They Were in Search of Life. Suicide: the Consequences of German Deportation Policies

An indictment of Germany's refugee policy

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They Were in Search of Life. Suicide: the Consequences of German Deportation Policies. (*Sie Suchten das Leben. Suizide als Folge Deutscher Abschiebepolitik*), Heike Herzog and Eva Wälde, Hamburg/Münster, Unrast Verlag, 2004. ISBN 3-89771-810-3

"Now that you are dead, you are granted asylum. In a graveyard in Bavaria." This is the message written on a flower sash at the grave of Ethiopian Yohannes Alemu. On the night of February 9-10, 1995, Alemu plunged into the ice-cold Donau (Danube) River in the southern German city of Regensburg and drowned. The day before, German immigration authorities had rejected Alemu's application for asylum and threatened him with deportation.

The suicide of Alemu is one of 17 cases that Heike Herzog and Eva Wälde have documented in their new book. Since 1993, they have traced a total of 23 suicides of asylum seekers in the state of Bavaria.

They spoke with friends and relatives of the deceased and discussed the cases with lawyers and social workers. In addition to documenting these individual incidents, Herzog and Wälde's book contains extensive chapters examining the tightening of asylum regulations in Germany over recent decades, the rarely discussed economic and political reasons that lead people to flee their countries, the traumatisation of refugees, and how asylum seekers cope with the consequences of the attacks on refugees' rights.

The book is a powerful indictment of the policies of successive German governments. The constant public accusations that refugees exploit the system, the day-to-day bureaucratic abuse they must endure, their internment—all have the effect of demoralising refugees who come to Germany in the hope of securing protection and a decent livelihood. The authors document suicide as the final act of desperation taken by those who see no chance of securing a decent existence.

The strength of this book lies undoubtedly in the harrowing reports of individual cases. The theoretical chapters are well researched and reinforce the picture of Germany's inhumane refugee policy, but they conclude that the cause of these policies is a subliminal, deep-seated racism within the German population. As a result, this essentially anti-racist work is permeated with a pessimistic outlook that rules out the possibility of a popular movement changing current social conditions. Before dealing with this question, however, we should review the positive contribution made by the book.

The above-mentioned 27-year-old Yohannes Alemu was an activist in an opposition group in Ethiopia that was targeted by the government. He was arrested, beaten and tortured with electric shocks. Two years after his release, he was granted a tourist visa and fled to Germany.

After his arrival, Alemu applied for asylum. His application was rejected, on the grounds that his case was "not credible." The reasoning of the officer in charge was that those who receive a tourist visa from a German embassy could not have been persecuted.

Alemu appealed the decision, but his appeal was denied by the Regensburg Administrative Court. For financial reasons, Alemu was not able to translate important documents for the court, and other papers from Ethiopia were received too late. After his appeal was dismissed, he handed his documents over to his lawyer. A few hours later he killed himself.

The Department for the Recognition of Foreign Refugees (BAFI), as well as the Regensburg Administrative Court, continued to find reasons to doubt the validity of Alemu's case. First was his ability to obtain a tourist visa. Next was his employment. The court argued that someone working in the government finance ministry could not possibly be subject to persecution. In fact, Alemu was a scientific employee of the finance ministry's press centre.

The "credibility test" has become more and more the central point at departmental hearings. It is widely used to reject refugee applications.

As the authors document, emphasis is placed not on the actual circumstances surrounding the refugee, but rather on their route to Germany. This is done for two reasons. First, to allow the possible enforcement of regulations of a third nation—in other words, to deport the refugee to a supposedly "safe" country. Second, to entangle refugees in the minute details of their travels, in an attempt to uncover discrepancies.

As a result, those who can show scars, wounds and detailed files proving that they were persecuted and would be subject to renewed persecution, should they return to their country, will not receive asylum status if they cannot, for example, remember the name of the airline that brought them to Germany. The applicant would then be accused of refusing his "obligation to cooperate" and his case rejected as "not credible."

Many refugees become exasperated undergoing such protracted proceedings. Those whose applications are successful have to live with the possibility that the decision may later be retracted, resulting in a constant state of insecurity. Such a predicament befell Alabamou Mamah, a refugee from Togo who, after four years of fighting for recognition as a refugee, killed himself in Würzburg on May 10, 1999.

In 1992, when the Togo government legalised oppositional political parties, Mamah joined the newly formed Union des Forces de Changement (Union of Forces for Change, UFC). He frequently came into conflict with the police and was arrested in May 1992. He spent two years in jail, where he was abused and tortured. No charges were ever laid nor was he brought before a court. His house was destroyed and his possessions seized. In March 1995, he fled to Germany.

In November of the same year, he was granted protection against deportation—so-called "mini-asylum"—which, he believed, would apply for two years. However, an officer from the BAFI lodged an appeal against the original decision of the Regensburg Administrative Court. After four months, the mini-asylum granted to Mamah was cancelled.

Complaints against the decision and a further application for asylum failed to produce any result. Although the court stated that even Mamah's asylum application in Germany was sufficient to endanger him upon his arrival at the airport in Lomé, the capital of Togo, it concluded this was absolutely no reason not to deport Mamah. According to the judge, he could reach Togo through supposedly "safe" land routes via Ghana or Benin.

In the case of another Togolese in 1996, a judge in Augsburg ruled that refugees should consider "desisting" from participating in political activities such as demonstrations "in their homeland, if this activity exposes them to the danger of political persecution." In other words, in the opinion of German judges, refugees are themselves responsible for being politically persecuted.

The asylum application of Mamah was rejected in the end because he could not convincingly prove that he was active in Germany among Togolese opposition groups. However, such participation was not even possible. According to his conditions of residency, he was not allowed to maintain any contact with opposition groups in Germany. In May 1999, Mamah gave up his fight against the German courts and the asylum laws and drowned himself in the river Main.

It is these detailed portraits of the individual cases behind the statistics that provide a glimpse of the reality of German asylum laws. And even though all refugee biographies in the book deal only with the state of Bavaria, where, since 1993, 23 refugees threatened with deportation have committed suicide, they serve as a representative sample of a nationwide phenomenon—the absence, for all intents and purposes, of the right to asylum, and the authorities' indifference to the death and injury of refugees.

According to the Anti-Racist Initiative in Berlin, at least 121 refugees threatened with deportation have taken their own lives since 1993, 47 of those while in custody. A further 500 have, due to despair, attempted suicide or injured themselves. Five have died during their deportation, 21 after their return to their home country, 57 disappeared without a trace after their deportation, and more than 360 were once again abused and tortured.

Heike Herzog and Eva Wälde reveal how entire groups of refugees are refused protection from persecution. Ever since 1986, it has been established practice for the German authorities to distinguish between different forms of torture. Torture that furthers police investigations and is therefore, according to the Supreme Administrative Court, "legally validated," is not recognised as a reason for fleeing a country, nor is so-called "uniform torture" used "indiscriminately" against entire groups of people. Such an assessment could be used, for example, to deny point-blank asylum applications from Tamil refugees in Sri Lanka.

The book is rich in detail and background information. It looks at the history of refugee detention since the Weimar Republic. It reveals how sections of the law in this area are word for word the same as police regulations for foreigners in 1938, during the Nazi period.

A unique "residency obligation" for refugee applicants applies in all European Union member states. It prohibits not only political activity—that is, the undertaking of any form of socio-cultural endeavour—but also serves to criminalise refugees. Breaching the residence rule results first in a fine and a recorded misdemeanour. Further breaches are punished with up to five years in prison. The German residency obligation has a historical precedent, as the authors point out—that of the "pass law" system in the years of apartheid South Africa.

Other conditions of their residence make it practically impossible for refugees to undertake employment. As a result, they are forced to live by their own means. Although refugees receive some money from the government, the amounts have not been raised since the law that provided for the subsidy was introduced in 1993.

Each refugee receives a non-cash monthly allowance of approximately 184 euros, which comes in the form of food and accommodation. They obtain a further 40.90 euros per month pocket money to "cover daily requirements." From this, refugees must pay lawyers and cover travel and phone expenses.

Any current income and existing assets are taken into account. This means, for example, that those with their own income have to pay for their accommodation in the refugee facility. One bed in a shared room costs 153 euros per month. For every additional family member, the cost is 77 euros. This means a four-member family must pay out 384 euros per month for a 15-square-metre room. This amounts to accommodation in a refugee facility at 26 euros per square metre—about double what one would normally pay for housing in Germany.

Herzog and Wälde also show that the distinction between political refugees and the conception of "economic refugees" is untenable and false. This distinction has been promoted by every German government since the 1980s to refuse access to so-called economic refugees—those seeking to improve their standard of living. As the authors demonstrate, poverty and political repression are not only linked, they are the direct result of the policies of the imperialist powers themselves, including Germany.

For example, the authors show how the regime in Togo is being supported with arms and money by European nations in order to muzzle political opposition. Ghana is also given as an example of how IMF restructuring programmes imposed by the imperialist powers have led to increasing poverty and, consequently, higher emigration.

The West African state of Ghana, with a population of around 20 million, numbers among the nations most heavily indebted to the IMF, even though it is one of the 50 poorest countries on earth. Since the introduction of the economic dictates of the IMF in 1983, the gap between rich and poor has continually increased.

Today, 30 percent of the population lives in absolute poverty and more than 40 percent are illiterate. More than 50 percent have no access to clean drinking water because the water supply was privatised and a large portion of the population simply cannot afford it.

Ever since 1987, Ghana has paid more money back to the IMF than it originally received. It continues to pay more in loan repayments and interest to its creditors than it does for health, education and social security. Germany is among Ghana's five biggest trading partners and is therefore one of the main locations for emigrants fleeing adversity and hardship.

In spite of the book's extensive depiction of the background to asylum seeking and migration, as well as the development of Germany's asylum laws and their effects on refugees, Herzog and Wälde fail to seriously assess or explain the political roots of the German government's policies.

The authors view German society as a homogeneous entity, as a monolith. One often comes across phrases such as: "prejudices and racism, which exist throughout the population, are cultivated and receive nourishment in everyday politics" (p.33). They pose the issue as one of "passivity of the majority of the population."

It would be incorrect to simply deny the existence of xenophobia. However, it is a fatal mistake to assume, naively, that the political decisions and ideological concepts of the ruling elite are simply a reflection of the xenophobic opinions of the general population.

Racist terms such as "refugee watering holes (*Asylantenschwemme*)," "pseudo-refugee (*Scheinasylant*)" and "economic refugee (*Wirtschaftsflüchtling*)" do not originate, as Herzog and Wälde would have us believe, from the general public, but rather from politicians and the media. Under the pretence of not leaving the "problem of immigration" to the demagogy of right-wing extremists, leading German political parties have in the recent past made their own sharp turn to the right.

Refugees and foreigners have been made scapegoats for the country's

social and economic crisis. The trade unions too have also played their role. Their arguments about “securing Germany as a business location” through wage cuts and longer working hours have one other important effect—namely, the promotion of nationalist conceptions. The unions are also supporters of the propaganda that migrants and refugees weigh upon the employment market. Not only does this make the entry of immigrants into the job market more difficult, it divides the working class along national and racial lines.

Although the commentary accompanying the book declares that it “has triggered a discussion about the social treatment of minorities,” the book itself propounds a typical petty-bourgeois radical outlook, one that is commonly found within anti-racist circles in Germany. According to this view, the “general public” is one homogeneous mass, which, to defend its own privileges, turns to racism.

The intellectuals associated with the Frankfurt School of thought, for whom the rise of Nazism was the result of the gullibility and backwardness of the working class, are one source of such views. This trend declared the working class co-responsible for Nazism. Consistent with this conception, numerous “left” circles have categorically ruled out any perspective based on the working class.

As a result of this political orientation, Herzog and Wälde cannot draw the conclusions that logically arise from the persecution of migrants and refugees and their exploitation as cheap labour—phenomena that they themselves document.

A global offensive of capital is presently underway against the working class, forcing many thousands of people to leave their homes every year in search of a better life. At the same time, the shrinking right to asylum creates a permanent state of insecurity for refugees and migrants in Germany, whether they are classification as legal or illegal.

Refugees are systematically stripped of their social and democratic rights so they can be used as cheap, flexible and disenfranchised workers. In this way, the wages and living standards of workers in general are driven down.

Thus, refugees who are declared to be “useless” by the German political elite play a useful role. They facilitate the maintenance of a cheap-labour sector, through which companies can secure profits in times of economic crisis. Attacks against refugees are therefore attacks against the living conditions of the working class as a whole.

The institutionalised marginalisation of refugees, which Herzog and Wälde vividly describe, does not in any way serve to increase or even maintain the living standards of the German population as a whole, but rather, the interests of only a very small section—the ruling elite. Nevertheless, the authors see here a “racist system” at work, which encompasses the entire population.

By means of this simplistic separation between Germans on the one side and refugees on the other, the authors evade the most significant division in society—not that between nations, but rather between rich and poor. Herzog and Wälde simply counterpose the “rich” countries of the north with the “poor” ones of the south. When the authors turn to the causes behind the refugees’ flight, they discuss almost exclusively the discrepancies between the economic performance of individual states, and not the efforts to maximise profits upon which capitalism is based and which necessitate a continuous attack on the wages, working conditions and social services of working people around the world, irrespective of their skin colour.

The working class is the only social force that can provide the basis for the defence of the social and democratic rights of immigrants and refugees. The baiting of immigrants and the splitting of the working class along national and colour lines, which are used to keep the working population in check and prevent a unified struggle against capital, can be ended through the international unification of the working class and the reorganisation of society along socialist lines.