Utrecht, Eindhoven and Groningen) have been converted into LVVs that provide accommodation to irregularised migrants who cooperate in finding a ‘permanent solution’ for themselves: return, onwards migration, or, where possible, regularisation in the Netherlands. However, at the time of fieldwork in 2013–2014, refused Afghan asylum-seekers were still subject to

systematic exclusion from welfare assistance according to national policy, but benefitted from the patchwork provision of municipality and civil society support. This provides the context for the data collected and presented below.

Research Design and Respondent Overview

This study is based on semi-structured interviews conducted with 40 Afghan asylum-seekers who had all received a final negative decision on at least one asylum application in the Netherlands. Respondents were accessed through various entry points that included non-governmental organisations, informal networks of Afghans in the Netherlands, and the researchers' own personal networks. Snowball sampling was used to identify further respondents. Interviews were conducted by an Iranian research assistant in the respondents' own language. Interviews were conducted in various locations at the interviewees' convenience, often in a public space such as a public library, church or café, or where they were staying at a reception centre, Civil Society Organisation (CSO) shelter, or at the home of a friend or family member.

Prior to each interview clear ethical guidelines were followed. Potential respondents were informed that the interview team was unable to assist them with their asylum case, that participation was entirely voluntary and that they could stop their participation at any time, and that their confidentiality and anonymity were ensured. Several respondents were willing to share their stories as they wished to support the research and express the need for change. Each respondent was interviewed once. The large majority of interviews were audio-recorded – detailed notes were taken where consent for audio recording was not given. The audio recordings were then simultaneously transcribed and translated into English. Transcriptions were coded in Nvivo for analysis.

All respondents in the sample had applied for asylum in the Netherlands and at the time of interview had received a final negative decision on at least one application. More than half had submitted at least two asylum applications in the Netherlands. Four respondents were classified as “1F”. So-called “1F” status is given to certain asylum applicants from Afghanistan and other countries who are suspected of having committed war crimes or crimes against humanity. The application of this status to Afghan asylum-seekers in the Netherlands has been highly controversial (see, for example, Klaas 2017).

The majority of respondents arrived in the Netherlands between 2008–2011 – although the “1F” respondents had arrived much earlier, in the late nineties and early 2000s. The majority of respondents were male with only two female respondents in the sample and the average age of respondents was twenty-six years old, reflecting the fact that the majority of respondents had arrived in the Netherlands as UAMs. Between 2007–2014, UAMs represented on average 44% of asylum claims by Afghans in the Netherlands (CBS 2015).

In our sample, 60% of the respondents were former UAMs. The majority of respondents were uneducated with only 20% having completed secondary education. More than half were from rural areas in Afghanistan. As has been found in other studies of Afghan migrants to Europe (Dimitriadi 2017), one third of the respondents interviewed had spent substantial time living in Iran, having either been born or having grown up there.

Regarding their situations at the time of interview, the majority of respondents (36) were living irregularly in the community. For these respondents who had had to leave state accommodation, CSOs provided a critical source of assistance (Van Meeteren 2014). Of the 36 respondents living irregularly, approximately half were living in temporary shelter provided by CSOs – including churches – and, occasionally, by private citizens acting in a philanthropic capacity. Most commonly, these respondents explained that they received housing support from the Dutch Refugee Council (VWN). A couple of participants rented private accommodation – usually a room which they shared with others with whom they split the rental costs, or for which they were helped by VWN to cover the rent. In addition to accommodation, VWN and other CSOs provided some respondents with a small allowance, access to healthcare and other support. Others had requested accommodation from VWN but had been turned away. It was not clear whether this was because VWN services were over-capacity or because VWN was concerned not to violate national policy. Outside of CSO support, a few respondents were living with their immediate family members who did have legal status in the Netherlands, and many others had to rely on friends and acquaintances to let them stay over for a few nights at a time – often clandestinely in the rooms of other Afghan asylum seekers who were still accommodated in COA (Central Organization for Asylum Seekers) centres, or in the homes of Afghan status-holders.

The remaining four respondents were living in reception centres run by COA at the time of interview. These respondents had all received negative decisions on their initial asylum applications but were applying for second time. These respondents are nonetheless included in the analysis because they had all spent time living irregularly in the community between applications and had therefore also been subject to national prohibitions on the provision of ‘bed, bath, and bread’.

Embodied State Practices of Dehumanisation

The following analysis focuses on the embodied consequences of the Dutch government’s denial of ‘bed, bath and bread’ to refused asylum seekers. Other aspects of (refused) asylum seekers’ experiences – such as prolonged periods of waiting for a decision on their case, a lack of access to education or work opportunities, the frustrations of language barriers

and discrimination, and experiences of detention and deportability – are not given explicit attention in the analysis below. This is because, whilst highly relevant to the overall experiences of the people interviewed (and to the experiences of other refused asylum seekers – see, for example, Bloch 2014; Crawley, Hemmings, and Price 2011; Khosravi 2010; Kox, Boone, and Staring 2020), these policy effects are not directly attributable to the Dutch government’s non-provision of basic welfare.

Material Deprivation and Daily Precarity

As a first and immediate result, respondents experienced daily uncertainty and difficulty meeting their basic needs in terms of food, shelter, and clothes. Often, periods of staying in a shelter or with friends were interspersed with nights sleeping rough when the respondents had exhausted their friends’ hospitality and could not find other shelter. When they arrived for the research interviews, some respondents were carrying their belongings with them because they were in-between places. Generally, the shelter provided by friends and by CSOs was time-limited. As Jawad, who had been living irregularly for more than a year, explained: ‘The longest time that my friends hosted me was one week, after one week they made an excuse to make me leave their place’. Similarly, awareness that they could at any time be asked to leave their CSO-provided accommodation or their friends’ homes was a source of acute anxiety for respondents. As Nassim, who had been living irregularly for six months, explained: ‘I am living on the street, if [the CSO] wants, they could kick me out of their place. Where could I go then?’

A small number of respondents had managed to find some casual, irregular work that allowed them to somewhat sustain themselves; others had not been able to find work that did not require them to have legal status. Many research participants were therefore living in poverty, relying on a very small stipend, on ad-hoc gifts from friends and acquaintances, or were simply borrowing clothes from, and sharing meals with, the friends or family with whom they stayed and who, unlike them, had access to a state allowance or income. The pain of enduring such material deprivation, and of being so disempowered to meet their own material needs, was illustrated by Emran, who had been living irregularly for five or six months, and who despaired: ‘I have nothing, whatever my friends offered me to eat, I would eat. It is very difficult for me’.

Social Isolation and the Degradation of Relationships

As the preceding quote also suggests, enforced destitution had not only material effects, but also degraded and weakened respondents’ intimate relationships, including their own sense of self as well as connections with others. The material deprivation created by the denial of welfare support was a source

of shame for the interviewees, particularly where their resulting dependency on others intensified their humiliation. Two interviewees spoke of their frustration that they were financially dependent on the (status-holder) family members that they were, according to cultural expectations, meant to be providing for. A few respondents had avoided telling their friends or families about their irregular status and destitute conditions, because of the indignity of their situations and in order not to burden their families with additional stress. For example, Hussain, who had been satisfied with his work and salary as a repairman in Afghanistan, and who had at the time of interview been living irregularly in the Netherlands for nine months, explained: 'I cannot tell them [my family] that I am living in Europe but I sleep on the street, I cannot tell them I am living in Europe but I am searching for a euro anywhere. I am actually a beggar here while I am working because I ask people to let me work for them'.

Similarly, others were ashamed to be so reliant on their friends for shelter, food, and even clothes, and longed for the dignity of self-sufficiency. As Zahir commented: 'Even if your friend and your family want you to stay longer with them, you feel that you should not be there longer. [...] Gradually you would find changes in the way they look at you, the way they speak'. Some respondents mentioned how this enforced dependence had indeed soured their relationships, as their friends sometimes avoided them, treated them differently, and, as described in one case, humiliated and took advantage of them. Two respondents had become particularly distrustful of any human interactions or offers of help.

Beyond these personal relationships, the denial of welfare support also created vulnerability to abuse and exploitation. Abdul, a former UAM, described being preyed on by someone who, he concluded, was trying to involve him in criminal activity. Two respondents discussed the exploitative labour practices they had endured because, without the legal right to work and no material assistance, they had little choice but to accept whatever working conditions and forms of remuneration they were offered.

Mental Illness

The most visceral way in which state practices of dehumanisation were experienced by the refused asylum seekers was in the deterioration of their mental health. Although some of the psychological stress and trauma that respondents suffered stemmed from their experiences prior to arriving in the Netherlands, their experiences of moral exclusion in the Netherlands in many cases clearly compounded or aggravated their mental ill-health. In addition to the stress of not knowing where they would sleep or find food, refused asylum seekers were often in a state of acute tension due to the uncertainty of not knowing what would happen to them, and their fears of receiving another

negative decision, of arrest, detention and forced repatriation. Prior experiences of detention in the Netherlands also took a particularly heavy toll on respondents' psychological wellbeing. As an example of the physical strain that respondents experienced, Mohammad, who had been living irregularly for five or six months, reported:

'My problem is that I do not know what will happen to my life. Now I am young, I need to have a place to live, I need to marry someone. This kind of living illegally is very bad. I cannot sleep at nights due to stress, I cannot even eat properly. I need to have money to cover my costs, [...] I need to work and manage my life'.

The inability to sleep was commonly reported. A large number of respondents had been referred to a psychologist and many had been or were taking sleeping pills and other medication to help manage the symptoms of their mental distress. A few had started to self-medicate with drugs and alcohol. Some respondents explained that their stress and anxiety manifested as physical health problems. Others reported a diminution of cognitive function, including the ability to focus, to express themselves clearly, or remember things. As Arman described: 'I cannot concentrate and think about an issue, my thoughts are very scattered, I am confused and I cannot focus, I cannot communicate what I mean, I cannot express my voice'. Similarly, some research participants observed that long-term stress and anxiety had changed their personalities. They perceived themselves as 'mentally weak' (Musa), as nervous and less able to control their emotions and behaviour and – commonly – as quick to anger.

At worst, the respondents' deteriorating mental health led to suicidal ideation and, in a few cases, suicide attempts. These respondents explained their suicidal ideation or attempts in relation to their perceptions that they had no future and no hope, as further discussed below. For some interviewees, it was their departure from the camp, the pressure on them to accept repatriation, and their experiences of detention that pushed them towards suicide as a 'release'.

Future Plans and the Prospect of Return

Regarding the impacts of these embodied effects of state practices of dehumanisation on respondents' decision-making, the first implication to note is the respondents' lack of engagement with an imagined future. Combined with their lack of access to education or employment, and their generally poor mental health, the stresses of managing day-to-day made respondents feel that they were living 'without a future' (Abdul). As Amir described: 'your mind hangs sometimes, you do not [know] what will happen in the future, if this condition continues, if this is the future [...] I left Afghanistan to save my life, now I am here and alive, in Afghanistan they kill you, but here your mind and

soul will be killed, your future will be ruined'. This quote reflects the common perception among respondents that they had no life, and no future – rather, they often conceived their existence in the Netherlands as being neither dead nor alive, or as suffering a long, drawn-out death: 'I am miserable now. In Afghanistan they kill you once and then everything is finished. But here I am experiencing death every day' (Sami). In their study of irregularised migrants in the Netherlands', Kox, Boone and Staring find similarly that refused asylum seekers feel particularly 'perspectiveless', which inhibits them from making plans for the future (2020, 542).

Nonetheless, given the extreme suffering produced by state practices of dehumanisation, experienced and expressed as mental and physical deterioration, social isolation, indignity and hopelessness, it might seem logical that the respondents would cut their losses and accept return. This was emphatically not the case. Even those respondents who considered their life in the Netherlands to be equivalent to, or even worse than, death in Afghanistan did not consider returning to Afghanistan. Few respondents mentioned that they had ever considered returning, and had subsequently decided against it. The large majority of respondents were determined that they would never go back to Afghanistan or Iran: 'If they wanted to deport me, they would have to kill me in the airport before sending me back to Afghanistan. I do not think of returning to Afghanistan even after 100 years. I need to be hopeful and fight to get status. I have to get along with the problems here' (Jawad).

Return to Afghanistan was, as discussed above, commonly conceived as death. Respondents considered that to return to Afghanistan (or Iran, in the case of those who had grown up there, or whose family was there) would be to face the same problems that had motivated their departure in the first place, and that were deemed likely to result in their death. In addition to fears regarding persecution and conflict, some respondents explained that, given hostile structural conditions, and, for many, the lack of any family members or wider support networks left in Afghanistan or Iran, they considered it impossible to re-build a life there. For example, for Harun, it was a combination of both the high insecurity and the lack of any support structures that motivated his decision to stay in the Netherlands, even though he would prefer to live in Afghanistan if he could:

If I could return now, I would definitely go immediately but I cannot go back to Afghanistan. On one hand my life is at risk there, on the other hand, I do not have any family there. All my father's enemies are in Afghanistan. I have been away from Afghanistan for several years. Return for me means death. I stay here just to save my life. (Harun)

There were also a couple of respondents who had themselves received 1F status¹ but whose wives and/or children had been granted asylum in the Netherlands: any return for them would therefore also mean indefinite

separation from their immediate family. A couple of other respondents considered that they had already been away too long and had become too used to life in the Netherlands to contemplate return. These respondents therefore expressed a kind of belonging and membership to Dutch society that contests their moral (and territorial) exclusion on the basis of formal non-citizenship (Gonzales and Sigona 2017; Kox, Boone, and Staring 2020).

Respondents were, however, keenly aware of the pressure on them to leave the Netherlands. In many cases, respondents had left COA centres because, upon receiving a negative decision, they had been advised that, if they stayed, they could be arrested and forcibly returned. Return orders had been officially communicated via letters, phone calls, and meetings, while respondents were staying in reception centres, arrested or held in detention, living irregularly in the community, or at the end of court proceedings. Some participants had already resisted efforts to make them accept return when they were held in detention.

Respondents viewed these efforts to inform or persuade them that they must leave the Netherlands very negatively, as a source of acute stress. For example, as Mewa explained

After the court they told me “ok this is just negative, your asylum seeking is terminated here. Now that makes you illegal here”. What should I do? In the meantime there is another organisation for return involved in all this. Everybody hates it, I mean nobody likes it because they come up [to you] and they are so tough and they scare you in any way. They just threaten you, threaten you.’

Perhaps unsurprisingly, none of the respondents reported any willingness or efforts to cooperate with the officials pressuring them to return.

Instead, when asked about their future plans, the large majority of respondents were intending to stay in the Netherlands. For example, having already lived irregularly in the Netherlands for two years, Akram was very angry, distrustful, and ‘tired’. He described his life as ‘worthless’, and yet nonetheless conceived of his future in the Netherlands, even without status: ‘Of course it is difficult, but I have learned how to live under this situation’. Many other respondents were still hoping for regular status: they were either planning to submit a new asylum claim in the Netherlands, or were waiting for another decision by the IND, or for a decision on their appeal process. Some had seemingly exhausted their legal options in the Netherlands, but nevertheless intended to stay in the Netherlands and wait and see what would happen. Remaining in the Netherlands was therefore not necessarily an active decision based on a perceived pathway to legal status, but rather seemed, in some cases, to be determined by a lack of feasible alternatives. It was generally

understood by respondents that they would be deported back to the Netherlands if they travelled to another EU country to seek asylum there – a few had already tried this and had been returned.

Some respondents therefore had no clear idea of what they would do – and those who were in the process of applying for asylum again seemed to avoid thinking about what they would do if they received another negative decision. Some considered that if they ran out of options in the Netherlands they might in the end try to apply in another EU country despite the risks of forced return to the Netherlands. The refused Afghan asylum seekers who participated in this study therefore seemed not to conceive of any point in the future at which they would be persuaded to accept repatriation. Instead, they clung onto hopes of a new asylum application or, more vaguely, to a sense that “something has to give”, as illustrated by Jawad when asked about what he would do: ‘I would continue fighting. I would stay here until I get my status. They have to grant asylum application to me. I spent five years of my life here’.

It is possible that, given the precarity of their situations, and in the context of a single interview conversation, some respondents may not have had sufficient trust or willingness to speak with complete honesty about their reasons for leaving Iran or Afghanistan and their reasons for not wanting to return to either country. However, whatever their reasons or reservations, what is amply demonstrated through these conversations and through their situations at the time of the interview is the strength of the respondents’ resolve not to return to Afghanistan – an outcome that many had already actively resisted or, as described above, made painful sacrifices to avoid.

Discussion and Conclusion

Although contested by municipalities and civil society, who seek to include refused asylum seekers within the moral economy through the provision of basic welfare, national policy to deny ‘bed, bath and bread’ has clear, degrading effects on the daily material existence, emotional lives and intimate relationships of refused Afghan asylum seekers in the Netherlands. The anguish of extreme precarity was written into respondents’ minds and bodies, as they suffered severe psychological stress, lost the ability to meet their own basic needs, or to control their emotions and behaviour. Respondents’ social relationships in the private sphere were undermined by the shame of their material deprivation and enforced dependence, which also left them vulnerable to abuse and exploitation. In extreme but not uncommon cases, respondents came to inflict violence on themselves, seeing themselves as worthless or expendable in a way that reflects – and indeed, both performs and accomplishes – state practices of dehumanisation and moral exclusion.

The embodied effects of the Dutch government's policy are meant to induce decisions to return. However, the results clearly demonstrate the extent of the refused asylum seekers' resistance to return, even in situations of extreme vulnerability, distress, and hopelessness. The interviewees refused to contemplate return, largely due to their fears of returning to either Afghanistan or Iran. Respondents preferred instead to face the challenges of illegalised life in the Netherlands. Some had lost hope, but many clung on to the idea that some way or somehow they would be granted legal status in the Netherlands (or in a third country).

Indeed, it would seem reasonable to conclude that the state's objective to encourage return is in fact undermined by the material deprivation, social isolation, and mental illness that dehumanising bordering practices produce. As illustrated above, the stress of daily precarity seemed to trap refused Afghan asylum seekers in a mental state oriented to day-to-day survival, in a perpetual present without definite end or imaginable future. As Fazlullah described: 'Honestly since I became illegal, I forgot my dreams; I used to have many plans and dreams for the future. Since I became illegal, I just think about today not tomorrow'. Farhad described his diminished capabilities and resilience: 'In 2008, I was another man, I have changed a lot, I am weaker now because of the pressure of mental problems, lack of money, and uncertain situation'. Given the well-known and acute difficulties which returnees face in Afghanistan (Sajjad 2018; Schuster and Majidi 2013), it is unsurprising that refused Afghan asylum seekers are unwilling to assume the risks and challenges of re-building a life in Afghanistan, particularly when their financial, social and mental resources are so depleted by exclusionary policies. A link between poor (mental) health and resistance to return is similarly suggested by Leerkes, Galloway, and Kromhout (2010) in their study of refused asylum seekers and former asylum status-holders in the Netherlands.

We do not, however, argue that the provision of basic welfare and support for mental health would or should facilitate readiness for return among refused Afghan asylum seekers. Recent policy developments in the Netherlands have seen the expansion of shelter and counselling for refused asylum seekers who cooperate with return proceedings or in finding another long-term solution. Yet, at the same time, conditions in Afghanistan have further deteriorated, particularly regarding access to food and medical care. Refused Afghan asylum seekers continue to have strong reasons to resist return and will continue to endure dehumanising conditions in order to avoid repatriation.

This article makes two contributions to this special issue on the geopolitics of return. First, our analysis of both experiences and decision-making foregrounds the subjectivity of refused asylum seekers who resist management or manipulation by state bordering practices and inter-state agreements such as the Joint Afghan Way Forward. Despite the debilitating effects of Dutch policy, the respondents' stubborn non-compliance with return procedures presents an effective challenge to both their moral and territorial exclusion by sovereign political power. In this

case study, we can therefore see resistance to return in the same terms as the ‘disobedient movements’ of irregular border crossings that Stierl analyses as ‘migratory excess’ (2019, 91). For Stierl, such everyday struggles of resistance may not claim visibility, a collective voice or political manifesto, but are nonetheless political – a ‘politics of escape’ enacted as ‘moments of freedom’ from – and in defiance to – governmental migration management, even if they never ‘twist fully loose’ from the state’s regime (2019, 61, 188).

Second, the results demonstrate that dehumanisation is neither necessary nor sufficient for an effective returns policy. The analysis affirms the ECSR’s 2015 ruling that Dutch policy violates refused asylum seekers’ fundamental rights and ‘human dignity’ and finds that these (morally repugnant) policy outcomes do not have the desired instrumental effects on increasing returns. The case study thereby adds further weight to arguments that refused asylum seekers’ willingness to return does not increase when they are in situations of destitution. The acute human costs of such a policy therefore cannot be justified on the basis of gains in return rates. In the Netherlands as elsewhere, the national government should support municipalities in providing the basic human rights of food and shelter to refused asylum seekers on a regular and continuing basis. The return of refused asylum seekers must be treated as a separate issue from that of ensuring basic welfare, and the recognition of their human rights should not be conditional on their acceptance of return.

Note

1. So-called “1F” status is given to certain asylum applicants from Afghanistan and other countries who are suspected of having committed war crimes or crimes against humanity. The application of this status to Afghan asylum-seekers in the Netherlands has been highly controversial (see, for example, Klaas, 2017).

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