

Fall 2019

Experiences of Violence Among Female West African Asylum Seekers in Atlanta: a Qualitative Analysis

Author Affiliations

Kathleen E. Curtis, Emory University

Dabney P. Evans, Emory University

Corresponding Author

Dabney P. Evans (devan01@sph.emory.edu)

Follow this and additional works at: <https://digitalcommons.georgiasouthern.edu/jgpha>



Part of the [Public Health Commons](#)

Recommended Citation

Curtis, Kathleen E. and Evans, Dabney P. (2019) "Experiences of Violence Among Female West African Asylum Seekers in Atlanta: a Qualitative Analysis," *Journal of the Georgia Public Health Association*: Vol. 7 : No. 2 , Article 9.

DOI: 10.20429/jgpha.2019.070209

Available at: <https://digitalcommons.georgiasouthern.edu/jgpha/vol7/iss2/9>

This original research is brought to you for free and open access by the Journals at Digital Commons@Georgia Southern. It has been accepted for inclusion in Journal of the Georgia Public Health Association by an authorized administrator of Digital Commons@Georgia Southern. For more information, please contact digitalcommons@georgiasouthern.edu.

Experiences of Violence Among Female West African Asylum Seekers in Atlanta: a Qualitative Analysis

Kathleen E. Curtis, MPH¹ and Dabney P. Evans, MPH, PhD²

¹Hubert Department of Global Health, Rollins School of Public Health, Emory University Atlanta, GA; ² Hubert Department of Global Health, Rollins School of Public Health, Emory University Atlanta, GA

Corresponding Author: Dabney P. Evans • 1518 Clifton Road, NE, Mailstop 1518-002-7BB, Atlanta, GA 30322 • (404) 727-3061 • devan01@emory.edu

ABSTRACT

Background: As the world faces the greatest number of displaced persons in history, it is urgent for countries offering refuge and asylum to understand the needs of these vulnerable populations. Asylum seekers face great uncertainty in the US legal system, and female asylum seekers often face additional challenges. The Atlanta Asylum Network (AAN) facilitates access to low or no-cost physical, psychological and gynecological evaluations to enable a fair and complete judicial process. The purpose of this analysis is to assess the presence of various types of violence experienced by a population of female West African asylum seekers, and to make recommendations of how asylum policies can be applied more fairly.

Methods: Qualitative analysis was conducted on 15 narrative affidavits from female West African clients of the AAN. These affidavits serve as a legal record of the persecution the asylum seeker faced in their home country. Based in grounded theory, the analysis consisted of data memoing, coding, and the development of thick descriptions. The analysis outcomes were reviewed to ensure they were grounded in the data, with special attention paid to outliers.

Results: The key themes that emerged throughout analysis centered on experiences of structural violence and interpersonal violence, as well as significant examples of interaction between the two types. There were also clear differences between the experiences of two deductive subgroups: Gender-based and Gender-biased.

Conclusions: In the US asylum process, cases of structural violence tend to be favored over cases of interpersonal violence. However, actual experiences show this is often a false dichotomy. For example, interpersonal violence can become structural when the government fails to protect the victim or punish the perpetrator. Asylum seekers should emphasize experiences of intersectional violence, and asylum law should be more consistently applied through acknowledgement of this complexity and codification in legal guidelines.

Keywords: Asylum, refugee, violence against women, human rights, West Africa, health, Atlanta, qualitative, gender based violence

<https://doi.org/10.20429/jgpha.2019.070209>

INTRODUCTION

As of the end of 2017, the United Nations High Commissioner for Refugees (UNHCR) reported that the world was experiencing a record number of forced displacements, with 36.6 million internally displaced persons, 17.2 million refugees, 3.2 million stateless persons, and 2.8 million asylum seekers worldwide (UNHCR, 2017). Asylum seekers are “individuals who have sought international protection and whose claims for refugee status have not yet been determined” (UNHCR, 2017).

The US recorded 121,200 asylum claims in 2014, which was a 44% increase from 2013 (UNHCR, 2014). An estimated 3,000 refugees are resettled in the state of Georgia each year (Coalition of Refugee Service Agencies, 2015).

Between 2011 and 2016, the Atlanta immigration court heard a total of 1,738 asylum cases (Trac Immigration, 2017). The Atlanta court has the highest rate of denial for asylum seekers in the US, with a total of 98% compared to the national average of 57% (Southern Poverty Law Center, 2017). Although the number of displaced persons is increasing steadily, it is likely that the US will see a decrease in refugee resettlement and asylum claims in 2017 due to President Trump’s Executive Order Protecting the Nation from Foreign Terrorist Entry into the United States (Pew Research Center, 2017) which attempts to block refugees and certain travelers. Asylum seekers fortunate enough to make their way to the US face an uncertain future in the Atlanta court.

The Atlanta Asylum Network (AAN) was created in 2000 as

an initiative of Emory University's Institute of Human Rights. After an initial intake interview, the AAN provides asylum seekers in Atlanta with low cost or pro bono physical, psychological and/or gynecological evaluations conducted by volunteer clinicians. After an evaluation, the clinician creates a legal affidavit, which is used as clinical evidence in the asylum seeker's court hearings (Evans et al, 2015). Based on a program review, AAN has determined that asylum seekers who receive these evaluations are more likely to receive a positive case outcome. Many other factors influence case outcome as well, including region of origin and English proficiency. Despite the high denial rate of the Atlanta immigration court, 78% of AAN clients of African origin who received an evaluation had hearings with a positive outcome (Evans et al, 2015).

Asylum seekers overcome extreme challenges to make it to the US. Upon arrival, they often have few resources and continue to suffer from the physical and psychological consequences of persecution in their home countries. Female asylum seekers in particular face barriers to being granted asylum, due to the gendered nature of the US asylum process. The AAN is dedicated to providing asylum seekers with the resources needed to have a fair judicial process. Yet, there are few data highlighting how female asylum seekers' experiences of violence in their home countries intersect with the challenges and biases of the US asylum process – particularly those that are unique to females. By taking an in-depth look at a specific region and population of West African women, this study seeks to explore this topic to make recommendations for improvement of the asylum seeking process for this vulnerable population.

METHODS

We conducted a secondary, grounded-theory qualitative analysis on fifteen narrative affidavits from female West African clients of the AAN.

Institutional Review Board approval

This project was reviewed by the Emory University Institutional Review Board and, due to its nature as a program evaluation, was found it to be exempt from human subjects review. Nevertheless, participant confidentiality was maintained. All participants had previously signed a disclosure agreement allowing AAN to use their records for evaluation purposes.

Participants

All physical and digital case files that included a narrative affidavit were examined to determine if they met the eligibility criteria. Participants included all current and former AAN clients who identified as female and of West

African origin (defined as Benin, Burkina Faso, Cameroon, Cape Verde, Chad, Côte d'Ivoire, Equatorial Guinea, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, or Togo) (Fage, 2016).

Setting

This was secondary data analysis conducted in Atlanta, Georgia.

Instruments

The data set for this analysis consisted of narrative affidavits, which serve as a legal record of the basis for the asylum claim. The affidavits varied in level of detail, with page lengths from one page to four pages. Strengths of the data include the diversity of age, nationality and experiences within the data set.

Procedures

Data were inventoried in an Excel spreadsheet, noting the age and national origin of the client, the year of the case, whether the case outcome was known, and whether an interpreter was used. The data existed in typed, hard copies with no digitized versions. They were scanned and converted into Microsoft Word documents, where they were checked for consistency with the original version. For the protection of the clients, all identifying names and geographic locations, except for countries of origin were redacted. Data were stored in a locked file cabinet, a locked folder, or a password-protected computer at all times. For the purposes of thick description, excerpts from affidavits were changed to first person perspective.

Analyses

We used narrative analysis and grounded theory in the qualitative data analysis (Hennick et al, 2010). The codes created were both inductive and deductive, and largely centered around experiences of specific types of violence. Code definitions were created to insure consistency and accuracy in code application. Thick descriptions were created by comparisons across sub-groups, categorizations of codes, and the development of a conceptual model. The analysis outcomes were reviewed to ensure they were grounded in the data, with special attention paid to outliers. Through this grounded theory-based qualitative analysis of AAN affidavits, several key themes emerged around the types of violence participants faced in their home countries and their implications for the application of asylum law.

Overview of Codes and Code Sets

Ten inductive codes and nineteen sub-codes were created based on recurring themes of types of violence, ramifications of that violence, and common support systems

throughout the fifteen affidavits. The codes were:

- Violence
- Torture
- Female Genital Mutilation/Cutting (FGM/C)
- Sexual Violence
- Rape
- Imprisonment/detainment
- Domestic Violence
- Forced Marriage
- Lack of Government Protection
- Relationships

The codes for Violence, Torture, FGM/C, Sexual Violence, and Rape each had sub-codes related to the perpetrator: whether known to the victim, unknown, or a member of the military/government. The Imprisonment/detainment code only applied only to members of the military/government; the domestic violence and forced marriage codes applied only to instances when the perpetrators were family members of the participant. Each of these codes included actual experiences of violence or experiences of being threatened with violence. Lack of government protection did not have a sub-code specifying the perpetrator. This code was applied only when the affidavit narrative explicitly mentioned that the asylum seeker’s government was unable or unwilling to protect her. The relationships code was applied to relationships that were in some way significant to the asylum seeker; there were sub-codes for familial and non-familial relationships, as well as for positive and negative relationships. The relationships code was not applied to perpetrators. The code for children was used for any mention of minors who were dependents of the asylum

seekers.

Sub-groups

Two deductive sub-groups were created: those that were *gender-biased* and those that were *gender-based*. Those that experienced *gender-bias* often experienced another primary cause of persecution such as political or ethnic affiliation, but these participants also experienced violence as a woman. Those whose persecution was *gender-based* experienced violence primarily on the basis of being a woman, such as FGM/C or forced marriage. This distinction was clearly present in the data and subgroups were analyzed subsequently.

Key Themes

The distinction between the *gender-biased* and *gender-based* subgroups is in many ways a distinction between women who have experienced structural violence and those who have experienced interpersonal violence. In general, those who experienced *gender-bias* had a primary persecution that was political or ethnic in nature and occurred at the hands of the state or a military group. Although some also experienced interpersonal violence, their experiences inherently fell into the category of structural violence as the narrative contained ethnic and/or political persecution in addition to some form of violence against women (VAW). On the other hand, those who experienced persecution that was *gender-based* primarily experienced interpersonal violence. Code sets were created to further examine the interaction between structural violence and interpersonal violence, both in general and between the subgroups (Figure 1).

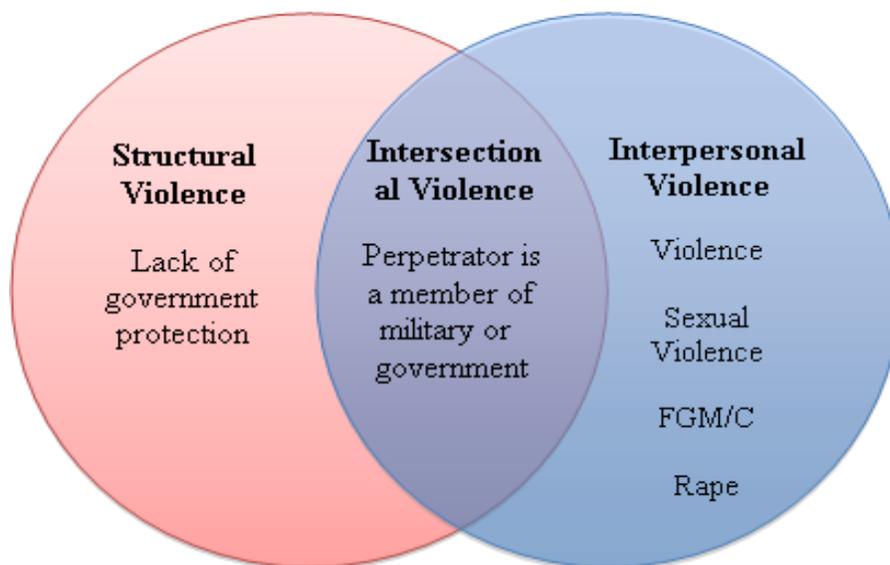


Figure 1. Codes by Type of Violence

RESULTS

Affidavit and Asylum Seeker Characteristics

From a total of fifteen affidavits, one was written by a lawyer, while a doctor wrote six and asylum seekers wrote eight. Twelve of the affidavits were created without the help of an interpreter, while three used interpreters. Seven of the affidavits fell into the *gender-biased* category, while eight fell into the *gender-based* category. All affidavits were filed between 2003-2013. Three of the asylum seekers came from Cameroon, two from The Gambia, one from Ghana, two from Guinea, two from Mali, one from Mauritania, and one from Nigeria. The age of asylum seekers at the time of the asylum claim ranged from 20-46, with a mean age of 33.2 years.

Structural Violence

Structural violence was defined as any type of organized, systematic violence perpetrated by government, military or paramilitary organizations or personnel. These included the codes of torture and imprisonment/detainment. Every woman who experienced *gender-bias* had the Imprisonment/detainment code present in her narrative, and always described her imprisonment experience as living in sub-standard conditions. One participant described:

“They held me captive in a small house with approximately three rooms. For the first several months of my captivity, they locked me in a small room all day and night. The room had small windows that they kept closed so I could not see outside. The room was not lit except during meals. I was only allowed to go out of the room if they were present and I needed to go to the bathroom. If they were not around, I was forced to urinate and defecate in a bucket in the room. I slept on the mat with a thin sheet on the floor of the room.”
-A.H., Togo

Torture was also present in most (6 out of 7) of the *gender-bias* narratives. Torture included physical and/or psychological violence, although physical violence was most common.

“While my hands were tied behind my back, the police officers used an iron bar behind my knees, and told me to stand suspended in a squatted position. If I fell down or sat down, they would beat me more. When I was tired, I fell down and was beaten again multiple times with the belt. My legs were hurting, and I was left there with my hands tied behind my back for the night. I was able to untie my hands and find my skirt on the floor, and was able to put it on.” –M.A., Cameroon

Interpersonal Violence

Interpersonal violence was defined as any type of violence against women that was not specifically mandated or supported by a state actor. The codes included forced marriage, FGM/C, domestic violence, rape, physical violence, and sexual violence. These codes primarily

occurred in the *gender-based* subgroup, with the FGM/C occurring most often, sometimes on its own and sometimes in combination with other types of violence such as forced marriage. One participant showed her experience of FGM/C:

“Being born into the [name of tribe] in the Gambia, circumcision was unavoidable. I was 13 years old when I went through the scaring experience of being circumcised. The reason I was circumcised at the age of 13 was because I was always sick as a baby. I had asthma; therefore, they couldn't do it at a younger age. They used a knife that was not sterile without any anesthesia. Other girls were also circumcised and the same knife was used as well on their procedures. The procedure was done without the care of medically trained people. It was a very painful experience to the point that I still remember it. Neither medicine nor painkillers were given. The circumcision took place in my home country of Gambia. It was done because it was seen as my rite into womanhood in their eyes. I didn't want it to happen. I was very afraid, screaming and begging them to stop, however I was surrounded by many women holding me tight. I can still imagine the pain.” -F.J., the Gambia

Other narratives contained codes for sexual violence, rape, domestic violence, or forced marriage. These themes vary greatly in severity and detail. One participant shared:

“Five days after the birth of our son, he [my husband] pushed me down, raped me, and went on a business trip. I was left bleeding on the carpet praying for god to end my life.” –C.E., Nigeria

Intersectional Codes

Most often (13 out of 15), structural violence and interpersonal violence intersected. This set contained the codes for lack of government protection, and rape/sexual violence and violence where the perpetrator was a member of the military/government. The code for lack of government protection did not apply to any narratives containing codes for structural violence, as by definition the government was unwilling or unable to protect the woman. Rather, it applied to situations of interpersonal violence, where the asylum seeker explicitly stated that the government did not or would not protect her. This type of neglect at the hands of the government caused interpersonal violence to become systemized:

“I also know that the government of my country is unable or unwilling to protect me from the harm that I would face... It is true that in Guinea there are laws against female genital mutilation. However, the fact that these laws are on the books means nothing when you look at the fact that 80-90 percent of all women in Guinea are victims of female genital mutilation. This is true regardless of region, religion or ethnicity... I know the police would do nothing to help or protect me.”
– A.D., Guinea

Another way interpersonal violence becomes systematic is when acts of interpersonal violence are committed by someone who is affiliated with the government or military, even if the act occurs while they are off-duty or the act is not ordered by the government. Such acts constitute clear violations of international human rights norms. This type of violence was typified by an abuse of position or power and could prevent the victim from pressing charges or seeking justice. Sub-codes for state actor perpetrators occurred only within the *gender-biased* subgroup. These women faced horrific violence, usually sexual in nature, while being imprisoned/detained. The example below falls under the FGM/C code, like the example above. However, it is distinct in that this case is not a cultural rite of passage, but is meant to inflict pain:

“The police tied my breasts together. They intimidated me by waving scissors in front of me threatening to cut my clitoris.” –M.A., Cameroon

Through these examples, it became clear how interpersonal violence that was either perpetrated by the government, or that the government failed to punish, becomes structural violence.

There were several limitations to the data. There was no common transcript format; the lengths, perspective and level of detail in the narrative affidavits varied greatly. Finally, these data were derived from legal documents and not in-depth interviews. As such there were no probes or follow-up questions, and there was very little emic perspective, creating ambiguity. However, this lack of consistency across cases is reflective of the nature of asylum claims and is therefore inherent to the study.

DISCUSSION

The purpose of this analysis was to describe and categorize the types of violence present in the narrative affidavits. As explained in detail above, there are clear divisions between women who experienced *gender-biased* or *gender-based* persecution. There was also structural, interpersonal and intersectional violence that loosely aligned with these subgroups, but also coexisted in complex ways throughout the narratives. The outcomes yield recommendations for improving the experience of asylum seeking and the asylum process itself.

Most importantly, these affidavits clearly illustrate the importance of understanding intersectional violence. Women seeking asylum based on interpersonal violence such as domestic violence or rape should emphasize the intersectional nature of this violence, since the US asylum system favors exotic and/or structural harms over ethnocentric and/or interpersonal ones (Southern Poverty Law Center, 2017). If her country is unable or unwilling to protect her from these harms, or a member of the state committed them, then the violence automatically becomes intersectional and is therefore more likely to result in a successful asylum claim. While some of these affidavits explicitly discussed how governments failed to protect

women from structural or intersectional violence, many more did not. A detailed and explicit discussion of these issues, as well as any failed attempts to seek government protection, would strengthen an asylum claim. In the future, a quantitative study exploring the relationship between explicit discussion of intersectional violence and case outcomes would be helpful.

Through these narratives, we also see the complexity of experiences of VAW. Although there are two clear subgroups, there is not a strict dichotomy between the types of violence women in each subgroup face. A category for gender-based persecution and legal guidelines on how to interpret and manage gender-based cases must be equally inclusive, detailed, nuanced and consistently applied.

CONCLUSIONS

Immigration lawyers and women seeking asylum can strengthen their claims by explicitly discussing any experiences of structural or intersectional violence. A category for gender as a basis for persecution under US law would change the uniquely vulnerable position of women under current legal norms. Creation of these protections for women is not to say that men do not experience violence warranting refugee or asylum status. Rather, it is an argument that women face unique types of violence, which are not comprehensively included in current review processes. The common argument against such action is that the inclusion of a gender category in the Refugee Convention, would “open the flood gates (Binder, 2001). Yet the failure to create a category for gender under either international or domestic law is in reality a failure to extend human rights protection to half of the world.

Acknowledgements

We would like to thank the participants of this research for sharing their stories. We would also like to show our gratitude to Monique Hennick for sharing her expertise in qualitative analysis.

References

- Binder, A. (2001). Gender and the "membership in a particular social group" category of the 1951 refugee convention. *Columbia Journal of Gender and the Law* 10 (2), 167. Retrieved from <https://login.proxy.library.emory.edu/login?url=http://search.proquest.com.proxy.library.emory.edu/docview/232854332?accountid=10747>
- Coalition of Refugee Service Agencies. (2015). Refugees and Immigrants in Georgia: The Facts. Retrieved from <http://newamericanpathways.org/wp-content/uploads/2014/07/Fact-Sheet-2016.pdf>
- Evans, D., Donato, C., Malewezi, B., Li, A., Corea, M., & Mitchell, A. (2015). Outcomes among Asylum Seekers in Atlanta, Georgia, 2003-2012. *MEDICC Review* 17 (4).
- Page, J. D. (2016, March 29). Western Africa. In *Encyclopedia Britannica online*. Retrieved January 23, 2017, from <https://www.britannica.com/place/western-Africa>
- Hennick, M., Hutter, I., & Bailey, A. (2010). *Qualitative Research Methods*. Los Angeles, California: Sage.
- Pew Research Center. (2017). US Resettles Fewer Refugees, Even as Global Number of Displaced People Grows. Retrieved from:

<http://www.pewglobal.org/2017/10/12/u-s-resettles-fewer-refugees-even-as-global-number-of-displaced-people-grows/>
Southern Poverty Law Center. (2017). Atlanta Immigration Court Judges Fail to Uphold Ethical Standards. Retrieved from <https://www.splcenter.org/news/2017/03/02/splc-atlanta-immigration-court-judges-fail-uphold-ethical-standards>
Trac Immigration. (2017). Judge-by-Judge Decisions in Immigration Courts. Retrieved from <http://trac.syr.edu/immigration/reports/447/include/denialrates.html>

United Nations High Commissioner for Refugees. (2014). UNHCR Asylum Trends 2014: Levels and Trends in Industrialized Countries. Retrieved from <http://www.unhcr.org/en-us/statistics/unhcrstats/551128679/asylum-levels-trends-industrialized-countries-2014.html>
United Nations High Commissioners for Refugees. (2017). UNHCR Statistics- the World in Numbers. Retrieved from <http://popstats.unhcr.org/en/overview>

© Kathleen Curtis and Dabney P. Evans: Originally published in jGPHA (<http://www.gapha.org/jgpha/>) October 25, 2019. This is an open-access article distributed under the terms of the Creative Commons Attribution Non-Commercial No-Derivatives License (<http://creativecommons.org/licenses/by/4.0/>), which permits unrestricted use, distribution, and reproduction in any medium, provided the original work ("first published in the Journal of the Georgia Public Health Association...") is properly cited with original URL and bibliographic citation information. The complete bibliographic information, a link to the original publication on <http://www.gapha.jgpha.org/>, as well as this copyright and license information must be included.