

What counts as evidence in adjudicating asylum claims? Locating the monsters in the machine: an investigation of faith-based claims

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Introduction

Over the last decade evidence-based policy (EBP) emerged as a buzzword intended to signal the end of conviction-driven, ideological politics and heralding the aspirations for policy-making to be anchored in ‘evidence and to deliver what works unsullied by ideology or values considerations’ (Botterill & Hindmoor, 2012: 367; Clarence, 2002). The political impetus and preoccupation with activities associated with the idea of EBP are widespread. The belief that rational evidence will strengthen the basis for policy-making has been widely welcomed in many policy areas, including in contested spheres such as immigration.

As well as being an issue of profound contemporary relevance, immigration is a highly politicised field and the focus of moral and ideological contestation. Thus, evidence, assumed to speak for itself (Wesselink et al., 2014) has been called upon as a neutral arbiter in resolving perceived immigration problems and as one way of transcending ideological and humanistic conflicts (Spencer, 2011).

Writing in the context of the various immigration policy crises, Boswell (2009) has shown how policy-makers have often sought to find solutions to perceived problems of trust and legitimacy by turning to evidence in the form of expert knowledge. In this way, the role envisaged for evidence illustrates

the trend towards openness and transparency as a way of generating renewed trust and legitimacy. Indeed, in political rhetoric, successive UK governments have routinely expressed a commitment to opening up immigration debates to allow policy and decisions to be influenced by reliable evidence rather than emotion and prejudice in order to increase transparency and build public trust in immigration issues (Green, 2010).

However, more generally, the presentation of evidence as rational and neutral has raised important questions of how evidence is identified, mobilised and adjudicated in the policy process (Lowndes, 2016). Among other things, critics have shown that the perception that evidence is neutral overlooks the significance of the context in which evidence is produced. As Wesselink et al. (2014: 342) argue: 'what is policy-relevant evidence is determined by context. EBP's rhetoric looks for neutral, context-free and universally applicable evidence [which] fits badly with this reality'. Closely related to this is the observation that evidence must ultimately be interpreted, a process that many argue involves persuasion and arguments (Clarence, 2002; Kesby, 2011; Majone, 1989). As argued by Majone (1989) evidence exists only in the context of an argument; thus, it differs from data (raw material) or information (categorised data). Moreover, the way that evidence is interpreted is subject to the individuals' understanding of the social world and what they consider to be important (Clarence, 2002: 5).

For instance, the assumptions of the policy-maker or a civil servant (working in a policy context) may determine what is understood as constituting evidence, the selection or prioritising of one form or indeed a specific piece of evidence over another and the interpretation of that evidence in the development of an argument (Kesby, 2011: 23). Thus, decisions often reflect not only beliefs about what works but judgements about what is feasible as well as elements of ideological faith, conventional wisdom and habit (Botterill & Hindmoor, 2012: 369). The presentation of evidence as neutral may serve to obscure the real political judgements and serendipities involved in contested policy areas like asylum. However, insights can be drawn from Pearce and Raman's (2014: 390) work

on the new randomised controlled trials that interrogates the ways in which appeals to evidence are made as a way of opening up the limits of expertise. These authors have suggested what good evidence would look like, emphasising the need for evidence to fulfil at least three key principles; namely, attentiveness to plurality, diversity and institutions.

This chapter presents a critical analysis of the ways in which evidence is identified and mobilised in the asylum process. It looks at how evidence is actively constructed, embodying processes of meaning-making that are underpinned by particular sets of power relations. The chapter draws on research from an extreme case the adjudication of faith-based asylum claims, the characteristics of which enable us to locate the monsters in the machine more readily. In the spirit of this book we make use of the monster metaphor throughout the chapter to highlight issues of potential discrimination, prejudice and bias. We also identify a number of other issues inherent in the adjudication of faith-based claims and highlight the challenges to evidence-based approaches to the determination of refugee status. To better understand the limits of claims to openness and transparency via EBP, we have researched the experience of Christian asylum seekers, analysing key informants' narratives and Home Office assessment processes and policy documents.

We begin with a brief description of the research upon which this chapter is based. We then present a discussion of the lived experiences of Pakistani Christians seeking asylum in three sections. We start with the context of the experience of reception, followed by the problems of evidencing the Christian faith and then the challenges of evidencing persecution before we turn to our conclusions.

Research design and methodology

This chapter is based on qualitative research conducted between June and December 2015. Data were collected from 40 research participants through interviews, focus groups and informal conversations as well as individual case reviews. The sample includes 15 Pakistani Christians (five refugees and 10 asylum seekers – five woman and 10 men), with the other 25 participants consisting

of migrant support organisations, churches, Pakistani Christian community leaders and professionals such as legal advisors, immigration judges and those working in interpretation and translation.

Snowball sampling and existing contacts facilitated our research access to these participants. The research aimed to gain an understanding of Christian asylum seekers' experiences of seeking asylum in the UK.

The research encounters were audio recorded and transcribed before the analysis, using thematic and conversational techniques. While the study has delivered depth, the findings cannot be taken to be representative of the experience of Pakistani Christians in the UK or indeed of Christian refugees from Muslim majority countries more generally. Our intention was to study the experience of the particular individuals we spoke to and to draw 'analytical generalizations' (Yin, 2003), that is, propositions that could then form the basis of research with a wider sample and in a variety of locations.

Pakistani Christian asylum seekers arrival and UK policy context

Although there is a long history of migration from Pakistan to the UK, the population of Pakistani nationals seeking asylum in the UK became significant towards the end of the 1990s in response to the socio-political and religious repressions prevalent in their country of origin. The continual deterioration in Pakistan's human rights situation, particularly in the context of the country's infamous blasphemy laws, which foster the persecution of minority groups such as Christians, has seen the country being ranked the sixth highest asylum-producing nation in 2014 (UNHCR, 2014). Concurrently, the UK was rated among the top destinations for Pakistani asylum seekers (UNHCR, 2014). Correspondingly, more recent asylum statistics (Home Office, 2015a) have shown that Pakistani nationals constituted the second largest group (registering 2,302 cases after Eritrea, with 2,583) of all asylum applications lodged in the UK in the year ending June 2015. However, in the absence of information on how many of these applications were lodged on the grounds of their Christian faith, Pakistani asylum seekers are regarded as a homogenous group.

We argue that the presentation of Pakistani asylum seekers as a homogenous ethnic group has the danger of masking other individualised identities such as religion or faith, which may in turn obscure the context of the reception experience.

The socio-political atmosphere of the UK is characterised by public and political discourses on growing asylum and immigration flows, ethnic and faith diversity, and their supposedly link to community tensions and even terrorism (Joppke & Torpey, 2013). Particularly with regard to faith, as a presumed secular society the UK presents us with a paradox. On the one hand, successive governments have continued to show a public policy interest in faith communities that are often portrayed as providing moral leadership, social networks and access to hard-to-reach groups. Yet on the other hand, faith has become an unsettling aspect of multiculturalism, not only in the UK, but in Europe as a whole, especially in the post-September 11 2001 terrorist attacks (Dinham, Furbey & Lowndes, 2009). More specifically, in the UK the disturbances in Bradford, Burnley and Oldham in 2001 and the subsequent 7/7 bombings in London in 2005 have led to public criticism of the concept of multiculturalism for its overly tolerant approaches to cultural difference, leading to a growth in diversity, segregated societies and the promotion of bad faith (extremism), often associated with Muslim identities (Lentin, 2011). Indeed, issues of the perceived and real problems of the integration of Muslims, and questions about accommodating Islam as a religion, are at the heart of current public policy debates, especially as the current migration crisis continues to unfold, and as Muslim identities become increasingly framed by global events (Statham & Tillie, 2016).

Moreover, the rhetoric of the perceived failure of multiculturalism, especially by political leaders across Europe (e.g. Cameron, 2011) has been juxtaposed with the claim to racelessness (Lentin, 2011). In the context of the claim that society in the UK is now a post-racial one, intolerance towards particular groups of immigrants has come to be justified on the basis of their cultural or religious incompatibility rather than their race (Statham & Tillie, 2016). Thus the political claim is that that culture or religion, rather than race, is to blame for the perceived negative aspects of diversity.

When presented in this way, diversity becomes then a happy sign, a sign that racism has been overcome (Ahmed, 2007: 164).

Thus, in both political and public discourse, especially in the UK, it is increasingly claimed that it is no longer racist to talk about immigration control and that people can now have a sensible debate about immigration, where the notion of sensible involves making use of statistical evidence (Anderson, 2013: 42). Pointing out the limits to openness and transparency, Anderson argues that 'the claim to racelessness is not paralleled by a claim that immigration policies are not designed to keep out certain nationalities' (Anderson, 2013: 42), which has the danger of both promoting and concealing discriminatory practices towards particular nationalities.

Immigration controls and border inspections have given rise to perceptions that 'some bodies more than others are recognisable as [dangerous], as bodies that are out of place ... because of some trace of a dubious origin' (Ahmed, 2007: 162). Before an actual claim to asylum can be lodged applicants must undergo an initial screening process involving check-lists on their country of origin, routes of travel, their documentation of identity and their fit in complex ethnic or religious categories.

The Pakistani Christians who participated in our research experienced their arrival and seeking asylum in the UK as putatively Islamophobic. Those we spoke to believed that the Home Office operates under the assumption that all migrants from Muslim majority countries, by virtue of their place of origin, are Muslims. Thus the conflation of nationality and religion has led Pakistani Christian asylum seekers to believe that they are often treated as suspects – a conflation that brings Pakistani Muslims and Pakistani Christians together as one othered entity. Writing of her personal experience at the borders of New York City as a British citizen with a Muslim background, Ahmed (2007:163) claims that 'for the body recognised as could be Muslim, which translates into could be terrorist ... the experience begins with discomfort'.

We encountered similar experiences among the Pakistani Christians we interviewed, including a male asylum seeker who explained:

As a Christian asylum seeker from a Muslim majority country you face many obstacles in putting forward your case. The major obstacle is the place where you come from and the way you look – these are things that you can't change. Because of the way we look immigration officials don't trust us ... They don't tell you openly that they are suspicious of you ... but through their actions and body language, you can tell that you are a suspect. The problem is you can't easily separate Christians from Muslims as we all look the same. ... I am a Christian, but when people see me they just conclude that I am a Muslim. So they think I have come to bomb their country.

Participants expressed deep concern about the equation of Pakistanis with Muslims, and in turn the equation of Muslims with terrorists (Ahmed, 2007), showing how this multi-layered stereotyping inevitably functioned to obscure their own distinctive identity as Christians from a Muslim majority country. In the sections that follow we delve into the role of evidence in the adjudication of asylum claims.

The adjudication of asylum claims: the policy context

The UK is signatory to the 1951 Convention Relating to the Status of Refugees and its subsequent Protocol of 1967, as ratified in 1954 and 1968, respectively. According to Article 1A(2) of the 1951 Convention, an applicant for asylum must have a well-founded fear of persecution; the fear must be based on past persecution or the risk of future persecution on one or more of the specific grounds of race, religion, nationality, membership of a particular social group or political opinion. The nature of evidence that can be provided to support such fears is a key element in the actual process of determining whether to provide asylum, as will be discussed below.

In line with the UNHCR (2004) instructions on religious persecution, the UK Home Office guidelines state that

Persecution for reasons of religion may take various forms; for example, prohibition of membership of a religious community, prohibition of worship in private or public, prohibition of religious instruction, requirement to adhere to a religious dress code, or serious measures of discrimination imposed on persons because they practise their religion or belong to a particular religious community.

However the Home Office goes further to note that

[t]he simple holding of beliefs which are not tolerated in the country of origin will normally not be enough to substantiate a claim to refugee status ... The issues to be decided are whether the claimant genuinely adheres to the religion to which he or she professes to belong, how that individual observes those beliefs in the private and public spheres, and whether that would place him/her at risk of persecution. (Home Office, 2015b: 28)

These expectations raise the question of the competence of immigration officials in religious matters or the extent to which they are qualified to assess the genuineness of individual's beliefs and the manner in which they are practiced in different socio-political and religious contexts. We will return to this point later.

In the asylum process, after getting through the initial screening process, applicants still need to undergo a substantive interview in which they are interviewed by an immigration caseworker. The burden of proof lies with the applicant. This means that an applicant claiming refugee status on grounds of their Christian faith is expected to establish and demonstrate their well-founded fear of persecution on the basis of their Christian identity. This involves providing a personal testimony and

supporting evidence to prove that they are Christians and that they were persecuted on account of their Christian identity. Meanwhile, the UNHCR Guidelines on Burden and Standard of Proof in Refugee Claims (1998 para. 2) stress that, while the burden of proof lies with the claimant, decision-makers are also obligated to have an objective understanding of the situation prevalent in the country of origin. It is further suggested that the actual determination of refugee status need not be certain, but must be sufficiently likely to be true. Thus, determining whether a claimant qualifies for international protection demands that decision-makers judge whether they believe the applicants' evidence, or how much weight should be given to that evidence against their own understandings and interpretations of it (Thomas, 2006).

To assess the credibility of an asylum claim, immigration officials are required to consider three key criteria. The first is internal consistency, meaning that the claimants' oral testimony, written statements and any personal documents relating to the material facts of the claim should be coherent and reasonably consistent (Home Office, 2015b: 7). Secondly, external consistency is required; meaning that the claimants testimony is expected to be consistent with the Country of Origin Information or expert evidence. As stated by the Home Office (2015b: 15), 'the greater the correlation between aspects of the account and external evidence, the greater the weight caseworkers should attribute to those aspects'. The third criterion is plausibility, which is an assessment of the apparent likelihood or truthfulness of a claim 'in the context of the general country information and/or the claimants own evidence about what happened to him or her' (Home Office, 2015b: 15)

We argue that for external evidence to be effectively used to support personal experience, it needs to properly reflect knowledge and expertise about the practical situation on the ground in the country of origin. In the Pakistani Christians context, the reliability of the external evidence that the Home Office depends upon can be questioned. The Home Office's latest Country Information and Guidance document (February 2015) acknowledges the fact that Christians in Pakistan are generally

discriminated against, distinguishing between Christian-born and Christian converts and between evangelical and non-evangelical Christians. Christian converts and evangelical Christians are perceived to be more at risk than Christian-born individuals. The same document goes on to state that 'in general the (Pakistani) government is willing and able to provide protection against such attacks' (Home Office, 2015b).

Are these distinctions between Christian born and Christian converts and between evangelical and non-evangelical Christians useful and fair, in terms of understanding the kind of persecutions that Pakistani Christians face in their everyday lives? What sources and forms of knowledge does the Home Office rely upon? We focus on these issues in the sections below.

Evidencing Christian faith: challenges and pitfalls

From the perspective of Pakistani Christians seeking protection in the UK, proving ones faith can be a challenging exercise if the examination of their faith is based on biblical or doctrinal questions, which often do not seem to reflect the reality of individuals' complex identifications, denominations or practical situations in the Pakistani context. Our respondents explained how they were not only expected to know and recite certain biblical events but also to speak in certain ways that conform to western notions of Christianity. Overall, the challenges lie in the Home Office's attempt to define people's faith technically, while at the same time assuming it must be coherent and have western or European reference points. As one male asylum seeker told us:

In my interview, I was asked questions like ... How do you celebrate Christmas? How do you celebrate Easter? ... and many other questions. I have now learnt that Christmas is a big event in this country not only for Christians but for everyone. It's regarded as a family day, no public transport because everyone is celebrating Christmas with their family. But this is not how Christmas is celebrated everywhere. In Pakistan some Christians celebrate Christmas while

hiding because they don't want their neighbour to know that they are Christian. So when they ask you and you give a different answer from what they expect they say you are not a Christian. (Male former asylum seeker)

A senior legal advisor with extensive experience of working with asylum seekers from Muslim majority countries added that

Regarding the question 'How do you celebrate Christmas?' claimants often find that very hard, because in their country of origin, Christmas is about a particular religion. But, after living here for some years, they have seen that 'Oh Christmas is a big issue in this country'. They are even surprised by the fact that even Muslims in this country tend to give each other presents at Christmas.

The above examples show the existence of ideological perceptions about how the Christian faith ought to be manifested, which suggests that decisions to grant asylum may often be based upon a set of tacit assumptions that are not backed by evidence. In line with Pearce and Raman's (2014: 390) call for plurality, diversity and the involvement of hybrid institutions in the management of the inherent complexity of evidence, some of our participants expressed the need to open up the UK asylum system, especially by drawing knowledge and expertise from a cross-section of sources including religious institutions. As a female Vicar from the Church of England puts it:

I think it is vital for the Home Office to consider working hand in hand with diverse churches, when it comes to faith-based claims. More notice needs to be taken of the pastors, the vicars and all those overseeing peoples' Christian journeys ... These should be respected as experts in their own right.

Such an inclusive approach could in turn help the Home Office to generate a balanced judgement of the Christian faith and the ways in which it is lived and experienced in different contexts.

Another criticism in our interviews was that, in the absence of diverse sources of evidence, the quiz-like questioning style in the assessment of the Christian faith may serve to encourage the very fraudulent claims that the UKBA authorities fear. In the words of a legal advisor:

Those questions favour Muslims who are recent converts or faking to be converts because they approach the Bible like they've approached the Quran when they were little. They learn it off by heart as much as they can; it's all very fact-related.

Decision-makers may seek evidence to support their own pre-existing assumptions and their very choice of evidence may be 'in itself an activity inherently lacking in neutrality' (Clarence, 2002: 5). In this way, the judges are susceptible to making incorrect decision in two ways – either by rejecting genuine claimants or granting refugee status to fake ones (Thomas, 2006).

Evidencing religious persecution: unveiling the monsters hiding in the machine

Existing research has shown that the UK Home Office's decision-making on asylum claims suffers from a systematic and institutionalised culture of disbelief¹ which operates, alongside a parallel 'culture of denial' (Souter, 2011: 52; Jubany 2011). In our research it was common for participants to explain spontaneously why they felt they were not believed by the UKBA. However, we argue that the challenges to the credibility of the evidence offered in religious belief cases, especially those involving accusations of blasphemy, seem to be more complex than in other refugee cases, given the uniqueness of individual cases and the need to understand the context in which they occur (see Kagan, 2010).

¹ The tendency of those evaluating applications is to start with the assumption that the applicant is not telling the truth (Home Affairs Committee, 2013: 11).

We observed that for the Pakistani Christians in our study, one key area in which monsters could be hiding is in the current Home Office documents on the Pakistani country of origin information, particularly the distinction that it makes between evangelical and non-evangelical Christians. In our research a pattern emerged that refugee status was not granted on the grounds of religion unless it could be proved that an applicant had a religious profile in Pakistan. Yet participants' accounts of how they experienced persecution consistently reveal a stark contrast between the country of origin information and the actual situation on the ground in Pakistan where Christians, regardless of their religious profile, face persecution in a country where there is limited state protection. In one of our interviews a woman asylum seeker who had been refused asylum described how practicing her Christian faith in a Muslim school made her a victim of blasphemy accusations. As she explains:

I was a teacher at a Muslim school. One day I was fasting because it was Christian Lent start date on 5th March. At break time, I was sitting in the staff room and one Muslim lady teacher ... offered me food and forced me to eat saying 'take and eat'. I then said 'no I am fasting'. I had a big Christian magazine I was reading and she asked to see my magazine. She took the magazine and the conversation ended there because break period was over...

The following day she went to the head teacher and report that I was teaching Christianity. On the Friday, this teacher's father came in school and said to me 'you gave the magazine to my daughter ... I am giving you the chance to accept Islam'. In few days I found him waiting on the gate ... he was with a group of men ... One man punched me on the eye ... people gathered there, and the men were telling the people that she's preaching Christianity in the school.

Following the first incident, the woman and her family relocated to another place where, as she claimed, she suffered further attacks. She noted that the subsequent incident occurred in front of a local police station, but the police did not take any action. Instead, they blamed her for causing

problems in the school and proceeded to file a blasphemy case against her on the instructions of her accusers. While it is clear from the claimant's account that she suffered persecution merely by virtue of her practicing her Christian faith, as expressed through fasting, her asylum case was ultimately dismissed by the Home Office. In her rejection letter, among other things, the Home Office noted that

[y]our previous history shows you can in general live as a Christian born without problems in Pakistan ... as you don't seem to have any religious profile ... Your alleged fear on return is based on threats of persecution from non-state agents and you have not demonstrated they will be able to have any influence over the state ... You claim to have reported both incidents to police stations ... but that these complaints were not fully investigated. However the evidence you have provided does not demonstrate that you have made efforts to pursue these complaints or take any action regarding the police's failure to investigate ... Given that you are a Catholic Christian ... it is noted ... that there is a strong Catholic community in [city] ... it is considered that the size and diversity [of the population] will allow you to relocate with anonymity, it is reasonable to conclude that you will be able to continue practising your religion freely and quietly.

Taken together, the above excerpts show how immigration officials and asylum claimants subscribe to radically different narratives about the nature, extent and even the existence of persecution in Pakistan. One issue is the Home Office's seeming misconceptions on the safety of Pakistanis who are Christian born in a socio-political environment where Christians in general are routinely targeted and abused solely on account of their faith. As one senior legal advisor with experience of dealing with Christians from the Muslim majority countries commented:

In terms of the Home Office's point that it's been going okay for so long for Christian born in Pakistan, this is not true for most of the Christians. It's the same thing as swimming in a dangerous stretch of sea every day. You can do it safe for three months, and on three months and one day you drown. ... So the fact that someone has been able to practice their Christian faith in an anti-Christian society doesn't mean they are immune to persecution.

We add that what makes EBP useful also makes it limited: it can become detached from the social and political contexts in which persecution occurs, as in this case.

In some cases the sorts of evidence that claimants present were considered to be low in the hierarchy of evidence. This was mainly the case with documentary evidence such as the first information report (FIR). These are police reports of crimes against the person now claiming asylum. While many of our participants tended to rely on such documents as evidence for their persecution, the Home Office invariably dismissed them as fake. On the whole, on reviewing the rejection letters we found a pattern whereby the Home Office would increasingly refer to expert evidence to paint a broad picture of Pakistanis as fraudulent and opportunistic cheats, and hence potentially bogus claimants. In rejection letters, the Home Office routinely stated that

[d]uring a presentation at the Ninth European Country of Origin Information Seminar held in Dublin, Ireland on 26 and 27 May 2004, an Islamabad-based representative of the ... UNHCR ... stated that there is a high level of corruption in Pakistan and that it is possible to obtain many types of fraudulent documents or documents that are fraudulently authenticated by a bona fide stamp or authority.

As Boswell (2009) argues, decision-makers often use expert evidence to make their judgements appear neutral as well as to make a justifiable claim to transparency and public acceptance. Our

research shows it is possible that an institutional emphasis is emerging in which Pakistanis are regarded as frauds. Such an emphasis may lead to mutual suspicion and prejudice. In this way, asylum adjudication may boil down to assessing the credibility of Pakistanis as a group rather than focusing on individual cases.

The Pakistani Christians we worked with were wary of what they saw as the application of double standards by the Home Office. As one Pakistani pastor put it:

What puzzles me is, in one context, the Home Office claims that these state agencies are genuine when people say the police did not help me because they are corrupt, but when it comes to evidence, they say the authorities in Pakistan are corrupt. I see this as having double standards.

Perceived bias in relation to immigration interlocutors personal religious identities

Here we emphasise that the Home Office needs to expand its notion of what counts as evidence, and suggest that this can be achieved by drawing on the knowledge and experience of cultural and religious difference, particularly when dealing with cases involving religiously motivated persecution. As our findings suggest, given the Home Office's limited inclusivity and openness, asylum claimants often lack the confidence and belief that their experiences are taken seriously and listened to by immigration authorities.

For example, the Pakistani Christian asylum seekers we interviewed noted that they often encountered immigration interlocutors from a Pakistani Muslim heritage. This reflects the UK's diverse religious groups, but some speculate that the Home Office could be deliberately allocating cases involving Pakistani Christians to caseworkers of a Pakistan heritage, presumably for linguistic reasons and assumptions of shared cultural understandings. However, due to their negative experiences in their country of origin, the Christians we interviewed reported that they often lost the confidence and courage to give evidence of their persecution verbally and defend their asylum

cases when faced with individuals whom they perceived to be from the perpetrator group, Pakistani Muslims. Participants routinely drew our attention to their refusal letters, which in most cases included Muslim names as signatories. Often they linked negative asylum decisions to the religious identities of the immigration officials who handled their cases. Such concerns were raised in the context of the Home Offices refusal to accept claimants' requests for non-Muslim caseworkers on the basis that the system does not keep a database of its employees' religious beliefs.

Claims of religious prejudice and bias were also made about other interlocutors such as interpreters, whom the Home Office regards as mere conduits through which immigration officials and asylum seekers achieve meaningful discourse (see Gib and Good, 2014 for a detailed discussion). The participants alleged that interpreters of similar national heritage but from the Muslim majority, were ignorant of appropriate language to describe Christian experiences, and even undermined or manipulated accounts in a discriminatory fashion.

The need for religious diversity, especially in relation to Home Office interlocutors, was succinctly articulated by the Pakistani pastor we cited earlier as follows:

In the same way the Home Office is using Muslim Urdu speakers, they should also consider using Urdu speakers who are Christians ... or they should at least invite a Christian country expert such as a Pakistani pastor to come and sit there ... because the Christian language is not familiar to Muslims. Here in the UK, religion is not given any value. The difference is that in Pakistan, that is an Islamic country, life is about religion ... so refugees are so particular as they believe that these Home Office interlocutors are Muslims first, then UKBA workers second.

We suggest that opening up the asylum system through the involvement of, for example, interpreters and experts with the knowledge and understanding of the Christian faith and the

manner in which it is practiced and experienced in Pakistan would help to generate confidence and trust among Christian asylum-seekers, perhaps even in cases where a claim is unsuccessful.

Conclusion

Concerns about diversity, community cohesion and the related public fear in the UK of infiltration from Muslim extremists shape both contemporary political discourse and the current restrictive border control mechanisms. As a result, the Pakistani Christians seeking asylum in the UK may be caught between a rock and a hard place. Initially, the reception experience of Pakistani Christians challenges the neutrality of immigration controls that, in practice, appear to be designed to target immigrants of particular ethnic backgrounds for increased scrutiny. In this context, Pakistani Christians can be subject to misdirected Islamophobia, within the immigration and asylum system given the assumption that the Islamic religion is a core identity of all Pakistani immigrants. Indeed, as Jubany (2011) argues, the tendency to lump together individuals from a particular country/region into a single group seems to be a sub-culture of the British asylum system as informed by the meta-message of disbelief. This points to the limits to openness and transparency within the UK's supposedly evidence-based immigration policy.

At the same time, in the adjudication of faith-based claims, Pakistani Christians often found themselves confronted with complex obstacles in their endeavour to provide successful evidence of their asylum claim. We have thus sought to make visible the monsters that could be hiding in the UK's evidence-based approaches to determining refugee status, which point to the limited plurality and diversity in the sources and forms of evidence on which the Home Office draws.

Our research has analysed the challenges faced by Pakistani Christians in establishing their Christian identity, and their associated experience of persecution. Our data show that in the absence of good evidence, immigration officials often treat the Christian faith as a mere religious observance (judged from a western perspective) as opposed to being a core component of one's identity (hence the

need to be assessed in the context in which it is practiced) (Nettleship 2015), requiring officials to be better informed and better trained.

We have also problematised the external evidence or country of origin information published by the Home Office, which forms the basis of decisions on Pakistani Christians' claims to asylum. This evidence appears to underestimate the extent and forms of persecution experienced by Christians in Pakistan. For these Christians, both in Pakistan and many other Muslim majority countries, faith not only informs their identity but shapes all aspects of an individual's private and public life. This reflects both the way in which Christians themselves experience their faith and also how they are regarded and treated by non-Christians (as employers, neighbours, the police and the judiciary).

Finally, we have drawn attention to what appears to be a lack of religious diversity in the immigration interlocutors (though in a supposedly religious neutral asylum system) and its impact upon the ability of Pakistani Christians to defend their claims verbally. Our participants routinely made claims of religious discrimination and bias in a context where their asylum cases are frequently handled and facilitated by caseworkers and interpreters of Pakistani Muslim heritage. We see this chapter as filling a significant gap, not only in terms of evidence, but also in current research and public debates on asylum seekers from Muslim majority countries.

References

- Ahmed, S. (2007). A phenomenology of whiteness. *Feminist Theory*, 8(2), 149–168.
- Anderson, B. (2013). *Us and Them? The Dangerous Politics of Immigration Control* (2013). Oxford: Oxford University Press.
- Boswell, C. (2009). *The Political Uses of Expert Knowledge: Immigration Policy and Social Research*. Cambridge: Cambridge University Press.
- Botterill, L. & Hindmoor, A. (2012). Turtles all the way down: bounded rationality in an evidence-based age. *Policy Studies*, 33(5), 367–379.

- Cameron, D. (2011). PM's speech at the Munich Security Conference, 5 February 2011, Retrieved 20 June 2013 from: www.number10.gov.uk/news/pms-speech-at-munich-security-conference.
- Clarence, E. (2002). Technocracy reinvented: the new evidence based policy movement. *Public Policy and Administration*, 17(3), 1–11.
- Dinham, A., Furbey, R., & Lowndes, v. (eds) (2009). *Faith in the Public Realm: Controversies, Policies and Practices*. Bristol: Policy Press.
- Gibb, R. & Good, A. (2014). Interpretation, translation and intercultural communication in refugee status determination procedures in the UK and France. *Language and Intercultural Communication*, 14(3), 385–399.
- Green, D. (2010). Immigration: Damian Green's speech to the Royal Commonwealth Society. 7 September. Retrieved 15 April 2013 from: www.gov.uk/government/speeches/immigration-damian-greens-speech-to-the-royal-commonwealth-society.
- Home Office. (2015a) National statistics: asylum. Retrieved 14 December 2015 from: www.gov.uk/government/publications/immigration-statistics-april-to-june-2015/asylum.
- Home Office. (2015b) Asylum policy instruction: assessing credibility and refugee status. Retrieved 12 February 2015 from: <https://www.gov.uk/government/publications/considering-asylum-claims-and-assessing-credibility-instruction>.
- Home Office. (2015c) *UK Country Information and Guidance for Pakistan: Christians and Christian Converts*. Retrieved 14 March 2015 from: www.gov.uk/government/uploads/system/uploads/attachment_data/file/402591/cig_pakistan_christians_and_christian_converters_v1_0_2015_02_10.pdf.
- Joppke, C. & Torpey, J. (2013). *Legal Integration of Islam: A Transatlantic Comparison* (2013). Cambridge, MA: Harvard University Press.
- Jubany, O. (2011). Constructing truths in a culture of disbelief: Understanding asylum screening from within. *International Sociology* 26 (1), 74-94.

- Kagan, M. (2010). Refugee credibility assessment and the 'religious imposter' problem: a case study of Eritrean Pentecostal claims in Egypt. *Vanderbilt Journal of Transnational Law*, 43(5), 1179–1232.
- Kisby, B. (2011). Interpretations, facts, verifying interpretations: public policy, truth and evidence. *Public Policy Administration*, 26(1), 107–127.
- Koopmans, R. (2013). Multiculturalism and immigration: a contested field in cross-national comparison. *Annual Review of Sociology*, 39, 147–169.
- Lentin, A. (2010). What happens to anti-racism when we are post-race? *Feminist Legal Studies*, 19, 159–68.
- Lowndes, V. (2016). Narrative and story-telling. In G. Stoker & M. Evans (eds) *Evidence-Based Policymaking in the Social Sciences: Methods that Matter*. Bristol: Policy Press.
- Majone, G. (1989). *Evidence, Argument and Persuasion in the Policy Process*. New Haven, CT: Yale University Press.
- Nettleship, P. (2015). Submission to the APPG. Retrieved 20 February 2016 at <https://freedomdeclared.org/in-parliament/pakistan-report/>.
- Souter, S. (2011). A culture of disbelief or denial? Critiquing refugee status determination in the United Kingdom. *Oxford Monitor of Forced Migration*, 1(1), 48–59.
- Spencer, S. (2011). *The Immigration Debate*. University of Bristol: Policy Press.
- Statham, P. & Tillie, J. (2016). Muslims in their European societies of settlement: a comparative agenda for empirical research on socio-cultural integration across countries and groups. *Journal of Ethnic and Migration Studies*, 42(2), 177–196.
- Thomas, R. (2006). Assessing the credibility of asylum claims: EU and UK approaches examined. *European Journal of Migration and Law*, 8, 79–96.
- UNHCR. (1998). Note on burden and standard of proof in refugee claims, para 2. Geneva: UNHCR.

UNHCR. (2004). Guidelines on international protection: based refugee claims under Article 1A(2) of the 1951 Convention and/or the 1967 Protocol relating to the status of refugees, Geneva:

UNHCR.

Wesselink, A., Colebatch, H., & Pearce, W. (2014). Evidence and policy: discourses, meanings and practices. *Policy Sciences* 47, 339–344.

Yin, R. (2003). *Applications of Case Study Research*. Sage Publications: Thousand Oaks, CA.

