ASYLUM SEEKERS IN HUNGARY: TRACING THE *TOLERATED OTHER* FROM SILENCE TO SPEECH

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ABSTRACT

This thesis discusses the asylum practices in Hungary by looking at the asylum seekers' road from struggling to express their claims to the point of achieving the quality and recognition to speak. I focus on the particular manifestations, meaning and interpretations of their voice at every stage of the asylum procedure, from the border spaces of detention to the reception and pre-integration camps. Drawing on the role of language turned into agency and power, at times into protest, I argue that the asylum seekers go through a process of imposed voicelessness by a set of actors, spaces and institutions pertaining to the asylum system. They can overcome this silence when they make themselves heard, listened to and understood outside the space of control and detention, when they reach political subjectivity and when they efface the limits between aliens/non-aliens and between nationals/citizens.

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We die. That may be the meaning of life. But we do language. That may be the measure of our lives.

Toni Morrison, *Oppressive Language*, in Judith Butler (1997)

Thanks God or thanks the Hungarian Government they gave us another chance to live.

We are no one here [in Hungary], not even humans.

Interviews with recognized protected persons in the Bicske camp, April 2010

Introduction

This thesis is an anthropological inquiry into the strategies, laws, spaces and actions that constitute Hungary's policy vis-à-vis asylum seekers and an attempt to trace the narrative of becoming a refugee.

My main concern is with the process by which the asylum seekers' struggle of voicing their claims evolves spatially and temporally. The focus is on the practice of silencing characterizing asylum camps and other elements of the asylum process: the gateways, gate keepers and contingencies constituted by the recent, harmonized Hungarian Asylum legislation (2007). I underline manifestations, meanings and interpretations of the asylum seekers' journey from alienation to citizenship, and the ways it is mirrored in the move from voicelessness to assertion.

The thesis develops two parallel trajectories: the articulation and resonance of the asylum seekers' voice within the camp and outside it, and the responses offered by the system. The latter, which officials in charge of pre-asylum detention camps perceive as generous, is premised on a preliminary image of asylum seekers as potential criminals, producing an asylum recognition process that leaves claimants with minimum access to opportunities of a decent life outside the camp.

An essential component of the asylum seekers' struggle to gain voice in the process is language. It is through language that the asylum seeker has to establish credibility in the asylum process. Language is the only tool for applicants to convey unspeakable experiences of torture and extreme hardship. I argue that the articulations made by claimants in the detention camp, read as protests, are contingent on the constraints imposed on them by the camp life. I will trace these protests as they evolve into a manifestly more political voice as

those who are eventually granted refugee status move to urban spaces. The newly acquired ability to make oneself heard distinguishes the alienation characterizing the status of refugee from the status of a citizen.

My hypothesis is that the asylum procedure in place is meant to silence asylum seekers. In turn, the language of the asylum applicants is interpreted as a text about protest. The end product of the asylum procedure is a strong pattern of structural exclusion.

I'm going to test this hypothesis in the light of the theories on the interpretation of language (Butler, 1997), on refugees' political voice (Malkki, 1996; Nyers, 206), on the space of the camp (Perera, 2002; Rajaram, 2004) and on citizenship (Soysal, 1998).

My overall argument is that Hungary's asylum system embodies an ambivalent, love-hate logic governing the processing of claims. This process leads to granting a third protection status: the *tolerated status (befogadott)* more frequently than granting the other two statuses: refugee status and beneficiary of subsidiary protection. The *tolerated status* is a detrimental category which deprives the beneficiaries from a series of rights that would enable them to acquire citizenship.

My first visit to a reception camp in Hungary, in March 2009, during a study trip to Debrecen is the paramount reason for choosing this topic for my thesis. That particular encounter with the camp and its inhabitants made me realize that an inquiry into a refugee's experience could ultimately be done only by the means of ethnography of silence in spaces of control and confinement.

The argument of this thesis is relevant in the anthropological field of refugee politics, by its emphasis on the particular expressions of the asylum applicants' claims that emerge into speech and political action. The study further contributes to the current research on asylum, focusing on the practices of the Asylum legislation in Hungary with particular attention to the space of the reception camps.

After having presented my research question and the contextualization of the *problématique*, I will shortly introduce the structure of the following chapters and sections.

The first chapter of my thesis describes several directions in the literature on asylum and refugees that will enable me to develop my arguments in the analytical section. First, I will delineate the historical understanding of how the asylum system is perceived and dealt with mostly by state actors in the last decades. Secondly, I will look at the challenges to the refugees' speechless identity in the area of refugee politics. Thirdly, I underline the available research in the field of asylum and reception camps in Hungary.

Methodology and research design compose the second chapter of my thesis, where I present the methods used in conducting the fieldwork and the collection of the empirical data.

The third chapter, *The road towards asylum in Hungary,* is divided in two sections. The first section, S*trategies of non-acceptance at the gates,* focuses on the asylum procedure in Hungary, from the border crossing points, where migrants are intercepted by the Border Police, to the point of achieving the status of a recognized refugee, with various conditionalities, options and outcomes that I refer to as „gates".

The second section, *Voices, hearings and gate-keepers,* provides an analysis to the road to asylum, focusing on the claims of the applicants, on the weight of the interviews and on the gate-keepers. The latter, I argue, refers to the actors, individuals or institutions that asylum applicants encounter during the asylum procedure and that have, to a certain extent, decision making power upon the applicants' status and consequently upon their lives.

The first section of the fourth chapter: „*What is voice? Birds, language, heralds and cats*" is grounded in Judith Butler's (1997) theory of language as speech, agency and power of inclusion/exclusion. It argues that voice, understood as such, identifies the refugee by measuring his/her life, experience of torture and alienation according to institutionalized practices and settings.

In the second section of the fourth chapter: „*Voicing against the space? "Time is still": confinement and idleness*" I describe the camp as a space of detainment, where the asylum applicants' bodies, minds and actions are controlled, both spatially and temporally. They are meant to be speechless, bordered from encountering the other – the visitor or the citizen, as argued by Joseph Pugliese (2002), Suvendrini Perera (2002) and Prem Kumar Rajaram (2004).

The last analytical section, *Dehistoricized silence: when does the voice becomes political? When does the alien become the citizen?*" focuses on Liisa Malkki's (1996) theory on the refugees' (de)historicized and (de)politicized voice and on Peter Nyers' (2006) emphasis on the refugees' political voice and subjectivity. The final remarks will point to the new models of citizenship (Soysal, 1998) that efface the borders between aliens/citizens, thus enlarging the space of the political community.

Chapter 1 Interdisciplinary approaches in asylum and refugees research

Migration, asylum and refugees' topic have marked the recent agenda of research in various academic fields, such as philosophy, sociology, anthropology, international relations, human rights and legal studies. Although migration and forced migration in particular does not suppose a brand new matter of concern for academics and practitioners, it is mainly the research done in the past decades which allocated time, interest and established new directions about how to tackle the issue of asylum within and outside the academia.

The paradigms of asylum and refugees must be addressed from an interdisciplinary perspective, I argue, as means for achieving a better understanding of these issues but also in order to shape a more efficient way of addressing the gap between theory and fieldwork, between concepts and findings.

For these reasons, the following sections of this chapter engage with the topic of asylum and refugees' voice from various standpoints. I will thus first present a historically based understanding of the way asylum is conceived and addressed in the political sphere of the past decades (Rudge, 1997; Van Outrive, 1997; Gibney, 2004; Marfleet, 2006). I will then reflect on the interpretations of the refugees' identity through the lenses of speechlessness versus political agency and subjectivity (Nyers, 2006). The last section of this chapter will address the question of the asylum system with reference to the Hungarian settings, practice, actors and reception camps (Fullerton et all, 1995, Nagy, 2002). The issue of asylum politics will be discussed throughout this chapter in correlation with concepts as: voice, speechlessness, agency, inclusion/exclusion, *aliénage*, citizenship.

"Waves" of migrants and refugees: ways of conceiving and controlling them

The recent changes in the world system - the decolonization process, the conflicts in the third world, the so-called war on terror – resulted in a new migratory phenomenon: refugees fleeing from the conflict areas of Africa, Asia and South America to European countries since the 1970s. Defined as "new refugees" (Joly and Cohen 1989), they are distinguished from the previous ones through cultural and ethnical characteristics which are very different from their host countries.

Additionally, it has been argued that the defensive political agenda of European and American states is built upon the fear that the bureaucratic and economic apparatus can no longer sustain the asylum system which has been "abused" by migrants with no legally justified claims to international protection. Thus, the "abusive claimants" (Rudge 1997: 68) are perceived by the states as a threat, an uncontrollable force, draining the welfare system and producing tension in the local communities. Rudge (1997) also highlights that this response towards illegal asylum applications is understandable in our times of economic

recession and high unemployment. These observations with particular reference to Western European countries and their political agenda are valid, to a certain extent, in Hungary's case nowadays, as it shall be argued in the analytical sections of this thesis.

In another interesting approach towards asylum, Philip Marfleet poses the refugees' question in the global context of migration, racism, politics, and world development. He argues that there has been a shift in the global refugees "trends". Initially "Ambassadors" (1940s – 1960s) – forced migrants, males, skilled and educated, fleeing from communist Eastern European states to Western democracies, the "New Invisible" refugees (1970s, 1980s and onwards) are preponderantly women and children, fleeing from vulnerable regions of the Third World, for reasons of hunger, economic collapse, state repression and civil conflict (Marfleet, 2006: 151). Described as "hordes of Aliens", "waves", "tides" and "surges",

> most refugees no longer provided a means for ideological self-assertion for Western governments; rather they were problem-people, whose predicaments raised uncomfortable questions about the legacy of colonialism and the instability of the world system (…).The presence of refugees of Third World origin, who were often poor, female, and lacking formal education…focused anxieties about an unstable world-system which would not operate according to the economic and political principles to Which Western governments were attached (Marfleet, 2006: 154).

Furthermore Marfleet helps us understand why refugees are perceived and depicted as aliens to Western culture: *aliénage* is a condition of people who are rejected because of their fundamental difference vis-à-vis the host society. The European harmonized legislation on immigration, the intensification of racism in Europe, the aggressive campaigns against immigrants in Western European *democracies*, the crisis of regional economies since 1980s, had negatively shaped the attitudes toward migrants, implicitly towards refugees, in Marfleet's opinion. In the "light" of popular racism supported by populist radical-right-wing parties – like the Jobbik in Hungary, that „won 14.7 percent of the vote in Hungary in the June European elections, giving it three seats in Strasbourg" (Leigh, EU Observer, October, 26th, 2009) – the *difference* is perceived as essentially biological. The hope for *ethnic affinity*

towards the refugees is hence dramatically reduced in the "new Europe" and in Hungary as well.

In this sense, my first concern regarding the refugees' issue in Hungary, particularly in the Debrecen reception camp, aimed at understanding why the refugees were seen as a threat by the local community. I retrieved a comprehensive answer in M. Gibney's approach (2004), which directed my research to a larger question regarding the peculiarities of the Hungarian asylum system and its practices of silencing the claims of the asylum applicants.

Gibney gives three main reasons for refuges as global threats. First, their volume – in case of mass influx – is seen as a threat. Secondly, their character is often reduced to the image of "bearers" of the instability, insecurity, violence of their own states. The third reason refers to their anonymity: states, governments, local authorities don't know too much about their background, their identity and, thus, their intentions. I consider relevant for my analysis of the Hungarian asylum practices to add another element to Gibney's three-fold theory: welfare chauvinism as the dominant political discourse that associates Roma people in Hungary with migrants, including refugees, and incriminates them on racial basis.[1]

In order to better understand the logic of refugees as a threat, we have to locate it within a broader context of geopolitics, Gibney argues, especially after September 11, 2001 when the issue of national security became a consensus amongst the states.

In a similar logic, Warner's (1997) approach tries to answer the question: *Why migration and refugees are viewed in terms of "problem", "challenge", and "control*". If human movement is considered to be a natural process, then why do we need to control it? Shouldn't it be a self-regulating process, by historical means? Warner states that the refugees' and migration flows are the "obvious cutting edge of the human drama" (Warner 1997:65). This issue is furthermore intertwined with the transformations which are taking place in

[1] Thank you to Robert Balogh for the development of this argument.

technology and the political forms of organization in our societies. Therefore, in Warner's view, the actual international system does not have the preparatory means for responding to the flows of migrants and the governments are even more detached from this reality.

I assert that Warner's argument about the states' incapacity to deal with migrants and refugees can easily be turned into a defensive theory for state-actors, who will find it suitable to close their doors/borders in front of the "flows" of refugees, instead of looking for ways of establishing policies, strategies and means of sharing an international responsibility agreed upon through treaties, covenants and laws applied to national contexts.

From a different stance, Van Outrive's (1997) critique regarding the asylum politics is directed towards the holders of the executive power in the "democratic" states, who mistake democracy for autocracy and make use of their competence in order to launch public campaigns against insecurity, manipulating the media and the journalists. More specifically, every type of repressive and restrictive politics concerned with refugees' issues is addressed in the context of "securitizing" politics or "internal security" (Van Outrive 1997: 265).

Therefore, the asylum issue needs to be addressed within a political project at two levels, Van Outrive points out. First, through an analysis of cost and benefices that a government is interested in when its purpose is to gain more power. Secondly, the exploitation of fear and the use of etiquettes and labels in building a "threat and security" argument regarding refugees and immigrants must be demystified. "The danger for democracy does not come from the extremists but from the central nodes of executive power within our own societies", Van Outrive emphasizes (1997: 265).

I consider Van Outrive's line of argument relevant especially for discussing the standpoints taken by some of the status determination officers in the reception camps in Hungary. They tend to take for granted the economic reasons implied by the political parties

in their reasoning about refugees and asylum seekers as security threats and exploiters of the welfare system.

Voicelessness versus Political Subjectivity in Refugees' Politics

The critical approach towards refugees' politics, delineated by Peter Nyers (2006), is a central argument for my analysis of the refugee's road from silence to speech within the Hungarian Asylum System, with particular reference to those actions that express political voice and agency.

Nyers makes use of the concept "state of exception" and "state of emergency" for understanding how both sovereign power and refugee identity are constituted. His analysis of the refugee concept looks at the way in which "qualities of speechlessness, invisibility and emptiness onto the (non)political body of the refugee" (2006: XVI) structure and order refugee identity. The "politics of being a refugee" (2006: XV) is, thus, the chore element of the concept of "refugeenes", seen as a social construction or a site of struggle: "a continual process of identity construction" (2006: XV).

For Nyers refugees' silence is a product of power relations while the refugees' identity is created and reproduced through ethical/humanitarian and political discourse. For instance, Nyers makes a critical analysis of the photos presented in the UNHCR report (1998), with children and women refugees, which convey the message of invisible, helpless people, deprived of the right to opinion and to action, without the capacity to be 'listened to' (Nyers, 2006: 15).

A crucial element of the analysis emerges from the fact that refugees are nowadays treated as a "crisis", or an "emergency" (Nyers, 2006) because they do not fit into the picture of a sovereign territorial state, they are not sedentary persons, they have no reserved place in the state's affairs, in a nutshell: they are not citizens. "Instead, qualities of invisibility,

voicelessness, and victimage are allocated with the effect of effacing the political subjectivity of the refugee" (Nyers, 2006: XV).

Moreover, the camp is exhibited as a "zone of exception" (Nyers, 2006: 130), preventing the access to employment, independence and mobility, although it tends to be seen as a "humanitarian space". I highlight this dimension of the asylum, meaning the reductionist space of the camp, as an important element which contributes to my analysis of the Hungarian Asylum system, particularly with regards to the Bicske pre-integration camp.

Providing political voice to refugees has become a matter of concern for intergovernmental organizations in the past decade, Nyers emphasizes. He thus points to Oxfam, the international humanitarian aid organization, whose project: "Listening to the Displaced" (2000) aimed at empowering people whose voices were not taken into consideration when decisions regarding their life were made. Nevertheless, this report has been criticized by academics – Prem Kumar Rajaram (2002), for the lack of self-reflexivity in choosing which voices were to be heard and for the misrepresentation of refugees' concerns, thus having nothing more than a financial impact.

Nyers concludes, however, by offering a positive perspective towards refugees' activism and political organization. He underlines refugees' actions like the Caravan for the Rights of Refugees and Migrants which travels to forty-four German cities in order to support and promote political expression, or the forty-five thousand Guatemalan refugees, in southern Mexico, who organized a Permanent Commission and elected its members to represent them when negotiating the terms of return with UNHCR, in 1986. They have thus "actively resisted multilateral solutions to their plight that treated them as passive, voiceless, agentless victims" (Nyers, 2006: 129).

What does the Hungarian asylum system struggle with?

Refugees were fundamentally seen as a new phenomenon in Hungary, prior to 1980s there were no laws regulating refugees, no organizations dealing with refugees. According to Maryellen Fullerton et al (1995), there have been two waves of refugees between 1980s and 1995: the first came from Romania, in the late 1980s and in 1991, following the fall of the communist regime – around 50.000 people. The second wave began in June 1991 and largely came from former Yugoslavia, there were 70.000 people arriving in Hungary in a two years-period (Fullerton et al 1995).

The interdisciplinary volume, edited by Fullerton et al (1995): *Refugees and Migrants: Hungary at a Crossroads* is the first one published in English which deals with the issue of refugees in Hungary. Likewise, there are several fields where the questions related to refugees are addressed: law and politics (Judith Toth and Toth Pal Peter, Boldizsar Nagy), political xenophobia (Gyorgy Csepeli and Endre Sik), refugee camps and refugee women (Lajos Horvath and Eva Huseby-Darvas).

A more recent analysis of the refugees' issues (Nagy, 2002) identifies four periods of forced migration. While the first two phases are identical with those identified by Fullerton et al (1995), the third phase is the relatively calm half decade until 1998 and coincides with the arrival of asylum seekers from Bosnia-Herzegovina and Yugoslavia, about 17.000 refugees in all. The fourth phase goes from 1998 to 2000**,** when the number of asylum seekers to be dealt with by the Hungarian refugee system has multiplied and the dominant groups come from non European territories like Afghanistan, Iraq, Bangladesh, Algeria, Sierra Leone.

What this shows is that Hungary has become part of "the global refugee scene and therefore has to seek responses which are adequate to the character of this development." (Nagy 2002:10). Furthermore, there is a fear of becoming the responsible state for the recognition and integration of too many refugees, Nagy goes on. This fear led to the

introduction of restrictive techniques in the procedural law regarding asylum seekers and refugees.

His argument is reiterated by Judit Juhász (2003) who states that prior to the European Union integration, Hungary treated the inflow of immigrants as "a deviant phenomenon affecting public order" (Juhász, 2003).The underlying idea was that migration and asylum could be kept in check with the means at the disposal of the authorities, particularly border control and strict residency rules. Since Hungary has become a member of the European Union – May 1st 2004 - asylum seekers who obtain the legal recognition as refugees more often stay in Hungary and make attempts to assimilate here, according to Juhász.

I will refer to this argument when I discuss the lack of choice of some asylum applicants who ended up in Hungary despite their whishes, being apprehended by the Border Police. Furthermore, the attempts to "assimilate" are met by hostilities driven by the fallacies that the asylum system contains.

Among Nagy's critiques of the Hungarian Asylum System one aspect refers to the length of the procedure and the detention practice:

> Contrary to the designation, no community element is present in the community shelters which are specifically built or refurbished buildings on the compounds of the border guard directorates enabling the accommodation of illegal foreigners, including asylum seekers in circumstances which have the same level of security against unauthorized departure as a police detention facility: fences locks, barriers within the building, continuous surveillance by TV cameras (Nagy 2002: 34).

I consider Nagy's approach relevant for my analysis, especially with reference to the space and settings of the camp. His argument, however, is rather directed towards a solution in terms of legal and political targets translated into a need for global solidarity and the improvement of the human rights record in the countries which "produce" asylum seekers. As far as East-Central European countries are concerned, they should define their immigration policy as less selective as possible and de-maximize the national interest, Nagy concludes.

The last lines of this section will look at the New Asylum Act (2007) and the challenge it poses in regards with the asylum practices in Hungary.

The Act LXXX of 2007 on Asylum was adopted by Parliament on 25 June 2007 and promulgated by the Official Gazette on 29 June 2007**.** [2] Under the new Act the Hungarian authorities enacted new legislation to bring the rules governing asylum procedures in Hungary into line with EU harmonization requirements (ECRI Report on Hungary, 2008).

According to article 6, chapter III,

> (1) The Republic of Hungary shall recognise as a refugee a foreigner who owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside of the country of his/her origin and is unable or, owing to such fear, unwilling to avail himself/herself of the protection of that country (Act LXXX of 2007 on Asylu*m)*

The Asylum Act, chapter III, IV and V state the criteria for granting recognition to asylum seekers, via one of the three legal protection statuses: refugee status, subsidiary and complementary protection (for *en-masse* refugees), tolerated status. One particular aspect of critique (Gyulai, 2009) refers to the tertiary status, *tolerated status.*

> Section 2 (f) of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals (hereinafter Aliens Act) defines tolerated status as: any person who can not be returned to the country of her/his nationality, or in the case of a stateless person to the country of habitual residence, for fear of facing death penalty, torture, cruel, inhuman or degrading treatment or punishment, and there is no safe third country that would admit her/him, and who is not entitled to refugee or stateless status, subsidiary or temporary protection (Gyulai, 2009: 20)

The beneficiaries of *tolerated status* enjoy minimum protection against extradition, but still face crucial obstacles that bar their access to an independent life outside the camp, with reasonable employment and access to social services. For instance, they are provided with "humanitarian residence permit *(humanitarius tartozkodasi engedely)*" (Gyulai, 2009: 24), instead of identity card, which has to be renewed every year**.** This will further lead to longer bureaucratic procedures in acquiring a work permit, thus, new impediments for entering the labour market. For them, reaching full citizenship takes on average five years

[2] Source for the on-line English version of the Asylum Act: the Office of Immigration and Nationality (BÁH)

longer than it takes for those who hold the status of refugees or that of subsidiary protection, who are entitled to full citizenship after only three years of continuous stay in Hungary (Gyulai, 2009).

This peculiarity of the Hungarian Asylum Law in practice is important for showing how the process of exclusion of certain categories of recognized protected persons borders them from a system of rights and services that are, in long terms, reserved to nationals. Equally important is the fact that the Hungarian Asylum practices follow the EU Directives, reflecting a global shift from permanent to temporary and other forms of protection, decided according to national standards (see Figure 1). "The tolerated status therefore reflects Hungary's *non-refoulement* obligations under international law" (Gyulai, 2009: 24).

Figure 1. International versus National Standards of Asylum Protection

<table>
<tr><th>International standard</th><th>National standard</th></tr>
<tr><td>UNHCR statute</td><td rowspan="2">Convention status</td></tr>
<tr><td>1951 Geneva Convention and 1967 Protocol</td></tr>
<tr><td>OAU Regional Convention, 1969</td><td rowspan="3">B status, humanitarian or de facto status,
In the EU since 2006: subsidiary protection</td></tr>
<tr><td>Cartagena declaration, 1984</td></tr>
<tr><td>EU: subsidiary protection, 2004</td></tr>
<tr><td>EU: temporary protection, 2001</td><td>Temporary protection</td></tr>
<tr><td>Prohibition of torture and inhuman and degrading treatement (ECHR 3§)</td><td>Tolerated (Duldung), exceptional leave to stay, non-refoulement protection</td></tr>
</table>

Source: International and European Refugee Law, IRES course, Spring 2010

As such, the first phase of the Common European Asylum System sets up the minimum standards or the harmonized rules for asylum that every country can apply in the form and method chosen. The second phase, to be achieved by 2012, envisages uniform procedures and uniform status for all EU Member States. Therefore, the shift from permanent to temporary protection status granted to an asylum applicant is grounded in the EU Directives and Standards which re-interpret and reshape in a more restrictive and state oriented view the 1951 Geneva Convention and 1967 Protocol on the Status of the Refugees..

I will link the various theoretical approaches discussed in this chapter with the findings of my fieldwork and with other scholarly articles in the field of asylum and refugee in the analytical part of this thesis.

Chapter 2 Research design and methodology

In this chapter I will discuss the methodology used during the research period of my thesis, January-April 2010. The main methodological strategy I have chosen is ethnography. This qualitative approach enabled me to analyze the asylum procedure, with focus on the asylum applicants' voice inside two reception camps in Hungary and during several actions and meetings with recognized refugees in Budapest.

I have used as ethnographic methods for data collection participant observation and semi-structured interviews in the Debrecen reception camp and in the pre-integration center in Bicske The Debrecen camp hosts those asylum seekers who are waiting for their claims to be processed, after they had gone through the first phase of the asylum procedure at Békéscsaba or at the Transit Zone of the International Airport in Budapest. The applicants who are granted protection status move to the Admission Center in Bicske, where they get assistance in the integration process.

Entering the field was a difficult process, particularly because of the nature of the field itself: the reception camps in Hungary are under the control of the Hungarian State, via the Office for Immigration and Nationality (Menekültügyi Igazgatóság Ellátási és Integrációs Osztály or BÁH). No strangers are allowed to enter the camps, without permission from the Immigration Office.

I had several unsuccessful attempts to visit the camps and to do an internship with two NGOs: Multikultura Association and Artemisszio. I have also tried to enter the camps via contacts with recognized refugees who had spent several months/years in Debrecen and Bicske. Finally I contacted one of the BÁH officers whom I met personally at a Seminar on Migration, Security and Human Dimension at CEU. The exchange of emails with the officer and an official letter submitted to the Head of BÁH lead to the approval of my entry request to Debrecen camp but not on daily basis, as I have planned it. I got permission to spend two weeks in each of the two camps, but two visits per week solely. Since language was one of my concerns, I was allowed and advised by the BÁH officer to be accompanied by a Hungarian interpreter who spoke English, in the Debrecen camp, and by an interpreter who spoke Russian, in the Bicske camp.

I have conducted some of the semi-structured interviews in the Debrecen camp in English: with the head of the Social Workers and the responsible of the European Projects. For the other interviews, with the Status Determination Officers, the Director of the camp, the psychologist and one of the social workers, I was assisted by the Hungarian interpreter. When interviewing the asylum applicants in the Debrecen camp I have used French, English and Romanian, the latter in the case of a lady coming from Ethiopia, who had spent five years in Bucharest prior to her arrival to Hungary.

Since the particular conditions of the Debrecen camp donot reserve space for one-to-one interview setting, I have mainly conducted group interviews with the asylum applicants.

The interview guide focused on their perception of the life in the camp, the difficulties they encounter, the type of information they get, the services they can access in the camp, the status determination interviews they had. Likewise, the interviewees spoke about their expectations before arrival to Hungary versus the reality of the Debrecen camp, about their experience at Békéscsaba/the Transit Zone at the Airport and about their plans and hopes after leaving the camp in Debrecen.

The ethnographic study in the pre-integration camp in Bicske relied, on the one hand, on the interviews with the camp inhabitants and with the officials. On the other hand, I have used the method of participant observation in the camp during the day-time (08h00 – 16h00). This method enabled me to better understand the refugees' experience in the living space of the camp. Thus, my interpreter and I had lunch with some of the interviewees, played with the children, helped them with the cleaning and walked with them in the city and from the camp to the railway station.

The questions used for interviewing the refugees in the Bicske camp focused on their past experience in the Békéscsaba and Debrecen camp and the reasons for fleeing their countries of origin. The interviewees spoke more freely about the past, in comparison with the asylum applicants interviewed in the Debrecen camp. They have also exposed their present worries: no jobs, no plans for the future, no contact with Hungarian community outside the camp.

I have also used the ethnographic method of participant observation during several meetings with recognized refugees in Budapest. This type of actions that I participated at makes a crucial contribution to my argument about refugees' political voice, discussed in the analytical part of the thesis.

My first contact with a group of recognized refugees outside the space of the camp took place at Tüzraktér, Budapest, in January 2010. The Tüzraktér event started with a film

screening about refugees in Greece and it was followed by a discussion with several refugees about their experience in Hungary (Figure 1). I thus got to know refugees from Iran, Afghanistan, Nigeria and some of the participants at the protests inside the Debrecen camp, in June 2008, which I'll analyze in the next chapter.

Secondly, I have participated at the Iranian Refugees' March in Budapest, March 10th 2010, organized with the support of Amnesty International. The participants also signed an Open Letter that asked the Hungarian authorities and the representatives of the European Commission in Hungary to stop the deportation of Iranian political refugees in Hungary.

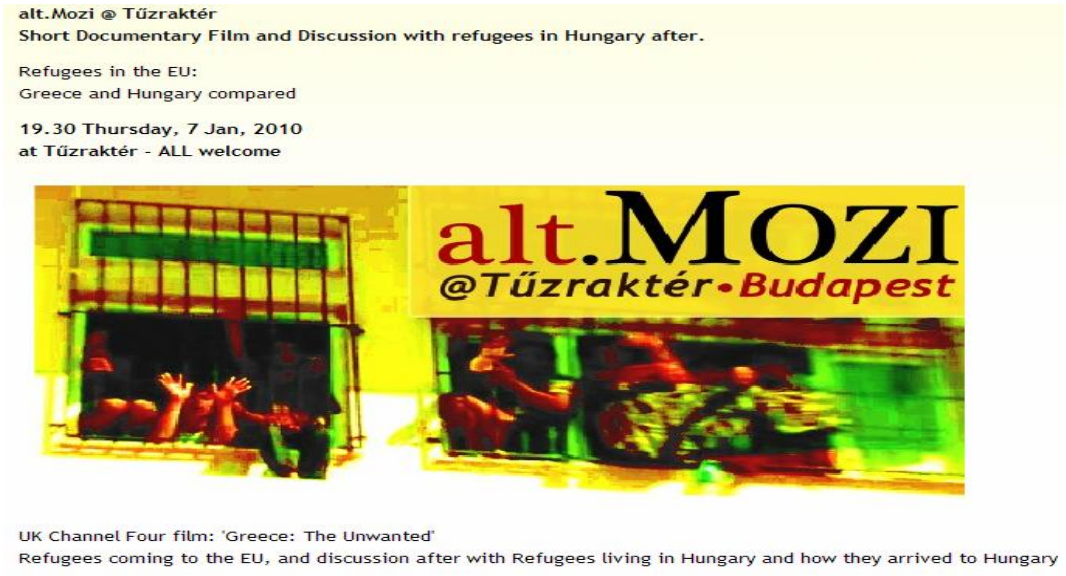
Thirdly, I was a participant observer at a meeting at Ráday Szalon, in Budapest, where two Iranian asylum applicants spoke about the political situation, human rights violation and persecution in Iran that forced them to flee the country

This thesis does not discuss in detail the conditions of detention of the asylum applicants in the closed camp in Békéscsaba and the Transit Zone at the International Airport in Budapest due to lack of empirical data and also lack of space. I mention, however, that this limitation comes as a direct result of the restricted physical access to these spaces that are strictly controlled by the Hungarian Border Police.

Other limitations in regards to the methodology refer to the language impediments, especially in the Debrecen camp where out of forty nationalities I could speak only to those who knew English, French, Romanian or Hungarian. I was, nevertheless, able to listen to many voices, from several countries: Cameron, Nigeria, Ivory Coast, Somalia, Ethiopia and Guinea. In the Bicske camp I interviewed persons from Palestine, Lebanon, Georgia and Afghanistan who were granted a protection status. I also tried to maintain a gender balance in conducting the interviews, which was, again, more difficult in the Debrecen camp where the majority of the inhabitants are males.

An interesting and peculiar aspect related to language can be observed in the way I, as an ethnographer and a stranger, was treated in each of the camps by the asylum applicants. My lack of knowledge of the Hungarian language was seen as a negative aspect by some of the interviewees in the Bicske camp, especially the Afghan teenagers, who wanted to learn and speak more Hungarian. Conversely, in the Debrecen camp I was rather perceived as a trustworthy partner of dialogue, particularly by the French speaking applicants, because of my non-Hungarian identity. This dual identity that an ethnographer can embody, through language, I argue, is important for the analysis of refugees' voice in relation to language and its confinements, as it shall be further emphasized in the next chapter.

Figure 1. Tüzraktér: Documentary Film and Discussion with refugees in Hungary



Source: http://lmv.hu/node/4864

Chapter 3 The road towards asylum in Hungary

This chapter of my thesis will focus on the description of the asylum procedure in Hungary. I will first discuss how an asylum applicant passes through the legal stages of the procedure, as formulated in the articles of the Asylum Act (2007) and explained in "Asylum in Hungary: A guide for foreigners who need protection", edited by Hungarian Helsinki Committee (Gyulai, 2008).

The second section of this chapter will discuss the "voice" of the asylum applicants at every stage of the procedure. I use the concept of voice in this section as understood by Liisa Malkki (1996): individual ability to speak about one's own history and politics and capacity to be listened to. A further analysis of the concept of voice, in regards to the asylum seekers' claims, will be developed in chapter five.

Strategies of non-acceptance at the gates

An asylum seeker can enter the asylum procedure by first crossing the land or air border of the territory of Hungary and then making an asylum application in written or oral form. If s/he has genuine travel and identity documents, s/he will be placed at Békéscsaba detention camp or the Transit Zone at the International Airport in Budapest. An asylum seeker who holds fake passport and/or visa and is apprehended by the Border Police and sent to one of the jail-detention centers or "alien policing detention" (Asylum Act, 2007: 55 § (3)): Győr, Kiskunhalas or Nyirbator.

Entering Hungary by land and having genuine passport and Visa is the case of 20-30% of the asylum seekers[3]. According to the Asylum Law, the asylum application has to be registered by the Border Police and forwarded to the Office of Immigration and Nationality *(Bevándorlási és Állampolgársági Hivatal, BÁH)* while the applicant has to stay in the

[3] According to the asylum determination officer in Debrecen camp, interviewed on March 17th 2010

Békéscsaba camp for the admissibility procedure: the first legal component of the asylum procedure in Hungary.

If the applicant first arrives at the Budapest International Airport, s/he has to contact the police officers at the airport and ask for asylum. In this case, the Police must inform the Immigration Office about the asylum application, and s/he has to stay in a closed room in the airport transit zone for eight days. After eight days the applicant is transferred by the Alien Police to the refugee camp in Békéscsaba (Asylum Act, 2007: 72. §).

The admissibility procedure takes maximum fifteen days. During this time the applicant goes through the Dublin Procedure. In the European Union only one EU member state should deal with the case of an asylum-seeker. This country is usually the first country that the asylum-seeker entered. Therefore, in the admissibility procedure, the Immigration Office will first check which EU country is responsible for examining her asylum application.

The Procedure applies in the following situations: if the authority finds out, on the basis of the fingerprints stored in a common European database called "Eurodac", that the asylum applicant has already asked for asylum in an EU State, or in case s/he has a visa in her/his passport for any of these countries or s/he tells the authority that s/he crossed any of these countries on her/his way to Hungary. There are also other elements that are considered as a proof for Dublin Procedure, such as finding Swedish money or a Paris metro ticket in the applicant's pocket during the checking-our procedure.

The admissibility procedure is suspended until the Dublin procedure is finished. This means that in some cases, the time to finish the admissibility procedure can take up to six months, depending on the time frame needed for another EU state to respond.

When the application is admitted in "in-merit procedure", the Immigration Office examines if the applicant is entitled to one of the three statuses: refugee status, subsidiary

protection or tolerated stay. The deadline for the in-merit procedure is sixty days and this can be prolonged with an extra thirty days, according to the law.

During the in-merit procedure the applicant has to stay in the reception camp in Debrecen. The traveling costs, by means of public transportation, from Bekescsaba to Debrecen, are covered by the Immigration Office.[4]

The Debrecen Reception Centre is a semi-overt camp, situated at the margins of the Eastern Hungarian city Debrecen. The camp was established in 1995 in a former Soviet troops' garrison. According to ECRI Report on Hungary (2008), at the in-merit stage, over 400 asylum applicants from 41 countries were housed in the Debrecen Reception Centre. On March 8th, 2010 there were 501 asylum applicants hosted by the Debrecen camp. The inhabitants can leave the camp during the day time but they have to come back by 22h00 or if they miss for more than 24h, they need an approval granted by the reception officers. [5]

The asylum applicant also has the possibility to arrange her/his private accommodation is s/he has a friend or a family member who can host her/him. However, s/he has to first request the Immigration Office to allow her/him to stay in private accommodation.

If the applicant was in jail when s/he applied for asylum, because s/he crossed the border or stayed in the country unlawfully, most likely s/he has to stay in jail during the procedure.

In the in-merit procedure, in the Debrecen camp, officers from the Immigration Office interview the applicant once, two or three times, asking personal data, how s/he came to Hungary and the reasons why s/he had to leave her country of origin. A written record is prepared during the interview, in Hungarian language. This record must have all the important elements of what the applicant said during the interview. At the end of the interview, this written record is to be read and translated to the applicant, and then s/he signs it.

[4] Interview with the status determination officer in the Debrecen camp, March 17th 2010
[5] Data provided by the Head of the Social Workers's Office, interviewed on March 8th 2010

At the end of the in-merit procedure the Immigration Office can take five different decisions: recognition of refugee status *(menekült)*, recognition of subsidiary protection *(oltalmazott)*, recognition of tolerated stay *(befogadott)*, rejection, or, if the applicant disappears during the procedure, meaning if s/he does not go to the interviews and the Immigration Office cannot contact her/him, the procedure will be stopped and closed. The applicant can appeal a negative decision if s/he does not agree with it and s/he has to submit the appeal to the Immigration Office within fifteen days after having received the decision, explaining in the appeal why s/he considered the decision was wrong.

The Metropolitan Court in Budapest will decide the appeal within sixty days, according to the law, but in practice the appeal procedure takes several months. The Court is obliged to interview the applicant in person, which means that s/he has the possibility to explain the story to the judge. At the end of the appeal procedure the Metropolitan Court can take three different decisions: accept the appeal and recognize the applicant as a refugee or grant her/him subsidiary protection or tolerated stay, or partly accept her appeal and cancel the decision of the Immigration Office, and order the Office to carry out a new procedure and re-consider her/his case. In this case, a new asylum procedure will start. Finally the Court can reject the appeal.

If the second, meaning the last, asylum application is rejected, the case falls under the responsibility of the Alien Police Deportation Procedure and the applicant has to leave the country.

A positive result for the first or second appeal would lead to the recognition of a protection status and the right to legal stay in Hungary. The status is categorized as it follows: the first status is the refugee *(menekült)*: „a person who has a well-founded fear of being persecuted in his/her country of origin because of his/her race, religion, nationality, political opinion or membership of a particular social group" (Gyulai, 2008: 2).

The second status is subsidiary protection *(oltalmazott)*: „a person who is at a real risk of suffering one of the following harms in his/her country of origin: death penalty, torture, inhuman or degrading treatment or punishment, or serious threat to a civilian's life or person because of indiscriminate violence in an armed conflict" (Gyulai, 2008: 2).

Finally the third status is the tolerated stay *(befogadott)*, granted to a person „who has a well-founded fear of persecution, torture, inhuman or degrading treatment or death penalty but who cannot benefit from refugee status or subsidiary protection" for reasons such as „having committed a serious crime" (Gyulai, 2008: 2).

Any of the three types of status described above, if granted, determines the transfer of the recognized person from Debrecen camp to Bickse – the pre-integration camp. Here s/he spends six months, with the possibility of prolonging the stay with six more months. The person now granted recognition has to take Hungarian language courses, s/he can benefit of the assistance provided by the social workers from Menedek, by visiting their office in Budapest, and s/he can look for a job outside the camp.

Voices, hearings and gate-keepers

Closely stepping on the footmarks of the legal procedure, the second part of my analysis aims at highlighting the extent to which the asylum applicants are allowed to speak, the consequences of manifesting their voice, who is listening to their claims and through which channels their voice is being conveyed. I argue that their voice, manifested at five stages/steps, has a particular resonance and further produces a particular type of answer. This answer must fall into the legal bindings of a system which grants them more or less protection, in many cases the less protection possible, via the tertiary status (*tolerated person)*.

According to the law there are no formal requirements for making an asylum request once an asylum seeker enters Hungary, the request can be done and in any language, in

written and oral form, but it is very important to communicate the asylum application „in an understandable way for the officer" (Gyulai, 2008: 3). As an issue if inquiry and of warning, Gyulai also mentions the fact that „in Hungary most police officers do not speak any foreign language" (Gyulai, 2008:3). Therefore, the applicants are advised to say the word "menekult" (refugee) or "menedek" (asylum) in Hungarian and then submit a written application in his/her own language, application to be signed in the end.

I argue that the first step of entering the Hungarian asylum system discloses the voicelessness of the asylum seekers who can speak without being heard, in a space where the host or the „listener", represented by the Border Police, can easily claim that it does not understand the voice of foreigners who ask for asylum „in any language", excepting the case where the foreigner has already learn how to say "menekult" (refugee) or "menedék" (asylum) in Hungarian. As the findings of Hungarian Helsinki Committee and of the UNHCR have proved it,[6] the officers of the Border Police, both at Békéscsaba and the International Airport Zone in Budapest, have repeatedly ignored asylum requests made at the border spaces. I state that thus they reduced to silence the very first, and perhaps the last, opportunity for an asylum seeker to ask for protection, considering the hypothesis that s/he will directly be sent back by the same air company that s/he flied with.

Under these circumstances, UNHCR Observer mission at the Budapest Airport revealed that out of eight million passengers per year, no asylum application has been registered at the Airport for the last several years. Perceiving it as an alarming situation, UNHCR opened an asylum procedure at Férihegy Airport in 2009. The so-called Airport Procedure enables asylum seekers to make an oral/written asylum request and especially it makes sure that their request is forwarded to the Immigration Office (BÁH) in order to be processed. The Observer mission resulted in a number of sixty applications in 2009.

[6] Interview with UNHCR officer, Debrecen camp, March 19th 2010

I point to the second stage of voicing one's claim for asylum by referring to the case of illegal asylum seekers, who cross the borders of a state with fake/no documents and are apprehended by the Alien Police. Their case is interpreted by the asylum procedure through the lenses of criminality. The „illegal aliens" are put in one of the detention centers where they are most likely to spend several months, during the admissibility and the in-merit procedure. Their voice is first being interpreted through their acts considered as pertaining to the area of illegal behavior, regardless of the facts which forced them to act in such a manner, for instance, no other possibility of escaping persecution than by using false identity.

This particular situation has, in the words of the eligibility officer in Debrecen camp, no direct consequence for the final status determination decision. Nevertheless, the first interview taken in any of the detention centers has an important weight in the credibility argument of the status determination hearing, as it has been argued by another eligibility officer in Debrecen camp. Strongly opposing to this principle, the UNHCR officer articulates the very lack of weight that the first interview should have, as it is taken in improper conditions, often at the night time, with improper translation, by unspecialized Border Police officers with very few training in dealing with asylum cases: "the interviews conducted by the Border Police in the middle of the night [in Békéscsaba] with very inappropriate translation should not be considered part of the credibility argument for the status determination interview" (Interview with the UNHCR officer, Debrecen camp, March 20th 2010).

According to the eligibility officer in Debrecen camp, around 80-90% of the asylum seekers filtered in Békéscsaba are sent to Debrecen while "10-20% ends up in Germany or Austria saying they got lost on their way" (Interview with the officer, March 17th 2010). Here again the asylum applicants are treated as *would-be criminals* (Bigo, 2007), a label which is attached on them and construed inside the camp by particular practices. I thus refer to the UNHCR findings in September 2009 that identified the practice of the Unified Police Forces

in the camp as completely harmful for the victims of persecution or terror. Security check-up procedure takes place in the middle of the night in every room of the camp, with special police officers dressed in black uniforms, accompanied by trained dogs, with the purpose of detecting foreigners or drugs used by the camp residents. The applicants are not informed about the visit but have no possibility to refuse it (Interview with UNHCR officer, March 20th 2010).

This practice inscribes in the memory of the camp residents, even after they leave the place, as some of the interviewees in the Bicske camp have pointed out: "the special police pay visits in the [Debrecen] camp at the night time, around 23h00, they take our phone number. They think we are all thefts" (Group interview with Palestinian and Lebanese recognized refugees in Bicske camp, April 19th 2010).

I then affirm that the applicants who arrive at the Debrecen camp go through the third stage of "voicing the claims": the hearings. Their story, hence their voice, is completely dependent and determined by the interpreter, whose existence and work is the most acute issue in the asylum procedure, widely acknowledged by both BÁH and UNHCR officers. By admitting the scarcity of interpreters and the lack of funds for hiring more interpreters, the BÁH officers reflect the indifference of the BÁH itself that, in fact, has no interest in providing a "mouth" for the asylum applicants.

Building on the last idea expressed above, the issue of interpretation gives another dimension to the applicant's story and herein to the claims s/he manifests. Low quality interpretation is one of the strongest reasons for a second appeal lodged by some of the interviewees I have talked to in both Debrecen camp[7] and in Budapest[8]. The result of such claims is not yet available, as the interviewees would have their Court appeal in July 2010.

[7] Interview with an asylum applicant from Ivory Coast, Debrecen camp, March 20th 2010
[8] Discussion with two Iranian asylum applicants during the meeting at the Raday Salon, March 17th 2010

Furthermore, it has been argued[9] that the decisions made by the judges at the Metropolitan Court in Budapest are influenced by several elements which go beyond the asylum case as such. First, the judges' preferences regarding certain nationalities are determined by their education, previous experiences, age and/or the level of nationalist feeling. Secondly, the type of relationship that a judge has with the lawyer who represents an asylum applicant's case can turn the balance of the decision into one side or the other.

This type of argument needs, however, to be re-considered in the light of other data. [10] I refer here to a research conducted at the Metropolitan Court in Budapest that focused on the implementation of the new Asylum Law ("MET" 2007). The preliminary data of this research point to the changes that took place after 2007 with regards to the decisions in asylum cases that pay more respect to the human rights legislation. Also the judges who expressed conservative and xenophobic views in certain asylum cases were marginalized and there is more responsibility in rightly dealing with individual asylum cases.

The fourth step in the process of "being heard" coincides with the transfer of the protected persons to the Bicske pre-integration camp. I argue here that the communication and broader socialization of recognized refugees and other protected persons is, first, confined to the physical space of the camp, situated outside the city, facilitating no contacts with the local community.[11] Secondly, those protected persons who move out of the camp, either in a different city or a different country, are associated with Roma by the camp authorities: "refugees travel country by country spending one year there, then moving around, like Gypsies in Hungary who travel from city to city" (Interview with the Executive Director, Bicske camp, April 21st 2010).

[9] Argument discussed by Professor Boldizsar Nagy at the IRES course, March 9h, 2010
[10] I'm thankful to Professor Prem Kumar Rajaram for the data presented during an interview on May 22nd 2010
[11] Concerns expressed by the majority of the interviewees in the Bicske camp, April 2010

The racialization of the asylum applicants and recognized refugees is an important element of the asylum practices in both the Debrecen and Bicske camp.[12] The association of asylum seekers with Roma in Hungary is part of the political discourse that I referred to in the previous chapter in terms of welfare chauvinism. Scholars like Suvendrini Perera (2002) have argued about the racialization of asylum seekers, refugees and inhabitants of detention camps in Australia, building on Agamben's (1997) essay about the space of the camp that overlaps the invocation of national security and an implicit racial difference. Perera points to this practice that originates in older forms of racism but has now been coupled with current reconfigurations of citizenhood and denationalization:

> Through the mechanism of the camp the native becomes that which is, by definition, set apart from the citizen. If the European camp signals modernity's rupturing of a trinity of state, land and nation, and the disjunction between birth and nationality, the human and the citizen, the colonial Australian camp marks a yet further rupture by producing a third category, the native, to signify something other than both the citizen and the human (Perera, 2002, no page number).

Liz Fekete (2001) identifies the incrimination and incarceration of asylum seekers with „xeno-racism", a mixture of old and new forms of racism: „Jews under Nazism, Blacks under slavery, 'Natives' under colonialism, were similarly dehumanised, held to hold mass characteristics which justified exploitation, victimisation and, in the last, genocide." (Fekete 2001: 6 in Perera, 2002).

Finally, the fifth stage that eventually follows successful integration allows the refugees and other protected persons to speak for themselves and to speak for the others as well, meaning fellow applicants who are at risk of deportation. I argue this by referring to the case of Iranian protest and march in Budapest, March 2010. This action was meant to raise awareness about the political situation that asylum seekers from Iran have been facing since June 2009 and also to gather public support. The refugees and other participants at the march

[12] Thank you to Professor Prem Kumar Rajaram for his suggestions on this argument

signed an Open letter addressed to the Hungarian Government and the House of the European Commission in Budapest, asking to stop the deportation of Iranian asylum applicants.

I will further refer to this action organized by the Iranian refugees in the last section of chapter five, where I elaborate on the refugees' manifested political voice.

Chapter 4 Analysis of the refugees' voice in the asylum practices

What is voice? Birds, language, heralds and cats

The line of argument of this section points to the various meanings and interpretations of an asylum applicant's voice in his/her process of "becoming-refugee" (Nyers, 2006: XV). By "voice" in this section I refer to Judith Butler's (1997) theory of language conceived as speech, agency, utterance but it can also be language acting "against us", thus producing linguistic injury or "hate speech" (1997:2).

The type of injurious speech in which certain words might wound and representations produce an offense has, in her view, a direct application in the fixity of one's name: "being called a name one is given a certain possibility for social existence" (Butler, 1997:2).

> To be addressed is not merely to be recognized for what one already is, but to have the very term conferred by which the recognition of existence becomes possible. One comes to "exist" by virtue of this fundamental dependency on the address of the Other […].The terms that facilitate recognition are themselves conventional, the effects and instruments of a social ritual that decide, often through exclusion and violence, the linguistic conditions of survivable subjects. (Butler, 1997:5)

I thus assert that the social existence of a refugee is a conditional calling into social existence by an Other, be it the Border Police Officer who apprehends the illegal migrants, the Eligibility Officer in Debrecen camp or the Judge at the Metropolitan Court in Budapest who decides on granting the protection status or not, at the end of a long and sometimes exhausting process of recognition, that goes through exclusion many times. Exclusion from particular

social services during the asylum procedure has been acknowledged, for instance, by the inhabitants of Debrecen camp who did not have access to the office of Menedek social workers because they were not recognized as *befogadott* (tolerated status)[13]. A different case of exclusion highlights the shortcomings of the third type of protection status, the tolerated status, in contrast to the status of a citizen. For example one of the interviewees living in Debrecen camp has been granted the third status and he was playing at the local football club for a few months but he stopped it when the club officials refused to pay him arguing that he was not a Hungarian citizen.[14]

Another meaning of language identified by Butler and relevant for my analysis of the refugees' voice refers to the peculiar relationship that language has with the body: "if language can sustain the body, it can also threaten its existence" (Butler, 1997: 5). According to Ellen Scarry's original idea expressed in *The Body in Pain* (1985) and cited by Butler, the body's pain can not be expressed in language, therefore "one of the injurious consequences of torture is that the one tortured loses the ability to document in language the event of torture" (Butler 1997: 5). In other words "what we don't speak about doesn't hurt" (Interview with Lilla Hardi, psychologist at the Cordelia Foundation for the Rehabilitation of the Victims of Torture, March 18th 2010)[15].

I highlight this particular aspect of language by referring to the refugees' stories of torture as understood and depicted by the psychologists from the Cordelia Foundation. The work of both the psychologists from Cordelia Foundation and the Eligibility Officers in the Debrecen camp, though with very different outcomes, is to listen to the applicants' stories about painful experiences that forced them to flee their home countries. While the Cordelia team offers counseling to the survivors of PTSD (Post Traumatic Stress Disorder), a psychological scar on

[13] Group interview with asylum applicants from Cameron and Nigeria, March 17th 2010
[14] Second group interview in Debrecen camp, March 19th 2010
[15] The Cordelia team is composed of psychiatrists, psychologists, verbal and non-verbal therapists and social workers whos work is based on the principle of mobility between the three refugee camps in Hungary

tortured persons, the Officers conducting the status interviews have the task of deciding upon "survivable subjects" in accordance with their ability to document in speech their trauma. The diagnosis made by the Cordelia Foundation psychologists however does not influence very much the eligibility procedure, according to Ms Hardi.

> The goal of the torture is to destroy the ego of the person, the seed of her/his personality, thus fragmenting it and closing the persons out of society in order to disable them of any political participation once they get released. In the long run the torture has not only the effect of destroying one's personality but also destroying his/her family and children for several generations, thus producing transgenerational trauma. (Interview with Lilla Hardi, March 18th 2010)

Furthermore I argue that the refugees' voice can be understood as language conveyed into a "living thing" (Butler, 1997:6) imagined as a bird, which has the ability to say the unspeakable story of a refugee. In her book *Oppressive Language* (1993) Toni Morrison, cited by Butler (1997), gives a parable in which language itself is figured as a "living thing**"**:

> [I]n the parable young children play a cruel joke and ask a blind woman to guess whether the bird that is in their hands is living or dead. The blind woman responds by refusing and displacing the question: "I don't know…but what I do know is that it is in your hands (Morrison, 1985:11 in Butler, 1997:6)

The figure of the woman in the parable is interpreted as a "practiced writer" and the bird as language: "she [the woman] thinks of language partly as a system, partly as a living thing over which one has control, but mostly as agency – as an act with consequences." (Butler, 1997:6). Butler then points to Morrison's parable when she claims that agency is perceived as a figure for language and language as a figure of agency: „We die. That may be the meaning of life. But we do language. That may be the measure of our lives" (Morrison,1985: 22 in Butler, 1997:6).

Juxtaposing Morisson's parable with one of the non-verbal therapies used by the Cordelia psychologists during the counseling of the victims of torture, I underline how language can metamorphose as a means of survival and self-protection. The applicant/patient does this by simulating act of holding a bird in his/her hands. S/he then delivers unspeakable thoughts into this imaginary living letter, opens the palm and sends the bird back to his/her. This way of

dealing with the trauma is meant to open up the person and help her communicate with the family who is left home by an act of non–speech, conveying fears, affection and hopes that can not be told to anyone else in the camp as an effect of the trauma she has been going through. I further state that the herald bird takes away all the unpronounceable burden of pain, freeing the person, though she is bounded to the space of the camp: “like a bird on the wire, I have tried in my way to be free” (Cohen, 1968).

On her way „home” the bird sent by the asylum applicant-patient of the Cordelia Foundation therapy group may live or die, like the bird-language in the hands of the children interpreted by the blind woman. Nonetheless what matters in the alienated space of the camp is the transfer of pain and human affection from the traumatized person to the voiceless omen in the process of healing: “love [and pain] is a bird, she needs to fly, let all the hurt inside you die” (Madonna, 1998).

By using the interpretation offered by Butler to language as agency, and mirrored in Morrison’s parable, I stress the entanglement of meanings and power that refugee’ words, hence voice, have in and over their lives when words are converted into hearings during the asylum determination cases. Consequently I argue that the bird-therapy used by Cordelia psychologists and the bird-language parable in Buttler’s example reflect a sort of a “detained language” belonging to those asylum applicants whose utterance is first silenced by the acts of torture they were subjected to and they have no way of expressing it apart from the imaginary bird-herald sent home. Secondly, their voice, a “living thing”, is transfigured into the hearings, thus “the hands” of the Other whose power gives the “measure of their lives” by determining their status as refugees or other protected or rejected persons.

A “scandalous” relation between speech and body is another meaning that Judith Buttler emphasizes when she argues that the body is seen as the instrument uttering the speech: “That body becomes a sign of unknowingness precisely because its actions are never fully

intentionality in the speech act. The speech act says more, or says differently, than it means to say" (Butler, 1997:10).

This „scandalous" link between the speech and body of an asylum applicant produces a reaction which is sometimes perceived as misleading the story or threatening its authenticity since the PTSD survivors can not focus in the eyes of the interviewer or the listener, according to the psychologist Lilla Hardi. Hence their credibility in front of the Eligibility Officers is dramatically reduced, decreasing their chances for a positive result of their asylum application or in Prem Kumar Rajaram's words: "language has an important role in enabling certain forms of meaning to arise while dis-enabling the possibility of others" (2004:227).

The instrumentalization and interpretation of speech through bodily behavior is recognizable in the situation I encountered the first day I spent in Debrecen camp, attempting to interview ladies living in the "single women shelter". S, an asylum applicant from Nigeria, in her mid-twenties, started telling me her story with a particular look that went beyond me, her eyes half closed and lacking shine, something that I could not understand at that moment. She arrived in the camp just a few months ago, after she has been smuggled to Hungary and forced to prostitute before arriving here. The Police found it hard to believe her story in the beginning, though she was stating that her grandmother had been killed by the Mafia after she had left the country, while her parents were under continuous threat. Her story was a little bit inconsistent, recited like a poem and always going back to the past filled with the memories of her grandmother. When I asked her particular questions, she gave answers that were not related, so I understood that she wanted to follow her own thread and didn't want me to change it. I also realized that her expressions and attitude could denote a recent state of suffering, humiliation and abuse that she is still recalling whenever she tells the story. Thus I asked her if she would like to have a discussion with me the next week, when I'd pay another visit to the camp. She said yes and then we left, as the time for exiting the camp was close.

Conversely, a mutual understanding of language and its meaning that I was witnessing during my fieldwork is reflected in the setting of the Bicske camp, particularly in the situation when the son of a Lebanese family was playing with the girl of a Vietnamese family with no exchange of words. Surprised by the situation, I asked one of the camp inhabitants whom I have also interviewed: “How do the kids understand each other, what language do they speak?” and I got the following answer, with a smile attached: “The children’s language”. This argument was reiterated the second day I spent in the camp, while I was taking notes on the bench in front of the camp’s ‘restaurant’, with my interpreter. We were amazed to see the same Lebanese little boy, eight year old, walking towards the gates of the camp, hand in hand with the same three year old Vietnamese little girl he had been playing with the previous day. After a few steps, his older brother joined them and he started carrying the little girl in his arms.

A recognizable warmer atmosphere was predominant in the Bicske camp, where there were also many cats, exhibiting a more accessible and friendly image of the place. The interviewees spoke more freely about their experience and their concerns. The access itself was granted in a more facile way and the reception officers checked our documents only once, when we first entered the camp.

By highlighting the differences between the two camps, Debrecen and Bicske, particularly the use of “children’s language” and the presence of friendly cats, my purpose is to portray how the meaning of language, body and time fuses with the space that the asylum applicants are delimited by. This argument will be further developed in the next section of this chapter.

Voicing against the space? "Time is still": confinement and idleness

This section engages with another dimension of the refugees' voice: the actions of protest initiated by several groups of asylum applicants, analyzed in parallel with the space of the camp itself as perceived by the inhabitants but also as constructed by and on the mind of the visitor, in the memory of a refugee-poet in Prem Kumar Rajaram's article (2004) and in the ethnography of the researcher (myself).

The reception camp in Debrecen confines its inhabitants into spatial and temporal stasis (Rajaram, 2004), in long waiting periods, with "no hope after one year spent in the camp" (Group interview with asylum seekers from Cameroon and Nigeria, March 17th 2010). Moreover for some applicants this period might extend to three years, according to the interview conducted with the EU Projects Officer in Debrecen camp, March 8th 2010, and it resembles to what Pugliese (2002) calls "Imprisonment-in-Infinitude": "this, surely, is the locus of the madness and the despair that generates the uprisings and revolts in the detention centres" (Pugliese, 2002, no page number).

I choose as an example for supporting my argument three cases of conflict that occurred in 2008 inside the Debrecen camp and several types of answer provided by various actors. The first action took place on June 11th 2008, when four Afghans decided to climb a telecommunications transmission tower located inside the camp and refused to come down until their papers arrived, or until they got some guarantee that it would happen soon. The protest ended when the Afghans were told they would get their personal documents the same day, which they did receive (Marton, 2008).

The second case points to seven Afghan and Somali refugees who got into a fight in the refugee camp of Debrecen on July 30th, 2008 and a Somali woman attacked one of the police

who was trying to separate the fighters. Six Somali men, one Afghan man, and the Somali woman were arrested, according to MTI – Hungarian News Agency (MTI, July 31st, 2008).

Thirdly, one day after the previous event, on Thursday, July 31st, 2008, around eighty refugees held a silent sit-down strike at the entrance to the Debrecen refugee camp, to protest against the arrests of fellow refugees who were detained following a fight the day before (MTI, August 1st, 2008).

The conflicts arising in Debrecen camp are motivated by religious and cultural differences, according to the Director of the camp: "it's very easy to get tensions between Muslims and Christians [but] the only solution is to maintain the order", a task that the social workers are responsible for, in particular when it's about "reminding the inhabitants the rules of the camp" (Interview with the director of Debrecen camp, March 19th 2010).

UNHCR response to Debrecen camp internal conflicts - on July 30th 2008 - and the demonstration of the recognized refugees from the Bicske integration centre, in front of UNHCR's office in Budapest - on July 23rd 2008 – points to the lack of money for the assistance programs in the camps: "UNHCR has repeatedly pointed out these problems and warned that insufficient funds for assisting asylum seekers are a root cause of the problems" – says the UNHCR's Regional Representative in Central Europe, Lloyd Dakin (Sunjic, August 1st, 2008).

Furthermore, Dakin explains the Debrecen's case as follows: "most of the people are sitting idle in the camp, many of them single males. They have little to do to keep them busy and productive. No wonder their frustrations are piling up" (Sunjic, UNHCR Budapest, August 1st, 2008).

The social reinterpretation of these incidents took place within the triangle of media representation, local politics and administrative practices. This triangle is occasionally influenced by advocates and international organisations (UNHCR).

In this context I argue, on the one hand, that the incidents in the camp reinforced the prejudices about the asylum seekers, such as violence and criminality (Gibney, 2004), and thus acted as positive feedbacks for the practice of welfare chauvinism that associates Roma with immigrants and refugees in Hungary. This latter idea became at the same time the formula for social policies: the Roma issue reached the political agenda reformulated as "criminality" instead of exclusion and scandal.[16] In this respect asylum seekers were disadvanteged by the fact that their life became news and an issue in politics. Although this context temporarily translated the voice of the asylum seekers into protest, it did not turn their silence into speech.

On the other hand, I argue that the analysis, explanations and responses to the refugees' protests and tensions in the camp, produced by the media, the camp personnel and UNHCR, fail to acknowledge the element which stands at the heart of the issue: confinement of the camp's inhabitants into a space of control, stasis and well-established borders between detainees and visitors/citizens:

> For the stranger to represent the antithesis of the norm, then she must be retained in physical and/or discursive stasis where her meaning may be controlled. Placing the refugee in conditions of stasis enables her instrumentalisation; her identity may then be used to indicate the borders of the included. (Rajaram, 2004:220)

The detention-like setting of Debrecen camp, with inner rules stating that "the person placed at the reception station may receive visitors in the room designated for this purpose"[17], has no such room in reality, since visitors are not encouraged and welcomed to speak to the inhabitants, even after being granted entry approval by the Immigration Office (BAH)[18].

[16] I'm thankful to Robert Balogh for the exchange of ideas and for the elaboration of this argument

[17] *The Regulations of the Reception Station*, internal document received from the Head of the Social Workers' Office in Debrecen, March 8th 2010

[18] See the exchange of emails with BAH officer stating that "Entry is granted under the conditions that you are not allowed to enter the living quarters of those accomodated in the centre without their permission, also, their permission is needed for taking photos of them and conducting interviews with them; the country of origin of the interviewees cannot be mentioned in any material made public as a result of your work. Reception centre staff and asylum officers speak English, however, we cannot provide interpreters for your interviews with asylum seekers", February 22nd 2010

My own expectations regarding the fieldwork in the camp and the interviews with the inhabitants were deeply challenged after the first visit and the group interview conducted with asylum applicants. The lack of privacy that both families and single persons face, living in a room together with eight or ten other persons or with another family, the scarcity of food, the unclean rooms and bathrooms are breaking the rules of hospitality and acceptable living conditions, as it has been argued by Joseph Pugliese (2002):

> What must be relentlessly evaded is hospitality: don't expect refuge, only shelter; don't expect nourishment, only food; don't expect comfort, only harassment. All these practices position refugees as interlopers parasiting the body of the nation. Any ethical gesture of hospitality has to be extirpated in these prisons - for fear that the parasitical refugee might actually become comfortable in their new home (Pugliese, 2002, no pg number).

Alongside with the idleness that the applicants are exposed to, having no right to work for one year and living under constant pressure, uncertainty and insecurity regarding their status, the spatial confinement is doubled by temporal closure: "If it is the encounter with otherness which gives us time, which enables change, then the holding of asylum-seekers in spatial confinement also amounts to a temporal confinement" (Rajaram, 2004:223).

As an ethnographer, the first group interview that I conducted in the Debrecen camp was to a great extent hard to manage since most of the persons were silent, reluctant to speak and I had the overall feeling that I was rather an intruder into their lives, penetrating a personal space and asking deep questions about too painful experiences and life conditions. In other words my mind repeatedly whispered: "who am I to interrogate these people? I'm not a decision maker for their applications, I do nothing to improve their life in the camp, why would they trust me and why would they answer to my questions?"[19]

Furthermore, sitting on a chair in the middle of a room with ten beds, with no private space for conducting an interview focused on one person, and eight men looking at me all the time made me feel really uncomfortable. Allegedly the atmosphere was uneasy for them as

[19] Field Diary, Debrecen camp, March 8th 2010

well. On top of that, the presence of two other "foreigners" in the asylum applicants' room: the interpreter who accompanied me and the camp officer who introduced me to the applicants, both Hungarians, made the whole situation even more peculiar.

My reflexive thoughts regarding the suffocating space and privacy of the inhabitants and the purpose of my interviews as perceived by the applicants, when shared with the Hungarian interpreter, I got the following answer: the camp inmates are, indeed, not obliged to accept being interviewed or to share their stories with me. My visit to the camp and their "opportunity" to speak to a visitor is, however, perceived as an event which disrupts the idleness and the routine of their timeless residence in the camp.

Similarly, in Prem Kumar Rajaram's analysis of a refugee's memory and resistance "time does not flow in the camp, all is still, and there is no stimulus, no encounter which would give time" (Rajaram, 2004:223). After the visitor leaves, the refugee finds himself "all alone amidst hundreds of other detained people" (Rajaram, 2004:223). In a different poem, *When It Rains*, the refugee named Soltanyzand claims that his Other, meaning the visitor, remains alone as well:

> [T]hat her loneliness may come to an end only when she returns to the camp and remembers him, the detained stranger. Despite her freedom to move across spaces, she is alone without the other who would call her to question and rid her of the suffocations of territoriality. (Rajaram, 2004:224)

After the first visit to the camp, on my way back I experienced a double state of mind: I was carrying with me the words, attitudes, warmth and desolation that I encountered: "if I'm allowed to speak, please tell us who you are (although I've already introduced myself in the beginning) and why are you interested in hearing our stories 'cause they are secret and painful"[20] All these mingled effects have produced in me, on the one hand, emptiness and loneliness. On the other hand, my return to the camp was something expected by some of the respondents: "tell us exactly when you come next time and what kind of questions will you

[20] An applicant's response to my question addressed to the 1st group interview participants in Debrecen camp: if they are willing to have another interview with me next time, March 8th 2010

have so that we can prepare"[21]. Thus, while being out of the camp, my time was transformed into a period of waiting to return: „the subject is hostage to the other, to the demand and call of the exiled other upon whose body his very being is constituted" (Rajaram, 2004:224) The visitor who awaits to re-encounter the refugee becomes a similar figure to the refugee him/herself: „a figure that beckons...and waits" (Perera, 2002, no page number).

When does the voice become political? When does the alien become the citizen?

In this section I move from the issue of voice as a matter of credibility in the asylum procedure and as an action of protest against the confinement of the camp towards the meaning of voice as political rights so far defining the citizen and never the refugee.

Liisa Malkki's (1996) emphasis on the process of „dehistoricization" of the refugees signals the difficulties in approaching this category of displaced people as historical actors rather than simply as „mute victims". She further claims that „in abstracting their predicaments from specific political, historical, cultural contexts - humanitarian practices tend to silence refugees" (Malkki, 1996:378).

In her line of argument the refugees „are being rendered speechless" (Malkki, 1996:392) by national and international organizations. Also "this is where the question of *voice* - the ability to establish narrative authority over one's own circumstances and future, and, also, the ability to claim an audience" (Malkki, 1996:393) comes into the analysis.

The voice of refugees defined in these terms resonates, to a certain extent, with Balibar's understanding of citizenship: „in its strict sense as the full exercise of political rights and in its broad sense as cultural initiative or effective presence in the public space (the capacity to be 'listened to' there)" (Balibar, 1988:724 in Malkki, 1996:400).

[21] Another applicant's reply regarding my second visit and interview in the camp, March 8th 2010

The process of dehistoricization of refugees is inevitably linked to a project of depoliticization in Malkki's view: "for to speak about the past […] was to speak about politics. This could not be encouraged by the camp administrators; political activism and refugee status were mutually exclusive here, as in international refugee law more generally" (Malkki, 1996: 385)

Using similar logic, Peter Nyers (2006) stresses the political challenges posed by the refugee-identity concept, stating that the relationship between the two dimensions: identity and political subjectivity is not oppositional, rather [it] can be described as an 'inclusive-exclusion': "refugees are included in the discourse of 'normality' and 'order' only by virtue of the exclusion from the normal identities and ordered spaces of the sovereign state" (Nyers, 2006: XI). He then explores the politics of the refugees' representational practices in comparing the status of a refugee to that of a citizen:

> The visibility, agency and rational speech of the citizen is lacking in the prevailing representations of the refugee. Instead, qualities of invisibility, voicelessness, and victimage are allocated with the effect of effacing the political subjectivity of the refugee (Nyers 2006: XV).

Juxtaposing Malkki's argument with Peter Nyers' approach, I argue that refugees' voice has „an effective presence in the public space" (Balibar, 1998) and it gains political subjectivity, meaning refugees who speak about their history and the politics which produce displaced people, only when they are no more spatially and temporally subjected to the space of the camp, but they can rely on already existing communities of recognized refugees who act and communicate with various institutions and power holding actors in society.

The action of the Iranian refugees marching in Budapest, on March 10th 2010, described in the second chapter, is the case that I make reference to as a supportive argument. During the march I also got the flier in Hungarian about a future event involving Iranian refugees, on March 17th 2010 (Figure 2).

Figure 2. Flier distributed during the Iranian refugees' march in Budapest, March 10th 2010

I affirm that the meaning of the refugees' voice presented above can be attached to what Nyers (2006) offers as an opened perspective regarding refugees' activism, especially in the Northern countries which have been traditionally asylum seekers' destinations. For instance in Germany (1998) and Australia (2002) large caravans are organized, like the Caravan for the Rights of Refugees and Migrants which travel to 44 German cities to sustain political expression and activity, or the Woomera Caravan, a movement for making refugees' political and cultural practices known in Australia.

If the case of the Iranian refugees' march in Budapest is understood as activism and voice turned into political action, I further argue that this type of action underlines a sort of "cultural" form of citizenship, as suggested by Bulibar (1988), which relies on the ability "to be listened to". Yet it can not be overlapped with full-citizenship or "full exercise of political rights", as the right to vote "shows how inclusion in a community of equals is connected with the individual right to make autonomous contributions and take personal positions on issues" (Habermas, 1999: 242). Nevertheless, my point is that the march of the Iranian refugees enabled them to freely speak about the past and to speak about politics in the public space, something that "could not be encouraged by the camp administrators; political activism and

refugee status were mutually exclusive here [in the camp]" (Malkki, 1996: 385). The move from speechlessness to political voice is, thus, meaningful, marking off the release of the conditionality of space.

I further pose the question of political voice as inherently intertwined with the claim to citizenship, argument previously stated by Malkki (1996) and Nyers (2006). Citizenship as such has been debated and analyzed in many ways, in particular with reference to the borders of the political community and space: "those excluded by EU citizenship schemes, mainly third country nationals and undocumented migrants in the EU, become claimants of rights and pose challenges to the boundaries of political community and political space envisaged by the EU." (Caglar and Rajaram, 2008)

Therefore, if politics conceived as a "citizen's practice" (Habermas, 1999, 243) has entitled so far only "man and citizen [to be] political subjects" (Ranciere, 2004: 303 in Rajaram, 2007: 280), I here refer to the transnational migrants and refugees as actors that constitute the crucial challenge to the current form of citizenship, bounded to a nation-state and to a particular territory. Since a paradigmatic shift has emerged in the reorganization of politics, the border between inclusion and exclusion as categories allocated to citizens and aliens need to be reinvented: "as rights have come to be predicated on residency, not citizen status, the distinction between 'citizen' and 'alien' has eroded "(Jacobson 1996: 9 in Vink 2005: 5)

Moving one step further, I point to the post-national model of membership offered by Soysal (1998, Table 1) that questions the limits of European and national citizenship. If national citizenship is seen as "a last bastion of sovereignty" (Brubaker, 1992: 180 in Vink 2005: 5) and a "transnational system of citizenship"[22] emerges within EU borders, broader

[22] Irina Molodikova, 1st Seminar on "Migration, Security and Human Dimension in the EU Borderland", at CEU, Febr.11th 2010:

questions arise like: does the EU citizenship create "transnational rights" for other categories of people like the refugees?

Table 1: Comparison of National and Postnational Models of Membership

Dimension	**Model I National Citizenship**	**Model II Postnational Membership**
Time period	19th to mid-20th cent	Postwar
Territorial	Nation-state bounded	Fluid boundaries
Congruence between membership and territory	Identical	Distinct
Rights/Privileges	Single Status	Multiple Status
Basis of Membership	Shared Nationhood (national rights)	Universal personhood (human rights)
Source of legitimacy	Nation-state	Transnational community
Organization of membership	Nation-state	Nation-state

Source: Yasemin Nuhoglu-Soysal (1998:189)

Conclusion

This thesis has examined how the asylum seekers in Hungary assert their claims during the refugee recognition process from stages of voicelessness to speech. My assumption was that this road is marked by gates, gate-keepers and contingencies that silence the asylum seekers in spaces and settings of confinement. My aim was to show that the variations of their speechlessness, interpreted through language, is transformed into protests and culminates in political voice manifested in the urban open spaces.

I have tried to prove that the Hungarian asylum system responds to the asylum seekers' claims following a double logic. On the one hand, there is an acclaimed generosity on behalf of the asylum officers for accepting the applicants in the asylum procedure and in the camps. On the other hand, the asylum seekers are seen as sources of violence and threat, eventually being granted a detrimental, *tolerated status* that hinders their acquisition of rights similar to those of a citizen.

I affirm that the findings of the ethnographic work point to the particularities, obstacles and assets of an encounter between two *Others*: the ethnographer (myself), seen as a stranger in the camps and the *Tolerated Other* - the asylum applicants and protected persons that I have interviewed. The ethnographer aimed to maintain a detached standpoint during the fieldwork and afterwards, however there are a few "lessons learnt" that leave open doors for further reflexivity and anthropological critique.

This study was not meant to focus on the political discourses in Hungary that deal with immigration and racism. Nevertheless, it had touched on the issue of racialization of the asylum seekers, whose image is often associated by the political parties with marginal groups, mostly the Roma. The argument was not discussed at large in this thesis but it's a relevant field for new questions and approaches towards refugees and migration.

At the same time, due to space and other type of constraints, I have not discussed the issue around the contested existence of the Debrecen camp which has an economic dimension. This could be an important factor in the future structure of asylum in Hungary, particularly as there are links between the interpretation of the asylum seekers' voice and protests and the local and national political environment. Moreover, this can lead to broader questions about the justification of camps in the EU and viable alternatives to these spaces of detention. I finally state that this kind of inquiries opens the road for further research.

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