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Forced Migration, the Other Way Round? The Politics of Deporting Afghans from Germany

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This chapter asks whether deportation can be considered a form of forced migration. It starts with a brief discussion of the concept of "forced migration" and the difficulty to distinguish 'forced' from 'voluntary' migration. A legalistic account would argue that deportation is not a form of forced migration because it follows the rules of law, while forced migration is a consequence of unlawful or catastrophic events. I argue, instead, that today the refugee regime in most northern countries is less geared towards providing lawful protection to persons in need than to prevent their permanent residency. The case of Germany shows, for instance, that less and less Afghans are accorded refugee protection although the security situation in Afghanistan is deteriorating. Disregarding the danger for deportees, deportations to Afghanistan are enforced. Many volunteers and activists supporting refugees consider this as illegitimate or even unlawful and organize resistance and protest to prevent deportations. Deportations are not devoid of force. I conclude that also 'voluntary' return migration can be a matter of force even if no physical force is employed. Here, the structural force of a refugee regime is at play that denies refugees a future in the country where they sought protection.

Introduction

When considering the phenomenon of forced migration, one assumes displacement to be a consequence of violence, natural disasters, or perhaps large-scale infrastructure projects. People who have to leave their homes because they were destroyed by an earthquake, by civil war or by the construction of a dam come to mind. Additionally, one probably tends to associate forced migration with countries like Syria, or, in the neighborhood of Pakistan, with Afghanistan, where for decades, people have had to leave their homes because of open violence, threats to life, and constant insecurity. The concept of forced migration is normally not applied to deportations from a country like Germany, where the removal of unwanted persons is supposed to work according to the rule of law. In this chapter, however, it is argued that

deportation can be considered as a form of forced migration. Drawing from real-life examples in this regard, the chapter discusses the politics of deportation from Germany to Afghanistan — an illustration of 'forced migration' that is particularly disputed in the former country. The chapter begins with a brief discussion on the concept of forced migration and the difficulty of distinguishing 'forced' from 'voluntary' migration. In doing so it is argued that nowadays deportation is much less a consequence of legal procedures than of political imperatives. The following section offers an outline of the German politics of collectively deporting Afghans in the context of right-wing anti-refugee mobilization, pointing out that these deportations are based on the government's assertion that Afghanistan is safe enough for refugees — a claim that is contradicted by all evidence. The sections that follow focus on the deportations from Bavaria as a federal state that deports Afghans with particular determination, and on activism and strategies to avert such deportations. The conclusion sums up and, reiterating the difficulty to distinguish forced from voluntary migration, points out that even 'voluntary return' migration is not devoid of relations of force. The article is based on long-term observation of deportation politics in Germany and on the analysis of media and official sources.

Forced Migration and Deportation

While forced migration is by no means a new phenomenon, academic interest in the subject is a more recent affair. *Forced Migration Studies* came into being only in the early 1990s as a supplement to the older discipline of *Refugee Studies*. There is an ongoing debate about whether or not Forced Migration Studies and Refugee Studies – or forced migrants and refugees, for that matter – should be considered separately. The argument for *not* collapsing both categories is largely a legal one as 'refugee' is a category of international law, defined by the Geneva Convention, while a 'forced migrant' does not fall in the said category. Emphasizing the legal category, James Hathaway (2007) argues against the trend to consider refugees as just one kind of forced migrant. As a legal scholar, he limits the category of 'refugees' to those who have been formally recognized as such by a state. He points out that refugees are special, because they are exempt "from the usual right of governments to impose immigration or other penalties for illegal arrival or presence […] which makes absolutely clear that the refugee protection system is a self-operationalizing, fundamentally autonomous mechanism of human rights protection" (Hathaway, 2007, p. 354). Hathaway does not admit the hard-to-dispute fact that whether or not a person who has had to leave his or her country is recognized as a refugee in some other country is much more a question of political context and interest than of categories of international law. Furthermore, he asserts that forced migrants and refugees "in fact share little other than the shared symptoms of involuntary movement" (Hathaway, 2007, p. 359). However, it can be ascertained that most academics, except perhaps

some legal scholars, would agree that the 'shared symptoms of involuntary movement' are nothing to belittle.

In his critical assessment of the history of the disciplines, Chimni (2009) points out that the introduction of Forced Migration Studies followed mainly Western policy concerns i.e. that after the end of the Cold War, the vector of the predominant conceptualization of refugees turned from the east-west to the south-north direction. Policymakers in the 'West' (which had become the 'North') were interested in schemes of governance that took into account all 'forced migrants'. It can be argued that legal protection was much less a concern in this context than how to *prevent* people from becoming refugees in the legal sense. Academic and governmental perspectives also turned to internally displaced populations, i.e. people not considered refugees because they did not cross an international border. Again, it is safe to assume that governmental interest focused particularly on preventing 'IDPs' from becoming 'refugees'. Seen from the perspective of the affected people themselves, however, legal and categorical distinctions do not particularly matter so much. What counts for them is the perception and experience of fundamental insecurity and existential threats that trigger their move to places wherein hope for safety.

Accordingly, most social scientists would not limit the concept 'refugee' to the narrow legal category enshrined, for instance, in the Geneva Convention. Instead, they would include refugees in the larger category of forced migrants (Castles, 2003). Casting doubt on the analytical value of the legal category 'refugee', Castles argues that, for instance, a fall in the global number of refugees in the second half of the 1990s was mainly due to the "non-arrival regime" of refugee-receiving countries set up "to prevent refugees from entering and making asylum claims" (Castles, 2003, p. 14). The refugee category has largely become a plaything of political protagonists. In Europe, the 'non-arrival regime' largely collapsed in 2015, but in the subsequent years, governments expended a great deal of effort in raising legal and other barriers to reduce or stop new arrivals. In Germany, for instance, new 'packages' of asylum law were introduced that were meant to make the recognition as refugees in the country more difficult, to also discourage other refugees from entering the country. At the same time, legal and administrative provisions were changed to facilitate the removal of rejected asylum seekers.

Force, thus, plays multiple roles in the trajectory of refugees, as it not only triggers the departure from their original places, and is often a constant travel companion, but it also operates to prevent them from reaching their intended destination. Force does not necessarily stop once the destination has been reached. In parts of Germany, for instance, asylum seekers are forced to live in particular accommodation centers, where there are kept in difficult circumstances, largely isolated from the local population. These accommodation centers are also intended to facilitate the deportation of asylum seekers in case of their non-recognition.

Are deportees 'forced migrants'? The greatest difficulty in answering this question lies in one's approach to analytically distinguish 'forced' (or 'involuntary') from 'voluntary' migration. People who leave their homes for economic reasons are conventionally categorized as 'voluntary' migrants. Accordingly, the figure of the 'economic refugee' has gained notoriety in the northern countries of reception. They have come to be considered as 'bogus asylum seekers' who were not actually forced to leave their homes but embarked on migration just for their economic gain. However, that force is effective at many levels. This can be explained considering the concepts of violence; for a long time, *structural violence* has been recognized as a significant form of violence in addition to direct or physical violence. Structural violence works, as the term says, through social and institutional structures that result in life situations experienced as insecure and perhaps, unbearable. If a person makes an effort to leave, for instance, a situation of poverty and utter hopelessness, is this a matter of voluntary choice or of force? In such cases, the categorization of persons as 'economic refugees' is much more a reflection of the 'non-arrival regime' of the receiving countries than of the causes of migration.[1]

In contrast to such cases, deportation leaves no scope for voluntariness once deportees have been apprehended. Antje Ellermann calls deportation "the state's most heavy-handed weapon of migration control" (Ellermann, 2006, p. 294). Deportees are forced to leave the country where they sought refuge, and they are often put in detention centers and, ultimately, forced to board an aircraft. At times also, direct, physical violence is used to achieve the goal of deportation. Deportees are then handcuffed and immobilized when transported to another country, sometimes with fatal consequences.[2] Deportees are obviously forced to (re)migrate; they are (re-)moved. Deportation is "a form of an international movement that is all push and no pull", writes Matthew Gibney (Gibney, 2013, p. 117), who then goes on to ask why is deportation thus normally *not* categorized as a form of forced migration? According to Gibney, forced migration is not just a *descriptive*, but also an *evaluative* category; 'a term that is inflected with a particular normative framework', namely that of the liberal state. In this framework, only people who have been displaced by some force that is considered illegitimate are considered as forced migrants. In contrast, Gibney continues to argue that the "deportation power in liberal States is generally viewed as a power that is correlative with the State's right to control the entry of non-citizens i.e. immigration. The immigration control powers of States would indeed be very limited if States had the power only to prevent non-citizens from entering and not to expel them once they had arrived" (Gibney, 2013, p. 119).

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[1] On the discussion of force and volition in relation to migration from Afghanistan and Pakistan, see Erdal & Oeppen (2017).

[2] In Germany, the case of Aamir Ageeb is notorious – a refugee from Sudan, who in 1999 died of suffocation because of police action on a regular Lufthansa flight. This case triggered a major anti-deportation campaign.

Accordingly, deportations are seen as working according to legal procedures, in which case the force of deportation is the legitimate force of the law. But even if one accepts the liberal state framework, the legality of deportation is by no means self-evident. In the case of rejected asylum seekers, Gibney points out, there is a very thin line between the illegal *refoulement* of refugees prohibited by international law and legal and legitimate deportation. This line "is determined almost entirely by the amount of procedural diligence a State shows in adjudging claims to protection" (Gibney, 2013, p. 125). In many countries, however, the concrete provisions of asylum law are obviously based much less on legal principles than on political imperatives (Scherr, 2015). In Germany, for instance, asylum laws have always been changed when it was considered politically necessary to reduce the number of refugees in the country. And laws have always been changed in a way that makes asylum more difficult. Asylum law is a clear case of legal opportunism, in that it is subject to other political considerations. In addition, the procedural application of the law is often questionable or outright faulty. This is clearly expressed by statistics; while in 2015 some 78 percent of Afghan asylum seekers were accorded protection (either asylum or subsidiary protection) by the German Federal Agency for Asylum and Refugees (Bundesamt für Asyl und Flüchtlinge, BAMF). This rate dropped to 61 percent in 2016 and 47 percent in 2017 (Pro Asyl, 2019). This rapid decrease is not the result of an improvement in Afghanistan's security situation, and therefore a reduced need for protection – the situation in Afghanistan did not improve at all, as was evident –, but of increasingly restrictive asylum policies. It is the result of the German government's 'deterrence strategy', intended to prevent further immigration from Afghanistan and to limit the chances of protection for those who have reached Germany (Pro Asyl, 2018). At a meeting in Brussels in November 2015, the German Federal Minister of the Interior said, "At the moment, our concern is the great number of refugees from Afghanistan. We want to send the signal to Afghanistan, Stay there! We will return you directly from Europe to Afghanistan!" (Bundesministerium des Inneren, 2015). The minister clearly was not speaking of law but politics. This politics, however, is turned into law. Such political imperatives have resulted in a highly uneven situation for Afghan refugees in Europe. According to the European Council on Refugees and Exiles (ECRE), Afghans have "faced the largest variation in recognition rates in Europe, with the rate varying from 6 percent to 98 percent, depending on the country, with no apparent reason for the divergence lying in the nature of the cases" (ECRE, 2019, p. 1).[3] In Germany, 60 percent of the negative asylum decisions by the BAMF that were challenged before a court were corrected, and the claimants were accorded protection by the court (Süddeutsche Zeitung, 2018a). In the first six months of 2019, the BAMF gave only 2,667 Afghan

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[3] See also Kooijman (2018) and Parussel (2018), who present slightly different figures but the same overall image.

refugees the right to stay, while in the same period the courts accorded protection to 4,485 Afghans.[4]

Nevertheless, not all court decisions are straightforward.[5] Overall, asylum in Europe often seems to be much more a matter of luck than a matter of law, and this applies to the deportation of rejected asylum seekers, as only a small number of all rejected persons are actually expatriated. Accordingly, at the end of his discussion of whether deportation is a form of forced migration or not, Matthew Gibney affirmed that the procedures often fall below the basic standards of liberal justice (Gibney, 2013, p. 125). He concludes that while his argumentation does not prove that deportations are always an illegitimate practice, one cannot simply assume that it is a legitimate practice and therefore distinct from forced migration (Gibney, 2013, p. 128). Natalie Peutz adds that while experiences of forced migration and of forced removal may be analogous, deportees are perhaps sometimes worse off than other forced migrants: "Refugees and migrants are controlled and 'protected' populations; while they lack a political voice, they remain relatively visible within the public sphere. Removed persons are unaided and unprotected — a superfluous reminder that some would rather erase than have to account for" (Peutz, 2006, p. 240). It is not surprising then, that deportations are highly contested — particularly to a country like Afghanistan, where deportees are returned and left to a highly insecure environment and where the legitimacy of deportation is particularly doubtful.

German Politics of Deporting Afghans[6]

While migration from Afghanistan to Germany started with students and carpet traders in the 1950s, the inflow picked up with the arrival of the first refugees after the Soviet invasion of the country. Since then, every new twist of conflict in Afghanistan has taken more Afghan asylum seekers to Germany. The latest peak came in the *summer of migration* in 2015. In 2016, Afghans filed 127,012 applications for asylum in Germany (BAMF, 2017, p. 24), and altogether, around 250,000 were living in Germany by 2017, when the government tried to reduce this figure.[7] Subsequently, the protection quota for Afghans decreased dramatically, as established in the previous section, and deportations were considered as an important instrument in this regard.

In December 2002, i.e. one year after NATO troops, including German troops, had started their ISAF engagement in Afghanistan, the conference of the ministers of interior affairs, both of the federal government and the German

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[4] See Tageszeitung (2019). The court figure also includes cases from the previous year.
[5] One significant issue is the juridical construction of "danger" (Tiedemann, 2016).
[6] Part of the following is based on Sökefeld, 2019.
[7] There are many more persons of Afghan origin in Germany as already in 2004, 40 per cent of persons of Afghan origin in the country had been naturalised (Baraulina et al., 2007, p. 8f; Haque, 2012).

federal states, decided that deportations to Afghanistan would be suspended because of the (in)security situation in Afghanistan. Only criminal offenders were exempt from this general suspension, and so only sporadic deportations of Afghans with a criminal record took place. From 2013 to 2015, for instance, fewer than ten Afghans were deported per year. From 2015, given the pressure and electoral success of right-wing factions mobilizing against refugees in Germany, the federal and several federal state (Bundesländer) governments were keen to reduce the number of Afghans by increasing deportations and remigration. The government of Bavaria stood at the forefront of this move, together with the federal government. Arguing that parts of Afghanistan were safe enough for deportees — also because of the efforts of German troops to enhance security in the country — the federal government signed a 'Joint Declaration of Intent on Cooperation in the Field of Migration' in October 2016 with the government of Afghanistan. This declaration was an agreement for the readmission of refugees, and it referred to the German contributions made to 'Afghanistan's development and civilian reconstruction effort including the establishment of a high-quality education system, and water and energy supply', emphasizing Germany's 'significant support for Afghanistan to build up its military and police force.' The declaration reiterated commitment to the protection of asylum seekers and refugee rights, stipulating that humanitarian conditions and individual threats to possible returnees would be taken into account, and it specified that voluntary return should be preferred to deportations.[8] According to the German magazine *Der Spiegel*, the German government had threatened to suspend its development aid of several hundred million Euros per year if the Afghan government would not sign the agreement (Spiegel Online, 2016b). Similarly, the European Union (EU) threatened to make its aid to Afghanistan 'migration-sensitive' by "linking it to the [Afghan] Government's policy on migration and return and possibly to the implementation of the 'Joint Way Forward'", as revealed through a leaked EU 'non-paper' on EU-Afghan cooperation (European Commission, 2016; The Guardian, 2016).

Two months later, on December 14, 2016, the first *Sammelabschiebung* (collective deportation) from Germany took place when 34 Afghans were put on a special chartered flight from Frankfurt to Kabul. Originally, the deportation of 50 persons had been planned, but some were spared following emergency appeals to the courts (Spiegel Online, 2016a). On 4th December 2019, the 30th collective deportation took place and by that mark altogether exactly 800 persons had then been deported this way since December 2016.[9]

Following the devastating bombing of the German Embassy in Kabul on 31st May 2017, which killed at least 150 people and wounded more than 300 (Spiegel Online, 2017a; Süddeutsche Zeitung, 2017a), the critical debate about

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[8] The document was made public by Pro Asyl (n.d.).
[9] See https://thruttig.wordpress.com/2019/12/04/deutscher-afghanistan-abschiebeflug-nr-30-in-kabul-eingetroffen-wird-laufend-aktualisiert-mit-gesamtubersicht/

deportations to Afghanistan gained momentum. A *Sammelabschiebung* that had been scheduled for take-off on the very day of the bomb attack was called off, albeit — officially — not because of the increasing insecurity in Afghanistan but because the German embassy was not operative (Tagesspiegel, 2017). The federal government refused to issue a general ban of deportations but limited potential deportees to persons with a criminal record, potential terrorists, and persons who were considered as refusing to clarify their identity (Spiegel Online, 2017b).

Deportations of such persons continued, and limited restrictions were lifted after the German Ministry of Foreign Affairs issued a new security assessment of Afghanistan in summer 2018. On 6th June that year, Chancellor Angela Merkel declared in the Parliament that Afghanistan, or at least Kabul, was safe enough for the deportees (Spiegel Online, 2018a) even though the country, and especially its capital, continued to be hit by deadly bomb attacks. The WHO sees Afghanistan as "one of the most dangerous and crisis-ridden countries in the world" (WHO, 2017), while the Global Peace Index 2018 ranks Afghanistan 162nd out of 163 countries (Vision of Humanity, 2018). United Nations Assistance Mission in Afghanistan (UNAMA) concluded that "given the current security, human rights and humanitarian situation in Kabul, an International Flight Alternative (IFA) or an International Relocation Alternative (IRA) is generally not available in the city" (UNHCR, 2018, p. 114), thus contradicting the statements of the German government and the decisions made by German courts contending the Afghan capital to be safe enough for the deportees. In her very elaborate expert report on the security situation of deportees in Afghanistan, the German anthropologist Friederike Stahlmann points out that they are particularly vulnerable because they mostly lack the dense family networks that are a prerequisite for both securing a livelihood and general protection in the country (Stahlmann, 2018, p. 152; Stahlmann, 2017). Deportees from Germany are in particular danger because they are targeted *as* deportees – as persons that have been 'contaminated' by the West. The German government's frequent proclamations that mostly criminal offenders etc. are deported adds to this notion because returnees are suspiciously perceived as criminals in Afghanistan, although these proclamations are mostly false and the majority of deportees has no criminal record at all. For instance, 50 out of the 69 persons that were deported on 3rd July 2018, and who gained certain notoriety because the Federal Minister of the Interior boasted in a press conference that 69 persons were deported on his 69th birthday, had not committed any criminal offense (Tagesschau.de, 2018). Most returnees live under constant fear, even if they are not personally threatened, and many hide somewhere and do not dare to go out (Oeppen & Majidi, 2015, p. 3). According to long-term research by Schuster and Majidi (2013), these conditions force returnees and deportees to leave Afghanistan again — and as soon as possible. In a recent study, Stahlmann determined that 90 percent of all deportees suffer violence within two months of their return to Afghanistan, with

more than half of them being specifically targeted as a result of their deportee/returnee status (Stahlmann, 2019, p. 278).

Together with the federal government, the Bavarian state government particularly puts a great deal of effort into effecting deportations to Afghanistan. In the German political and legal set-up, the federal states are responsible for the implementation of deportations. The great majority of deportees are deported from Bavaria, while the other federal states are much more restrained in this regard. In fact, some states have even suspended the practice. In 2018, around 60 percent of those deported from Germany to Afghanistan came from Bavaria (Tageszeitung, 2019)

The government employs a twofold strategy to legitimize deportations. First, deserving and undeserving refugees are distinguished, assuming that a clear distinction between the two categories is possible. Those who are considered undeserving, and are therefore not accorded a right to stay in Germany, have to leave the country — if necessary, by being deported. Second, it is asserted that Afghanistan is safe for deportees. According to this reasoning, the unrelenting enforcement of returns, deportations included, is the basis for the acceptance of the law of asylum in Germany. In order to mark undeserving asylum seekers, a new vocabulary has been coined that largely replaces the earlier 'bogus asylum seekers' and 'economic refugees'. Now, the *Straftäter* (criminals), *Gefährder* (potential terrorists) and *hartnäckige Identitätsverweigerer* (persons who persistently refuse to clarify their identity by withholding documents, or who are unsuccessful in procuring documents) exemplify those who do not deserve protection, who pose a danger to the German society and who therefore have to be deported — even if they may suffer harm in the country to which they are returned. According to the current logic of integration, such people have refused to integrate by violating the rules of *Zusammenleben* (living together) in Germany.

It is easy to challenge the two arguments. The distinction between deserving and undeserving persons is quite malleable, but it is obvious that many of the deportees are actually deserving in terms of the German discourse of integration, in that they have jobs or are undergoing professional training (if they have received the permit to do so), they have learned the German language and many of them have family in the country. The government's emphasis that non-integrated, undeserving refugees have to leave does not allow the conclusion that those who are integrated are allowed to stay. On the contrary, quite often deportees are arrested at schools or workplaces, perhaps also because it is much easier to apprehend 'well-integrated' persons, who follow their daily routine, than absconders. The assertion that Afghanistan is safe is problematic that it should not merit further debate — even a cursory glance at the news from Afghanistan should be sufficient to prove it wrong. The fact that

Afghanistan, Kabul included, is unsafe, particularly for deportees, has been convincingly shown by Friederike Stahlmann (2019).[10]

In order to fully comprehend the issue of forced migrations, it is of vital significance to understand the Bavarian focus on deportations in the context of Bavarian (and German) interior politics. For decades now, asylum politics has been a very hot topic in Germany, and right-wing mobilization has been a standard result of increasing numbers of refugees and immigrants.[11] The early 1990s, when large numbers of refugees from the Balkan wars traveled to Germany, were notorious for racist attacks on immigrants, some of them with deadly results, as well as for electoral gains in favor of extreme right and racist parties. However, the refugees arriving in summer 2015 were positively welcomed by a considerable section of German society (Sökefeld, 2017). All over the country, many initiatives were set up to support these refugees, and many Germans became engaged in such commitments to solidarity. Among them were many who had been in touch with refugees before, and support for refugees became a booming sector of civil engagement in the country. Yet, at the same time, right-wing groups started to mobilize against refugees, referring to what they considered the 'foreign infiltration' and particularly the 'Islamization' of the country by the refugees. When it became apparent that a newly established right-wing party, the 'Alternative for Germany' (Alternative für Deutschland; AfD), was able to capitalize on this movement, the federal government shifted from a position of welcoming the refugees to a position of much more control and restriction, in particular by initiating packages of more restrictive laws of asylum. The Bavarian party Christian Social Union (CSU), which for decades has held the government of Bavaria and was also a part of the coalition heading the federal government, took a particular lead in this initiative. The CSU is a conservative party with a Christian background, and its leaders feared that pro-refugee policies would alienate many of their conservative voters, who then might shift their support to the AfD. Especially before the Bavarian elections of October 2018, the CSU took significant steps to boost its hardliner profile in asylum policies, by strictly enforcing deportations and thus intending to prevent the projected swing of voters to the AfD.

Political scientist Antje Ellermann pointed out that because deportations are highly controversial in Western countries, frequently triggering protests and the

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[10] The German Ministry of Foreign Affairs urgently warns against travel to Afghanistan, giving the following details: "Whomever travels [to Afghanistan] in spite of the travel warning has to be aware of the danger of violence committed by terrorists or criminals, kidnapping included. Also, journeys organised by professional travel agencies diminish the danger of becoming a victim of violence or kidnapping" (translated by M.S.), retrieved from: https://www.auswaertiges-amt.de/de/aussenpolitik/laender/afghanistan-node/afghanistansicherheit/204692#content_1. Of course, this advice is meant for German citizens, not for deportees.

[11] For an analysis of the dynamics of right-extreme mobilisation against refugees; see Rucht (2018).

solidarity of citizens with deportees, governments take efforts to execute them in a hidden and almost invisible way (Ellermann, 2009). In Germany, a public campaign against deportations started following the incident in 1999 when a deportee to Sudan died due to mistreatment by security personnel on a regular Lufthansa flight. Subsequently, more and more special charter carriers were engaged for deportations, in order to evade the public gaze. For similar reasons, deportees are mostly arrested at their dwellings in the early hours of the morning. Despite this, the great wave of volunteer support for refugees that arose from summer 2015 also created new visibility, as now many more citizens than ever before have close relations with refugees and, of course learn about the deportation of their mentees.

The CSU and like-minded politicians did not take into account that their repressive asylum policies would estrange voters on the other side of their vote bank. The government is now facing a dilemma in terms of the (in)visibility of deportations. This is so as on the one hand, they are executed stealthily, to pre-empt protests from refugee supporters, but on the other hand, they have to be made public, to placate potential right-wing voters. Many of the refugee support initiatives are based on Christian circles and church communities that find these policies increasingly unbearable. Many of the volunteers became desperate when the young Afghans they had supported for years, helping them to learn German and to overcome bureaucratic hurdles for permits for professional training, for instance, were suddenly apprehended and deported, producing shockwaves of fear among all Afghan refugees. The government increasingly antagonized these volunteer supporters. Before the elections, several party members publicly renounced their membership in the CSU in protest, with some moving to the liberal Green Party. In the elections, the CSU lost more than 10 percent of the vote, compared to the previous election, resulting in the party's loss of an absolute majority in the Bavarian parliament, while the Green Party gained almost 9 percent (Spiegel Online, 2018b). The Green Party won around 170,000 votes from erstwhile CSU voters (Welt Online, 2018), a development that a few years earlier would have been completely unimaginable. Commentators concluded that the CSU had indeed lost many of its more liberal and Christian supporters due to its uncompromising politics of asylum (Süddeutsche Zeitung Online, 2018b).

Protesting and Resisting Deportations

On 31 May 2017, police entered a vocational college in Nuremberg, in order to arrest Asif N, a 20-year-old Afghan, for deportation. While Asif did not resist and entered the police car to be driven away, a group of his fellow students who realized what was going on sat down in front of the car, to prevent its departure. More and more students joined, and over the following hours, more than 300 supporters joined the protest. Violent clashes with the police followed, with pepper spray and batons employed along with the detention of some of the protestors. After a few hours, Asif was finally taken away, while the protests

continued. Protestors marched to Nuremberg Foreigners Registration Office. Civil society organizations and the political opposition vehemently criticized the police for removing a person from a classroom, and a trade union condemned the 'inhuman' approach of the Bavarian government (Süddeutsche Zeitung Online, 2017b; Spiegel Online, 2017c). Authorities had planned to put Asif on the deportation flight that was later called off due to the bombing of the German embassy in Kabul. The Foreigners' Registration Office wanted to detain him, pending later deportation, but he was released in line with a court decision the following day (Süddeutsche Zeitung Online, 2017c).

This was probably the most high-profile protest against the deportation of an Afghan from Bavaria, but it was by no means the only attempt to prevent removal. In recent years, a multifaceted set of initiatives and activists engaged against deportations to Afghanistan has developed in Bavaria. According to studies on voluntary commitments, such engagement for refugees has multiplied and diversified since 2015. Ulrike Haman and Serhat Karakayalı (2016) point out that the 'summer of migration' dramatically changed the composition of volunteers in Germany; on average, volunteers engaging with refugees have become older, and more and more people in rural areas and smaller towns are helping, while before such commitments had been concentrated in bigger cities. The authors interpret this as the normalization of engaging with refugees. While before 2015, the slogan 'Refugees Welcome' and campaigns against deportation were largely limited to leftist activists and some more or less spontaneous political initiatives organized by refugees themselves (Danielzik & Bendix, 2017), it now became part of a mainstream 'welcome culture'. Most of the new volunteers who started to engage with refugees in 2015 had more of a humanitarian than an explicitly political agenda. Their main aim was to assist the local 'integration' of the newly arrived migrants in their villages, towns, and cities, but they sought to prevent friction and local conflicts. Their commitments did not challenge the political framework of the German asylum and immigration system, in contrast, for instance, to the activists of anti-racism networks like 'Kein Mensch ist illegal' (no human being is illegal) or 'No Border', who demand the abolition of border controls and consider the freedom of movement a universal human right.

Yet, while both federal and Bavarian state governments publicly call for the integration of refugees, emphasizing the need for them to learn the German language and to undergo training in order to prepare them for the labor market, the administration in Bavaria is very restrictive in giving work and training permits to refugees whose applications for asylum have been rejected. Rejected asylum seekers are instead expected – or, forced — to leave the country. For many volunteers, however, the legal distinction between a refugee and a rejected asylum seeker does not make much sense, since they know their mentees as persons who need support, who want to stay and who are eager to 'integrate'. Many employers also wish to employ rejected asylum seekers, because in many economic sectors the workforce has become very sparse.

The contradiction between the government's integration rhetoric and the actual practice of deportation triggers protest and action in support of deportees. These are cases of person-centered protests (Probst & Bader, 2018) and do not imply any fundamental challenge to the logic of the German asylum system, as they largely take for granted the distinction of deserving and non-deserving refugees. However, such protests signal serious estrangement from a government that is perceived as not honoring its own principles — or rather, as using such principles as a smokescreen to hide a dirty practice of almost indiscriminate deportation. By protesting and appealing on behalf of Afghans who are arrested at their schools or who are taken out of their professional training placements and workplaces, volunteers affirm the paradigm of deservingness and its concomitant logic of integration. This logic is ratified by the volunteers' emphasis that a particular Afghan on the verge of being deported is, in fact, 'well-integrated' and therefore deserves to stay.

Besides volunteers, employers also assert the usefulness of their Afghan employees if they are threatened by deportation. The Bavarian Chamber of Industry and Commerce sometimes supports such Afghan employees (or rather their employers), but this happens through political backchannels and is not made public. Activist organizations such as the Bavarian Refugee Council use similar channels with individual politicians to save specific Afghans from deportation. After the Bavarian elections of 2018, having lost its majority in the state parliament, the CSU had to form a coalition government with the regional party Freie Wähler ('Free Voters'). In their election manifesto, Freie Wähler had vowed to review the strict deportation program of the Bavarian government, and so holding them to their word, activists now regularly approach them in the case of 'integrated' deportees; "If by such means, we get one or two Afghans off each deportation flight, we have to consider this a success", reported a member of the Bavarian Refugee Council (Personal Communication, Stephan Dünnwald).

In addition to emphasizing an Afghan's deservingness and 'integration', pointing to the heightened vulnerability of particular persons is the most promising strategy to avert deportation by political means. In early November 2019, for instance, Hossein A., a mentally handicapped and ill person who had arrived in Germany in 2010, was taken into custody for deportation. Hossein had a brother and an uncle in Munich, but no family in Kabul. His mother lived in Iran. A petition to the Hardship Commission of the Bavarian Parliament was lodged on his behalf, but it was rejected by a majority vote of CSU and Freie Wähler Members of Parliament on the day of his imminent deportation. Only immediately before the deportation flight's departure, and after many protest appeals, did the Bavarian Minister of Interior Affairs (CSU, too) cancel Hossein A's immediate deportation (Bayerischer Flüchtlingsrat, 2019).

Conclusion

Forced migration is normally conceptualized as the movement of people unsettled by some violent conflict to a place where they seek refuge. An important question to answer is that 'Can a reverse forced migration; from the place where people have sought refuge back to the place from which they have fled, also be perceived? Is deportation a kind of forced migration too? It has been argued in this article that deportation is today much less a result of legal procedure, conforming with the international law of refugee protection, than of political imperatives intended for the fulfillment of various pursuits such as to placate right-wing anti-refugee demands. Deportation is rarely voluntary, and in the case of deportations to Afghanistan, the force in deportation is also not mitigated by heightened diligence in the legal-political procedures that result in deportation. Furthermore, it is argued that the aforementioned cannot just simply be regarded as a juridical question. While deportations may be legally established, deportees' supporters who protest and write petitions and appeals consider them as illegitimate.

That deportation is a form of involuntary removal is beyond question, and yet there are also programs for the state-assisted 'voluntary return' of failed asylum seekers to their countries of citizenship. The 'voluntariness' of such return is highly disputable too. For most returnees, it is simply the last opportunity to escape the compulsion of deportation and to evade the specific hardships that come with this particular course of action (Dünnwald, 2013; Feneberg, 2019). Afghans do not use this opportunity frequently; in 2018, only 403 Afghans moved from Germany to Afghanistan under this program,[12] while in early 2019 18,568 of them were forcibly obligated to leave the country ('vollziehbar ausreisepflichtig')[13]. Thus, most Afghans without legal status in Germany are not deported, but this does not mean that they are — or feel — safe. On the contrary, their deportability (De Genova, 2002) looms over them, creating the utmost uncertainty and insecurity.

Some feel unable to withstand this uncertainty. In summer 2019, Asif N., the young Afghan whose deportation was prevented by his fellow students in May 2017, 'returned' to Afghanistan (Nordbayern, 2019a). In an interview, he conveyed that he had no longer been able to withstand waiting. He was neither allowed to work nor to undergo training since his initial arrest, and his second asylum application had been rejected and that he would have to wait months or years again for the appeal. He gave up. When asked why he left Germany, he said, "[In Afghanistan] I can do what I want, without permits. I do not have to go to the authorities, time and again. I am simply there. In Afghanistan, one dies once, you know — in Germany, you die every day because of stress. Many say there is peace in Germany, in Afghanistan there is war. But Germany is like a cemetery for me; you simply lie there but you cannot do anything, you cannot

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[12] In the first six months of 2019, numbers went down to 138 persons (Deutscher Bundestag, 2019).
[13] MIGAZIN, 2019.

move." When asked if he planned to return voluntarily? He said, "No", emphasizing, "I do not go there voluntarily. Here I am helpless and I cannot pass my life here without anything. They force me. For me, this is a new flight. I go back to a country where I fled when I was 13 years old. Return means that you go to your city, to your family and friends. But I cannot go to my family. I have never been to Kabul. This is not a voluntary return; it is a new escape route. I flee from the crap system here" (Nordbayern, 2019b, translation MS).

Asif could have stayed in Germany for the time being, waiting for his eventual deportation, but instead, balancing potential danger in Kabul and his actual situation in Germany, he preferred to leave, as he could no longer bear the uncertainty and the paralyzing asylum system. For sure, although he was not physically forced to leave by being but on a plane in handcuffs, his departure was not voluntary. He felt forced. In his case, the German asylum-system proved effective in creating a situation that drove him out of the country before the actual force of deportation had to be used.

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