

Chapter 1

From Forced Migration to the Forced Separation of Families



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and Jaana Palander**

The aim of this multidisciplinary edited volume is to examine the impact of family separation on forced migrants and their transnational families. We are interested in how people *feel* about family separation, but also in what they *do* about it. Research on transnational families (Bryceson & Vuorela, 2002; Goulbourne et al., 2009; Baldassar et al., 2014; Al-Sharmani & Ismail, 2017; Tiilikainen et al., 2019; Hiitola et al., 2020a) has shown that to maintain collective welfare and unity among family members, migrants dynamically reproduce and navigate kin-based ties across borders. Previous research has extensively discussed transnational family attachments, networks, and practices such as care practices as common features of migratory lives (Evergeti & Ryan, 2011; Baldassar & Merla, 2014; Mazzucato & Dito, 2018; Assmuth et al., 2018; Bryceson, 2019; Tiilikainen, 2020). Such studies have, however, primarily looked at the transnational experiences of labour migrants. As Kraus et al. (2019) have pointed out, significantly less is known about what happens to forcibly separated family and kin and their mutual relationships in a transnational context. For example, research on asylum seekers' opportunities for parenting across distance has been scarce (see, however, Madziva, 2015; Leinonen & Pellander, 2020).

Globally, the majority of the world's forcibly displaced people remain close to their countries of origin (United Nations High Commissioner for Refugees, 2019). Nonetheless, political and academic attention has for the most part focused on migration from the Global South to the Global North, in particular to Europe and North America, where migration policies and laws have increasingly tightened. This edited volume mostly deals with this type of migration as well, but it also provides

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empirical cases of South-South migration – an angle which is often bypassed or overlooked by scholarship focusing on the Global North.

Following the large migratory movement of asylum seekers to Europe in 2015, possibilities for family reunification have diminished as many European countries have introduced more restrictive asylum and family reunification policies, including income requirements. The COVID-19 pandemic, which started in 2020, made border crossings even more difficult, with many countries closing their borders and shutting down embassies. In today's world, migrants and those 'left behind' may need to rethink their future plans, find new ways to maintain family ties, and reorganize their personal, social and economic lives. The increasing complexity of forced migration movements also challenges existing concepts, legal structures and responses to these movements both locally and internationally (Bloch & Donà, 2019).

The empirical studies presented in this book show that restrictive migration policies in the Global North, which often result in prolonged periods of family separation and waiting, are a key factor in producing everyday insecurity among forced migrants as well as among their families in the Global South. The reverse is true as well: the insecurities and vulnerabilities faced by families in the Global South impact the migration decisions and wellbeing of family members in the Global North. We suggest there is an ongoing need in the academic discussion on transnational family separation to take into account the security concerns of actors other than citizens and foreigners within a country's national borders, a need identified by Baldaccini et al. as early as 2007. Vulnerable migrants and their families in their countries of origin or transit are not devoid of agency, however, but draw from their available resources and use various strategies, both formal and informal, to endure or change the conditions of transnational family separation. Importantly, these resources and strategies are gendered, and they also differ according to factors such as age and class (Hiitola, 2019; Kofman, 2019). Migration is not only gendered, however, but is also a gendering process that impacts one's perceptions of gender and gender relations (Szczepaniková, 2006). Thus, it is crucial to understand migration-related inequalities and vulnerabilities, as well as family relationships and the resources that are produced or impacted by different gender positions, in a more nuanced way (Christou & Kofman, 2022, pp. 13–16).

We consider forced migration a phenomenon with 'neither a simple definition nor an official designation' (Zetter, 2014, p. 22). It is apparent that a host of life-threatening or life-diminishing insecurities, such as conflict and violence, political instability, states' failure to protect human rights and lack of viable livelihoods, drive people to flee their countries of origin. However, not all compelling reasons for migration are recognized as grounds for international protection. The research on forced migration often refers to particular categories of migrants: internally displaced people, victims of human trafficking, asylum seekers, refugees and stateless people. However, several scholars have pointed out that these categories are ill-defined and overlapping (e.g., Castles et al., 2014; Erdal & Oeppen, 2018) and that the reasons behind migration are often a combination of both voluntary and involuntary factors (Koser & Martin, 2011; Reed et al., 2016). For example, refugees may also have economic reasons for migration (Czaika & Kraler, 2020, p. 333). In

other cases, migrants may be able to utilize so-called voluntary categories for mobility, even if the reasons behind their move were compelling.

The analytical power of such categories is especially questionable when analysing everyday experiences of migration and shifting focus from forced migration to the forced separation of families across borders. Nonetheless, the consequences of different categories of residence are significant. For example, refugee status or asylum offers protections and possibilities often not afforded those with other types of residence permits. Those who receive other types of residence permits face more legal restrictions and additional hurdles in reaching family unity. In addition, many forced migrants never gain a formal status in the receiving society that would enable them to reunite their families. Therefore, struggles for security of residence are part of the family separation picture.

1.1 Main Concepts

In this volume, we use the term *forced migrant* to refer not only to those who qualify for international protection, but also to other displaced people and irregular migrants who have been forced to migrate due to conflict or threats to their lives or livelihood, who are engaged in unwanted secondary mobility because they do not have right to asylum in a particular country, or who have been deported (on deportation as a form of forced migration, see Gibney, 2013). These individuals are often in a vulnerable, underprivileged position due to their migration status. Zetter (2019) has suggested that compared to the term ‘refugee’, ‘forced migration’ or ‘forced displacement’ may capture the complexity of migration drivers, processes, impacts and lived realities in a more holistic way. Alexander Betts (2013) has proposed the term ‘survival migration’ to describe different types of migrants in precarious situations who have a human rights–based entitlement not to return to their countries of origin but do not fit the legal category of refugee. In this book, depending on the context, ‘forced migrant’ or ‘refugee’ may refer either to a legal and policy category that is normative in nature, or to a more descriptive and empirical understanding of refugees and the drivers of migration (see Czaika & Kraler, 2020). Our focus on forced migrants refines and adds to the previous literature on transnational families and shows how migrants’ legal and social positioning impacts their opportunities to conduct transnational family life. To date, transnational family life has rarely been addressed from the perspective of forced migrants (for an exception, see Madziva & Zontini, 2012).

Though the conventional understanding of transnational families does not encompass temporary family separation related to the processes of international protection, transnational families and separated families are quite similar at the everyday level, since reunification waiting times can be quite long. Transnational family relationships remain important during family separation, even if temporary. We investigate how people with a forced-migration background residing in Europe, the Middle East and Latin America experience separation from their intimate and

extended family members, and how family and kin in countries of origin or transit are impacted by the often-precarious circumstances of their family members in receiving countries. The insecurities of family members in countries of origin are also reflected in the wellbeing of migrants in receiving countries (Rousseau et al., 2004; Nickerson et al., 2010; Ismail, 2019). Family members waiting in other countries may face everyday insecurities as well.

Like Assmuth et al. (2021), we use the concept of *everyday security* instead of human security (which has been used by, e.g., Purkayastha, 2018) because we want to emphasize our focus on everyday experiences, understandings and strategies. We understand the concept of everyday security as being closely linked to the concept of wellbeing, comprising material, relational and ethical dimensions (for previous discussion on everyday security and wellbeing, see Al-Sharmani et al., 2019; Tiilikainen, 2019; Palander, 2021). Following Crawford and Hutchinson (2015), the everyday security of forced migrants, as well as that of their families in the Global South, is seen as their lived reality as resulting from the securitizing moves of states.

Everyday security theorizes how individuals interpret, experience, adapt to and resist security projects, and how they attempt to create their own security in daily life (e.g., Innes, 2014; Cochrane & Wolff, 2021). Maintaining a sense of everyday security is a multidimensional process, as has been argued by Susan White (2010) with respect to wellbeing. The authors of the various chapters of this book discuss the different ways that family members impacted by the processes of forced migration recreate material, social and emotional security and wellbeing in their daily lives as part of transnational family life. We approach securities and insecurities intersectionally (Purkayastha, 2012), considering how personal characteristics such as gender, race, ethnicity, sexuality, ability, class and age influence the security threats one is exposed to. With this intersectional approach, we also build on previous research (e.g., Hiitola et al., 2020b; Hiitola, 2021) that considers how securities and insecurities are experienced or interpreted by forced migrants.

Our focus on everyday security brings to the fore the relational wellbeing (White, 2017) that vulnerable migrants and their transnational families foster and renegotiate. Transnational family relationships are further connected to emotions and affects (on affect, see, e.g., Ahmed, 2000, 2004), which stretch and travel across borders (Skrbiš, 2008; Wise & Velayutham, 2017). A vast body of scholarship exists on the emotions connected to maintaining transnational family relationships and care, particularly mothering, caregiving and care chains (e.g., Parreñas, 2005; McKay, 2006; Melander et al., 2020). However, the toll of forced migration on emotional wellbeing is seldom discussed, and we therefore wish also to contribute to the research on emotions and affects in this context.

Everyday security is also impacted by normative structures, migration policies and administrative systems. This volume contributes to existing scholarship on the effects of the legal restrictions on family reunification (e.g., Strik et al., 2013; Eggebø & Brekke, 2019). The chapters of this book demonstrate how restrictive laws and policies impact the everyday lives of families separated across borders. International human rights law, especially the right to family life and the principle

of family unity, is often evoked in the search for justice for migrants. However, legal avenues often fail to secure the family unity, wellbeing and autonomy of migrants. Different legal systems respect family life and family unity to different degrees. While several legal and comparative studies and reports have been done on family reunification law, especially in Europe (e.g., Klaassen, 2015; Miettinen et al., 2016; European Migration Network, 2017; Borevi, 2018), studies considering countries in other regions are scarce. Chapter 2 of this volume, in particular, aims to respond to this gap by shedding light on differences in legal and administrative approaches to family reunification. Most of the countries discussed in Chap. 2 are also examined in other empirical chapters.

1.2 Geographical Context

The geographical coverage of the empirical studies in this volume is expansive, and the countries examined can be grouped in various ways. The contexts for empirical data collection include a number of countries in the Global South (Brazil, Jordan, Lebanon, Mexico, Nigeria, Pakistan, Somalia) and in the Global North (Finland, Germany, Greece, Israel). Also in the Global North, the United States and Sweden are studied from the point of view of migration governance in Chap. 2. The forced migrants studied in this volume have roots or family members in Afghanistan, Cameroon, the Democratic Republic of Congo, Eritrea, Ethiopia, Iraq, Jordan, Lebanon, Mali, Nigeria, Pakistan, Somalia, Sudan, Syria and the United States. The legal empirical study presented in Chap. 3 discusses court cases involving family members from Turkey and Egypt as well.

Most chapters focus on migration from the Global South to the Global North, but there are also examples of South-South migration: *Patrícia Nabuco Martuscelli* writes about African refugees in Brazil, *Michelle Lokot* about Syrians in Jordan and *Irene Tuzi* about Syrians in Lebanon. Jordan and Lebanon, however, can also be seen as transit countries, making receiving countries in the Global North, such as Germany, relevant in that context. Although Mexico is often considered a sending and transit country for migration, it is a destination country for Mexican deportees from the United States in the chapter by *Angel Iglesias Ortiz* and *Johanna Hiitola*. These deportations can even be seen as an example of North-South migration if the deported person has stronger ties with the United States than Mexico. Grouping states into sending, transit and destination or receiving countries is thus complex and depends on the focus of the study.

The global and transnational scope of the book, including perspectives from both sending and host countries, provides a unique opportunity to rebalance, widen and add new nuances to previous scholarship on families and migration, which has largely focused on the receiving context. In addition, by moving beyond the national context, the volume provides new insights into family migration policies.

1.3 Chapters of the Book

The book consists of ten empirical chapters united by the overarching themes of forced migration, family separation, everyday security and migrant strategies. The chapters are organized into three parts: Part I provides introductory and contextual background for the empirical chapters of the book, Part II addresses the everyday insecurities faced by forced migrants and their transnationally separated families, and Part III considers the effects of and affective responses to long waiting times for family reunification. The book ends with an epilogue.

Part I begins with a general conceptual and thematic introduction by the editors. This is followed by a second introductory chapter by *Jaana Palander*, *Usumain Baraka*, *Michelle Lokot*, *Patrícia Nabuco Martuscelli*, *Hilda Gustafsson*, *Hadas Yaron Mesgena*, *Irene Tuzi* and *Helena Wray* that introduces the differing legal and administrative frameworks of family reunification in the countries discussed in this book. The chapter provides a background for considering specific questions of family separation.

Part II reveals the implications of restrictive legal frameworks and migration policies for family life by focusing on the everyday insecurities faced by forced migrants and their transnationally separated families. In the first chapter of Part II, *Jaana Palander* looks at challenges to obtaining legal redress for negative family reunification decisions in Finland and emphasizes the lack of consideration for the insecurities of family members abroad both in the national court and at the European Court of Human Rights. Looking deeper at the legal principles behind the courts' argumentation, the chapter suggests strategies for litigators and judges to better protect human dignity and family life. *Patrícia Nabuco Martuscelli* analyses both legal frameworks and empirical findings from interviews with refugees in Brazil. Her investigation of the obstacles to family reunification in Brazil moves beyond regulations to encompass administrative practices. This chapter also sheds light on the selection strategies of forced migrants when they need to decide which family members to sponsor for reunification in Brazil. *Hadas Yaron Mesgena* and *Usumain Baraka* discuss how prolonged family separation and the lack of reunification prospects in Israel affect the intimate family relationships of Sudanese and Eritrean refugees, as well as their emotional wellbeing and sense of security. Though these refugees encounter administrative violence and are unable to change immigration regimes, they also take action to regain their sense of security by cultivating alternative social relationships and passing on their language and traditions to the next generation. Next, *Allwell Oseahume Akhigbe* and *Efetobor Stephanie Effevottu* highlight how Nigerian irregular migrants to Europe are motivated by the need to improve the economic security of their families in Nigeria. While migrants' families in Nigeria benefit from their family members' irregular migration in the form of upward social mobility, migration also results in strained family relationships. In the final chapter of Part II, *Abdirashid A. Ismail* focuses on the experiences of everyday insecurity among families in Somalia that result from the precarious and irregular status of their family members in Europe. Ismail identifies emotional,

health-related, material and social dimensions of everyday insecurity. His analysis connects European immigration policies to the everyday insecurities of families in Somalia.

The chapters of Part III analyse the emotional and affective consequences of being separated from one's family. These consequences are tied to long waiting times and are gendered, classed, racialized and dependent on residency status. The chapter by *Angel Iglesias Ortiz* and *Johanna Hiitola* focuses on Mexican deportees who have experienced family separation as a result of being deported from the United States to Tijuana, Mexico. The authors suggest that the decision to stay in Tijuana is often related to being able to keep in direct contact with family in the United States. Their analysis reveals that gendered everyday conditions of insecurity are intertwined with deportees' family situations. In the next chapter, *Michelle Lokot* explores the experiences of Syrian refugees living in Jordan during forced displacement and the relational ties they form and sustain across borders. The findings highlight the tensions, regrets, disclosures and silences affecting separated families. Next, *Irene Tuzi* studies the impact of forced family separation among Syrian refugees in the Global South (Lebanon) and Global North (Germany). She finds that refugees in both places use similar coping strategies to navigate separation, such as establishing new social networks, consolidating relationships with left-behind family members and reinforcing religious beliefs and practices. The fourth chapter, by *Johanna Hiitola*, *Zeinab Karimi* and *Johanna Leinonen*, investigates affective insecurity in the lives of Afghan, Iraqi and Somali forced migrants who are separated from their families while living in Finland. Acknowledging that family separation is intensely emotional, the authors suggest that everyday insecurities are related to affects in three ways: through judgement, through affective disparity and through transnational flows of affect. Finally, Part III ends with a chapter by *Laine Munir* and *Anila Noor*, who introduce the positionalities of transgender asylum seekers to the discussion. Their chapter carefully analyses the case of a Pakistani asylum seeker who sought safety in Greece. The analysis finds that the young migrant's departure from Pakistan balanced his individual need for gender expression with his family's collective need for relational wellbeing, everyday security and acceptance by their Islamic community.

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