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*Refugee Children, Status,
and
Educational Attainment:
A Comparative Lens*

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Reflection on the Education of Refugee Children: Beyond Reification and Emergency

MAHA SHUAYB AND MAURICE CRUL

Research on the education of refugee children has proliferated over the past 20 years while gaining greater momentum with the Syrian crisis from 2010 onwards. A quick glance at the number of publications on education of refugee children in the University of Cambridge online library database, where one of us is based, reveals that between 1998 and 2009 there were 300 papers published that had keywords related to education and refugees. A similar search of keywords between 2010 and 2020 reveals over 2,070 published articles. This dramatic increasing interest in research on education of refugee children has been facilitated by the growing number of voices, in particular from humanitarian agencies (UNHCR 2011, 2018, 2019b), advocating for the inclusion of education as part of any humanitarian response in a crisis (Shuayb and Brun, 2020). In the last decade the United Nations High Commissioner for Refugees (UNHCR) alone has published a number of documents advocating for a framework for education of refugee children (UNHCR, 2011, 2019a, 2019b). Efforts to include education in humanitarian responses culminated in the development of the Inter-Agency Network for Education in Emergencies (INEE) in 2000 and the publication of the Minimum Standards for Education: Preparedness, Response, Recovery in 2004, which was updated in 2010 (Shuayb and Brun, 2020): “the only global tool that articulates the minimum level of

educational quality and access in emergencies through to recovery” (INEE, 2010). Since then, the INEE network has flourished. The standards have been translated and adapted in 20 countries, and the network currently even has its own peer-reviewed *Journal on Education in Emergency*.

Despite the progress achieved on this front, some core questions about refugee education are yet to be unpacked: Is there a distinct field of study such as “refugee education”? Should there be? Does the schooling of refugee children differ from that of non-refugees, especially from other marginalized children with a migration background? And finally, is the whole field in some ways artificial: does it exist only as a result of political decisions to welcome or not welcome refugees or newcomers and how they are integrated into its education provisions? In this introduction to the special issue, we want to briefly flag three major points. First, we argue that the separation of refugee children from non-refugees, in schooling and in the development of the academic field, is in part due to an increasing “reification” of refugees. Second, we want to show that the other reason for the growing disconnect between refugee education and the larger field of education—in particular, debates about equity and equality in education—is primarily political. The disconnect, we argue, is the result of the way in which states either welcome or try to keep out refugees and other newcomers.

This shapes the extent to which both groups are integrated into education policies. The third factor that has shaped the thinking and conceptualizing of refugee education has been the dominance of a humanitarian and relief paradigm. The final gap that we want to briefly highlight here and that needs addressing in research on refugee education, is the schism between research in the Global North and that conducted in the Global South.

First, what do we mean by “reification” of refugees? And how does it affect the separation of refugee children from non-refugees, in schooling and in the development of the academic field? We agree with Malkki, who argues that the international community—UN agencies as well as the research foci of academic scholarship—has contributed to the objectification and reification of the image of an isolated and disempowered refugee (Malkki, 1996). In other words, refugees are increasingly treated as a unique phenomenon and as a problem to be resolved. This reification is best manifested in Stein’s (1981) discussion of “the refugee experience.” In describing “newcomers” coping mechanisms, Stein not only makes sense of “refugees” as if they were distinct in nature and behaviour, he also speaks of them as a homogeneous group. He urges us not to confuse them with migrants or other disadvantaged groups, because their experience is distinct. Hassan similarly refers to this reification process as the “refugee brand” (2016), where stories of ordinary people going about doing ordinary things in their lives—whether sewing a bridal dress or committing a minor crime—are blown out of proportion by the media, because they have been labelled as “refugees.” Perhaps the epitome of this branding and reification materialized in the establishment of the first “refugee” Olympic team in 2016, which was accompanied by the closing of most borders in the face of refugees.

Second, the reification of refugees has also resulted in a divorce between “education of refugees” and the discipline or field of “education,” which research has not helped bridge. For scholars working in the field of inequalities in education (or what is commonly known as “disadvantaged children” due to factors such as poverty, disability, race, ethnicity, migration, gender, etc.), the “otherness and “vulnerability” of refugee children is produced and manufactured by the same system that produces disadvantaged children at the domestic (national) level. While there is a substantial body of research on inequality in education (Apple, 2010; Ball, 2017; Bourdieu & Passeron, 1977; Giroux, 1985), the field of refugee education is thus far disconnected from it. A quick review of the key policy documents published either by UNHCR or INEE shows the absence of any reference to this literature. Drawing parallels and bridges between these two disconnected literatures can provide answers to many of the challenges that face the education of refugee children such as access to

pre-school, language provisions, early selection and tracking, access to second-chance education, curriculum, acculturation, and dropout (Crul, Lelie, Biner et al., 2019; Crul, Lelie, Keskiner et al., 2019; Shuayb et al., in press).

Third, yet another obstacle to the advancement of refugee education is the short-term thinking and conceptualizing of refugee education due to the dominance of a humanitarian and relief paradigm. This has resulted in a lack of a long-term vision of education provisions, short-term interventions, great emphasis on primary education, and neglect of secondary and tertiary education (UNHCR, 2011). In fact, a closer look into the concept of humanitarian education reveals it is an oxymoron. The nature of the education enterprise is long term and future oriented, while the humanitarian discourse is embedded in temporality and saving lives (Shuayb & Brun, 2020; Shuayb, Crul et al., in press). The humanitarian education paradigm is more occupied with the technicalities of providing an education for refugees, while the more existential questions of why education and education for what end, and the outcomes of this process, are underplayed. This has resulted in “literacy-based” education for refugees that merely teaches them how to read and write, while enrolment and retention rates beyond primary are low (Peterson, 2011; UNHCR, 2019b).

The humanitarian approach to education has also deepened the reification of refugees in practical terms, which in some cases has been used as a reason to segregate refugees in schools, such as in Lebanon, where the vast majority of Syrian refugees learn in afternoon shifts. While a transitional phase might be needed in order to ensure the integration of refugees in mainstream schooling provisions, the challenge lies in how school practices accommodate the needs of all students. Thus, the issue becomes the extent to which the educational system provides equity and equality to students, regardless of their ethnicity, legal status, gender, disability, etc. (Crul, Lelie, Biner 2019; Crul, Lelie, Keskiner 2019). Research on equity and equality in education has shown that school provisions, early childhood education, language of instruction, late tracking, second chance and adult education, an inclusive curriculum, and acculturation are some of the factors that are critical to student education outcomes in the field of education inequality and are key factors that help refugee children achieve, in spite of their legal status. Yet research and frameworks on education of refugee children appear to be disconnected from the literature on equity and inequality in education. As mentioned earlier, in UNHCR frameworks and INEE standards there is no reference to the abundant literature on justice and education. A justice-and-equity approach, a more long-term vision for refugee education programs, and frameworks can help address this rift between fields and help mainstream it within education

research. Most refugee education programs lack a vision that goes beyond mere literacy, and the majority of education students drop out before reaching secondary education. By its very nature, education is future-oriented, yet we find hardly any discussion of this in the literature on refugee education beyond vague mention of a future (Dryden-Peterson, 2017).

The final gap that needs addressing in research on refugee education is the schism between research in the Global North and that conducted in the Global South. Forced migration studies have been long criticized for being Eurocentric and racialized (as if migrants are only those moving from South to North and not the other way around) (Bhambra, 2017). Despite growing criticism, the hegemony of the Global North in forced migration studies (McNally & Rahim, 2020) continues to be strongly felt in the education of refugees. What Fiori (2013) describes as “Western humanitarianism” is quite evident in the Education in Emergency network, which has flourished recently. A close analysis of the network and its research and activities shows not only that it did little to challenge the notion of “Western humanisms,” but it also continued to maintain it. Refugees in the Global North hardly feature in the focus of the network, because most attention is on refugees in the Global South. At the same time, the network and its staff and committee members are based in the Global North, while the subjects of research and activities are in the Global South. In its bylaws, membership on its steering committee requires a subscription of US\$10,000—a potentially unaffordable fee for many members or organizations in the Global South. Moreover, scholars from the Global North dominate the editorial boards of the *Journal of Education in Emergency* and are the authors of most published articles. INEE’s uncritical endorsement of humanitarianism as its theoretical foundation has a profound impact on its ability to encourage research, including comparative educational research between South and North, and it restricts the kinds of theoretical, epistemological debates and research that need to take place in a field that is relatively new. Emerging evidence from comparative research between Global North and South is challenging some of the conventional wisdom about conditions that might promote better educational outcomes for refugees. On the one hand, a recent study of schooling experiences of refugees in Turkey, Australia, and Lebanon, showed that refugees who enjoyed a longer-term or permanent settlement reported a higher school performance, compared to those in an emergency state, such as in Lebanon. On the other hand, the school practices and environment at the meso level also play a major role in shaping the experiences of refugee children, regardless of their legal status (Shuayb, Hammoud et al., in press).

Our special issue attempts to bring together contributions from across the two hemispheres to discuss the education of

refugee children. Although they are still juxtaposed to each other, we hope that this special issue will encourage collaborative comparative research that can ask these big questions across the Global North and South and push for a more inclusive educational thinking about refugees. The special issue brings together contributions from Lebanon, Germany, and Australia. As the country continuing to host the largest number of refugees per capita worldwide in 2019, Lebanon remains an important subject of study for scholars of forced migration. Despite housing such large numbers of displaced populations, Lebanon is not a party to the 1951 Geneva Convention relating to the Status of Refugees or its 1967 Protocol, similar to many other countries in the Middle East. It has also not adopted any domestic legislation pertaining to the status of refugees and government policy, and maintains that it is not a country of first asylum and that refugees will eventually move on elsewhere. However, Lebanon is frequently applauded by the international community for its generosity towards refugees—a seeming contradiction.

UNHCR estimates that the majority of refugees in Lebanon in 2019 continued to be from Syria (1.5 million, of whom roughly 914,600 were registered with UNHCR), followed by Iraqis (76%) and Sudanese (13%) (UNHCR 2020). According to the United Nations Relief and Works Agency (UNRWA), there were also 475,075 registered Palestinian refugees, with roughly half of them living in 12 refugee camps in the country, many of them (nearly 29,000) from Syria (UNRWA, 2020).

In their contribution to the special issue, Jo Kelcey and Samira Chatila interrogate the concept of integration in emergency education provisions in Lebanon. UNHCR claims to have adopted an integrative approach to the education of Syrian refugee children by offering them education in Lebanese state schools, in morning shifts alongside their Lebanese peers, or mostly in afternoon shifts designed specifically to accommodate them. However, Chatila and Kelcey demonstrate that while this policy was intended to improve access to education, it has meant education of poor quality for refugees and further marginalization and exclusion.

Next, Cathrine Brun and Maha Shuayb analyze the potentials and shortcomings of a humanitarian framework for educational response in protracted displacement in Lebanon. The authors attempt to unpack what the humanitarian education paradigm means and how it was implemented in Lebanon. They argue that emergency education can be an oxymoron, as education is a long-term undertaking while emergency implies short-term. They criticize humanitarian education logic for lacking vision, being apolitical and short-term, and contributing to the reification of refugees. In Lebanon, the emergency paradigm has produced segregation and further disadvantage for Syrian refugee children. It also strengthened the hegemony of the state while weakening

refugee communities. This means that many compromises have been made at the expense of refugee children. The authors conclude that in protracted displacement, investing in local inclusive standards that encourage collaboration and curriculum frameworks might achieve better educational outcomes in access and quality. If this is impossible, there is need to explore the potentials of a global and inclusive education framework for refugees.

In contrast to these two articles focused on formal education, Bassel Akar and Erik van Ommering (2020) examine non-formal education (NFE) and its potential to provide an alternative yet crucial stream for accessing education in Lebanon, especially as there are limited spaces for Syrian children to access public schools. The study investigates the attempts of non-governmental organizations (NGOs) in Lebanon to provide NFE to Syrian refugee and vulnerable host community children. The authors analyze eight NFE programs and discuss success, challenges, and program design and development. They also suggest indicators defining quality education for children in NFE. Akar and Ommering advocate for NFE programs, as there is a greater possibility to adapt them to suit the emerging and changing needs in refugee and host communities, unlike formal education. They can also engage qualified staff from refugee communities and potentially offer a more contextualized learning experience.

Two other articles in this special issue focus on Germany's recent experience with the dramatic influx of refugees as a result of the civil war in Syria. While Germany has received the most asylum applications in Europe, it was its decision in 2015 to allow roughly a million Syrians entry¹ that truly challenged the country's educational systems, because many new arrivals were extremely young.

From a human rights perspective, Annette Korntheuer and Ann-Christin Damm analyze changes to educational provisions for refugee students in Hamburg and Saxony—two very different German states—from 2012 to 2018. Prior to 2015, education policies in both states were mostly for all students or for second-language learners, but not specifically for refugee students. The influx of refugees in 2013 resulted in a visible increase in policy density in 2016 and 2017. New educational policies in both states included regulations, such as frameworks for transition systems, coordination, and monitoring systems for learners of German-as-a-second-language, and adoption of the rules for distributing refugee students. Their policy analysis reveals different models of integration, between federal states and between educational stages within one federal state. Preparatory classes were the main educational provision for refugee students, leading

to greater segregation, especially of newly arrived refugees. Moreover, refugees were seen as the solution for the lack of skilled workers, so there was a push towards vocational education, undermining the realization of higher education as a human right for refugee children and youth in both German states. The study draws attention to the fact that segregation, unintended effects of support systems, and a strong focus on labour market needs in VET could result in discrimination and marginalization of refugees.

Remaining in Germany, Christoph Homuth, Jörg Welker, Gisela Will, and Jutta von Maurice examine whether legal status significantly affects the schooling of refugee children. Using data from a longitudinal study *Refugees in the German Educational System (ReGES)*, they analyzed how children's legal status and subjective perception of it affected their education. The study found no differences in students with different legal status for the prevalence of attending a special class for migrants or the attendance of different school types. However, the study did find that students with an insecure status report worse grades than those granted refugee status. Adolescents who had a comparatively secure status also experienced subjective insecurity, thus highlighting the importance of additional social pedagogical and/or psychological care in schools.

Finally, Rachel Burke, Caroline Fleay, Sally Baker, Lisa Hartley, and Rebecca Field's article examines the experience of refugee students in accessing higher education in Australia, a country known for its harsh detention policies for anyone arriving in the country without a valid visa, including people seeking asylum by boat, and its preference for selective, off-shore refugee resettlement. Burke and her co-authors found that few refugee students manage to make it to higher education as a result of restrictive government policies and lack of scholarships, as well as visa restriction. The article highlights the negative impact of temporary, short-term legal status on the ability of refugees to attain higher education.

While covering different geographic areas and educational systems, the findings from these articles highlight common challenges to refugees in crisis. In both the Global North and South, policies remain hostile to refugees, pushing them further into the margins. At best they are seen as providers of skilled labour for the aging European communities or a burden surviving on the generosity of the host community and thus should be grateful for whatever they receive. Yet, the marginalization, exploitation, and discrimination that refugees experience is part of a structural system plagued by racism, discrimination, and injustice in both the Global North and South. These structural inequalities prompt us to

1. Germany suspended the European Union's Dublin Regulation, which mandates that Syrians (and any other refugees) cannot claim asylum directly in Germany but must seek refugee protection in the first "safe" (EU) country they enter.

adopt a wider lens in the study of refugees that goes beyond the emergency and humanitarian scope to a justice-oriented approach.

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Increasing Inclusion or Expanding Exclusion? How the Global Strategy to Include Refugees in National Education Systems Has Been Implemented in Lebanon

JO KELCEY AND SAMIRA CHATILA

Abstract

The UNHCR strategy to include refugee students in host state education systems is intended to promote refugees' access to quality education. However, numbers of out-of-school refugees far exceed the global average. To understand these persistent barriers, we examine how Lebanese teachers and school principals understand and enact inclusion for school-age Syrian refugees. We find that inclusion has been pursued in ways that reproduce education inequities in Lebanon. Our findings underscore the importance of accounting for the internal complexities that shape the implementation and appropriation of policies within refugee host states and the ways in which these complexities interact with aid structures.

Résumé

La stratégie du HCR d'inclure les étudiants réfugiés dans les systèmes d'éducation des pays hôtes est conçue afin de

promouvoir l'accès à une éducation de qualité. Cependant, le nombre de réfugiés ne fréquentant pas l'école dépasse grandement la moyenne mondiale. Pour comprendre pourquoi, nous examinons comment les enseignants et directeurs d'écoles libanais comprennent et mettent en œuvre l'inclusion des réfugiés syriens d'âge scolaire. Nous constatons que la manière dont l'inclusion a été menée reproduit les iniquités existantes dans l'éducation au Liban. Nos résultats soulignent l'importance de rendre compte des complexités internes qui façonnent la mise en œuvre et l'appropriation des politiques dans les pays hôtes et de la manière dont ces complexités interagissent avec les structures d'aide.

Introduction

In 2012, the United Nations High Commissioner for Refugees (UNHCR) released a Global Education Strategy (GES). The GES promoted the inclusion of refugee students in host state education systems (UNHCR, 2012). Earlier, UNHCR had advocated teaching refugees their home state curriculum

in separately administered schools (UNHCR, 2012). The shift to inclusion sought to mitigate the high numbers of refugee children out of school. Specifically, it sought to expand access to education in countries of first asylum where refugees were spending increasingly long periods of time (Dryden-Peterson et al., 2019).

The approach to include refugees coincided with a sharp increase in forced displacement worldwide. The lack of formal education opportunities for refugees in many countries of first asylum has emerged as a global governance priority (Watkins & Zyck, 2014). However, inclusion has had mixed results. Numbers of refugee children who are out of school remain much higher than average global enrolment rates, with gaps in access worsening as children get older. Only 63% of school-age refugees are enrolled in primary school, compared to 91% globally. At the secondary level, only 24% of refugees are enrolled, compared to a global average of 84% (UNHCR, 2019, p. 6).¹ Inclusion has also been pursued in ways that do not always promote social cohesion (Bellino & Dryden-Peterson, 2019; Dryden-Peterson et al., 2018). To shed light on these failings we examine how Syrian refugees have been included in Lebanese public schools. To capture the growing importance of local actors in shaping global policy, we focus on the ways in which inclusion is understood and enacted in schools. Specifically, we ask: (1) how is inclusion understood by Lebanese teachers and school principals, and (2) what factors account for these understandings?

Lebanon hosts the highest number of refugees per capita in the world, including over a million Syrians. Although Syrians can attend Lebanese public schools, 58% of school-aged Syrian children are not enrolled in formal schooling (UNHCR, 2019). Concerns have also been raised about the ways in which Syrian students are included in Lebanese public schools and the implications for social cohesion (Dryden-Peterson et al., 2018; Shuayb, 2016). By examining the micro dynamics of inclusion in this context we help to unpack how UNHCR's inclusion strategy has been pursued in Lebanon and shed light on why global governance strategies pertaining to refugee education often fail to achieve their objectives.

We conducted interviews with a range of individuals working in the education sector, school-based observations, and a policy analysis. Our conceptual framework draws on the concept of cross-national policy transfer (Steiner-Khamsi, 2004, 2016) and literature on how local bureaucrats (in this case, Lebanese teachers and school principals) enact and transform policy (Lipsky, 2010). We find that teachers and principals understand and enact inclusion in ways that reflect and reinforce education inequities in Lebanon. This

can prevent Syrian refugees from accessing education and marginalizes refugees within the Lebanese education system.

In the next section we discuss the inclusion of refugees in host state education systems and situate our study within literature on this topic. We then present our methods, followed by our analytical approach. Our findings discuss how teachers and principals understand inclusion and the factors that shape these understandings.

Inclusion as Local Practice

In 2012, UNHCR articulated an ambitious “global education strategy” (UNHCR, 2012), which reflected the growing importance of education within refugee governance (Buckner et al., 2017) and called for refugees to be included in host state education systems. Before 2012, UNHCR pursued a “parallel system” approach, in which refugees were taught the curriculum of their countries of origin in their own language, in schools that were run by either UNHCR or its partners (UNHCR, 2015). The shift to inclusion reflected the urban and protracted character of displacement and the associated belief that allowing refugee children to attend national education systems was the best approach to education for refugee children and youth (Dryden-Peterson et al., 2019; Bellino & Dryden-Peterson, 2019).

From the outset, the meaning of inclusion was debated. In fact the 2012–2016 GES referred to *integration*, not inclusion. However, the language of inclusion was soon adopted because host states were concerned that integration implied a commitment to durable solutions and the permanent resettlement of refugees within their borders. Moreover, the GES “was not intended as a global blueprint but instead as strategic objectives to be contextualized within each country” (Dryden-Peterson et al., 2019, p. 11). This has resulted in significant variation in the ways in which inclusion was understood and enacted (Dryden-Peterson et al., 2019). The importance of understanding these variations and the implications they pose for refugees' education outcomes has motivated research on the topic.

Broadly speaking, inclusion refers to the act of being included or involved within a particular group or structure. In education, Dryden-Peterson et al. (2018) conceptualize it as having structural and relational dimensions. The structural dimension refers to students' ability to access education services, while the relational dimension “is a sociocultural process related to identity development and transformation” (Dryden-Peterson et al., 2018, p. 10). The different ways in which inclusion has been implemented in refugee host states reflects the range of inclusive approaches and outcomes that are possible.

1. These data include students who attend camp-based schools, not just inclusion in national education systems.

In a multi-method cross-national study, Dryden-Peterson et al. (2019) find that the ways in which inclusion has been implemented reflect the purposes that actors at global, national, and local levels have ascribed to refugees' education. Whereas global actors based the decision to include refugees on the assumption that refugees would integrate within host states, national actors generally believed that refugees would pursue their long-term futures outside of host states. This caused tensions between global policy objectives and national outcomes (Dryden-Peterson et al., 2019). Similarly, in their examination of the gap between refugee education policy and education provisions for refugees in Lebanon, Buckner, Spencer, and Cha (2017) stress the need to understand the competing authorities that affect local decision making. In another study that examines inclusion in the Kakuma refugee camp in Kenya, Bellino and Dryden-Peterson (2019) argue that inclusion is multi-directional and that for most refugees, inclusion entails "integrating down" into poorly resourced camp-based schools where they are segregated from their Kenyan peers. The authors underscore the need to distinguish between the physical and social dimensions of inclusion: the latter depends on local strategies, resources, and relationships.

We build on this work by examining how teachers and school principals understand and enact inclusion in Lebanon. Most studies of inclusion have examined it from a national vantage point (for an exception, see Bellino & Dryden-Peterson, 2019). However, the micro dimensions of inclusion are particularly important to understand in light of the ambiguities that often characterize the implementation of global policy in nation-states (Nassar & Stel, 2019), as well as the shift towards localization in humanitarian aid (HPG & ICVA, 2015; UNHCR, 2017). Localization refers to the increased engagement of local actors and systems in humanitarian action. Humanitarian agencies promote localization to enhance the efficiency of aid, acknowledging the part that local actors play in responding to displacement and of the need for the humanitarian system to support them (Fiddian-Qasmiyeh, 2018). However, localization has also been criticized as an attempt by powerful states in the Global North to shift responsibility for managing refugee crises onto host states (Fiddian-Qasmiyeh, 2018; HPG & ICVA, 2015). In short, the implications of local actions for global policy outcomes are ambiguous and require more attention if we are to fully understand the potential of the policy to include refugees in host state education systems.

Methods

Our data come from a larger study that compares policy environments and education experiences for refugees in Australia, Turkey, and Lebanon. Here we draw on qualitative

Table 1. Data Sources

| Data source | Description |
|--------------------|---|
| Syrian parents | 16 focus groups |
| Lebanese parents | 12 focus groups (with 5 to 7 people) |
| Teachers | 41 interviews |
| School principals | 15 interviews |
| Policy actors | 8 interviews |
| Policy documents | Over 100 policy documents |
| Observational data | Field notes from visits to 14 public schools across Lebanon |

research conducted in Lebanon during the 2018/2019 academic year. We use policy documents, observations, interviews with Lebanese school principals, teachers, and policy-makers, and focus group discussions with Lebanese and Syrian parents. Data were collected from 14 public schools in the five major geographical regions of Lebanon (South Lebanon, Mount Lebanon, Bekaa, Beirut, and North Lebanon). See Table 1.

Our policy analysis identified over 100 international and national policy documents in Arabic and English, pertinent to refugees' inclusion in Lebanese public schools. We used content analysis to identify the global and national vision for inclusion and to trace whether and how these visions have changed. We also carried out 16 hours of classroom observations during morning and afternoon shifts. Our observations, which were recorded in detailed field notes, capture classroom organization and management, pedagogical approaches, and student-teacher relations. Questions for the 92 semi-structured interviews and focus groups were motivated by the findings of our content analysis and included questions that were designed to elicit individuals' understandings of inclusion and the factors that shaped these understandings. All interviews were conducted in Arabic or English by five researchers between September 2018 and May 2019, recorded with participant consent, transcribed, and translated into English, where necessary.

Two researchers (the authors) coded the interviews and focus group transcripts using NVivo software. Our codes were emic (i.e., we allowed codes to emerge from our data), and etic (we also identified codes from policy documents related to inclusion). To ensure consistency and intercoder reliability, we each reviewed interviews the other had coded. The balance between inductive and deductive modes of reasoning allowed us to capture both the general (global) and context-specific (Lebanese) dimensions of inclusion. Our codes fell into five categories (1) students' family context; (2) national policy landscape; (3) teaching and learning

environment; (4) expectations for Lebanese and Syrian students; and (5) perceptions of policy actors (governmental, United Nations, and NGO). In the sections that follow we present the conceptual framework that guided our analysis of these data.

Inclusion as Policy Transfer

Our study was motivated by literature on education policy transfer (Steiner-Khamisi, 2004, 2016) and “street-level bureaucrats” (SLBs) (Lipsky, 2010). These frameworks led us to explore how global policies shape national policies and school-level provisions, and how school interactions and practices shape and influence national and global policies. In other words, we understand refugee governance as multi-scalar and multi-directional, constantly negotiated and adapted, with ambiguous implications for policy outcomes.

Literature on policy transfer is concerned with transnational governance. Emerging from scholarship on public policy and sociology, research on this topic is now a well-established line of inquiry across different disciplines (Delcour & Tulmets, 2019). In comparative and international education, literature on policy transfer seeks to understand how and why education institutions, policies, and practices cross national borders (Steiner-Khamisi, 2004, 2016). However, policy transfer does not occur only between countries. Transnational organizations, including the United Nations and the World Bank, play a key role in externalizing policy by advocating good practices that are used to legitimize domestic reforms and because countries often depend on the funding that these organizations provide (Vavrus, 2004).

There are two main approaches to examining policy transfer in education literature. A neo-institutionalist perspective on policy transfer uses cross-national comparisons to examine why education structures, institutions, and policies look so similar in different countries (Meyer, Boli, Thomas, & Ramirez, 1997; Meyer, Ramirez, & Soysal, 1992). This contrasts with an interpretivist approach, which examines policy divergence, or why seemingly identical education policies and practices manifest differently in different countries and how this leads to different policy outcomes (Cowen, 2009; Steiner-Khamisi, 2004, 2016). A key focus of the interpretivist research has been to understand how policies are translated and adapted within nation-states.

We align with the interpretivist perspective on policy transfer since we seek to understand how inclusion has been adopted in Lebanon and why this approach has failed to significantly expand access to education as articulated in the GES. However, while much literature on policy transfer is concerned with national policy change and adaptation, we sought to bridge top-down policy and the local dynamics of inclusion (see also Hohmann, 2016). A global-local

perspective on policy transfer is necessary to understand policy transfer in countries with decentralized policy structures (Hartong & Nikolai, 2017). The local dimension of policy transfer also captures the ways in which localization and shared responsibility (which recognize and promote diverse global, national, and local actors in refugee governance; see United Nations General Assembly, 2016, 2018) affect global policy outcomes.

To this end we draw on Lipsky’s (2010) theory of SLBs. This theory examines how public sector workers mediate between governments and citizens. SLBs are crucial policy actors since they are embedded in government institutions (in this case, public schools) and also exercise discretionary authority over citizens. Teachers and school principals are important SLBs because they make and enact policy in their schools and classrooms. However, the authority of SLBs is bounded by institutional and organizational constraints as well as social and cultural norms. Lipsky identifies five prominent constraints facing SLBs: inadequate resources; increased demand for services to meet supply; vague or conflicting organizational expectations and goals; challenges to measuring performance; and the fact that “clients” are captive and do not voluntarily work with SLBs (2010, p. 16). Faced with these constraints, SLBs cope in several ways: They limit demand by rationing services through preferential treatment of some groups over others (a process referred to as “creaming”); they try to induce clients to use resources in ways that achieve their particular understandings of policy; and they use their discretion to manage ambiguities and contradictions in policy goals. Although Lipsky focuses on the interactions between SLBs and citizens, the shift to inclusion means that SLBs in host states exercise considerable authority over refugees, albeit bounded by the policies in Lebanon and the norms and practices in education aid to refugees.

In the next section we present our findings. We first discuss how inclusion has been pursued in Lebanon. We highlight the tensions that emerge between the domestic policy environment and the global approach to including refugees. This has resulted in an ambiguous and contradictory policy environment for teachers and school principals. We then show how teachers and principals have used their authority to navigate these constraints with consequences for how inclusion is pursued. We conclude by discussing the implications of these findings for global policy outcomes.

The Inclusion of Syrian Refugees in Lebanese Schools

In the years since UNHCR’s GES came out, the conflict in Syria has caused large-scale displacement. Over a million Syrian refugees have sought asylum in Lebanon. Since Lebanon has neither signed nor ratified the 1951 Refugee Convention,

refugees in the country lack many legal protections, including the right to work (Aranki & Kalis, 2014; Janmyr, 2017). Government policy on refugees is often hostile. Lebanese politicians portray the refugees as a political, social, and economic threat to Lebanon, reference the long Syrian occupation of the country, and point to the longstanding presence of Palestinian refugees in the country as reasons to reject Syrian resettlement (Chit & Nayel, 2013; Karam, 2018).²

Compounding these challenges, public education in Lebanon is underfunded and of poor quality. For instance, teachers and school principals did not receive real wage increases for many years (Faek, 2013), while more recent economic problems have compromised the timely payment of teachers' salaries. Approximately 30% of school-age Lebanese attend public schools (the rest attend private or semi-private schools) (MEHE-CERD, 2019). The low share of public sector enrolment has been attributed to the poor quality of public education (Shuayb et al., 2016; United Nations and Government of Lebanon, 2017). Attempts to reform the education system in 1994 and 2010 have also failed to produce meaningful change, especially in curriculum and in support for marginalized students at high risk of drop-out and failure (Shuayb, 2016). These failures reflect a policy environment beset by years of political inaction.

It is unsurprising, therefore, that the decision to include Syrian refugees occurred more by default than design—a feature of Lebanon's "no-policy policy" approach (Nassar & Stel, 2019, p. 47). At the beginning of the refugee crisis (2011–2012), the government of Lebanon adopted a hands-off approach to the education of Syrians. Existing policies on migrant children allowed Syrian refugees to enrol in Lebanese public schools as long as the overall number of non-Lebanese students did not exceed 25% of total enrolment in public schools and provided there were a minimum of 10 Lebanese students per class (see Table 2). However, there were barriers to access that resulted from complex bureaucratic processes, differences in language of instruction, and poverty. As increasing numbers of Syrians sought asylum in Lebanon, and notwithstanding the proliferation of non-formal learning opportunities, the number of out-of-school refugees became worrying (Watkins & Zyck, 2014).

In 2013, however, the Lebanese government asserted more control over the response and began to cooperate closely with UN agencies. In 2014, the Reaching All Children with Education (RACE) I strategy was released. RACE I was a 3-year program that targeted school-aged children (3 to 18 years) affected by the Syrian crisis. The focus of this strategy was to expand access by double-shifting and contracting temporary teaching

staff (Ministry of Education and Higher Education [MEHE], 2014). Double-shifting is a common response to crises. In this approach one school operates during the morning and another during the afternoon, often with different school staff. The expectation is that double-shifting will rapidly expand access to education while minimizing unit costs (Bray, 2008). This approach had an important impact. By 2016, 42% of school-aged Syrian children were enrolled in Lebanese public schools (from kindergarten until grade 9) (MEHE, 2016).

Government oversight of the response has continued, although access rates for Syrian refugees have since stalled. In 2017, RACE II was launched covering 2017–2021. Led by the MEHE in close cooperation with UNICEF, it continues the focus on refugees' inclusion and calls for improved secondary and vocational education for refugees and places more emphasis on the quality of teaching and learning in public schools (MEHE, 2016). However the post-2016 period has also been marked by increasingly hostile rhetoric and a policy approach that encourages refugees to return to Syria (Nassar & Stel, 2019). The lack of clarity about the meaning of inclusion, along with this ambiguous domestic environment, means that Lebanese teachers and principals bear responsibility for defining and implementing inclusion.

Teachers and principals held a range of views about Syrian refugees. Almost all recognized the refugees' right to education, and many also acknowledged the hardships associated with displacement. However, their views were also shaped by discriminatory public discourse and the complex and often fractious history of Syrian-Lebanese politics. In their efforts to reconcile these views with the policy to include refugees in public schools, they were also constrained by their institutional environment. Two institutional features had particular influence on their perspectives on inclusion: school finances and the proliferation of government bureaucracy.

Financial Aid

Buckner et al. (2017) argue that the decision of the Lebanese government to include refugees in public schools was driven in large part by the strong financial incentives offered by transnational aid agencies. This was apparent in our research. Teachers and principals noted that the refugee crisis had brought jobs to their communities and allowed the school to purchase materials they did not previously have. However, the fact that additional resources were available because of Syrian refugees also created tensions. Teachers and principals complained that Syrian students received support such as school stationery, free transportation, and catch-up classes from UN agencies and NGOs. In a context where Lebanese

2. Palestinian refugees predominantly attend schools run by the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) or private schools. UNRWA began operating in Lebanon in 1950.

students are also economically marginalized, and public education has been perennially underfunded, the idea that aid was available because of Syrian students and not because Lebanese students also needed support caused many teachers and principals to resent the refugees.

Moreover, teachers and principals were very aware that the financial resources they received came from the UN, not the Lebanese government. This reinforced the view that the refugees were temporary guests to whom their responsibilities as civil servants did not extend. The following quote from a principal whose school was one of the most active in promoting activities for Syrians is indicative of the ways in which the aid binary has shaped the perspectives of teachers and principals on inclusion:

Refugees are the only beneficiaries from this integration [inclusion]. The only benefit for the Lebanese is that young Lebanese people now have a new job opportunity, which is teaching in the afternoon. Now our refugee students are 100% integrated at our school. Any activity the school does, they are included in it. Refugees don't have any activities, but we created some for them. We let them plant in the garden and we organize football matches during recess time. We also integrate morning and afternoon shift students at 2:30 p.m. and do "crazy science"³ at 2:30 p.m. for students of both shifts, together. On children's day, I hung pictures of both morning and afternoon shift students.

This quote captures a view expressed by many teachers and principals: that the schools belonged first and foremost to the Lebanese, who allowed the Syrians to attend. It illustrates how aid that was tied to the refugees' attendance at school reinforced the binary of refugees versus nationals and promoted a view of inclusion as a uniquely structural concept that did not extend to Syrians' right to fully participate in school life.

Bureaucratic Proliferation

We also found that teachers and principals were overwhelmed by the proliferation of government bureaucracy related to Syrian refugees. As noted above, in the early years of the crisis, the government had largely absented itself from decision making. In the years since, however, the government has engaged in "a paradoxical mixture of extremely stringent and changeable regulations that were not transparently communicated to either the public or humanitarian and development partners and that were enforced in a fickle and arbitrary manner" (Nassar & Stel, 2019, p. 47). One principal told us that he

received policy decisions, memos, circulars, and announcements from the MEHE "every 1 week or 10 days, and sometimes up to 15 days." "Decisions change all the time," he added, and were often "impulsive" (see Table 2). We sought to identify how the MEHE determines priorities for student enrolment. Before 2011, the main criteria for determining the priority accorded to students' request to enrol in a public school were their academic performance and whether or not they had previously attended a public, private, or other school (such as an UNRWA school). The table shows how criteria for determining students' inclusion have rapidly increased since 2011. Principals must now consider students' and parents' nationality and gender,⁴ and students' academic performance and former school status to determine what priority to accord their enrolment. This bureaucratic proliferation and the ad hoc policy-making that contributes to it reflect the short-term vision of the refugees' presence in the country.

Significantly, this process takes place in the context of double-shifting, in which a small number of Syrians are allowed to attend the first shift alongside Lebanese, a much larger group of Syrians are assigned to the second shift, and an even larger number of students cannot access public schools at all. Different resources and perceptions of quality are associated with the first and second shifts. The first shift is staffed by tenured teachers and is perceived as offering a better quality of education than the second shift (Shuayb et al., 2016). When resources are constrained, the fragmentation and differentiation of education opportunities across shifts, as well as the inability of the system to cater to all refugees, means that this method of determining inclusion paradoxically produces several forms of exclusion. This finding aligns with Bellino and Dryden-Peterson's concept of downward integration, in which education settings do not necessarily promote the upward mobility of refugees within host state societies but instead integrate them down into vulnerability and marginalization (2019). In the following section we discuss how teachers and principals use their discretionary power to negotiate these complex, ambiguous, and often contradictory policy processes.

Negotiating Inclusion Through Teacher and Principal Discretion

Like all SLBS, Lebanese teachers and principals adopt coping strategies to manage institutional constraints. They limit demand through preferential treatment of some groups over others, they use resources to pursue their particular understandings of policy, and they use discretion to manage

3. "Crazy science" relates to fun and interactive science activities.

4. Lebanese women are unable to confer nationality on their children. A child born of a Lebanese mother and a non-Lebanese father is therefore classified by government institutions as non-Lebanese and treated differently from Lebanese nationals.

Table 2. Priority Categories for Student Enrolment in the First Shift of Lebanese Public Schools (Where 1 Is the Highest Priority and 20 the Lowest)

| Timeframe | Priority categories |
|---------------------------------|---|
| Priority categories before 2011 | <ol style="list-style-type: none"> 1. Students who received a passing grade in the previous academic year (MEHE, 2001) 2. School students who failed the academic year but were accepted to repeat their classes (MEHE, 2001) 3. New students from other public schools, who are promoted to higher academic years (MEHE, 2001) 4. New students from other public schools who failed (MEHE, 2001) 5. New students from other (non-public) schools, who are promoted to higher academic years (MEHE, 2001) |
| Categories added (2011–2017) | <ol style="list-style-type: none"> 6. Lebanese students (old and new) (MEHE, 2017b) 7. Lebanese students (old and new) who have missed the first deadline for registration (if deadline extensions were made) (MEHE, 2017a) 8. Non-Lebanese students (old and new) whose mother is Lebanese (Lebanese Forces, 2017; MEHE, 2017a) 9. Non-Lebanese students who were enrolled in the morning shift of public schools for more than three years and have a certified school attestation (Lebanese Forces, 2017; MEHE, 2017a) 10. Palestinian students living in Lebanon since before the Syrian crisis in regions where there are no UNRWA schools and who were not enrolled in any UNRWA schools last year (Lebanese Forces, 2017; MEHE, 2017a) 11. Non-Lebanese students (old and new) originating from countries that do not suffer from a displacement crisis (Lebanese Forces, 2017; MEHE, 2017a) 12. Siblings of non-Lebanese students who were accepted on the basis of the above priorities, as long as they do not fulfill the criteria below (Lebanese Forces, 2017; MEHE, 2017a) |

(cont'd next page)

ambiguities and contradictions in policy goals. This has manifold consequences for students.

For example, one principal who was overwhelmed by the number of Syrian students attending his school told us that when the numbers of Syrians who enrolled did not decline during last academic year, he started to expel them. Similarly, another principal reported that she did not allow any non-Lebanese children (with the exception of those who had a Lebanese mother) to attend the morning shift and sent them to other public schools because “at the end of the day, it is the Lebanese student’s right to get in first.”

Other examples were more ambiguous. We found that teachers and principals often prioritized the highest-achieving Syrians for the first shift, while claiming that Syrian students in general exhibited difficult behaviour and

thus needed to be separated from their Lebanese peers. While we do not wish to minimize the many challenges that Syrian learners face in language of instruction, differences in curricula content, poverty, and the precarity of their legal status, the claims that teachers and principals made about the academic performance and behaviour of most Syrian students were strikingly at odds with our observations, during which we recorded high levels of engagement and attentiveness among Syrian students, in spite of overcrowded classrooms.

Nor was it uncommon for teachers and principals to contradict themselves during their interviews. After arguing that students in the morning shift were more academically capable, one principal backtracked and stated,

Table 2 (cont'd)

| | |
|--|---|
| Recently added categories (2018–present) | <ol style="list-style-type: none"> 13. Lebanese students (old and new), including Lebanese students coming from Syria) (MEHE, 2018b) 14. Lebanese students who have missed the first deadline (if deadline extensions were made) (MEHE, 2018a, 2018c) 15. Non-Lebanese students (old and new) whose mother is Lebanese (MEHE, 2018a, 2018c, 2019) 16. Non-Lebanese students who were enrolled in the morning shift of public schools for more than three years and have certified school attestation (MEHE, 2018a, 2018c, 2019) 17. Palestinian students living in Lebanon since before the Syrian crisis in regions where there are no UNRWA schools and who were not enrolled in any UNRWA schools last year (MEHE, 2018a, 2018c, 2019) 18. Non-Lebanese students (old and new), originating from countries that do not suffer from a displacement crisis (MEHE, 2018a, 2018c) 19. Siblings of non-Lebanese students who were accepted on the basis of the above priorities, as long as no new sections are created as stated below (MEHE, 2018a, 2018c, 2019) 20. All other new students bearing in mind the following: <ul style="list-style-type: none"> · <i>Article 1 of Decree No. 1049/2018</i>: Under no circumstances shall the number of non-Lebanese students in kindergarten exceed 25% of the total number of students in class (Lebanese Forces, 2017; MEHE, 2018a, 2018c, 2019) · <i>Article 2 of Decree No. 1049/2018</i>: Non-Lebanese students, despite fulfilling the above priorities, can be enrolled only under the condition of having no less than ten Lebanese students, and with the consequent illegal creation of sections by allowing the registration of non-Lebanese students under any circumstances (Lebanese Forces, 2017; MEHE, 2018a 2018c 2019) |
|--|---|

[The Syrians] are not less productive. The percentage of them passing the ninth grade is equal to those of the morning shift. We have no problem there, but there is a high number of drop-out students. Students might enrol for 2, 3 weeks and then disappear. When we ask about them, we discover that they have either moved to Syria or joined the labour force at 9 or 10 years old.

His response illustrates a broader trend we observed in which levels of perceived vulnerability became the basis upon which Syrians were selected for inclusion in the first shift, or exclusion into the segregated second shift. This “creaming” has important consequences, since access to the first shift provides Syrian students with acceptance and inclusion within Lebanese society, while access to the second shift tends to reify differences and inequalities between Lebanese and Syrians as well as among Syrians. As one principal commented, “Those [Syrians who attend the first shift] have become so well integrated that they now see themselves as different from the Syrian students in the afternoon shift.”

There were also important examples of teachers and principals who sought to circumvent official policy to be more inclusive of Syrians. Several principals relaxed official enrolment requirements to accommodate Syrian students, while

one school created a parent-teacher council for Syrian parents. This initiative was notable because these councils are not legally required for Syrian parents (as they are for Lebanese), even though clear and transparent communications between families and schools was a priority for the Syrian parents we spoke with.

Yet even these efforts were constrained by the temporary and conditional nature of Syrian asylum in Lebanon. A teacher captured this when he told us,

We are Lebanese people. When Syrians came to us with difficult conditions, we accepted them, of course, as our brothers in humanity, and a lot of help took place. But at the end, just as you say “me,” it’s also “my” country. Do you understand? I’m not saying anything—they’re welcomed—but they have their country and we have ours. They have difficult circumstances and they came here, we welcomed them. But at the end, everything has to end. Everything has to end.

Syrians’ dependence on the financial support of aid agencies, as well as the contested vision for inclusion among global and national actors has contributed to this local short-term and contingent logic of inclusion.

Conclusion

The decision to include refugees in host state education systems marked a profound shift in UNHCR education policy. This policy was intended to improve access to education and support the integration of refugees into host state societies. However, large numbers of refugees remain out of school, and prospects for their social integration are limited. To shed light on this discrepancy, we examined how inclusion has been implemented in Lebanon. Drawing on the concept of policy transfer, we argued that the outcomes of policies toward refugees are the result of negotiations between global, national, and local actors that result in the convergence of policy across contexts. We further argued that it was important to examine local policy and the behaviour of teachers and principals who act as “street-level bureaucrats” (Lipsky, 2010) to better account for divergences between global policy objectives and outcomes.

We found that inclusion in Lebanon is a predominantly structural phenomenon, which results in the downward integration of refugees by providing access to education opportunities that are of poorer quality than those provided to host state nationals (see also Bellino & Dryden-Peterson, 2019; Dryden-Peterson et al., 2018; Dryden-Peterson et al., 2019). We also showed how ostensible inclusion generates exclusion, as local actors are forced to prioritize and distribute scarce resources and navigate ambiguities between global ideals and national realities. The institutional and organizational constraints that teachers and principals worked under caused them to stratify students primarily on the basis of academic performance and socio-economic vulnerability. Yet these were precisely the sources of inequality that have marginalized Lebanese students in public schools from their Lebanese peers in private schools.

Thus while inclusion is the stated intention of the GES, the misalignment of the GES and the ambiguous domestic policy environment in Lebanon has resulted in the stratification of both refugee and Lebanese public school students. Teachers and principals view Syrians as temporary guests, and thus their actions as street-level bureaucrats reshape inclusion to better meet their needs as well as those of Lebanese students who have long been marginalized within the Lebanese education system. In this way, our findings underscore the importance of defining a clear vision for inclusion and accounting for the internal contradictions of host states when formulating education policies for refugees. More generally, global policies and aid structures need to be flexible enough to respond to the structural shortcomings of host state public services.

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Exceptional and Futureless Humanitarian Education of Syrian Refugees in Lebanon: Prospects for Shifting the Lens

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Abstract

The article unpacks and analyzes the potentials and shortcomings of a humanitarian framework for educational response during protracted displacement. Humanitarianism is concerned with the immediate, while education is future oriented. Calls to shift the humanitarian discourse from relief and survival to development have contributed to include education as part of the humanitarian response. The article analyzes potentials and limitations in Lebanon's education provision and policies for Syrian refugees. We discuss the impact and implications of the humanitarian response and reflect on what principles should be formulated for provision of a socially just, inclusive, and more developmental education for refugees in protracted displacement.

Résumé

Cet article décortique et analyse les lacunes potentielles d'un cadre humanitaire pour les réponses éducatives au déplacement prolongé. L'humanitarisme se préoccupe de l'immédiat alors que l'éducation est une activité orientée vers l'avenir. Les appels à faire passer l'accent du discours humanitaire du secours et de la survie au développement ont contribué à l'inclusion de l'éducation dans l'intervention humanitaire. Cet article analyse le potentiel et les limites de l'offre et des politiques éducatives pour les réfugiés syriens au Liban. Nous discutons de l'effet et des ramifications de la réponse humanitaire et réfléchissons aux principes qui devraient être formulés pour une offre éducative socialement juste, inclusive et davantage axée sur le développement pour les réfugiés en situation de déplacement prolongé.

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Introduction

Over the past decade, Lebanon witnessed one of the largest influxes of refugees relative to its population. Education is a main pillar in the humanitarian response to the refugee crisis but has been severely tested as Lebanon became the country with the highest percentage of refugees per capita in the world. After almost a decade of providing education intervention for over 500,000 Syrian school-aged refugee children in Lebanon, still less than 2% are enrolled in grade 9, and 4% in grade 12. Over 40% of Syrian school-aged children are out of school or have never been enrolled (Norwegian Refugee Council, 2020). Hundreds of millions of dollars have been invested, and the poor outcome signifies grave injustice and inequality. In this article we aim to investigate the impact of adopting the humanitarian model to provide education for Syrian refugees in Lebanon.

Education leads to increased well-being among primary and secondary school children in refugee settings (Burde et al., 2017). Education in a conflict setting has also been a priority in promotion of mutual understanding, peace, and tolerance, and prevention of violence and conflict (UNESCO 2000, in Kagawa, 2005, p. 489). As a result, the Education in Emergency (EiE) framework, which is embedded in a humanitarian paradigm, is flourishing, but its impact, strength, and limitations have not been sufficiently addressed. We aim to unpack and critique the model by using Lebanon as a case study in order to understand the implications of adopting the humanitarian model when providing education in protracted refugee situations. In particular we analyze the recent transition in the humanitarian education discourse to accommodate refugees within national educational systems. Syrian refugees in Lebanon were admitted to public schools mostly in segregated shifts and had to follow the Lebanese national curriculum. In this article we delve into the implications of following the humanitarian education paradigm within the national education system in Lebanon. A discourse on moving from a humanitarian towards a development approach has framed the policy transitions in Lebanon, but education for refugees is still firmly placed within a humanitarian approach. We also identify the priorities within the principles of humanitarian education and how it is integrated into a national response. While current approaches have focused on increased access to education, we question whether this leads to more equal and socially just outcomes and highlight the tensions between frameworks like the global Emergency in Education framework and the national educational framework and reflect on their advantages and disadvantages.

As the discourse shifts from a humanitarian to a development model, we analyze the evolution and impact of education policies for Syrian refugees in Lebanon and reflect on the inequalities that are produced within the system that

continues to follow a humanitarian approach. The article contributes to the increasing body of scholarship on emergency education, and on education in protracted refugee situations (Burde et al., 2017; Dryden-Peterson et al., 2019; Ferfolja, 2009; Sidhu & Taylor, 2007). In order to understand how the humanitarian model shapes education policies and provisions in protracted crises, we first analyze the relationship between a humanitarian discourse and approaches to emergency education and to emergency education's relation to education more generally. We then examine the strengths and limitations of education in the emergency model in Lebanon and analyze how the education policies for Syrian refugees shifted. We consider the impact of current policies at micro, meso, and macro levels. Finally, we reflect on potential ways to rethink a system for higher-quality, inclusive, and just education for refugees in protracted conflict.

Education in the Humanitarian Context

In order to understand the discourse of education in a humanitarian setting, this section unpacks the logic behind the two discourses and their potential and limitations in providing an effective framework for education of refugees.

Humanitarian Reason

The motivation for humanitarianism is *saving strangers* (Fassin, 2012). Its moral sentiments are grounded in the principles of humanity, neutrality, impartiality, and independence, as formulated for International Red Cross and Red Crescent movements. Humanitarian assistance is not lasting. It is embedded in the temporary: saving lives in the short term. Humanitarianism is also political, and its principles are utilized as a strategy for host states such as Lebanon to maintain their view that refugees—even in protracted displacement—are not supposed to stay: the only assistance acceptable is based in a temporary and relief-based approach. In a humanitarian discourse, people are not first and foremost citizens. They are victims who are temporarily present, often passive, powerless, and without agency. However, for refugees who may be present in a host state for 10 or 20 years or more, their temporary status becomes a permanent impermanence that shapes the possibility of developing lives and creating a future at the place of displacement or elsewhere (Brun, 2003, 2016).

With protracted displacement, humanitarian actors increasingly operate where humanitarian temporality and principles are placed under pressure. These developments have been accompanied by a discourse on a humanitarian-development nexus. However, few consequences of this shift can be identified in humanitarian practice (Knox Clarke, 2018), partly because there is a limited understanding of what development might mean in this context. A development approach needs to operate with a longer time frame, attack

the roots of inequality, and create a more inclusive approach by accepting the presence of refugees at the place of displacement (Schmidt, 2019). Education, to which we now turn, is a pertinent field to think through what development might mean in this context.

Emergency Education

Education for refugees is dominated by humanitarian reasons, as explained above. The most common framework for education of refugees, the Education in Emergency framework (EiE), established by the Inter-Agency Network for Education in Emergencies (INEE), states that it is embedded in the humanitarian paradigm (INEE, 2010). This framework has proliferated during the past 10 years and has been translated into 20 different languages. The standards have also been adapted in 11 countries, including Lebanon.

Education in emergency is embedded in a human rights philosophy, in particular the Convention on the Rights of the Child, Education for All, and the Humanitarian Charter. From the minimum standards in the INEE framework, emergency is defined briefly as a situation where a community has been disrupted and has yet to return to stability (INEE, 2010, p. 117). “Emergency education” is defined as the provision of quality education opportunities that meet the physical protection, psychosocial, developmental, and cognitive needs of people affected by emergencies, which can be life-sustaining and life-saving.

Yet tensions between education and humanitarianism and their differing aims often surface in discussions about themes such as the curriculum that should be taught, the language of teaching, the accreditation and certification of learning, who should offer this education, and the role of the hosting state versus humanitarian agencies. For example, a 2004 INEE report notes, “[F]or refugees, it is preferred to adopt the curricula of the country of origin to facilitate voluntary repatriation” (INEE, 2004, p. 57). Since the 1980s, repatriation to one’s home country became the focus of refugee policies, despite limited possibilities of return (Chimni, 2004). Emphasis on return has resulted in short-term education that is devoid of a coherent strategic vision for students’ future prospects. Consequently, families or individual students lack the incentive to enrol in an education program that offers little preparation for further higher education or employment in the host country. The temporality of the situation and the absence of prospects were overwhelmingly cited as reasons that families avoided enrolling their children in schools (Shuayb et al., 2016).

Linked to the short-term and temporary, education in emergencies does not take into consideration what education is for and tends to treat it as an unmitigated good (Lynch, 2006). While education leads to increased well-being among

primary and secondary school children in refugee settings and helps children and young people to have aspirations for the future (Burde et al., 2017; Dryden-Peterson, 2016), the legal status of refugee children is different from the status of the non-displaced, and in countries like Lebanon, the possibilities that they will realize their aspirations are more limited than for their non-displaced peers because they cannot access all types of employment.

Another shortcoming of the emergency model is its highly de-politicized approach to refugee education, because, in contrast, the subject of refugee reception is extremely politicized. Additionally, in emergency education frameworks, refugees from war zones and people fleeing natural disasters such as hurricanes are treated with the same approach. There is a failure to acknowledge that most conflicts are protracted, while other disasters have a varying time scale. Moreover, a political conflict is rarely restricted to one geographical area: the conflict is often mitigated by other parties who also influence the kind of support offered in a particular reception context.

The Tensions in Emergency Education: A Schema

Education is a long-term planned process that prepares children for the future. As such it speaks directly to a development approach to protracted displacement. Education during displacement helps children maintain aspirations for the future. In the same way, governments often compose their educational policies and strategies with the future in mind, for the job market, nation-building, or individuals’ self-actualization. “Emergency education” is thus clearly an oxymoron that expresses tensions between education and humanitarianism. Here we compare the logic of humanitarianism, education, and emergency education to identify potential overlaps and tensions. While we discuss general principles of humanitarianism, education, and emergency education, we do not address the multitude of paradigms and schools of thought that might be behind these principles. Table 1 compares the logic of the three.

Table 1 summarizes the main discourse of the humanitarian model and how it is translated into education in general, and in emergency settings in particular. The EiE initiative also offers a global framework for thinking and implementing education interventions for refugees. This is an essential role for providing guidance for UN agencies and host countries. Interestingly, there has been a shift in EiE discourse in favour of implementing this framework but within the national education system of the host country. Yet the strengths and limitations of this shift are yet to be examined. In the next section we analyze the outcome of humanitarian education in Lebanon—particularly the education response and how it changed during the crisis between 2011 and 2018.

Table 1. The Logic of Humanitarianism, Education, and Emergency Education

| Logic (ideal) | Humanitarianism | Education | Education in emergency |
|--|---|--|---|
| Motivation/objective | Saving lives | Employment, building/making good citizens, empowerment, self-actualization | Literacy, a human rights obligation |
| Time frame | Present | Past, present, and future | Temporary, awaiting repatriation |
| Standards | Minimum standards, humanitarian charter | Following national policies and curricula | INEE, minimum standards |
| Understanding the person/individual | Biology, saving lives | Biography, recognition | Individual, saving lives |
| Participation | Passive victims, to be offered assistance | An entitlement, participation in decision making concerning education for community and children | Passive and conditional, low sense of entitlement: education as assistance |
| Social space | Exceptional spaces of assistance | National | Different degrees of segregation/ integration |
| Objective | Relief | Development | Temporary protection |
| Status, citizenship, membership | Humanitarian labels, categories of need | Right to education as citizens and full members of society | Conditional right to education depending on host country, with suspended civic rights |
| Human rights | Right to life | Basic human rights, Convention on the Rights of the Child | Right to education detached from other rights |

The Dynamics of Humanitarianism and Education in the Syrian Refugee Crisis in Lebanon

The research presented below is based on a content analysis of educational policies, strategies, legislation, reports, statistics, and minutes of the Education Working Group published between 2011 and 2018. An analytical framework that examines the key aspects and processes in the education of refugees and how it evolved during these 8 years was developed and used to code and analyze the data, using NVIVO software. This section summarizes the main developments we identified from the analysis. Three stages distinguish the education response in Lebanon from an emergency stage, where humanitarian organizations were in the lead, to a shift towards a government response and development discourse. In particular, we examine the different policies and the education strategies “Reaching All Children with Education I and II” (RACE), which were developed to support the enrolment of Syrian refugee children in public schools in Lebanon while strengthening the national education system. Before we describe the stages of the

response, we will introduce some background information on the Lebanese educational system and provisions to enrol Syrian refugees in education in Lebanon.

Syrian Refugees and Education in Lebanon

The 2011 protests in Syria transformed into a long-term and ongoing war, with repercussions well beyond the nation’s borders. According to the United Nations High Commissioner for Refugees (UNHCR), the number of Syrians fleeing the war in Syria is more than 5 million worldwide (UNHCR, 2019). The number of Syrians registered as refugees in Lebanon is estimated to be 1 million, meaning that one in five people in Lebanon is a Syrian refugee.

Lebanon is not a signatory of the 1951 UN Refugee Convention and, at the time of writing in 2020, withholds refugee status from Syrians in Lebanon. Although the Lebanese government has permitted the UNHCR to register refugees, that protection is limited. It does not grant refugees the right to seek asylum or have any legal stay or refugee status (UN, 2015).

Table 2. Number of Syrians Enrolled in Morning and Afternoon Shifts 2011–2018

| Number of enrolled students | Morning shift | Afternoon shift | Total |
|-----------------------------|---------------|-----------------|---------|
| 2011/12 | 30,000 | — | 30,000 |
| 2012/13 | 29,000 | — | 29,000 |
| 2013/14 | 58,360 | 29,902 | 88,262 |
| 2014/15 | 44,000 | 62,000 | 106,000 |
| 2015/16 | 62,500 | 92,595 | 155,095 |
| 2016/17 ^a | 63,754 | 157,868 | 221,622 |
| 2017/18 ^b | 59,145 | 154,209 | 213,354 |

Note: Compiled from RACE II PMU online platform.

^a RACE PMU (2017). Note that another report from the same source dated July 2018 states that the enrolment rate in the afternoon shift in 2016/17 was only 124,000 (RACE PMU 2018a).

^b RACE PMU (2018b).

Lebanon's most recent memorandum of understanding with the UNHCR (2008) declares that "Lebanon does not consider itself an asylum country," and, under its mandate, the UNHCR carries out all refugee status determinations. A discourse of return has increased in prominence over the past year which follows a politicized discourse of temporariness related to the Palestinian refugees residing in a temporary status in the country since 1948 and the diverging relationships among political parties to the conflict in Syria.

In 2016, UNHCR estimated that Syrian school-age children in Lebanon totalled 488,832 (MEHE, 2016). The Lebanese government committed to compulsory education for children under 15 years old by opening up Lebanese public schools to Syrian refugees. However, the enrolment rates among Syrian refugees in formal education does not exceed 40% (MEHE, 2016), with only 1% enrolled in grade 9 (RACE PMU, 2019).

Despite inconsistency in the number of enrolled students reported by the Ministry of Education and Higher Education (MEHE) itself, Table 2 shows that there has been continuous progress. However, while retention rates have increased, the dropout is still very high (RACE PMU, 2018a).²

In the following section we track developments of the educational discourse and provisions for Syrian refugees in Lebanon. This response comprises three main stages.

Stage 1: The Humanitarian Crisis, Establishing an Education Response

With the influx of Syrian refugees in 2012, the MEHE allowed Syrian refugees to register in public schools, introducing several education policy initiatives for Syrian refugees. The ministry had not yet comprehended the scale of the crisis, saying that the UN's estimated increased demand on public schools was exaggerated (UNICEF, 2013). In 2013, the enrolment rate of Syrian school-age children in Lebanon was estimated at just 31%. Refugees resided predominantly in some of the most deprived areas in Lebanon, where demands by the local community on public schools were higher than other areas. This period witnessed substantial involvement by humanitarian organizations and NGOs, including an adaptation of the EiE framework to Lebanon. Adaptation of the standards involved representatives of the Lebanese government, INGOS, UNRWA, and local Lebanese NGOs. However, Syrian NGOs and representatives from the refugee community were almost entirely absent.

A major policy that left a stark effect on enrolment was the introduction of two shifts in 2012–2013. MEHE introduced afternoon shifts reserved strictly for non-Lebanese students and requested funding from UN agencies to run shifts in order to absorb a larger number of children in education.

Several policy documents were issued during this period to provide education and support for refugees, such as "No Lost Generation" (2013), advocating for the priorities of children and youth. In 2013, the Lebanese Council of Ministers issued Decree 62 and memos 2 and 192 that allowed Syrian and Palestinian students from Syria to write the official exams in grades 9 and 12, provided that they submitted legal status documents of registration with UNHCR and previous school records.

At the end of 2014, the state stepped in to coordinate planning and implementation of the education response. Our analysis of those plans reveals an emphasis on increasing access to education for Syrian refugees by increasing capacity of the MEHE to absorb more children and removing legal barriers. People's legal status affected access to assistance and limited refugees' mobility, undermining families' capacity to reach schools without need to cross a security checkpoint and risk arrest.

One main feature of RACE I is its emphasis on access to education, because a large number of Syrian children were out of school and had to be enrolled. While the document discusses challenges to the quality of schooling, there were no attempts to address the structural issues that affected the

2. The success rate of Syrian children in the second shift increased in the official exams in grade 9 (72% in 2017–18, compared to 66% in the previous year), and grade 12 (90% in 2017–18, compared to 81% in the previous year) (RACE PMU, 2018a).

quality of schooling. In fact, the policy-makers' discourse reflects this emphasis on access rather than quality. The focus on access rather than quality was reflected in the staffing policy of the second shift, where priority was given to teachers working in the morning shift if they wished. There was no discussion of the impact of this additional workload on the quality of learning in both shifts.

One challenge to the schooling experience of nationals and refugees has been the Lebanese curriculum, developed in 1997, yet unaddressed in RACE I. In particular, the teaching of math and science in English or French has been behind the high dropout rates for Lebanese and Syrian children alike (UNICEF, 2013). During the first two years, Syrian refugees had difficulties adjusting to the Lebanese curriculum, in which most subjects are taught in English or French. Syrian refugees were demoted several grades because they had poor command of both languages (Shuayb et al., 2014).

Stage 2: Government Hegemony, the Donor Community, and the Role of Migration to Europe

As the Syrian crisis became protracted, policy began to change. The Lebanese government and MEHE led the education response in 2014 by introducing the Reaching All Children in Education (RACE I) initiative (MEHE, 2014) and froze most work done by NGOs in the public sector. The three-year, US\$6 million program aimed at the 413,000 school-aged children (3–18 years) affected by the Syrian crisis. The initiative aimed to (1) ensure equitable access to educational opportunities; (2) improve the quality of learning and teaching; and (3) strengthen national policies, the educational system, and monitoring and evaluation (Government of Lebanon & UN 2014, 2018; MEHE 2014, 2016).

Development of RACE I was led by MEHE and UN agencies—UNICEF in particular. However, at this time MEHE expressed its discontent with the work of some in the international and local non-governmental community, froze the work of the Regional Education Working Group chaired in turns by UNICEF and UNHCR, and presented itself as the main provider of education for refugees and receiver of donations. As a result, most non-formal³ education programs were frozen by MEHE, and NGOs were denied access to public schools. MEHE became almost the sole provider of formal education for refugees, and many non-formal education programs were brought to a halt. At this point MEHE introduced school shifts only for Syrian refugee children, who were offered four hours of learning from 2 to 6 p.m. Children learned maths, science, Arabic, and English, in addition to social studies, with a very short break in between. Students did not learn

any other subjects, such as physical education or art. MEHE received \$300 from the international donor community for every Syrian child attending the morning public school shift and \$600 for the afternoon shift.

An overview of MEHE's policies at this stage shows a strategy to hold all strings to funding and education. While there are advantages to having a strong policy-maker lead formal education for refugee children, MEHE's policies had many limitations that had a stark effect on the future of refugees. The decision of the UN and donors to limit all their efforts to enrol children in formal public schools meant that thousands of children could not find vacant places to register.

RACE I aspired to reach 200,000 children in formal education. However, to absorb all school-aged refugee children, MEHE needed to at least triple its capacity, and that was not possible. Interviews with UNHCR and UNICEF officials reflected their frustrations with the restrictions that MEHE placed on them, especially on partnerships with the private sector and NGOs to increase access to education. The longer children spent time out of school, the harder and more expensive it became to enrol again.

RACE I was a humanitarian model for education: it was short term and it assumed repatriation would occur, so investing in the future through education was absent. Instead, emphasis was placed on enrolment in basic education, and creating barriers such as curriculum adaptation required legal documentation, language provisions, segregation, transport, remedial support, cost of post-basic education, official exams policy, higher education, and employment persist. References to secondary and higher education were scarce in RACE I. While some of these issues fall within the remit of the work of MEHE, others such as legal papers are part of a larger political debate that rests with the government. That brings us to another limitation, mentioned above, about the apolitical nature of the humanitarian response.

Some additional observations can be made about RACE I. Segregation of Syrian children in second shifts became normalized and had an impact on the possibilities of social cohesion in the long run. While second shifts were a necessity in some areas because capacity was limited, they contributed to escalating friction between the Lebanese and Syrian student populations (Shuayb & Ahmad, in press).

Stage 3: From Humanitarian to Development and Sustainability

Inspired by the increased enrolment of Lebanese children in public schools, compared to pre-crisis levels, and the inclusion of more than 42% of school-age refugee children, RACE

3. Non-formal education refers to all educational programs, including psycho-social, remedial, and accelerated learning programs implemented by NGOs. Some were taking place on the school campus or after school.

II was developed in 2016 (MEHE, 2016). RACE II, a 5-year sequel to RACE I, envisaged a more strategic approach with greater affinity for “development” and “stabilization” (MEHE, 2016). While the concepts of stabilization and development are not defined in the plan, the attempt to move away from a humanitarian approach is evident in its aims and objectives. This was partly prompted by the duration of the conflict and the pressure on the local community, which made development more pertinent.

In RACE II, MEHE has a central role in improving education of all vulnerable children—Lebanese or Syrian—while the donor’s role is confined to funding and building the capacity of MEHE, which is responsible for planning and implementation.

In defining the shift from a humanitarian model to development, RACE II states, “While maintaining the humanitarian dimension of the Syria crisis response, strategic shifts need to occur towards longer-term approaches that cater for the protracted nature of the crisis. This requires the strengthening of the Lebanese public education system” (MEHE, 2016, p. 11).

RACE II suggested a revision of the national curriculum, as the existing one had not been revised since 1997. This reform would apply to all children attending schools, particularly public schools. Yet the new curriculum has not yet been finalized. RACE II did not discuss how the curriculum could address acculturation challenges that face refugees due to the nationalistic approach to designing the Lebanese curriculum and textbooks.

While secondary education was mentioned in RACE I, its presence as an objective in RACE II is more apparent. Vocational education continues to be overlooked in RACE II and is mentioned only once as an objective. Access to higher education is not mentioned in either RACE I or II. As for the second shift, it is seen as a success story that helped increase enrolment.

Compared to RACE I, RACE II focuses more on retention and the quality of education in both shifts. However, similar to RACE I, RACE II approaches nationals and refugee populations as two distinct groups. Sustainable development such as curriculum reform and vocational education seemed to target the Lebanese population, while the focus on refugees was on improving enrolment and retention. In other words, development was for the Lebanese while a humanitarian response was the focus of refugee-targeted interventions.

Refugee Education in a Humanitarian Setting: Purposeless, Exceptional, and Segregated

As we have shown so far, despite its shift in discourse from humanitarian reason to long-term development, education and education policies for refugees in Lebanon continue to operate with a short-term logic with several implications.

Here, we offer some lessons at the micro, meso, and macro levels.

Micro: Education Implemented and Experienced in Schools

Education for refugees as seen through RACE I and II is concerned primarily with the micro questions of providing education for refugees: the number and types of shifts, official exams policies, documents required, etc. One of our criticisms is that although work at the micro level is important, it is not accompanied by reflection on the purpose of this education and how it might prepare children for their future. This short-term vision is not restricted to the Lebanese experience but is also evident in humanitarian education in general (Dryden-Peterson et al., 2019).

Our second criticism of the Lebanese experience stems from the exceptionality outlook, in which these provisions were embedded. MEHE’s argument for exclusion has been to increase access and to accommodate the needs of refugees. However, segregation hindered the educational attainment of Syrian refugees. Moreover, the challenges that Syrian refugees experience in the Lebanese educational system are similar to those of their Lebanese peers. The structural barriers and poor-quality education that Lebanese children in public schools have long suffered from were underplayed as challenges that needed to be addressed for both student populations.

Meso: Actors’ Role in Developing Education Policies and Provisions for Refugee Children

The meso level is concerned with how education policies for refugees have been developed by humanitarian agencies, donors, and the state. As we showed above, the government, and MEHE in particular, took over from humanitarian agencies and led the response to provide education for refugees. The donor community largely stood by the Lebanese government and funded the education response in an attempt to stabilize the situation and curb the influx of refugees fleeing to Europe. As a result, the Lebanese government gained a stronger grip on the humanitarian response and compromised the education enrolment and attainment of refugees further without major objection from international actors or agencies. Policies in Lebanon may not conform to minimum standards such as INEE, but the response largely continued to follow a humanitarian logic: it was an exceptional response based on a logic of temporary presence. A more effective response could have been to provide education through all existing routes, including private, public, and NGOs, which could have resulted in higher enrolment and retention rates, as well as better quality education and less segregation.

Lebanon's private sector absorbs 70% of students.⁴ Had the response capitalized on both sectors, there could have been better chances to absorb higher numbers in a less segregated manner and with a more relational and holistic approach to education for refugees. However, MEHE insisted that it remain the only provider of schooling for Syrian children, blocking any attempts to involve the private sector in providing formal and accredited education. It also shut down most non-formal programs led by NGOs in the second and third years of the crisis. While obtaining an accredited school certificate was seen as a necessity and a key reason for investing in the public formal sector, the Syrian experience in Lebanon shows that it has little value if the quality of the schooling experience and the basic rights and quality of life are poor.

Macro

We understand the macro as the global world view that encompasses the principles, and ideals underpinning the policies and practices of education for refugees. The Lebanese experience offers insight into the tensions between the national and the global. MEHE pushed for segregated schooling for refugees. It insisted on the Lebanese curriculum and textbooks for sovereignty reasons. MEHE was already suffering from underperformance and low-quality education. Was it wise to invest in the national Lebanese public sector rather than a more hybrid system that could include provision of education offered by additional parties?

Crucially, humanitarian actors are seldom willing to undermine and challenge the sovereignty of the state and restrict themselves in questioning state policies. Yet transferring all responsibility to the state, which has underperforming systems and lacks transparency, is also a problem. At the moment, humanitarian actors can put limited pressure on the Lebanese state or provide technical guidance on how to best accommodate the needs of refugees. Here lies the importance of having global standards for countries that encourage more diverse and multi-sectoral responses rather than opting for hegemonic policies.

Towards "Participatory and Socially Just" Frameworks for Education in Protracted Displacement

The discourse on education in refugee settings, including in Lebanon, is dominated by a liberal discourse where access is the prime focus. Inequalities seldom feature in the discourse of education for refugees. Emphasis on access does not solve the potential for individual and societal development that is helped by the education system because the system is not

based on equality and justice, nor on participation. In Lebanon, we have identified a system that is exceptional, offers education of poor quality, and promotes segregation and inequality of outcomes. In the current system and policies, there are modest attempts and limited willingness to target the root causes of this injustice and develop an improved system for all groups in the country—a system that may facilitate development in broader terms. Thus we suggest there is need to think beyond the simple school provisions of a classroom space and take one step back to question the philosophy of the whole process. There is need to reflect on how to overcome confinement of exceptionality in "refugee" status and a humanitarian reason to offer a holistic approach that is oriented towards the future. A commitment to education for a future requires a shift of paradigm from a "survival" and a "minimum" discourse to encompass access where Syrian refugees participate on par with others (Fraser, 2005).

Such a paradigm shift in education has potential for refugees and for the host community. Most refugees reside in low-income countries, where there are inherited inequalities in the host country that need to be addressed. However, refugee intervention paradigms overlook these injustices within a system that contributes to marginalization of parts of the local community and the newcomers. We do not suggest that providing better and more relevant education for refugees is easy. The political constraints are often almost impossible to overcome. On the basis of our conceptual discussion and the experience from Lebanon, we have identified a need to explore a two-pronged approach: a global framework that operates within the nation state framework.

First, where exceptionalism and futureless education dominate as the result of political unwillingness to integrate, some refugees may be better served with more ambitious global standards than those identified in the Education in Emergency framework described above, that encompass an international framework and a curriculum that is mobile and accredited globally. While continuing to offer education in an exceptionalist framework, an international framework would secure equal access for refugees to quality and holistic education. One challenge may be that refugees' legal status and access to employment will continue to restrict young people's potential to realize their aspirations. However, an international framework could enable refugees' improved participation and influence in the provision of education. The global curriculum framework may be available for local pupils if the host country agrees to accredit it. A few global curricula are accredited by many countries such as the

4. Lebanon has an equal number of public and private schools. The high demand for private schools is due to the dominant perception of the poor quality of public schools.

Table 3. Potentials and Limitations of a Global and National Education Framework for Refugees

| Global framework | National framework |
|---|---|
| <i>Advantages</i> | <i>Advantages</i> |
| International | Strengthens local system |
| Avoids existing inequalities and problems with the local educational system | Integrates with the national curriculum |
| Can develop a more flexible framework | Respects the local context |
| Avoids the nationalistic restrictions of local systems | Gives better linkage to employment |
| Overcomes the issue of accreditation and certification | Incorporates existing accreditation and certification |
| Involves the local and refugee community | Involves the local community |
| <i>Disadvantages</i> | <i>Disadvantages</i> |
| Segregates | Has difficulty in addressing existing problems |
| Creates a parallel system | Politicizes implementation |
| Emphasizes exceptionalism | Costs more |
| Widens inequalities | Depends on capacity of the local education sector |
| Overlooks disadvantaged groups | Can have poor outcomes |
| Costs more | Offers a rigid of national curriculum |
| Decontextualizes | Creates language barriers |
| | Acculturates |

International Baccalaureate, yet they remain exclusive to an elitist student population.

An alternative to the global framework is a localized, participatory, and inclusive framework that focuses on improving the education system for all. In Lebanon, it means a further critical take on the general education provision in the country, the hurdles in the public school system, and the separation between public and private education. One challenge with this framework is the dominance of the national agenda, which might further marginalize refugees. Strengthening national systems have featured frequently in humanitarian responses and become the subject of a more dominant discourse with the localization debates and a humanitarian-development nexus following the World Humanitarian Summit in 2016 (Knox Clarke, 2018). In Lebanon the national agenda marginalized refugees and emphasized their exceptionalism as a result of lack of political will and the humanitarian and exceptionalist framework. To combat this result, the localized framework needs to be embedded in a socially just education system where the emphasis is on participation, representation, and distribution. In Table 3 we explore the potentials and limitations of both frameworks.

There are different forms of global educational frameworks, but frameworks that are more diverse and less nationalistic, and that accommodate people on the move, are needed. Yet the degree of equity and inequality that such global frameworks produce in the national context is often questioned.

At the same time, investing in nationalistic local education frameworks often restricts quality and access for refugees.

Conclusion

There are limitations to the humanitarian education logic, as we have argued in our case study of the Lebanese experience. We acknowledge that in some situations it is difficult to move away from exceptionalist provisions accompanied by segregating and compromised education provisions. Nevertheless, we argue that in protracted displacement, investing in local, inclusive provision of education that does not impose a rigid and segregating system might achieve better educational outcomes in access and quality. A broad curriculum framework rather than a rigid and nationalist one that allows all school parties to adapt teaching and learning to respond to the needs and background of students can better respond to the inequalities in refugee crises.

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What Shapes the Integration Trajectory of Refugee Students? A Comparative Policy Analysis in Two German States

ANNETTE KORNTHEUER AND ANN-CHRISTIN DAMM¹

Abstract

Enabling the successful integration of refugee students into the German schooling system poses a crucial challenge for the coming years. Drawing from the human rights framework of the Inter-agency Network for Education in Emergencies standards, we applied a rights-based approach to policy analysis on educational provisions for refugee students from 2012 to 2018. According to international and European law, Germany is obliged to grant similar access to education for nationals as well as refugee children and youth. In reality, the realization of educational rights varies from state to state. This will be highlighted and discussed in this article, using the example of two very different German states, Hamburg and Saxony. The sudden rise of numbers of refugees led only slowly to an increase in educational policy density and intensity on federal state and national levels in 2016 and 2017. We find that the differences in compulsory schooling, models of integration into schooling, and the asylum and settlement policies in both states shape the

educational participation of refugee children and youths. Both states implemented parallel integration models that might bear risks of stigmatization and limit educational possibilities. However, transition and language support concepts in both contexts contain integrative phases offering language supports in the regular classrooms. Asylum policies and state-specific settlement policies have profound implications for the rights and access to education. Further, vocational education and training programs play a crucial role, especially in Saxony, to tackle demographic challenges.

Résumé

Favoriser des trajectoires d'intégration réussies pour les étudiants réfugiés dans le système d'éducation allemand constitue un défi important pour les prochaines années. Nous appuyant sur le cadre des droits humains du Réseau Inter-agences pour l'Éducation en Situations d'Urgence, nous avons appliqué une approche axée sur les droits à l'analyse des politiques en matière d'offre éducative pour les

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étudiants réfugiés de 2012 à 2018. En vertu de la loi nationale et européenne, l'Allemagne est dans l'obligation d'accorder aux enfants et aux jeunes réfugiés un accès à l'éducation comparable à celui de ses citoyens. Dans les faits, l'exercice du droit à l'éducation varie d'un État à l'autre. Cet article aborde cette question à travers les exemples de deux États allemands « très différents », soit Hambourg et la Saxe. La hausse soudaine du nombre de réfugiés n'a mené que très lentement à une densité et une intensité accrues des politiques éducatives au niveau des États fédéraux et au niveau national en 2016 et 2017. Nous constatons que les différences dans la scolarisation obligatoire, dans les modèles d'intégration au système scolaire et dans les politiques d'asile et d'établissement des deux États façonnent la participation éducative des enfants et des jeunes réfugiés. Les deux États mettent en œuvre des modèles d'intégration parallèles qui peuvent comporter des risques de stigmatisation et limiter les possibilités éducatives. Les approches en matière de transition et de soutien linguistique dans les deux contextes contiennent cependant des phases d'intégration où un soutien linguistique est offert dans les classes régulières. Les politiques d'asile et les politiques d'établissement propres à chaque État ont d'importantes conséquences en matière de droits et d'accès à l'éducation. De plus, les programmes de formation professionnelle jouent un rôle crucial, en particulier en Saxe, pour relever les défis démographiques.

Introduction

Germany has long been the primary destination country for asylum seekers in Europe, although their numbers have reached a historical high in recent years.² It was home to over 1.7 million refugees³ in 2018 (Statistisches Bundesamt, 2019). The refugee population is extremely young: In 2017, 25.7% were under 18 years of age, compared to 17% of the peer group within the domestic population (Statistisches Bundesamt, 2018). Enabling the successful integration of these young people into the German

educational systems poses a crucial challenge for the coming years.

The educational participation of refugee children is a key element of integration, but it has received more attention only recently from the international academic community (Bunar, 2018a; Cerna, 2019; Crul et al., 2017).

The state of comparative research on *newly arrived migrant students*⁴ shows the important and correlated influence of school structural and individual factors on unequal access to educational opportunities in Germany (Diehl et al., 2016).

Structural factors are reflected mostly in policies, which shape the integration trajectories of all students. The manner in which transition systems are implemented, the quality of the education provided, and the provision of additional support, such as language classes, can have a tremendous impact on social and structural integration (OECD, 2015; Cerna, 2019). This article presents findings from a larger, comparative longitudinal study on refugee education provisions (policies, programs, and practices) in Australia, Germany, Lebanon, and Turkey. The larger study examines the development of refugee students enrolled in formal schools in middle and secondary levels from 2018 until 2023.

This article critically analyzes some of our findings on Germany. As education in Germany is the responsibility of the 16 federal states, educational provisions for refugee children also differ widely among them. These differences will be highlighted and discussed in this article, using the example of two very different German states: Hamburg and Saxony. Saxony is a territorial, more rural state of the former East Germany with a population of 4.1 million, while Hamburg is a densely populated independent city state in the former West Germany with about 1.8 million inhabitants in 2018. In contrast to Saxony, it has comparatively liberal educational policies and a long experience with migration. Both states offer a two-track school system for secondary schools, like the majority of German states, including all states of the former East: one aimed at students wanting to go to university, the other at students planning to go into vocational training.⁵ Both states experienced a sharp increase in school-age

2. In 2016, 59% of all asylum applicants recorded in the EU member states were registered in Germany. In 2018, the number decreased to 28.5% (Eurostat, 2019).

3. Including asylum seekers, refugees with legal status, and people whose applications have been rejected.

4. We refer to *refugee children* as children with a refugee status according to §25 (1) AufenthG with §16a GG; Geneva Convention on Refugees; subsidiary protection and national non-refoulement (§25 [3] and §60 [5 and 7] AufenthG). We refer to *refugee students* as school-age (ages 6–17) refugee children enrolled in formal education. The term *migrant students* refers to students with a migration background, which includes refugee children. According to the official category of the German Federal Statistical Office, individuals have a migration background if they or at least one of their parents did not acquire German citizenship at birth (Will, 2019).

5. The main difference in secondary education is that in Hamburg, students in both schools (*Gymnasium* and district school) can obtain university entrance qualifications, while in Saxony this is possible only at the highest level of secondary school, the *Gymnasium*.

refugee children. In 2018, Saxony was home to 10,392 school-age refugee children, which represents a four-fold increase since 2012. The number of school-age refugee children in Hamburg nearly doubled during the same period to 8,173 (Statistisches Bundesamt, 2019). Comparing these two states provides the possibility of analyzing two highly affected but very distinct contexts and their relative responses.

This article is anchored in the Inter-Agency Network for Education in Emergencies (INEE) standards of education. They define how education, as a fundamental human right,⁶ can (and should) be provided in emergencies and beyond (INEE, 2010). Consistently throughout the article, we apply a rights-based approach to our policy analysis (Gatenio Gabel, 2016). In particular, we focus on the structural dimensions of government policies, presenting and explaining educational provisions at the primary and secondary levels, as well as the vocational education and training (VET) system⁷ in the two states, on the basis of a content analysis of policy documents from 2012 to 2018. Furthermore, we concentrate on the impact of these provisions on one specific group of newly arrived migrant students: refugee children and youths. This article defines refugees as asylum seekers, accepted asylum applicants, beneficiaries of subsidiary protection, and people with a certificate of suspension of deportation and rejected asylum seekers (Statistisches Bundesamt, 2019; also see Table 1).

The analysis aims to address four questions: (1) How have the education policies and related immigration and resettlement policies in Saxony and Hamburg changed since 2012? (2) What is the current state of educational policies and educational provisions in the two federal states regarding refugee children? (3) How are settlement and asylum policies affecting the educational participation of refugee children and youths? (4) How do these educational and refugee settlement policies affect the realization of education as a human right?

First, the article provides an overview of the existing knowledge on educational participation of refugee children in Germany and the two federal states in focus. As a next step, the theoretical framework, data collection process, sample, and analysis strategy are described. We find that the differences in compulsory schooling, models of integration

into schooling, and the asylum and settlement policies in both states shape the educational participation of refugee children and youths. Further, curricula have been adapted mostly years after the high influx of refugee students, and language support systems and VET programs play a crucial role in both states.

Educational Participation of Refugee Students in Germany

Education in Germany is highly federalized. Besides common features like a stratification of the school system and equivalent and nationally recognized school qualifications, there are also substantial differences, mainly in secondary education (Vogel & Stock, 2017). These include the different lengths of primary schooling, different comprehensive school systems, and two- to five-track school systems. Since there is a wide variety of educational provisions in the different federal states, this article uses the term “German educational systems.”

General Figures and Numbers on Refugee Students in Germany

Numbers on refugee children and youths and their educational attainment are scarce, since their legal status is not yet included in the educational statistics of the federal states (Juran & Broer, 2017). The numbers on the school-age refugee population can only serve as a proxy, since attendance rates vary across different educational stages and institutions. Current studies indicate that the transition of refugee children and youths into schools in Germany seems to be rather successful: 95% of the 10- to 17-year-old refugees attend schools (Pavia Lareiro, 2019). However, attendance rates for preschool education and for secondary schools that lead to university entrance qualifications are significantly lower, as compared to the overall student population in Germany (Pavia Lareiro, 2019; Will et al., 2018).

There are nearly half a million refugee minors (ages 0–17) in Germany, and over two-thirds of them were school-age children in 2018 (Statistisches Bundesamt, 2019). The asylum seekers are even younger than the total refugee population. In 2018, 48.3% of the asylum seekers (first application) were

6. The INEE Standards are derived from human rights and underpinned among others by several international legal instruments: Universal Declaration of Human Rights, Convention Relating to the Status of Refugees, and Convention on the Right of the Child INEE (2010).

7. The article focuses on the primary and secondary level of the national education and training system. This comprises the compulsory school system (primary level 1 and secondary level 1) as well as the upper-secondary level. The upper-secondary level includes the senior classes of the *Gymnasium* as the precondition for university entrance, as well as the VET system. On average, young people in Germany take up VET between the ages of 16 and 18 (BIBB, 2017). For a policy analysis of refugees in the German higher educational systems, see Unangst (2019).

Table 1. Refugee Population in Germany, 2018

| | Germany | Hamburg | Saxony |
|---|------------------|----------------|----------------|
| Population | 83,019,213 | 1,841,179 | 4,077,937 |
| Refugees* (percentage of total population) | 1,781,750 (2.1%) | 52,730 (2.9%) | 60,775 (1.5%) |
| Refugees with legal status* (percentage of refugee population) | 1,283,225 (72%) | 39,965 (76%) | 37,295 (61%) |
| ... within asylum process (percentage of refugee population) | 306,095 (17.1%) | 7,690 (14.5%) | 12,860 (21%) |
| ... with toleration status** (percentage of refugee population) | 155,235 (8.7%) | 4,100 (7.8%) | 8,965 (14.7%) |
| Minors (age 0-17) | 465,036 (26.1%) | 12,549 (23.8%) | 16,287 (26.8%) |
| School-age refugee population (age 6–17) (percentage of refugee population) | 297,552 (16.7%) | 8,173 (15.5%) | 10,392 (17.1%) |

Source: Statistisches Bundesamt (2019), own calculations.

*Refugees according to §25 (1) AufenthG with §16a GG; Geneva Convention on Refugees; subsidiary protection and national non-refoulement (§25 [3] and §60 [5 and 7] AufenthG).

**Refugees with a toleration status are among the group of refugees with a rejected legal status.

under 18 years old, and 63.5% were under 25 years of age (Bundesamt für Migration und Flüchtlinge, 2019, p. 19).

In 2018, 30% (16,287) of the refugee population in Saxony were minors, of which 10,392 were school-age refugee children. The refugee population in Hamburg is slightly older, as nearly 24% of the refugee population were minors and 8,173 of them school-age refugee children (Statistisches Bundesamt, 2019).

Educational Rights and Provisions for Refugee Children and Youths in Germany

According to international and European law, such as the Universal Declaration of Human Rights (Article 26), the UN Convention on the Rights of the Child, and the EU Receptions Directive, Germany is obliged to grant similar access to education for refugee children and its nationals. In reality, regulations on compulsory schooling differ among all federal states. They range from access to compulsory schooling at the very start of their stay, as in Hamburg, to 3 or 6 months after arrival, or, in Saxony, whenever the child is transferred from the first reception centre to the municipality (Vogel & Stock, 2017). Youths have legal access to preparatory classes

in vocational school until the age of 18 in most federal states, including Hamburg. Some states extended the age range for access to VET to 21 years and, in exceptional cases, to 27 years, including Saxony (Robert Bosch Expertenkommission, 2015).

For the organization of school integration, Massumi et al. (2015, p. 44) identified four models:

1. Immersion without any specific extra support
2. Integrative within regular classrooms and supplementary German classes
3. Partly integrative with a mix of parallel German classes and regular class attendance
4. Parallel classes, either given temporarily as a step towards integration into a regular class or until receiving a school leaving certificate without integration into a regular class

While some German states incorporate refugee children within regular classes, other states set up so-called welcome classes or international preparatory classes, which are designed for migrant children only. Recent studies show that at least one-third of all refugee students in Germany are still attending preparatory classes (Pavia Lareiro, 2019; Will et al., 2018).

Methodology

Comparative policy analysis is designed to compare policy outputs, explain outcomes, and understand the dynamics within a particular area of activity or policy field (Peters et al., 2018). Policies describe the content of politics and the results of a political decision-making process; they comprise laws, regulations, and political programs.

There are several primary purposes for an analysis of policy processes: understanding processes through which policies are developed and implemented and assessing the extent to which policies fulfill their aims. Policy change is measurable by focusing on the “policy density” (quantity of policies in a policy field) and “policy intensity” (level of regulation, e.g., amount of transfer payments or coverage/scope of policy) (Knill & Tosun, 2015). This article focuses on new developments in legislation and policies, political and governance context (national legislation on refugees), key policy issues and their relation to refugee education (increasing number of refugees), outputs, outcomes, and impacts.

For data collection and sampling, documents from a range of government and non-government stakeholders have been included in the policy analysis (see Table 2). One expert interview in each context (Saxony and Hamburg) was also conducted, mainly to assist with identification of relevant policy documents and not for analysis. While this can be considered a limitation, the sample size was not chosen to reach saturation, but merely for explorative reasons. Documents were also identified through literature review, research in relevant databases, and from websites of the related governmental bodies at the federal and state levels. Reports from government departments and offices, such as the Ministry for Migration and Refugees (BAMF), the Federal Office of Statistics, and the educational authorities of the two federal states, have been included. As the impacts and long-term effects of a policy cannot be assessed by analyzing policies alone, evaluations and monitoring also have to be taken into account (Knill & Tosun, 2015). Therefore, another important source of data is policy reviews, government-funded studies, and parliamentary enquiries. The last constitute the largest number of policy documents, followed by regulations, frameworks, and education plans.

These documents were analyzed using the methodology of qualitative content analysis (Mayring, 2010), which is based on a system of formal categories (close to a coding scheme) that structures the coding. Subsequently, sub-codes were inductively formed, with analysis proceeding by comparing and contrasting in and between data sources. This allowed for a comparative analysis. More importantly, the coding scheme used referenced the INEE standards, which allowed us to compare the policies in the two states with standards outlined in the INEE. The coding scheme formed the basis

for the comparative longitudinal study of all four countries in our larger study.

As researchers and practitioners in the field of social work and integration studies we understand social justice and human rights as normative frameworks of our (research) practice. In accordance with the guidelines of Gatenio Gabel (2016), we apply a rights-based and not a needs-based approach to our policy analysis throughout.

While needs-based approaches align their action with benevolence and evidence of need, defined by experts and political elites, in a rights-based approach right-holders are entitled to the fulfillment of their claims by duty-bearers. International and national obligations assumed by the state are emphasized. Regarding Vázquez and Delaplace, “The first step to take in applying a human rights perspective to public policy is to unpack the right question” (2011, p. 37), contrasting policy (outcomes) with cross-cutting human rights principles. We refer to human rights principles of accountability, non-discrimination, and equity. In the analysis, we operationalized these principles according to the guidelines of Gatenio Gabel (2016, p. 11). We defined education as a human and national right of refugee children and youths and explored the complexity of the rights and policies within the two German states. Finally, we used Gatenio Gabel’s analytical questions on the progression of human rights principles for each developed result category (p. 14).

Results

In our comparative analysis, we identified three main themes in both federal states: (1) exclusion and inclusion of refugee students through policies on compulsory schooling and through influences of asylum and settlement policies, (2) variations in models of integration, and (3) VET programs as the priority in educational planning for refugee children and youths.

Differences in Compulsory Schooling and Influences of Asylum and Settlement Policies

Germany is legally obliged to grant refugee children access to education similar to that for its nationals (Vogel & Stock, 2017; INEE, 2010). Nevertheless, restrictive asylum policies can interfere with their education rights.

Compulsory Schooling Until Age 18 in Both States with an Exception

The educational mission of all Hamburg schools stems from §§1–3 and §12 of the Hamburg Schools Act (HmbSG). Education is compulsory for children aged 6–18 or for those with less than 11 years of schooling (§37 [3] HmbSG). For the school-age refugee population up to age 18, school attendance is compulsory from the very beginning of their stay in

Table 2. Sample of Policy Documents

| | | 2000–14 | 2015 | 2016 | 2017 | 2018 | Total |
|--------------------------------------|--|-----------|-----------|-----------|-----------|-----------|------------|
| Saxony | Benchmarking analysis/reports | 1 | 1 | | 1 | | 3 |
| | Parliamentary enquiries | 8 | 5 | 9 | 9 | 6 | 37 |
| | Regulations/frameworks/ educational plans | 3 | 1 | 3 | 4 | 8 | 19 |
| | Laws | 1 | 1 | | | 2 | 4 |
| | Statistical data | | 1 | | 1 | 1 | 3 |
| | Leaflets/information material | | | 2 | 2 | | 4 |
| Hamburg | Benchmarking analysis/reports | | | | 1 | 2 | 3 |
| | Parliamentary enquiries | 1 | 2 | 2 | 3 | 14 | 22 |
| | Regulations/frameworks/ educational plans | 11 | | | 2 | 4 | 17 |
| | Laws | 1 | | | | 1 | 2 |
| | Statistical data | | | 1 | | 2 | 3 |
| | Leaflets/information material | 2 | | 2 | | | 4 |
| National/International/Others | | | | | | | |
| | Educational and Policy Reports | | 3 | 8 | 7 | 3 | 21 |
| | Statistical data | | | 2 | 1 | 1 | 4 |
| Total | | 28 | 14 | 29 | 31 | 44 | 146 |

Source: Authors' calculations.

Hamburg, regardless of their legal status (Behörde für Schule und Berufsbildung, 2018a). Youths over the age of 18 who are not pursuing vocational training or further qualification are not subject to compulsory education and generally have no right to attend school.⁸

In consequence, for newly arrived asylum seekers, education is provided in so-called study groups in first reception centres in Hamburg. Parliamentary enquiries show that in April 2015, 29 study groups were implemented in first reception centres in Hamburg. The number of students there reached more than 1,000 by February 2016. Parallel to the number of refugee arrivals in Germany, the number of refugee students in study groups dropped to 267 by the end of 2017. The city-state integration concept states that at the latest after relocation to a city refugee shelter, refugee children and youths must receive access to basic or international preparatory classes (Freie Hansestadt Hamburg, 2017).

There are important differences in the enrolment conditions and access criteria for education in Hamburg and Saxony. In Saxony, compulsory schooling for asylum seekers starts only when the refugee child is transferred from the first reception centre to the municipality. As their transfer usually takes longer than 3 months, children in first reception centres are at risk of being excluded from formal school education. In August 2018, 260 children (age 6–18) in first reception centres were excluded from formal education, of which 102 were excluded for more than 3 months (Sächsischer Landtag, 2018). Studies stress that due to pre-, trans-, and post-flight situations, most refugee students have interrupted school careers to some degree (Lechner & Huber, 2015; UNESCO, 2018; Will et al., 2018). Our analysis and further studies show that this situation continues for children in Saxony after their arrival in first reception centres, and that asylum policies are negatively affecting educational rights (Toth, 2018, p. 2).⁹

8. Nevertheless, policies have been implemented for this non-traditional target group (Bürgerschaft der freien und Hansestadt Hamburg, 2018).

9. See EU-AufnRL, which obliges states to grant refugee children access to education that is similar to that for nationals after a maximum of 3 months.

Interferences between Refugee Education and Asylum and Settlement Policies

The educational participation of refugee children and youths is shaped not only through education policies but also through provisions in the asylum and immigration law of Germany. Interferences and overlaps between both policy fields can be shown in four main areas: (1) emotional instability and mental health risks throughout the asylum process, (2) inadequate learning environments due to housing in shelters and reception centres and residence/living obligations, (3) limited access to work permits and study permits for vocational training, and (4) limited access to health services, such as psychological support systems (Vogel & Stock, 2017; Robert Bosch Expertenkommission, 2015).

Since 2015, several legal changes have been introduced in federal asylum and settlement policies; some have improved the situation for refugees, while others have created obstacles to their integration and participation in daily life (SVR, 2019, p. 67f.). For example in 2018, a new reception model, the *reception, decision, distribution, and return facilities model*, was developed on a national scale. While Saxony has put the concept into practice, Hamburg has not implemented it and discussions remain controversial. Asylum seekers, regardless of their countries of origin and prospects of staying in Germany, can be obliged to stay in these centres until the final decision of their refugee claim (a maximum of 18 months, or 9 months for families with children) (Bundesamt für Migration und Flüchtlinge, 2018, p. 6). Lack of privacy in shared kitchen and sanitary facilities as well as forced cohabitation of asylum seekers suffering from trauma and psychosocial stress in mass accommodation result in extremely problematic living situations. These have long been criticized as the main barrier for the educational participation of refugee children and youths. Besides threats of violence and harassment for refugee children, there is a lack of opportunities for them to play and have some physical activity as well as the lack of an adequate learning environment within the facilities (Schmid & Kück, 2017). The UNESCO world education report states that regulations on asylum can have a negative impact on the educational access of refugee children and youths (UNESCO, 2018). The new reception model in Saxony can increase the violation of human rights principles of non-discrimination and equality that demand protection of the most vulnerable segments of the population (Gatenio Gabel, 2016, p. 12). Complex and restrictive asylum policies might also be perceived as discrimination on an individual level and add to mental health risks as a result of traumatic experiences in the pre-, trans-, and post-flight process (Korntheuer, 2019; Lechner & Huber, 2015).

Models of Integration into Schooling in Saxony and Hamburg

The enrolment and actual schooling conditions of refugee children and youths are diverse and differ between states as well as within states. Referring to Massumi (2015), different models of educational integration are applied in Hamburg and Saxony and between educational stages, depending on the individual school or centre.

Sophisticated Transition System for Primary and Secondary Schools in Hamburg

The city state of Hamburg provides a differentiated and sophisticated intake system for newly arrived refugee and migrant students into primary and secondary schooling until the age of 16. Enrolment progresses through five steps:

1. Arrival at the initial reception facility: immediate access to study groups (organized according to age groups)
2. Consecutive accommodation in a city refugee shelter/flat: assessment at the school information centre and referral to home school; decision if a student can directly enter an international preparatory class (for one year) or is first to attend a basic class
3. Schooling in a basic class (for illiterate students, or students with significant gaps in schooling or without knowledge of the Latin alphabet) for up to 12 months
4. Schooling in an international preparatory class for up to 12 months
5. Additional language support in the regular classroom for up to 12 months (Behörde für Schule und Berufsbildung, 2018a)

Hamburg published a framework for the transition of newly arrived students into the mainstream schooling system in 2012. This document has been republished in an enlarged edition in 2018 and was supplemented by two more frameworks on the proceedings during the transition and on supplementary language support in the regular system. The current version mentions students with forced migration experience as one target group (Behörde für Schule und Berufsbildung, 2018a). The document specifies the curriculum and framework of the 10 different versions of basic and international preparatory classes. A legislative change of the Hamburg School Act (HmbSG §28b) was passed by the City Senate in September 2016, giving school authorities the right to designate the distribution of refugee students among the schools in order to avoid their concentration at individual locations in the immediate vicinity of refugee accommodations.

Three-Phase Approach for Integrating Students into the Regular System in Saxony

In Saxony, the integration of students with insufficient knowledge of German is based on the Saxonian concept of the integration of migrants (Sächsisches Staatsministerium für Kultus, 2000). This also applies to newly arrived refugee children already transferred to the municipalities. The transition into regular schooling is organized in three phases, in which students first attend parallel German classes and are then gradually integrated into regular classes. A legislative change of the Saxonian School Act in 2017 entitles the school authority to decide the type and location of the school for students who need to attend preparatory classes (§25 [6] SächsSchulG). This can help prevent concentration in the immediate vicinity of refugee accommodations, as not every school offers classes in German as a second language. The actual procedure is organized in three phases:

1. Students with inadequate German skills attend *parallel preparatory classes* with a basic language course.
2. The second phase is *partly integrative*, as students still attend preparatory classes, while some subjects are taught in regular classes (this phase starts mostly with less language-intensive courses such as sports; interview, Saxony, 2018, position 10-22). In order to ensure a secondary education certificate or a transition into the *Gymnasium*,¹⁰ the period of 12 months can be exceeded.
3. The third phase follows up with an *integrative approach* within regular classrooms and additional and systematic language support in classes for German as a second language. There is no specific time period for the third phase.

Since 2016, Saxony has implemented a special format with a broadened second phase that runs for an extra year for students with little prior school experience (interview, Saxony, 2018, position 10-22). In Saxony, access to the *Gymnasium* is more restrictive. Only four schools offered preparatory classes in 2018 and are located at the highest level of secondary education, while Hamburg offers almost one-third of the preparatory secondary classes located at the *Gymnasium*. Only a few federal states implemented preparatory classes at the *Gymnasium* when the number of refugee children first started to sharply increase in 2015 (Massumi

et al., 2015; Robert Bosch Expertenkommission, 2015). In Saxony there is no age limit for attending preparatory classes at the secondary level. Nevertheless, most refugee children over 15 years old are advised to enrol in VET schools, where they can receive the secondary general school-leaving certificate (interview Saxony, 2018, position 32f). So even though a transition is possible during the second phase, refugee children rarely attend *Gymnasium*.¹¹ The strongly stratified German school system, in combination with early selection, limits educational attainment in academic tracks for refugee youths in Saxony.

Rising Numbers in the Transition System and Delayed Policy Reaction

Both states experienced a sharp rise in student numbers in preparatory classes.¹² Both implemented or extended counselling and assessment as a starting point for students entering the regular school system and specified policies and frameworks for the integration of newly arrived students.

The numbers of refugee students had already begun to rise considerably in 2013, while an increase of policy density and intensity became clear at the federal state and national levels only in 2016 and 2017. The main policies for the transition of newly arrived students into the mainstream schooling system were introduced and implemented before the increased influx of refugee students in 2012 for Hamburg, and already in 2000 for Saxony (Sächsisches Staatsministerium für Kultus, 2000). Adaptations and supplementary frameworks and curricula for preparatory classes then followed in Hamburg in 2017 and 2018 (Behörde für Schule und Berufsbildung, 2017, 2018b).

Language Support Systems and Curriculum Adaptations

Language support is an important element in the educational systems in both Hamburg and Saxony. Hamburg has a long history of offering supplementary support for literacy development and language acquisition. One of the first official policy documents on the topic is the language support concept from 2006 that is still in effect (Landesinstitut für Lehrerbildung und Schulentwicklung, 2006). In 2018, in response to the increasing numbers of refugee students, a

10. For secondary education (starting at age 10) most federal states differentiate between the *Gymnasium* (in the British system, grammar school) as the academic track leading to a higher education entrance certificate, and a comprehensive school or a school with two educational programs which leads to different school-leaving certificates (Vogel & Stock, 2017).

11. Leipzig was the first district to establish preparatory classes at the *Gymnasium* in 2015 because there was a lack of capacity in other schools (Sächsischer Landtag, 2016).

12. As the legal status of students is not included in the educational statistics of the federal states, Table 3 states only the number of students within the transition systems of both states. Whereas in Saxony, data on the nationality is collected, this does not give an indication of the legal status.

Table 3. Student Numbers in the Transition System in Hamburg and Saxony

| Year | State | Total | Elementary school | District school/ Oberschule | VET preparation | Gymnasium/ evening school and college** |
|---------|---------|-------|-------------------|--------------------------------|-----------------|---|
| 2012/13 | Saxony | 1,201 | 560 | 396 | 215 | 30 |
| | Hamburg | 1,684 | 182 | 611 | 840 | 51 |
| 2013/14 | Saxony | 1,468 | 651 | 520 | 264 | 33 |
| | Hamburg | 1,991 | 206 | 710 | 1,018 | 57 |
| 2014/15 | Saxony | 2,593 | 1,073 | 947 | 528 | 45 |
| | Hamburg | 2,378 | 284 | 878 | 1,120 | 96 |
| 2015/16 | Saxony | 4,954 | 1,989 | 1,728 | 1,183 | 54 |
| | Hamburg | 3,834 | 520 | 1,145 | 1,907 | 262 |
| 2016/17 | Saxony | 2,112 | * | * | 2,112 | * |
| | Hamburg | 5,990 | 1,157 | 1,492 | 2,712 | 629 |

Sources: Sächsischer Landtag (2017) and Institut für Bildungsmonitoring und Qualitätsentwicklung (2018).

*No data available: Since 2016/17, the numbers of students in preparatory classes at secondary schools are gathered in the respective normal school class.

**Data for evening school and college apply only to Saxony.

new framework for language support in the regular classroom and in the transition from preparatory classes to the regular system was published (Behörde für Schule und Berufsbildung, 2018b). Especially in preparatory classes, language support is key. In Hamburg, for example, international preparatory classes offer intensive instruction in German as a second language for at least 18 hours a week. All forms are preferably combined with an all-day school program offering schooling from 8 a.m. to 4 p.m. All crucial policy instruments are connected to each other, as measures and funding of the policy instruments are meant to be combined and coordinated (Behörde für Schule und Berufsbildung, 2018a, p. 6). Compared to those in Hamburg, policies on language acquisition in Saxony are rarely coordinated and lead to a fragmented policy field. The state of Saxony already tried to improve its coordination. The concept of immigration and integration from 2018 states its aim to improve the steering and governing of the supply and the coordination of language courses by several actors on different state levels (Sächsisches Staatsministerium für Soziales und Verbraucherschutz, 2018, p. 3).

Several publications discuss school structural factors such as early ability tracking and segregation as reasons for unequal educational opportunities for migrant students in Germany (Dewitz et al., 2018; OECD, 2015, p. 9). A study conducted by the expert council of German foundations on integration and migration (SVR, 2018) shows that newly

arrived refugee students in Germany are not only placed in “foreigners only” classes but also that these classes are often located at already segregated schools with a high percentage of migrant students and students with low socio-economic status. Saxony and Hamburg both underwent legislative changes to become more flexible in the allocation of refugee students. However, it remains unclear whether this flexibility is used to avoid the segregation of refugee students in certain schools or whether it is used to allocate refugees at schools with transition classes in place. Gomolla and Radtke (2009) criticized the location of transition classes at lower levels of secondary schools in Germany as institutional discrimination and stressed the unintended discriminatory effects of such support systems. Our analysis shows that 10 years after Gomolla and Radtke’s influential study, these mechanisms still affect refugee students, undermining their rights to educational equality. Both states implement parallel integration models that might bear risks of stigmatization and limit educational possibilities (Bunar, 2018b, p. 6; Gomolla & Radtke, 2009). Transition and language support concepts in both contexts contain integrative phases offering language supports in the regular classrooms as well. Regarding INEE standards, the enhancement of flexible and interlinked support systems can benefit realization of the educational rights. For Saxony, the fragmented field of language acquisition policies can result in a lack of clear and accessible information and therefore lead to a limited policy accountability.

VET Programs as a Priority in Educational Planning for Refugee Students

Vocational training is crucial for the educational integration of refugee youths in both federal states. Hamburg has a sophisticated VET system (Behörde für Schule und Berufsbildung, 2017), while Saxony is expanding its vocational training measures for newly arrived migrant and refugee youths. The number of VET preparatory classes in both states increased steadily between 2012 and 2017 (see Table 3). Nevertheless, the numbers of students in VET preparatory courses in Hamburg have always been higher than those in Saxony. They could be explained by the long-standing tradition of migration to the city state of Hamburg. Thus, the state was able to adapt VET programs that had been introduced long before the increased influx of refugees.

Further, a correlation between the focus on VET for refugees and employment needs of the federal states are visible in policy documents of both states. Policy documents show a strong link between structural deficits, such as demographic change, lack of skilled workers, and the increased number of young refugees. Hamburg contradicts its sophisticated VET system by limiting access to the preparatory VET program to individuals under the age of 18. A Germany-wide study indicates a possible trend that, especially for older refugees, integration into a VET school is difficult to realize: 33% of the 17-year-olds in a recent survey are not a part of a school anymore (Pavia Lareiro, 2019).

The integration of young refugees into vocational training and the job market seems to be a particular strategic objective of the Saxonian government. This could also explain why the age limits for access to VET schools are broader in Saxony than in Hamburg. In Saxony, migrants are increasingly seen as crucial elements to fulfill labour market needs. This is stated within the “Skilled Workers Strategy 2030” (Sächsisches Staatsministerium für Wirtschaft, Arbeit und Verkehr, 2018) drafted by the Saxonian Ministry of Economics, as well as in several documents from 2015 and 2016 by a “skilled workers alliance.”¹³ The main objectives of the strategy as well as the joint public-private initiatives are to integrate refugees as soon as possible through language courses, recognition of certifications, counselling for job orientation, and vocational training (Sächsisches Staatsministerium für Wirtschaft, Arbeit und Verkehr, 2016a, 2016b).

A shortcoming of the focus on VET is the restricted access to tertiary education. The strongly stratified German school system, in combination with early selection, makes it much more difficult to pursue an academic track that prepares immigrant children for higher education (Diehl et al., 2016;

Unangst, 2019). This can be seen in Saxony, where the majority of refugee children attend preparatory and regular classes at the Oberschule, which is more focused on professional aspects than academic. There are important differences in enrolment conditions, such as the age limit for preparatory VET programs, which is 27 years in Saxony, as opposed to Hamburg’s age limit of 18. Access criteria, especially age limits, result in unequal opportunities in both states and can undermine educational equality. Furthermore, education for refugee youths cannot be limited to the acquisition of skills that are relevant for the labour market, but should refer to holistic and critical education concepts (Korntheuer, 2016, p. 367; Korntheuer, Gag, Anderson & Schroeder, 2017; Cerna, 2019).

Discussion and Conclusions

Before 2015, education policies in both German states were implemented mostly for all students or for second-language learners, but not specifically for refugee students. The sudden rise of the number of refugee students since 2013 slowly led to a visible increased federal and national policy density and intensity in 2016 and 2017. Recent educational policies in both states include regulations, such as frameworks for transition systems, coordination and monitoring systems for German-as-a-second-language learners, and adaptation of the rules for distributing refugee students.

In line with Massumi’s (2015) models of educational integration, a range of models are being applied in Hamburg and Saxony. Further, the analysis showed that models of integration can differentiate not only between federal states but also between different educational stages within one federal state.

In line with other studies (Pavia Lareiro, 2019; Will et al., 2018), our analysis shows that preparatory classes are the main educational provision for refugee students. As Bunar observes in his comparison of school provisions for refugee students in four European countries, school systems tend to segregate newly arrived students for organizational purposes:

Instead of making every effort to include newly arrived children into the mainstream, schools prefer to segregate them in their own classes and groups, not because it is in the best interests of children, but because it is anticipated as an easier model for schools themselves. (2018b, p. 16)

Further research will be required to address the long-term effects of the different models of integration and enrolment conditions on educational outcomes of refugee children and youths.

13. Including public and private actors, several ministries, work agencies, several welfare organizations, district and city councils, union and industry representatives, and chambers of crafts.

Our analysis illustrates how the policies are structurally embedded within and influenced by state asylum and settlement policies. In accordance with other studies (Lechner & Huber, 2015; Vogel & Stock, 2017), we show that not only the legal status of refugee children and youths in Germany, but also state-specific settlement policies have profound implications for their rights and access to education. These results underpin the importance of a regional analysis.

Access to VET programs for refugee youths can be considered a priority of policies in both federal states. Especially in Saxony, refugee youths are seen as a potential solution for tackling demographic change and the lack of skilled workers. Hamburg, as a result of its migration history as an urban centre, was able to build more intensively on structures already available in VET. The focus on VET programs for youths and the provisions in lower secondary schools can have negative long-term impacts on the educational trajectories and labour market allocation of the refugee population (Pavia Lareiro, 2019).

Our analysis reveals important limits and restrictions on realization of education as a human right for refugee children and youths in Saxony and Hamburg. Non-discrimination and educational equality might be undermined through segregation, unintended effects of support systems, and a strong focus on labour market needs in VET. Complex and fragmented transition and support systems can result in limited transparency and accountability. A “human rights-based approach identifies right holders and their entitlements” (Gatenio Gabel, 2016, p. 10) and therefore directs our attention to the structural conditions necessary for successful education trajectories. For the many newly arrived refugee children and youths in Germany, it is essential to create policy frameworks that enhance their educational rights and foster their high educational aspirations and resilience (Korntheuer et al., 2018; Worbs & Bund, 2016) through structures of educational opportunity.

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The Impact of Legal Status on Different Schooling Aspects of Adolescents in Germany

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Abstract

During the so-called refugee crisis of 2015, approximately 300,000 underage asylum seekers came to Germany. We examine whether their legal status and their subjective perception of their status are equally important for their educational integration. On the basis of rational choice theory, we hypothesize that refugees' legal status should affect their educational outcomes. Our study finds no differences among students with different legal statuses in school placement. However, students who perceive their status as insecure report significantly worse GPA than students who feel rather secure. Concerning the objective legal status, we do find that students with an insecure legal status report better grades than those with a granted refugee status. These contrary results show the importance of additionally considering status perception in understanding and explaining educational outcomes of immigrants in further research. Educators should be aware of the potential divergence between objective and subjective status and their corresponding effects on educational trajectories.

Résumé

Pendant la soi-disant « crise des réfugiés » de 2015, approximativement 300 000 demandeurs d'asile d'âge mineur sont arrivés en Allemagne. Nous examinons si leur statut légal et la perception subjective qu'ils ont de leur statut ont une importance égale en ce qui concerne leur intégration éducative. Nous appuyant sur la théorie du choix rationnel, nous émettons des hypothèses sur la manière dont le statut légal des réfugiés affecte leurs résultats scolaires. Notre étude ne révèle aucune divergence entre les étudiants de statuts légaux différents dans le placement scolaire. Cependant, les étudiants qui perçoivent leur statut comme précaire rapportent des moyennes significativement plus basses que ceux qui ont un plus grand sentiment de sécurité. En ce qui concerne le statut légal objectif, nous constatons que les étudiants au statut précaire rapportent de meilleures notes que ceux qui ont reçu le statut de réfugié. Ces résultats contradictoires montrent qu'il est important de tenir compte de la manière dont les immigrants perçoivent leur statut afin de comprendre et d'expliquer leurs résultats scolaires lors de recherches ultérieures. Les éducateurs devraient être conscients des potentielles divergences entre le statut objectif

et le statut subjectif ainsi que leurs effets sur les trajectoires éducatives.

Introduction

According to the United Nations High Commissioner for Refugees (UNHCR), by the end of 2018, 70.8 million people worldwide were forcibly displaced (UNHCR, 2019). In 2015, approximately 86% of all refugees registered worldwide were in countries in the Global South (Oltmer, 2016). However, the number of refugees applying for asylum in the Global North is also increasing. From 2013 to 2017, approximately 4.3 million refugees came to Europe, including approximately 1.8 million who came to Germany (BAMF, 2018). Germany ranked among the top five refugee-receiving countries worldwide in 2018 and second in Europe after Turkey (UNHCR, 2019). Therefore, Germany offers a particularly interesting case study on the integration of refugees.

Approximately one-third of the refugees who came to Germany were minors who fled with or without their parents from war, natural disasters, political persecution, or other reasons. For these underage refugees, the educational system plays a central role in integrating them into German society, as education is the central precondition for social and economic opportunities in later life for all children and adolescents (OECD, 2020) and especially for refugees (Nationaler Aktionsplan Integration, 2012), regardless of the country in which they will live.

Most school-aged refugees receive some form of formal education in Germany.¹ In most countries, certain rights are limited to their citizens or persons who are treated as nationals, most prominent among these being the right to work, the right to vote, or the right to receive certain welfare benefits—a situation that is discussed in the literature as civic stratification (see, e.g., Morris, 2003; Söhn, 2014). Access to certain educational offerings may also depend on legal status. The rights that refugees have in the host society are tied to legal status in particular. Refugees who do not receive a secure legal status are limited in some aspects. For example, their access to the labour market or entitlement to family reunification may be restricted. Furthermore, refugees must cope with the possibility of deportation. It can be expected that this uncertainty will shape the decisions they make, including educational decisions, e.g., how likely they are to invest in language acquisition or longer educational paths with uncertain ends and potentially country-specific educational degrees.

The aim of this contribution is to analyze, for the first time, whether and how legal status determines schooling aspects of refugees in Germany. Furthermore, our study extends the literature and considers the objective legal status and the subjectively perceived insecurity of the refugees' legal status in our models. We believe that this perspective yields insights into how individuals perceive their legal status and, subsequently, assess their prospects to remain in the host country. Perceptions can have important implications for individuals' decisions on whether to invest in education in the host country. A better understanding of the connection between refugees' legal status and educational outcomes is of practical importance, not only for Germany but also for other countries. It helps policy-makers to set the right legal frameworks to facilitate rapid integration into their host societies. It is further relevant for teachers and practitioners who want to support refugee students daily in schools to develop their educational potentials on the one hand, and parents on the other hand. This extended view facilitates a better understanding of the situation of refugee adolescents and contributes to solutions that concentrate on not only normal learning strategies but also strategies to cope with precarious situations.

We argue that there should be virtually no impact of legal status on structural educational chances if all refugees have access to the regular German school system. However, we do posit that the refugees' subjectively expected chances of staying in Germany affect their educational decision-making and investment in their education.

Our study relies on a unique dataset from the panel study Refugees in the German Educational System (ReGES). The focus of this article is on the educational situation of adolescents at the end of compulsory schooling in Germany, i.e., the end of secondary school as the basis for their educational trajectories in the coming years.

Prior Evidence of the Effect of Legal Status on Education

There have been very few studies on the effect of legal status on education.

In the United States, children of refugees were found to have the lowest educational outcomes of all groups under study, but this finding was explained mainly by differences in their parents' educational attainment and not due to their legal status (Lee, 2018).

Two studies on educational disadvantages of undocumented immigrants in the United States have shown that

1. Initial results from the IAB-BAMF-SOEP survey of refugees, which also include refugees in reception centres, show that only 8% of 11- to 14-year-olds and 13% of 15- to 16-year-olds among the refugees had not (yet) attended school at the time of the interview (see de Paiva Lareiro, 2019).

undocumented adolescents were less likely to graduate from high school as well as to enrol in college (Greenman & Hall, 2013; Patler, 2018). Neither study fully explains which mechanisms cause the educational disadvantages of undocumented migrants to remain but the findings point toward unfavourable legal conditions leading to these disadvantages.

For Germany, there is evidence that adolescents with an *Aussiedler*² status are more likely than other status groups to achieve an intermediate or higher school-leaving certificate versus a lower school-leaving certificate, and therefore they have better chances on the vocational training market than other immigrant groups. The disparity becomes even more substantial when comparing *Aussiedler* adolescents to other migrants who came to Germany as civil war refugees from the former Yugoslavia. The author concludes that differences in legal conditions, as well as migrant selectivity, can explain differences in educational success (Söhn, 2011).

Some studies have found that refugee-specific factors play a role in understanding integration. Refugees with temporary legal status in the Netherlands have been shown to be more likely to be unemployed and to depend on social benefits than refugees who have already received Dutch nationality (Bakker et al., 2014). Another factor that can be viewed as closely related to legal status is the length of stay in a refugee reception centre. According to van Tubergen (2010), there is evidence of a negative relationship between the length of stay in a reception centre in the Netherlands and Dutch language proficiency. In the Netherlands, reception centres accommodate asylum seekers who wait for a decision on their refugee application. Hence, residents of reception centres can be viewed as a refugee group with a particularly precarious status. In both studies, refugees' legal status and specific factors that go along with legal status appear to translate into specific legal conditions that determine integration outcomes.

Another mechanism that determines differences in educational aspects of refugees is mental health. Several studies suggest that the mental health of refugees is influenced by factors related to the insecurity of their legal status (e.g., Heeren et al., 2016; Momartin et al., 2006). Mental health in turn can strongly influence educational outcomes (see, e.g., Basch, 2011; Dadaczynski, 2012). Mental health-related factors might also mediate the way an individual perceives his or her legal status. Despite these findings, we found no

studies in which the effects of subjective status perception on educational outcomes has been studied.

The Legal Framework of Refugee Schooling in Germany

In Germany, all children of school age, i.e., children from the age of 6 to adolescents who are usually 18 years old,³ are required to attend school, and as Germany has ratified the United Nations Convention on the Rights of the Child, every child in Germany has the right to school access and education. Both compulsory schooling and the right to school access are independent of children's legal status. On a general level, refugees not only have legal access to schooling but are obliged to attend.

As educational legislative powers reside within German federal states, there are 16 different educational systems in Germany in which refugees' educational access is structured differently. In most federal states, primary education lasts for 4 years, after which students are historically assigned to three externally differentiated secondary school tracks with distinctive curricula: a lower secondary school track (*Hauptschule*) after which students continue to vocational training, a middle secondary school track (*Realschule*) leading to more advanced vocational training options, and an academic, higher secondary track (*Gymnasium*) for students who plan to undertake tertiary education. Today, in most federal states, there is a combination of the lower and middle secondary tracks (*multitrack school*) as a replacement for or as a complement to the two school types, and there is a comprehensive school that integrates all tracks in many federal states (von Maurice & Roßbach, 2017). How refugees are distributed among the various forms of education and how their integration into schools is shaped varies significantly from one federal state to another (for a comprehensive overview of the legal situation of refugee schooling, see Massumi et al. 2015; for a focused view on the situation of the states the ReGES data were gathered in, see Will & Homuth, 2020):

In general, compulsory schooling starts after immigrants have been assigned to a municipality or, as is the case in the city state of Hamburg, without delay after being assigned there. In Bavaria, schooling becomes compulsory 3 months after assignment to the federal state. However, most refugees are not assigned to a federal state and a municipality directly after arriving in Germany. They usually arrive in some form

2. The term "Aussiedler" denotes ethnic Germans who migrated from the Former Soviet Union and other Central and Eastern European states and received German citizenship through preferential provisions. The comparably immediate and nonbureaucratic naturalization procedure provided them with more beneficial conditions than migrants with other legal statuses in Germany (Bundesministerium des Innern, 2019).

3. There are differences between federal states that either prescribe mandatory schooling for a certain number of school years (usually 9 or 10) or until a certain age (18 or 21).

of reception centre, where they apply for asylum and are sheltered until further allocation. Thus, many young refugees spend some time in Germany before they can attend school.⁴

The organizational integration of new immigrants into the school system is also handled differently in each federal state. The models range from schooling in separate classes for newcomers (complete external differentiation) to a partially integrated model (partial external differentiation) in which some subjects, such as physical education, are inclusively taught to full inclusion in regular classes (internal differentiation).

In the majority of schooling models, students are assigned to a school type and a grade level only when they transit from the newcomer class into a regular class. An exception to this rule is in Hamburg, where newcomer classes are already assigned to a certain school type, and in Bavaria, where a transition to a *Gymnasium* is provided only in exceptional cases. In allocation to a particular school track and a specific grade level, decision-makers are supposed to consider individual competencies, learning development, and predicted performance of the students. Since the transfer rules are flexible in most federal states, transition decisions are often left to the discretion of individual schools. Thus, it is unclear which mechanisms come to play at the transition moment, how strong the influence of teachers and parents is, and at what time this decision is made.

Expected Effects of Legal Status: Theoretical Considerations and Hypotheses

According to rational choice theory (hereafter RCT; see Breen & Goldthorpe, 1997; Erikson & Jonsson, 1996; Esser, 2006), educational attainment can be explained as the result of the sum of investment behaviour and educational decisions of calculating actors who try to maximize their educational outcomes within a given set of opportunities and restrictions. These actors hold different ideas and beliefs about certain options. Their perceptions influence their educational behaviour by altering the decision determinants, i.e., expected benefits, realization probabilities, and costs.

Several studies used RCT as a theoretical framework to conceptualize social integration, especially educational integration of migrants as the sum of constant small (e.g., active

learning of the host country's language) and several big (e.g., choice of specific school tracks) investment decisions by students and their families (e.g., Esser, 2006; Jackson et al., 2012; Tjaden & Scharenberg, 2017). To our knowledge, the RCT framework has not been utilized to explain the educational integration of refugees in particular (except for Will & Homuth, 2020). We argue that refugees' integration into the educational system can be explained as well by RCT and understood as the result of a cost-benefit behaviour of students and their parents.

These investment decisions in education can be expected to be accompanied by anticipated benefits: education plays a central role in integrating young refugees into the host society. Furthermore, it is the central precondition for chances in later life. Even if the educational system in the host country prepares refugees especially for the needs of the host society, competencies acquired in the host country should also be valuable in the home country or other societies, to a certain extent.

Expected costs also influence the education investment decisions. While monetary costs should not play an important role in the German educational system, non-monetary costs may influence educational decisions: most notably, individuals may not know if it will be possible to finish their education. Insecurity could therefore decrease their willingness to invest in education.

In addition to refugee adolescents and their parents, another group of actors may be relevant in explaining educational outcomes: school staff influence the transition of refugee students from newcomer classes to regular classes and the type of school track to which a student is assigned. They decide when refugees have sufficient German skills and the necessary knowledge to cope with the learning requirements in regular classes. Ultimately, their decisions can also be modelled on the basis of considerations of costs and benefits: they might be incentivized to postpone transition for students with an insecure objective legal status, as it might harm the respective classes when students have to leave during the school year. For example, such a departure might have negative emotional effects on other (refugee) students or organizational effects when class sizes fall below certain thresholds that entitle schools to additional funding. In this

4. Refugees who do not have any prospect of staying in Germany, e.g., those who come from a state that has been defined as a safe country of origin, often remain in the reception facilities until their voluntary return or deportation. This means that they are seldom assigned to a municipality and thus, in some federal states, compulsory education does not begin. Nevertheless, all children and adolescents—including those living in reception centres—have a right to attend school. There are, however, hardly any data available on the specific implementation of this right on the institutional side or claims for education by the refugees. Since, in particular, as a result of the nature of the sampling, refugees who have not been assigned to a municipality are not included in the ReGES sample, these aspects cannot be considered in more detail with the ReGES data.

respect, teachers may try to avoid costs. Accordingly, we formulate the following hypothesis:

Hypothesis 1: Students with an insecure objective legal status are less likely to transition from newcomer classes to regular classes when controlling for known influential factors.

In contrast with the transition to a regular class, which we assume to be predominantly a decision by school personnel, we expect other educational decisions to be determined by factors on the individual level. The educational behaviour of refugees should vary if their objective legal status or their subjective status insecurity changes their evaluation of different educational options.

Therefore, we include two additional schooling aspects in our models: whether the students attended the higher secondary school track and the students' grade point averages (GPA). As Germany's educational system is very stratified and standardized (Allmendinger, 1989), educational chances and therefore long-term integration chances are highly dependent on the secondary school track. For this reason, first we look at the effect of legal status on secondary track or school placement. Second, we look at students' GPA in their current educational track, because GPA can be regarded as an indicator for the likelihood of graduating from the current track.

For these two outcomes, we derive the following hypotheses about the effect of legal status:

Hypothesis 2a: An insecure objective legal status has a negative impact on the attended track, as refugees with lower chances of staying see lower returns from education in Germany; they attend less-demanding and shorter school tracks.

Hypothesis 2b: This effect is weaker for students from families with higher parental education, as these families value general/academic education more than less educated families do.

As perceived obstacles and not necessarily actual obstacles are the crucial aspect for (educational) decisions, we assume that subjective status insecurity might be the better measurement to capture the effects of legal status. Therefore, we include additional hypotheses using the independent variable subjective status insecurity.

Hypothesis 3a: Subjective status insecurity has a negative impact on the attended track, as refugees with lower chances of staying in-country see lower returns from education in Germany.

Hypothesis 3b: This effect is weaker for students from higher-educated families, as these families highly value education and would nevertheless invest in their children's education by pursuing more academic tracks.

We expect the effects of legal status on the performance of adolescents at school to be similar to the effects on school choice. In this regard, we assume that subjective status security is the more relevant factor, and formulate our hypotheses accordingly.

Hypothesis 4a: Students with subjective status insecurity show lower educational achievements due to a lower degree of motivation resulting from lower expected returns from educational investments, as they may not be able to stay in Germany.

Hypothesis 4b: This effect is weaker for students with more educated parents as the result of a higher family value placed on education in general.

However, regarding the motivation to invest in destination-specific cultural and human capital (e.g., learning the language of the host country or obtaining a German school-leaving certificate), there could also be a contradictory expectation. In Germany, students without a permanent status can obtain an extension of residence status by attending certain educational courses. For example, the "3+2-Rule" (§60a Abs. 2 Sätze 4 und 5 AufenthG) allows asylum seekers with a declined application to stay during the time of their vocational training (normally lasting three years), as well as two additional years of work. Since information on this possibility is usually explained to refugees by other persons, the decisive aspect here is the refugees' objective legal status.

Hypothesis 4c: Students with an insecure objective legal status show higher educational achievements, as educational success is seen as a means to secure status extension in Germany. This effect should be independent of the parents' education.

In addition to the mechanisms already outlined, it can be stated that subjective status insecurity should influence achievement not only through motivation but also through its effect on mental health.

Hypothesis 5: Students who perceive subjective status insecurity should have worse (mental) health conditions, as they worry about their future and are not able to invest as much as students who feel rather secure about their status.

Data and Methods

Sample

Our dataset is drawn from the first panel wave of the ReGES longitudinal study, which includes data on the early integration of young refugees in Germany who came during the so-called refugee crisis. As part of the ReGES study, children

and adolescents who lived with their parents in five federal states of Germany (Bavaria, Hamburg, North Rhine–Westphalia, Rhineland Palatinate, and Saxony) were accompanied for several years (for further information, see Homuth et al., 2020; Will et al., 2018). Our study focuses on a sample of 2,415 adolescents and their parents. At the time of the first interview in 2018, the adolescents were at the end of the lower secondary educational level and were set to transition shortly thereafter to higher secondary educational level or the vocational training system.

The analysis samples for the three outcomes were composed accordingly: For all analyses, we included only cases with completed parent interviews and generally excluded incomplete cases.⁵ For the analysis of school placement, we looked only at students who were already in regular classes, as we could expect their placement to be less volatile than for students who were still in newcomer classes. Furthermore, in practice, assignment to newcomer classes sometimes took place based on spatial availability and was not necessarily an indicator of the educational track students would be assigned to afterward.⁶ For analysis of GPA, we included only students who reported grades in the three domains of German, mathematics, and English.

Outcomes

The three outcome variables were operationalized and analyzed as follows:

1. Placement in newcomer vs. regular classes (reference category) as reported by the adolescents. The analysis sample contained 1,451 students.
2. Attended school type (educational track) as reported by the parents and recoded to *Gymnasium* (higher secondary school) vs. other secondary school types (reference category). The analysis sample contained 976 students.

For outcomes 1 and 2, we estimated linear probability models (LPM) with robust standard errors. LPM coefficients can be interpreted easily as changes of the probability in percentage points and are comparable with models with different covariates.

3. Educational achievement (GPA) as the average of the German, mathematics, and English grade points reported by the students. The analysis sample contained 1,144 students. We estimated multiple linear regression models with standard errors clustered on the class level.

Explanatory Variables

For legal status, we included two operationalizations:

1. *Objective legal status* represents the legal status of the students as reported by their parents. The German asylum procedure can lead to different outcomes that come along with varying rights. We classified objective legal status according to the regulations in force at the time of the study. Children who were granted refugee protection and those entitled to asylum received a residence permit for three years, with a possibility of long-term settlement after three or five years. These individuals were considered to be living under a “secure” status. In contrast, individuals staying in Germany under subsidiary protection, a ban on deportation, and those whose asylum claims were pending or had been rejected—and needed to leave Germany within one week or one month, depending on the kind of rejection (Bundesamt für Migration und Flüchtlinge, 2016)—were considered to be living with an “insecure” status.
2. *Subjective status insecurity* was measured with the question, “How likely do you think it is that you will be allowed to stay in Germany beyond your current temporary period of residency?” This question was answered based on a 4-point Likert scale. Because its distribution was skewed, the variable was recoded to “very likely” as the reference category, “likely,” and “unlikely or very unlikely.”

In our full models, we included explanatory variables that have been found to affect refugees’ educational outcomes. These variables operationalize previous educational experiences, social inequality, migrant-specific factors, and refugee-specific factors (see Will & Homuth, 2020).

To capture previous educational experiences, two variables were used: last attended school in the country of origin (“no school,” “primary school,” and “middle school or other school” as the reference), and students’ self-rated educational achievements in the country of origin (scale: 0–100, centred on the country mean). We controlled for social background by including the highest occupational status the parents had in their home countries, highest parental education, and books at home in their countries of origin. For social status and parental education, missing indicators were included if parents did not report them. For migrant-specific aspects, we included students’ self-reported German skills, the educational aspirations of the student receiving the school-leaving certificate (dichotomized as university entrance vs. other),

5. For some covariates, we include missing indicators in the models when exclusion would lead to biased results. This is indicated in the description of the covariates.

6. We also ran the analyses with the whole sample, including students in newcomer classes as sensitivity test. The results did not differ substantially. We show the results with the restricted sample only as it can be seen as the stricter test.

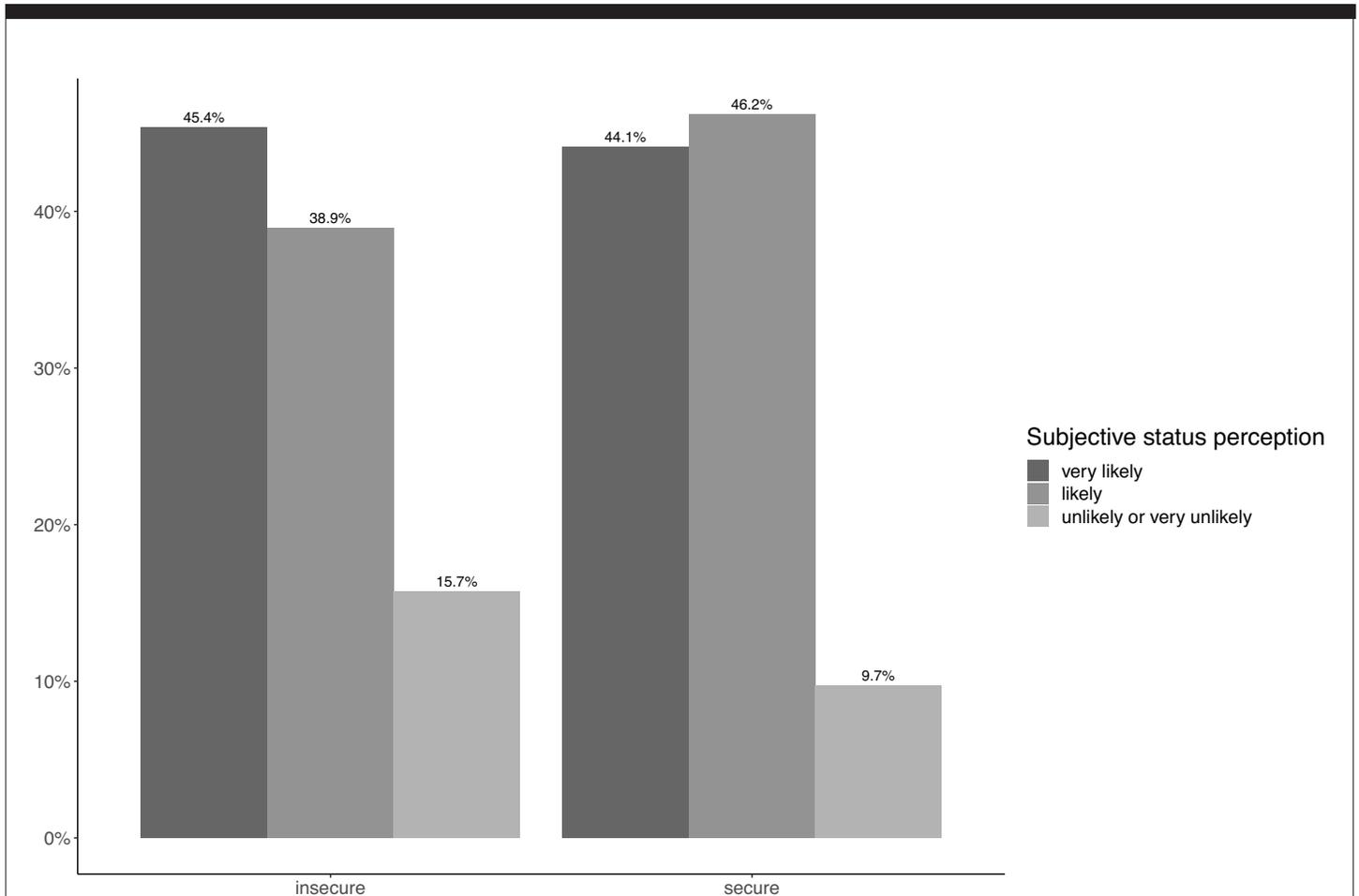


Figure 1. Subjective Status Insecurity by Objective Legal Status

Data: ReGES adolescent and parent interviews: wave 1.

Note: Secure (objective) legal status = refugee / asylum status granted ($n = 1,113$); insecure (objective) legal status = other status granted, decision pending or application rejected ($n = 280$). Differences in case numbers of the analysis sample result from item non-response on the subjective status insecurity variable.

and social contact with Germans (“daily,” “several times a week,” “weekly,” “monthly,” “never”). Refugee-specific factors included their return orientation to their countries of origin (yes vs. no), the duration of their journey to Germany (in months) as an indicator for time without schooling. Additionally, as an indicator for mental health, we use a post-traumatic stress disorder (PTSD) risk group indicator (dichotomous variable, “medium to high-risk vs. low-risk group,” derived from a sum score of 10 PTSD symptoms).

Further control variables cover the federal state, gender, student age in months, and country of origin (Afghanistan, Iraq, Syria, and Others).

In the analysis of the attended class type (newcomer vs. regular class), we included the period of residence in Germany

(in months) and the wait period in Germany (in months) before they attended school. In the analysis of GPA, we include the currently attended school type (*Hauptschule*, *Realschule*, *Gymnasium*, comprehensive school, multitrack school).

Results

Descriptive Findings

The following section provides a descriptive overview of our central variables. While the frequency distributions of the dependent variables are based on the respective analysis samples, univariate and bivariate analyses of our central independent variables refer to the first analysis sample (placement in newcomer vs. regular classes) because it is the largest sample (1,451).⁷ Most adolescents had a secure

7. We checked the frequency distributions of our central independent variables in all three analysis samples and found no substantive differences between the respective distributions. Only for the bivariate analysis of objective legal status and subjective

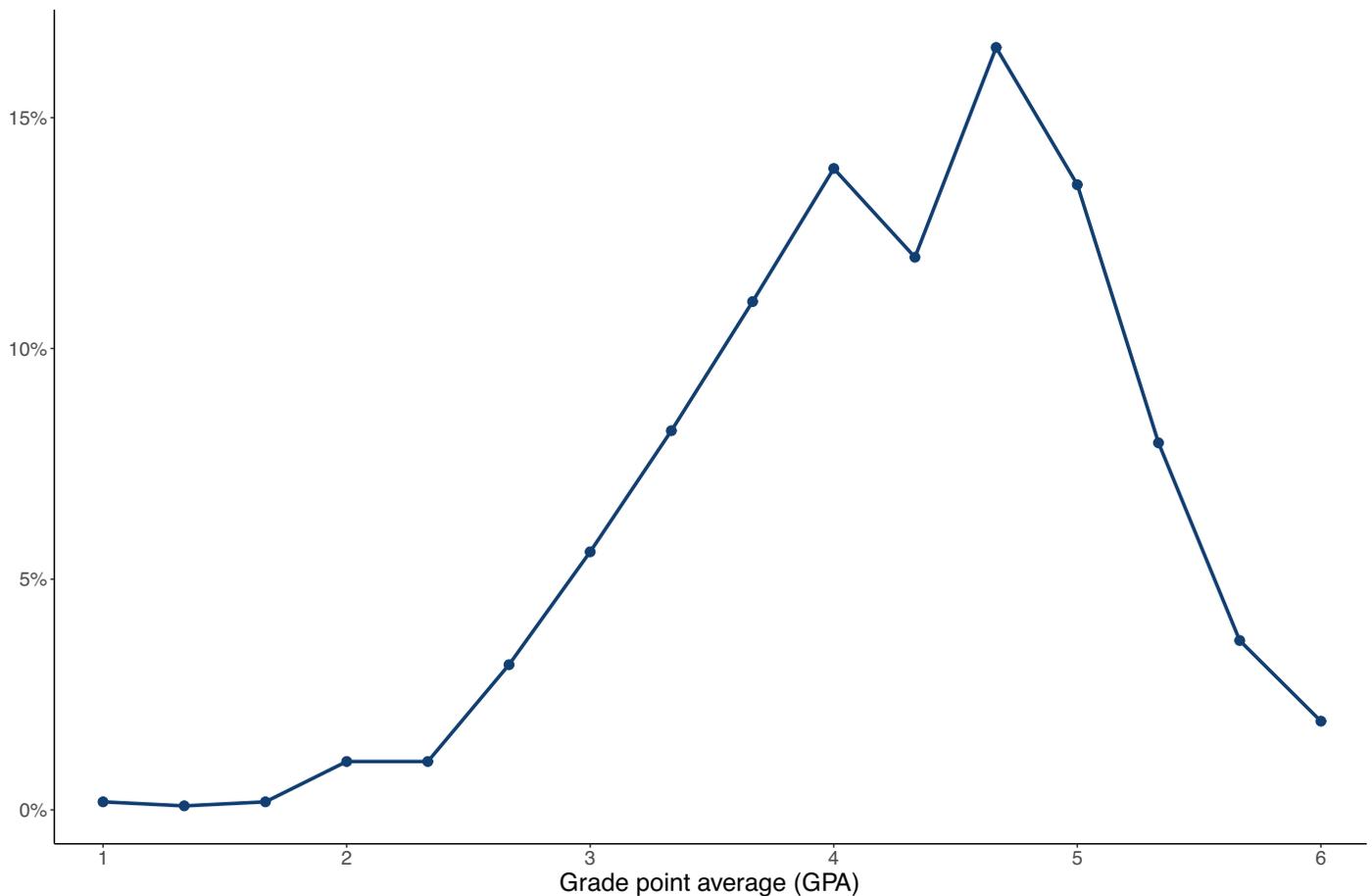


Figure 2. Distribution of GPA (1 = insufficient; 6 = very good)

Data: ReGES adolescent interview; wave 1; $n = 1,144$.

objective legal status: 79.5% had been recognized as refugees. Only a minority of 20.5% of respondents had an insecure objective legal status—that is, they received only subsidiary protection, or their application was still pending or had been declined.

Looking at the adolescents' subjective status insecurity, we observe that an overwhelming majority perceived their prospect of staying in Germany as very likely (44.4%) or likely (44.7%), whereas only 10.9% of the respondents estimated that their chances to stay were unlikely or very unlikely. Surprisingly, differences in subjective status insecurity were not very pronounced between those with a secure legal status and those with an insecure legal status (see Figure 1).

status insecurity were there significant deviations in the school track sample ($n = 976$): Among adolescents with an insecure objective legal status, a lower proportion (40.2% compared to 45.3%) rated their prospect of staying as very likely, and more (45.3% vs. 38.9%) rate this as likely.

8. The German grading scale is: 1 = very good, 2 = good, 3 = satisfactory, 4 = sufficient, 5 = poor, and 6 = insufficient. We recoded the GPA to 1 = insufficient to 6 = very good, for easier interpretation.

Turning to our outcome variables, we found that our first analysis sample for the placement in newcomer vs. regular classes consisted of approximately two-thirds of adolescents who were attending regular classes (65.3%) and one-third who had been assigned to newcomer classes. The attended educational track, which is the relevant dependent variable in our second analysis sample, was *Gymnasium* in less than a fifth of cases (17.9%), with the rest of the sub-sample attending other secondary school types (82.1%). Third, the ReGES adolescents reported an average GPA of 4.3 ($SD = 0.86$; see Figure 2).⁸

Table 1. Impact of Legal Status on Class Type

| Outcome 1: Placement in newcomer vs. regular classes (reference category) | Model 1.1 Only objective status | Model 1.2 Objective status + all covariates |
|--|------------------------------------|---|
| Insecure objective status | 0.032 (0.031) | 0.020 (0.030) |
| Parental education (HISCED level) | | -0.012 (0.013) |
| R^2 | 0.001 | 0.151 |

Data: ReGES adolescent and parent interview: wave 1; $n = 1,451$.

Notes: Unstandardized linear regression coefficients. Robust standard errors in parentheses. Controlled for covariates listed in section 5.3. + $p < 0.1$ * $p < 0.05$ ** $p < 0.01$.

Multivariate Findings

Table 1 shows the results for the analysis of the impact of legal status on class type. Students who had an insecure objective status were more likely to attend a newcomer class (cf. Model 1.1). However, this difference was not significant.

When controlling for possible confounders, including residence duration in Germany, the difference became even smaller (cf. Model 1.2). Therefore, we reject hypothesis 1, that an insecure status leads schools to delay the transition into regular classes.

Table 2 shows the results for the second outcome of interest, the placement of refugee students in the academic secondary school track. The first two models (cf., Models 2.1, 2.2) indicate that there was neither a difference in track placement between students with objectively secure or insecure legal status nor a difference in students' subjective status insecurity. Even when controlling for possible confounders and important mechanisms to explain academic track placement (e.g., parental education, previous educational experiences), there was no evidence of an impact of legal status (cf., Model 2.3, 2.4). Thus, hypotheses 2a and 3a can be rejected. As shown in Models 2.5 and 2.6, we see, in line with our hypotheses, minor differences in the effect of objective legal status and subjective status insecurity for students from different educational backgrounds. However, these differences were not significant, so we reject hypotheses 2b and 3b as well.

Finally, Table 3 shows the results for the impact of legal status on students' GPA. Model 3.2 shows that students with high subjective status insecurity reported significantly worse GPA, compared with students who feel rather secure. This outcome corroborates hypothesis 4a. In contrast, we found that students with an insecure objective legal status reported significantly better GPA than students with a secure legal

status (cf. Model 3.1). This finding corroborates hypothesis 4c, that students are more motivated to perform well in school as a means to perhaps receive a better objective legal status in the future.

When we controlled for objective legal status and subjective status insecurity, we saw an increase in their respective coefficients (cf. Model 3.3). This observation affirms the descriptive finding that there were indeed students whose perceptions about their subjective status insecurity did not match their objective legal status.

In Models 3.5a, 3.5b, and 3.6, we controlled for possible confounders. While the effect for the objective legal status remained constant, we can partly explain the effect of the subjective status insecurity by including the covariates into our models. However, the decline in effect size and level of significance was not due to our measurement of mental health. In a model in which only the PTSD risk was controlled in addition to subjective status insecurity (cf. Model 3.4), the observed effect of subjective status insecurity changed only marginally. Therefore, we have to reject hypothesis 5.

In Models 3.7 and 3.8, hypotheses about assumed differences by educational background were tested (4b and 4c). Neither hypothesis was corroborated: Students with higher subjective status insecurity reported worse grades; however, this effect existed regardless of the education of their parents. Concerning the effect of objective legal status, parental education was unexpectedly important: students with higher-educated parents reported better GPAs, and students with an insecure objective status reported better GPAs. However, the effect of an insecure legal status was less important for students with higher-educated parents than for students with lower-educated parents. We can understand this outcome as meaning that the motivational boost is not as large because students with higher-educated parents are already very motivated in school.

Table 2. Impact of Objective Status and Subjective Insecurity on Educational Track

| Outcome 2: Educational Track (Academic vs. other); other = reference category | Model 2.1 Objective status | Model 2.2 Subjective status | Model 2.3 Obj. status + all covariates | Model 2.4 Subj. status + all covariates | Model 2.5 Obj. status + all covariates +interaction | Model 2.6 Subj. status + all covariates +interaction |
|--|---|--|---|--|---|--|
| Insecure objective legal status | 0.000 (0.031) | | 0.014 (0.032) | | 0.023 (0.047) | |
| Subjective status insecurity | | -0.015 (0.019) | | 0.019 (0.019) | | 0.048 (0.030) |
| Parental education (HISCED level) | | | 0.030* (0.015) | 0.030* (0.015) | 0.031* (0.015) | 0.040* (0.018) |
| Objective status x parental education | | | | | -0.005 (0.025) | |
| Subjective status x parental education | | | | | | -0.017 (0.016) |
| <i>R</i> ² | 0.000 | 0.001 | 0.072 | 0.073 | 0.073 | 0.075 |

Data: ReGES adolescent and parent interview: wave 1; $n = 976$.

Notes: Unstandardized linear regression coefficients. Robust standard errors in parentheses. Controlled for covariates listed in section 5.3. + $p < 0.1$ * $p < 0.05$ ** $p < 0.01$.

Summary and Conclusion

Under German law, all children must attend school at a given age and at the latest when they are assigned to a municipality— independent of their legal status. Compared to other jurisdictions, the German education system provides a solid basis for educational equity (UNESCO, 2018). In this article, based on a series of research hypotheses, we analyzed in detail the effect of refugee students' legal status in Germany. Our dataset included adolescents who had already been assigned to a municipality, and our analysis focused on different schooling aspects: class type, educational track, and grades.

First, our analyses showed the results of the different school allocation policies for refugee students in the federal states under study: we found no significant differences among students with different objective legal statuses in placement in a newcomer or a regular class and for the attended school type (academic vs. non-academic). This politically important outcome means that the politically set aims for educational equity of students with different legal statuses are not counteracted in the practical implementation—by targeted actions or by the unconscious processes of the decision-makers involved. Further research is needed to assess whether objective legal status is also irrelevant for the following educational trajectories, including vocational training, as well as upper secondary and tertiary education.

Second, to better understand what happens within schools, we focused on educational achievement and found differences in the reported grades of students, depending on their objective legal status: students with an insecure objective legal status reported better grades than those with a secure legal status. This outcome could be due to a higher motivation to perform better in school. An alternative explanation could be that these students reported higher GPAs to give a more socially desirable answer. However, this cannot be determined only by looking at student self-reports. A further avenue of analysis would be to examine the reports from teachers, who were also part of the ReGES study, to validate the students' answers and find more evidence on the mechanism driving these results.

Third, we analyzed whether objective legal status is associated with the subjective status insecurity of refugee adolescents. Surprisingly, only 15.7% of adolescents with a more insecure objective legal status saw their chances to stay in Germany as unlikely or very unlikely. This outcome demonstrates the weak overlap between objective legal status and subjective status insecurity among adolescent refugees. These results warrant further study of the determinants of subjective status insecurity, as well as analyses of whether objective legal status and subjective status insecurity converge over time. This discrepancy, and especially the effects of subjective status insecurity on educational parameters,

Table 3. Impact of Objective Status and Subjective Insecurity on GPA

| Outcome 3: GPA | Model 3.1 | Model 3.2 | Model 3.3 | | Model 3.4 | Model 3.5a | Model 3.5b | Model 3.6 | Model 3.7 | Model 3.8 |
|---|------------------------------------|---|---------------------|---------------------|-------------------------|-------------------------|----------------------------------|--|--|-----------|
| | Objective legal status (Ols) | Subjective status insecurity (Ssi) | Ols + Ssi | Ssi + PTSD | Ols + all covariates | Ssi + all covariates | Ols + Ssi + all covariates | Ols + Ssi + all covariates + interaction | Ols + Ssi + all covariates + interaction | |
| Insecure objective status | 0.188** (0.045) | | 0.195** (0.045) | | 0.196** (0.045) | | 0.201** (0.045) | 0.418** (0.076) | 0.200** (0.045) | |
| Subjective status insecurity | | -0.146** (0.032) | -0.150** (0.032) | -0.142** (0.032) | | -0.057+ (0.031) | -0.064* (0.031) | -0.064* (0.031) | -0.002 (0.059) | |
| Parental education (HISCED level) | | | | | 0.046+ (0.028) | 0.041 (0.029) | 0.048+ (0.028) | 0.069* (0.029) | 0.070** (0.026) | |
| PTSD risk group | | | | -0.073 (0.055) | 0.001 (0.054) | 0.022 (0.054) | 0.009 (0.054) | 0.012 (0.052) | 0.008 (0.054) | |
| Insecure objective status parental education | | | | | | | | -0.130** (0.032) | | |
| Subjective status insecurity parental education | | | | | | | | | -0.038 (0.029) | |
| <i>R</i> ² | 0.008 | 0.013 | 0.021 | 0.014 | 0.215 | 0.209 | 0.217 | 0.222 | 0.218 | |

Data: ReGES adolescent and parent interview: wave 1; $n = 1,144$.

Notes: Unstandardized linear regression coefficients. Standard errors are clustered on the class level, in parentheses. Controlled for covariates listed in section 5.3. + $p < 0.1$ * $p < 0.05$ ** $p < 0.01$.

are of utmost practical and theoretical importance and are still not comprehensively addressed in the literature.

Fourth, we found that students with higher subjective status insecurity reported worse grades, while students with an insecure objective legal status reported better grades. This aspect is very important and has not been explored in previous studies. Further research has to account for both constructs, which are necessary to understand the educational success of refugees, as one cannot be explained or approximated by the other.

Fifth, among the refugees within our sample, we found inequalities of educational opportunities based on social origin. Refugee students with higher-educated parents generally did better in school than those with lower-educated parents.

In addition, adolescents from more advantaged backgrounds were less affected by an insecure objective legal status than students from disadvantaged backgrounds. Taken together with the effects shown regarding subjective status insecurity, this outcome deepens the theoretical understanding and the empirical basis of the heterogeneity within the large group of adolescent refugees in Germany.

Based on a joint consideration of these results, there are some more general implications for refugee research as well as for (school) practice.

The results show that the concentration on objective security parameters is not sufficient in a research-based understanding of the situation of refugees. Although we saw a weak correlation between objective legal status and

subjective status insecurity in adolescent refugees, we also saw that even adolescents who have a comparatively secure objective legal status can experience subjective status insecurity. This feeling of insecurity could have an impact not only on educational trajectories but also on a variety of life domains, such as family dynamics, peer relationships, and mental health. Furthermore, an insecure legal status could be connected to subjective security in a way that it could work as a buffer against aversive constellations. Subjective insecurity is considered only partially in forced-migration research, and especially the combined consideration of indicators for objective and subjective security has been lacking. Theoretical considerations, as well as process-relevant information, might be derived from extended literature on the difference and differential effects of subjective and objective employment insecurity (e.g., Helbling & Kanji, 2018; Hipp, 2020). First and foremost, our results are not at all—from a research-based point of view—sufficient for understanding educational trajectories, as they are limited to a single measurement; forced-migration studies instead need to adopt longitudinal designs. Concerning school allocation, mid- and long-term effects of insecurity on upper secondary and tertiary education as well as on vocational training have to be considered.

The increasing population of refugees in Germany poses new challenges to school administration, teachers, school psychologists, educational counsellors, and classroom assistants. These expert practitioners should be aware of the potential divergence between objective and subjective security parameters and their corresponding effects on educational trajectories. This is especially important as objective security parameters are often obvious, whereas subjective insecurity might be much harder to explore. The issue of refugees' insecurity should be naturally considered in everyday educational practice within the school context, but further explicit interventions might be necessary, nonetheless. In a systematic review of school-based social-emotional interventions, Sullivan and Simonson (2016) differentiate between interventions based on cognitive behavioural therapy, creative expression, and mixed methods (see also the meta-analysis by Tyrer & Fazel, 2014). But the need for dealing with an insecure objective legal status and subjective status insecurity—along with other refugee-specific aspects, usually manifest in a different cultural background, poor language skills, and traumatic experiences in some cases—should have implications for the training of all practitioner groups involved—most importantly in teacher training. These needs should be recognized and addressed by policy and school administration. Even though Sullivan and Simonson (2016) clearly point out “schools as a key site for services to refugees” (p. 508), the above-mentioned aspects

are also relevant outside of school, especially for community workers and health-care experts.

Finally, there are limitations on the generalization of our results. Primarily, the results shown are limited to the sample under study, with participants being recruited within five federal states in Germany. It can cautiously be argued that these results might be generalized to all German federal states. But it remains an open question whether our results can be generalized to other countries or cultural contexts. In this regard, however, refugees applying for asylum in Germany may differ from those staying in the vicinity of their countries of origin (e.g., Syrian refugees in Germany vs. Syrian refugees in Lebanon) concerning their subjective status insecurity, social background, and educational developments (see Spörlein et al., 2020). However, even within Germany, there are some restrictions: nationals from “safe countries” do not receive asylum and therefore cannot seek protection in Germany. As these people are seldom assigned to a municipality, they infrequently have the chance to visit regular schools, and children often do not attend regular German schools. However, as the state is obligated to educate all school-aged children, these children generally receive special treatment in refugee reception centres. These children were not included in the ReGES study by design. Moreover, the group of unaccompanied minors—which are taken care of in a quite different manner in Germany and likely have different perceptions about subjective status insecurity—was also excluded by design. Therefore, the presented results are not generalizable to these specific groups.

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Facilitating Access to Higher Education for People Seeking Asylum in Australia: Institutional and Community Responses

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Abstract

Higher education remains unattainable for many people seeking asylum in Australia, where temporary visa status renders individuals ineligible for a range of government services including assistance with financing tertiary study. Many universities have responded by offering scholarships and other essential supports; however, our research indicates the challenges associated with studying while living on a temporary visa can affect the success of educational assistance. Here we highlight the importance of scholarships and other supports for facilitating access to tertiary study, particularly given the continuation of restrictive government policies, and identify the need for people seeking asylum to inform institutional and community responses.

Résumé

L'éducation supérieure demeure inatteignable pour plusieurs personnes demandant l'asile en Australie, où le statut rattaché au visa temporaire rend les individus inéligibles à une gamme de services, dont l'aide financière aux études postsecondaires. Plusieurs universités ont réagi en offrant des bourses et autres soutiens essentiels. Cependant, notre recherche indique que les obstacles liés au fait d'étudier tout en vivant avec un visa temporaire peuvent affecter le succès de l'aide aux études. Nous soulignons l'importance des bourses et d'autres types de soutien pour promouvoir l'accès aux études postsecondaires, particulièrement dans le contexte de politiques gouvernementales restrictives, et identifions la nécessité pour les personnes demandeuses d'asile de contribuer aux réponses institutionnelles et communautaires.

1. This research was funded by the National Centre for Student Equity in Higher Education, Curtin University.

Introduction: The Australian Context

The choice to participate in higher education² is an important factor for many people seeking asylum in Australia (Hartley et al., 2018). Access to further education can provide people seeking asylum with important opportunities to develop and enhance capacities and knowledge to sustain their livelihoods; aiding resettlement, social inclusion, and personal life fulfillment (Fleay et al., 2016). However, the findings of our Australia-wide study indicate that restrictive government policies render tertiary education an unaffordable dream for most people seeking asylum (Hartley et al., 2018). While not the only group to be excluded from higher education in Australia, people seeking asylum face unique challenges to participation in tertiary studies due to the precarity of their visa status and the prevailing policy landscape.

Between 2012 and 2014, some 30,000 people seeking asylum came to Australia by boat. Prohibited from lodging an application for protection for up to four years after their arrival (Kaldor Centre, 2019; RCOA, 2018), these people came to Australia before August 13, 2012. They had not had their protection visa application finalized by September 18, 2013, or they arrived after August 12, 2012, and were not sent to offshore detention on Nauru or Papua New Guinea's Manus Island. With a change of federal government, this group was deemed a "legacy caseload," and in late 2014, legislation was introduced mandating that applications for protection could be submitted only at the invitation of the minister.³ These people have subsequently resided in community detention⁴ or lived in the community on temporary bridging visas while waiting for their claim for protection to be processed.

Significantly, people in the legacy caseload are not permitted to apply for permanent visas. If they are deemed eligible for protection, the Australian government issues these applicants one of two temporary visas: a 3-year temporary protection visa (TPV) or a 5-year safe haven enterprise visa (SHEV). While approximately 70% of people in the legacy caseload have now received a decision on their application for a TPV or SHEV, by March 2019 there were still 9,315 people awaiting an outcome (Kaldor Centre, 2019). Here we use the term "people seeking asylum" to refer to people who are either awaiting the outcome of their application for refuge and living in the community on a bridging visa or in community detention, or those deemed to be a refugee and granted a TPV or SHEV.

While most people seeking asylum have the right to study in Australia, they are ineligible for a range of services, including government assistance with financing tertiary study. Accordingly, people seeking asylum encounter barriers to tertiary enrolment that effectively deny them access to higher education in Australia. The temporary nature of their visa means the only pathway to tertiary studies available to the majority of people seeking asylum is to be granted admission as a full-fee-paying international student. Without government subsidies, the cost of an undergraduate degree is approximately AUD 30,000 per year (McCarthy & Dauba, 2018), rendering higher education an unaffordable dream for most prospective students living on bridging or temporary visas.

Institutional and Community Responses

In recent years, a number of universities have responded to restrictive Australian government policies by creating ways to support access to higher education for people seeking asylum. Some institutions have introduced full or partial scholarships, stipends, part-time employment opportunities attached to scholarships, and schemes to help provide computers and other educational equipment. In 2018, there were approximately 204 people seeking asylum studying in 23 universities across Australia via scholarships that met their full tuition fees (Hartley et al., 2018). Some state governments have also offered support for people to access vocational education and training (VET), including concession rates for some certificate-level courses.

Community organizations have also facilitated greater access to higher education, assisting asylum seekers to locate scholarships and navigate application processes. In this important work, community organizations have been supported by the Refugee Council of Australia's "Education for All" campaign, which raises awareness about the educational rights of people seeking asylum, advocates with state and federal governments, and provides details of scholarships. This initiative is now managed by the Refugee Education Special Interest Group, a national collective of advocates, scholars, and practitioners working to support greater access to education.⁵

While the last 5 years have seen rapid growth in awareness of the barriers to education for people seeking asylum

2. Higher education refers to post-compulsory education at the tertiary level, including university and vocational education.

3. In May 2017, the government announced that all people in the legacy caseload must submit an application for protection by October 1, 2017 or be deported from Australia.

4. A small number of people seeking asylum in Australia are released from immigration detention into "community detention" without a bridging visa. This allows them to live in the community without the right to work. They are effectively barred from higher education, because they are not issued any form of visa while they wait for their refugee claim to be finalized.

5. See <https://www.refugeecouncil.org.au/educationsig/>

in Australia, many prospective students still cannot access scholarships and/or meet university entry requirements (Hartley et al., 2018). Further, our research finds that the challenges of undertaking higher education while seeking asylum can affect the efficacy of scholarships and other institutional supports, significantly affecting educational participation, retention, and success. These findings suggest the critical need for institutional policy-makers to engage with the lived experiences of people seeking asylum and tertiary/community advocates working in this space. Failure to emphasize students' lived experiences can result in well-intentioned yet short-sighted approaches to supporting educational access, which often fail to account for the unique circumstances and material conditions of learners with bridging or temporary visas.

The Invisibility of People Seeking Asylum

Despite growing awareness of the extreme precarity of people seeking asylum in Australia, their limited access to government services and support, and the psychological impact of trauma and separation from family and community, there is a dearth of research that examines educational access and retention for this population. A significantly larger body of work focuses on the educational experiences of people with refugee status, with research in the tertiary sector exploring student participation, retention, and navigation of institutional, linguistic, and sociocultural practices. This research provides insights into the hardships faced by people with refugee backgrounds, including the educational impact of trauma that results from human rights violations and forced migration, loss of family and community, and disrupted schooling (Naidoo et al., 2014; Naidoo et al., 2018; Sidhu & Taylor, 2007; Ben Moshe, Bertone, & Grossman, 2008; Eades, 2013; Earnest et al., 2010; Harris & Marlowe, 2011; Lenette, 2016; Sladek & King, 2016).

While research into the engagement of refugee learners in higher education also provides insights into the experiences of other students who have been displaced, the precarity of their presence in Australia means that people seeking asylum encounter additional hardships. Not only are people seeking asylum faced with forced migration and separation from family and community, they are also excluded from the support available to those who have been granted permanent visas, including government assistance with financing tertiary studies. Further, people seeking asylum in Australia remain largely invisible in institutional policies, research, and media coverage (White, 2017). This group experiences unique and significant hardships, but they are frequently subsumed into the broader categories of “refugee,” “non-English-speaking background,” or “international student” (Terry et al., 2016; White, 2017).

Aside from White's (2017) discussion of the systematic exclusion of people seeking asylum in higher education, the study of Webb et al. (2019) of the admissions practices of an Australian university is a notable exception to the dearth of educational research focusing specifically on this population. Webb et al. (2019) identify how the repurposing of admissions procedures used for other student groups—such as those with international student visas—marginalize and exclude students seeking asylum. Notably, the study also provides insights into strategic employment of “workarounds” by university staff members to overcome barriers in ill-suited admissions practices.

The invisibility of people seeking asylum in Australian popular discourse means that, prior to our study, no national data had been collected on the number of people seeking asylum who were enrolled in higher education, or the numbers of those who would like to pursue tertiary studies. Further, there was no published research on the efficacy of institutional support aimed at the retention, participation, and educational success of this population. Accordingly, there were no clear indicators for how people seeking asylum manage the financial, academic, linguistic, bureaucratic, and sociocultural practices of Australian tertiary institutions, or the impact of being without the support and government services available to other groups in the community.

The Study

Our research, funded by the National Centre for Student Equity in Higher Education is the first nation-wide review of university and community organization support for people seeking asylum in Australia. We sought to foreground the voices of students, potential students, and staff employed in universities and community organizations, drawing on three main data sources: (1) a national public symposium on access to higher education for people seeking asylum, which was organized by the research team in collaboration with Australian community sector organizations including the Refugee Council of Australia; (2) an online survey of Australian universities and community organizations; and (3) interviews with students seeking asylum, university representatives, and community practitioners.

The national symposium, held in November 2017, brought together 25 people seeking asylum who were currently enrolled in higher education programs, as well as prospective students, and 40 representatives from Australian universities and community organizations. The national online survey drew responses from 67 representatives from 25 Australian universities and 21 community organizations. The survey gathered information on whether universities offered scholarships to people seeking asylum, the numbers of current and graduated students seeking asylum, and institutional

supports. At the same time, an online survey for community organizations provided insight into the numbers of people seeking asylum who had expressed interest in pursuing higher education, and the community supports in place and those still required.

The data gathered for the quantitative questions in the survey (e.g., whether the university offered full fee-paying/fee-waiver scholarships; a checklist of the types of support offered to people seeking asylum) was analyzed through descriptive statistics. Responses to questions that allowed for a qualitative answer (e.g., details about the scholarships and the type of support offered, the source and process of funding the scholarship, and the types of community and university partnerships) were initially collated, coded into themes, and quantified where possible.

Semi-structured interviews were also conducted with 11 students who were seeking asylum and either studying or wanting to study at university, 11 representatives from nine universities in five Australian states, and six representatives from community organizations in New South Wales and Victoria. Participants were recruited through their engagement in the symposium, willingness to be interviewed at the end of the survey, or contacts known to the researchers. The interviews were conducted face-to-face or over the phone, and the majority were recorded and transcribed by a professional transcription company. For reasons of sensitivity or perceived risk, some participants requested that notes – rather than audio recording – be used during the interview. All the transcriptions or notes of the interviews were sent to participants for member checking, with the invitation to edit or remove text if desired.

We used thematic analysis, as described by Braun and Clarke (2006), adopting a mostly deductive approach to the data, as it allowed for a detailed analysis of the research aims. An inductive element was evident in that some themes that did not fit into a coding frame emerged as the analysis progressed. The initial codes were then reviewed, and themes that overlapped or were insufficiently supported with data were reconsidered. In the final stage, we reviewed the definition and naming of key themes, and then crosschecked and reassessed any themes that were unclear or appeared counterintuitive.

We sought to create a safe space for the research participants to share their perspectives, contending that exploring the experiences of people seeking asylum in institutions like universities can help to “challenge the competing voices that come from [those] more socially powerful” and allow for people’s experiences to be elevated (BenEzer & Zetter, 2014, p. 303). The precarious position of people seeking asylum means that telling their stories can be felt as a risk. Accordingly, we sought to bring participants (students, universities,

community organizations) along throughout the study and beyond, through advocacy and practice. However, even with the best of intentions, participatory research can objectify and reduce people from refugee/asylum-seeker backgrounds (Doná, 2007). We have sought to avoid this as much as possible by attempting to maintain reflexivity, and seeking to learn from and with participants throughout each stage of the research (Guillemin & Gillam, 2004).

Responding to the Complex Financial Situation of People Seeking Asylum

The financially prohibitive nature of tertiary studies is among the chief barriers identified in our research regarding access to higher education for people seeking asylum in Australia. Accordingly, the most commonly offered form of institutional support is provision of scholarships that cover the full or partial cost of full fee-paying places. At the time of writing, 23 universities across Australia provide scholarships to people seeking asylum, many of which cover the entire cost of tuition for a full fee-paying degree. This response is significant in providing people seeking asylum with opportunities to participate in higher education, despite restrictive government policies, and the competitive tertiary landscape in which reduced funding for undergraduate places has increased a metrics-driven approach to allocation of scholarships. One university staff member described how institutions are keen to respond to the needs of people seeking asylum in their communities, but in doing so, incur significant institutional risk:

The problem is this university is a bit obsessed with retention ... and so they make this really close connection between retention and scholarships being only useful for people who are really high achievers. And so ... they sort of take a risk-management strategy... [T]hey don't want to be giving money away for somebody who's not going to stick around. (University staff participant, individual interview)

In the current political climate, scholarships for students seeking asylum provide an essential means of access to tertiary studies. University and community organizations who have worked hard to implement these initiatives are to be commended. However, the number of available scholarships does not allow access to higher education for all people seeking asylum who wish to study. Further, our research has shown the importance of considering the unique circumstances of people seeking asylum when determining the nature of such support schemes. Just as the issues that confront people seeking asylum tend to be obscured in the literature and media by greater focus on people with refugee status, appropriating scholarships for students with

permanent visas can be damaging for those with temporary visa status and fewer government entitlements.

Not only are people who are seeking asylum treated as full-fee paying international students, they also risk losing their government special benefit income support if they engage in tertiary study for longer than 12 months and enrol in a degree program rather than a vocational course that is considered likely to enhance their employment prospects. This financial barrier to education is compounded by the recent removal of Status Resolution Support Services income and casework assistance for people with bridging visas who are deemed to be “job ready” and expected to support themselves if they wish to continue their studies (ACOSS, 2018). These policies place people seeking asylum at even greater risk of financial destitution should they pursue university enrolment, eroding the hopeful possibilities that engaging in education should offer.

Even with a full scholarship, students are required to work long hours, often in exploitative jobs, to afford basic living expenses, computers, and other study equipment. The difficulty of balancing education with employment is exacerbated by the requirement for some scholarship recipients to maintain a full-time study load. With limited hours available for employment, some students face homelessness and lack of food, further detracting from their ability to study, and leaving them dependent on charitable organizations such as the Red Cross. As one student participant outlined, “[S]ometimes the money even that Centrelink [the government] were giving, it was just ‘cause I was living alone and that was money was exactly for food and just the rent” (student participant, individual interview).

Offering partial or full tuition waivers/scholarships without considering living expenses can therefore have the unintended consequence of financial destitution. While the majority of universities offering full fee-paying/fee-waiving scholarships also provide some form of living allowance, the amount of assistance varies significantly. For example, one university offers a discretionary amount allocated case-by-case, while another offers AUD 7,500 per annum for eligible scholarship holders. Accordingly, scholarship schemes that are successful for students with permanent visas who can access greater financial support from the government may be inappropriate for people seeking asylum.

Some students participating in our study discussed the benefits of part-time degrees that incorporate part-time employment opportunities and subsidized accommodation. Part-time employment can facilitate professional networking and workplace experience while enabling students to meet their living expenses. Other students preferred loans rather than university scholarships, motivated by a desire to reimburse institutions for their education. Such scholarship

models may offer useful and sustainable funding alternatives. However, careful consultation of students and staff familiar with the challenges of studying while living on a temporary visa must be central to any scholarship initiatives.

Implementing Appropriate Application Processes

Financial constraints are not the only barrier to higher education for people seeking asylum. While less visible, access-related issues also stem from bureaucratic and administrative processes that are often repurposed from other application types, such as international student entry, or fail to take into account the circumstances of people seeking asylum. Consistent with the findings of Webb et al. (2019), participants in our research identified application procedures as a major institutional barrier, with students describing confusion resulting from inconsistent requirements across institutions, lack of knowledge about processes for enrolment, and difficulties in completing online applications without computer and/or internet access.

According to staff and students, confusion with applications is exacerbated by lack of communication between equity/student welfare services, admissions, and/or international student departments in Australian universities. Students recount the frustration of being turned away by frontline university staff unaware of scholarships for people seeking asylum, or indeed, the differences between visa types. One student commented, “There are different kinds of visas with different conditions, and not many people have the knowledge of the legal differences and what the requirements are” (student participant, individual interview).

Entry to higher education for people seeking asylum is also complicated by some tertiary institutions retaining elements of scholarship application processes used for holders of international student visas, such as imposing an application fee, or requiring evidence of English-language proficiency or right to remain in Australia for the duration of the degree. People seeking asylum are enrolled as international students as a result of their visa status, so the appropriation of existing administrative processes is understandable. However, application processes that are suitable for other groups are often inappropriate for people seeking asylum, who live with visa uncertainty and severe financial constraints, and seldom have documentation. As one student participant advised,

I started looking for scholarships in Australia, but there was confusion whether to apply for international student scholarship or humanitarian scholarship. I am here for humanitarian reasons, but the humanitarian scholarships have some rules that do not apply on me. For example, they require that the applicant hasn't had any degree from Australia, and I do have. For this reason I didn't

apply for humanitarian scholarships. My only other option is to apply as an international student. (Student participant, individual interview)

When describing their experiences with admissions processes, students identified the importance of receiving one-to-one assistance and encouragement from community organizations and academic staff. One student spoke about the crucial support of an independent counsellor during the application, and a professor who encouraged her to apply for entry to higher education after looking at her transcript. She described this assistance as “the first time someone was treating me like a human being.”

Likewise, through casework, community organizations act as trusted brokers, providing one-to-one support for prospective students making application, which often requires students to apply for entry to a degree program and for a scholarship, and to be accepted into the program before being considered for a scholarship. This can be a stressful experience for students who are unable to pay for the degree without financial assistance, and are hesitant to accept a place unless assured of a scholarship. As one community organization staff member advised,

A portfolio within my role was to look at scholarship opportunities, full fee-waivers.... [I]t was only meant to be like 2 hours of my week, but it became a lot, probably took up 80% of my hours, of my workload, just because of the demand. (Community organization participant, individual interview)

Staff and students also identified the need for more accessible, centralized information on scholarship opportunities.⁶ Students described the difficulty of locating information about higher education in Australia, explaining that many people seeking asylum were unaware of opportunities for participating in further studies:

I asked them [other people seeking asylum] about education, and they said they couldn't [afford to enrol in higher education]. And I said, “Look, there are scholarships.” And they were surprised to learn that, because they hadn't been in touch with the Refugee Council; they didn't even know that Refugee Council existed. (Student participant, individual interview)

Given these barriers to enrolment, collaborations between community organizations and university staff are essential to providing people seeking asylum with timely information about scholarships and supports in higher education. However, establishing such relationships is time-consuming, and recent changes to funding have resulted in less capacity in some community organizations to provide this important casework support.

Alternative Entry Pathways and Preparatory Programs

For many people seeking asylum, particularly those who have not been educated in the Australian schooling system, meeting entry requirements for higher education can be challenging. University entry usually requires an Australian Tertiary Admission Rank or a qualification that demonstrates English-language proficiency. These requirements can be unassailable for many people seeking asylum, who may have experienced interruptions in their education, and for whom financial constraints prevent their enrolment in private language tuition to help them to meet tertiary admission requirements.

Many universities in Australia offer alternative entrance pathways,⁷ including enabling programs, for people who do not meet the traditional admission requirements of a degree program. These alternative entry programs are free for domestic students and help learners become familiar with the academic environment and discipline content of higher education. Importantly, these pathways also involve supports for learners to transition into tertiary studies (Baker & Irwin, 2016).

However, the temporary visa status of people seeking asylum renders them ineligible for a range of alternative pathways to higher education, some government-funded English language courses, and other programs intended to prepare students for academic studies (Hartley & Fleay, 2014). Accordingly, community organizations are essential role in helping people seeking asylum to meet university entry requirements, offering preparation for English-language proficiency tests and other forms of tutoring, frequently without government-funded support.

In recognition of the importance of alternative entrance pathways, some universities embed enabling programs into scholarship opportunities for people seeking asylum. Staff and students report that these programs provide valuable

6. The Refugee Education Special Interest Group, affiliated with the Refugee Council of Australia, has since established a website to provide greater access to current information on scholarship opportunities.

7. For example, enabling courses, which provide a free pathway to university studies for those without the formal qualifications required for entry, or sub-bachelor/diploma programs, offer a discipline-specific certified pathway into undergraduate study (see Baker & Irwin, 2016).

support for adapting to university systems, navigating online and physical learning spaces, and understanding course expectations, assessment practices, and academic literacy requirements. Navigating these aspects of higher education, which can be overwhelming for all students as they transition into university life, may be particularly challenging for people seeking asylum, who already live in precarious circumstances.

When recounting their first experiences with university life in Australia, many students described feeling overwhelmed and unfamiliar with institutional systems and expectations, having come from a different academic culture and/or having experienced interrupted or minimal prior education. Despite strong motivation to succeed in their studies, unfamiliarity with academic expectations can hinder student outcomes and prevent them from engaging in key learning and assessment. Further, some scholarships require recipients to maintain a minimum grade point average throughout their studies, exacerbating pressure to achieve, despite the unfamiliar academic environment:

I was so agitated at the start.... I missed like online quizzes and all of that because I didn't understand what was expected. And then in second year I started understanding the system more ... mostly through other refugees that were studying there but who were in the second year or third year. (Student participant, individual interview)

University staff and students also emphasize the value of language-transition programs, stressing the need for greater and more specialized English support for people seeking asylum. These supports are particularly important for students who have limited print literacy in their first language(s) (Cranitch, 2010; Hirano, 2014; Windle & Miller, 2012; Woods, 2009). Embedding alternative pathways and language assistance into scholarship opportunities allows people seeking asylum to access the supports essential to educational retention and success, despite their temporary visa status, which makes them otherwise ineligible for alternative entry options and other preparatory programs. Facilitating such support from peer mentors may also ensure that assistance is relevant and effective. As one student suggested,

The unit which we are doing now, maybe someone from the second year did that unit already, so they can give their tips ... they can share ideas.... I know many students in [name of institution], they are on their own, like the same with my situation.... [W]e are very active studying and we are very, studying very hard but ... at the end they get very, like less marks. So if the universities organized these kind of sessions it will be much easier for students. (Student participant, individual interview)

Facilitating Access to Targeted Mental Health Support

Students also emphasize the importance of access to counselling services and targeted mental health support throughout their studies. For many people seeking asylum, the mental health impacts of detention, the long-term uncertainty about their future in Australia, and a lack of access to permanent protection and right to family reunion amplify the trauma they experienced in their country of origin and while fleeing. The stresses of adjusting to new academic life, with little time for self-care as a result of the pressures of study and employment, can exacerbate these traumas, frequently resulting in anxiety and depression. As one student described, "You're in a country with no contact, with no community, no family support."

Accordingly, students emphasize the importance of having access to targeted mental health support at university, and the need for counsellors and other staff to become trained in working with people seeking asylum. Such professional expertise requires an understanding of the unique circumstances of living on a temporary visa, which can involve stresses that are different from those confronting people with permanent protection status.

In addition to ensuring that mental health support is relevant to the circumstances and pressures experienced by people seeking asylum, assistance must be highly visible to learners. Some students have described their difficulties accessing mental health support at university: "They do have counselling services—like if someone was facing hardship and things like that. But I only knew about them like second or third year, and by this time it's often too late" (student participant: individual interview). Other students described instances in which people seeking asylum abandoned their studies for lack of academic support and a sense of isolation: "When you're going to uni, it's your first year, you don't know the system. You don't know, like, how it works, and you don't know from where you get the help" (student participant, individual interview).

Yet to access institutional support, often students must disclose their situation, and people seeking asylum may avoid doing so, for fear of being stigmatized.

It was difficult for me to get, to ask for help from non-refugee or people who were, I mean at the very least ... weren't migrants.... I was fearful of opening up and telling them I'm a refugee and ... I come to Australia on a boat and spent time in detention because I thought that that would kind of frighten them.... But I mean to get support, it's important that we know each other first. (Student participant, individual interview)

Some university staff in our study suggested that knowing which students were from asylum seeker backgrounds could allow them to better support learners as they transition into tertiary studies.

I would definitely find it useful if we were to be informed of, you know, the cohort that start here from that background, only because I think it's important that we are proactive, and even if they don't need support at the very early stages but just, you know, making sure that they're aware that support is available. And then they know exactly where to go if they do encounter any challenges. (University staff participant, individual interview)

Yet participants recognized that while staff knowledge of student background may help with timely and effective assistance, such disclosures can be problematic. From a student's perspective, there is a need to avoid public identification of a student's background or inference that such students are "different." Any mechanism to identify students in order to offer support tailored to their unique circumstances needs to be balanced with respect for privacy.

As well as ensuring that universities have online resources and webpages that support people seeking asylum and those with refugee backgrounds, having a dedicated, experienced university staff member who acts as a central contact for people seeking asylum is an important part of continuing support. Such a staff member can also advise students on accessing targeted assistance. As one student expressed it,

[The refugee support person's] job is like to build with refugee students or asylum seekers to help them, you know, where she can. Whenever we have a problem or something, we can discuss with her, and then she organizes an appointment, and then she figures out how she can help, in which way. (Student participant: individual interview)

Although only a few universities that participated in this research provide such support, students and staff reported that such a contact can make substantial difference to the successful transitioning into and through higher education for people seeking asylum. Providing a specialized support person as a central point of contact is therefore a key recommendation for universities to assist students who are often uncomfortable engaging with bureaucracy and encounter challenges "navigating through the university system and the complicated channel [of] ... scholarship provision" (community organization participant, individual interview). Ideally, support staff will include individuals with lived experience seeking asylum. As one community participant advised, "You can't know what it is to be going through this process without having experienced it yourself.... When you've had

so many knockbacks ... sometimes it seems overwhelming and quite like you've been completely excluded the whole way through" (community organization participant, individual Interview).

Supporting Pathways to Employment

A major theme to emerge from our work is the need to view participation in higher education in the context of resettlement. Many people seeking asylum see the opportunity to study as important for developing capacities and knowledge to sustain their livelihoods and to contribute to their communities and society. This makes career guidance from pre-entry to post-graduation necessary, ensuring that the choice of degree not only satisfies student interests, but also provides them with a realistic pathway to ongoing employment (Hebbani & Khawaja, 2018; Hirsch, 2015; Hugo, 2011). Students must have access to targeted career advice and knowledge of the Australian job market to make informed decisions about their professional trajectory, rather than undertaking a course of study because it is dictated by the terms of their scholarship or because it was a strategic option in their country of origin.

Providing targeted career guidance for people seeking asylum necessitates an understanding of the educational needs and professional experiences of students in this group. Staff in community organizations differentiate between students who had established careers and qualifications in their country of origin, and those who completed schooling after arriving in Australia. Individuals in these two groups undertake higher education with distinct background experiences, goals, and learning needs. Those in the former group bring a wealth of professional experience and knowledge but require an Australian qualification to continue working in their chosen profession, while those in the latter group are seeking tertiary education to build a future career. Assistance with career guidance and support for people seeking asylum must therefore take into account the needs and goals of students according to their prior educational experiences, social situation, and professional ambitions.

Accordingly, staff and students emphasize the importance of scholarship programs and targeted entry schemes that provide people seeking asylum with opportunities for workplace experience. University degrees that incorporate a workplace component allow students to establish professional networks and gain industry experience. However, because their visa is temporary, people seeking asylum are frequently ineligible for such opportunities, which are usually reserved for students who have permission to remain in the country. One student described the frustration of being ineligible for a university degree that incorporates a year of

industry placement—a valuable opportunity to gain paid employment, practical experience, and professional contacts:

When I finished my diploma I applied for the special [degree] of probation accountancy, which is for 4 years.... [T]hey refused my application and then they replied, “You are currently an international student, so you can’t do that degree. You have to do like whether bachelor of business majoring in something, or bachelor of accounting.” (Student participant, individual interview)

Access to higher education for people seeking asylum should incorporate the same opportunities for industry experience and professional networking that are afforded other students in Australia. Aside from the professional benefits, workplace-integrated degrees can help students make transitions out of higher education, into their professional lives:

Those individuals I’ve seen really go through setback after setback and apply for every single scholarship opportunity that they can see that is possible. And when they do eventually get in ... it’s such a transformative process ... being able to be not just a person seeking asylum and even just to be a student at a university. It reminds the individuals or it affirms them as individuals and as capable, competent, intelligent individuals who have something to contribute and ... that’s what’s so valuable about this is education really does open doors. (Community organization participant, individual Interview).

Moving Forward with Equitable Access to Higher Education for People Seeking Asylum

Our study showed that there were 204 people seeking asylum in Australia who were studying at a university on a full fee-paying/fee-waiver scholarship as of October 2018 (Hartley et al., 2018). The commitment of these students to education is evident, despite living in uncertain circumstances and being denied access to supports that many others in Australia receive. The universities that offer these scholarships, and the community organizations and individuals that provide advocacy and assistance to enable student access, also need to be commended. Until restrictive government policies are removed, scholarships that cover the full cost of tuition and living expenses are essential for enabling people seeking asylum to access higher education. As identified in this study, their financial situation places people seeking asylum at even greater risk if they attempt to pursue tertiary studies without such supports, eroding the possibilities that engaging in education should offer.

Equitable access to education for people seeking asylum therefore requires urgent changes to federal policies to enable all individuals who have been recognized as refugees

to have access to permanent protection visas and the same supports provided to other groups in Australia. Issuing permanent visas to every individual recognized as a refugee would allow people seeking asylum to enter higher education as domestic students, avoiding the need for full-fee/fee-waiving scholarships and living allowance supports from the university. However, as shown in this study, other institutional assistance is still required to facilitate equitable access to higher education for people seeking asylum.

This research has identified the need for subsidized accommodation and flexible study options incorporating part-time employment and professional experience in the intended workplace. There must also be tailored support for application processes, and an understanding that standard admission processes may be inappropriate for people seeking asylum. Providing a staff member as a central point of reference for students, and professional development for all front-line staff on issues facing people who seek asylum are also essential institutional practices. Alternative entrance pathways, such as enabling programs or diploma pathways, to enable access to undergraduate programs, and ongoing and bespoke language supports and mental health assistance are also needed. Finally, this study has highlighted the importance of providing all students with the information they need to make informed decisions about their academic pathway and professional trajectory.

A major theme emerging from this research is the importance of individual advocates in university and community organizations who help students navigate unfamiliar and complex application procedures. Providing all students with access to one-to-one assistance with support staff who have insights into the unique experiences of people seeking asylum is essential during every stage of engagement in higher education, from admission through to transitioning out of tertiary studies. Student emphasis on the value of such one-to-one assistance for accessing information about educational opportunities and supports also reinforces the importance of collaborations between universities and community organizations. However, forging such relationships in time-poor and underfunded settings can be difficult.

Introducing supports to enable equitable access to higher education for people seeking asylum necessitates first-hand understanding of the challenges confronting this population in Australia. Ensuring those with lived experience of seeking asylum contribute to planning and implementation of inclusion schemes and scholarship opportunities can minimize unintended results of institutional supports that inadvertently compound marginalization, leading to student failure, further distress, and isolation. The experiences and insights of people seeking asylum—including those who have completed tertiary studies, those who withdraw, and those who

wish to enrol—are therefore essential to informing institutional and community supports for more equitable access to higher education.

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Book Reviews

Refugee Governance, State and Politics in the Middle East



Zeynep Şahin Mencütek

Abingdon, UK: Routledge, 2019, pp. 284.

The uprising in Syria and ensuing war has resulted in the displacement of millions of Syrians since 2011, making it one of the largest drivers of mass migration in recorded history. Neighbouring Lebanon, Jordan, and Turkey first received and continue to host the vast majority of the refugees from this crisis. Drawing on this shared experience, Zeynep Şahin Mencütek's book examines the responses of these three host states comparatively and draws out important insights for the study of state responses to mass migration. Juxtaposing these three cases, the book proposes a distinct framework—referred to as “meta-governance” (9)—to understand how these states govern the arrival and presence of Syrians, and how their approach varies over time and across policy areas.

This comparison, the author argues, is particularly fruitful for substantive and theoretical reasons. First, the region (when including Turkey, as this book does) is the largest host and source of refugees globally. Second, the three cases allow for an examination of why—despite similar conditions—they adopt different patterns of governance. This reliance on a “most-similar research design” (11) is one of the more challenging claims of the work, as the cases under study also have substantially different starting points in state capacity, historical ties to Syria, and experience with previous refugee movements in the region. The broad patterns of governance adopted by these states are classified as inaction, ad hoc, and regulative. A fourth pattern—preventive—is identified as theoretically possible yet missing from all cases. These patterns, importantly, are not seen as fixed but rather “that it is most likely that a country will change its response partially or entirely in the course of time” (6). This combination results in what the author describes as “multi-pattern and

multi-stage governance” (6). For each country, one chapter is devoted to identifying the patterns of governance and another to the drivers of the change in patterns. The book identifies three macro-level explanations that come together in contingent and different ways in each case to explain its ultimate governance pattern: (1) international politics; (2) national security and domestic politics; and (3) factors related to the economy and development factors (57–64).

An important contribution of the book is its comprehensive exploration of three main policy choices that states face when adopting a response to mass migration: border controls, reception/protection, and integration. These choices are often studied in a segmented manner, in which scholars focus specifically on one particular policy choice or area. Such reasoning stems in part from a disproportionate focus on the Global North, where it is generally assumed—although it is increasingly not so—that access to territory provides asylum-seekers and refugees with a near-automatic set of rights and protections and a likely path towards integration. In looking at these policies in tandem, the book advances a more nuanced understanding of a state's response to mass influx that moves beyond a narrow and often binary distinction between an “open” or welcoming policy and a “closed” or restrictive policy.

Not only does the book look at a variety of policy areas, but it also aims to understand them dynamically. The author argues that the governance of mass migration is subject to at least three stages: the initial stage, the “critical juncture,” and the protracted stage (55). Here it is important to note that the book distinguishes the protracted stage of governance from the protracted nature of the displacement (which, by UNHCR's definition, is over five consecutive years). This

stage, rather than being clearly delimited by time (though in all three cases appears at around the five-year mark), is defined by the institutionalization and stabilization of policies “on the basis of the permanency of refugees” (56). This attempt to explain not only the emergence of policy but also its change over time is an important undertaking.

However, in this set of explanations the book’s argument can appear overly determined and functionalist. The “critical juncture” in Lebanon, for instance, occurred at about the time registered Syrians in the country passed the 1 million mark, where the Lebanese national authorities moved from policy paralysis, or inaction, to a central policy of restriction. This shift, as argued in the book, was driven in large part by the fact that the numbers “necessitated the government to act” (168, emphasis added), and that “the Lebanese policy makers were required to mediate negative public perceptions [of competition for labour and other sources of tension] by introducing regulative and restrictive policies that had been delayed until early 2015 due to the political stalemate” (171, emphasis added). Such analysis implicitly downplays the ways in which changes in the strength of domestic coalitions shifted, and the extent to which narratives of tension between locals and refugees were strategically mobilized and used by national leaders to justify policy options. Moreover, there is a presupposition of linearity in these stages—where a critical juncture—that states are said to reach “often in the course of three to five years”—leads to a situation where “the refugee

crisis is settled to some extent” (55). However, what we see (and the book shows) is that, even after periods of regulation, new stages of “crisis” and ad hoc policy-making can emerge. For instance, policies and practices of refugee return in all three states are neither comprehensive nor clearly dictated from the top, but rather rely on a mix of inaction and ad hoc patterns of governance, by allowing non-state or sub-state actors to facilitate and encourage return, in certain instances, and instances of state-led return are sporadic and seemingly unpredictable yet undeniable.

To conclude, *Refugee Governance, State and Politics in the Middle East* is an ambitious book that advances our understanding of refugee governance in the Global South by analyzing in parallel three important cases of refugee-hosting states in the Middle East. Moreover, it helps define a framework for other scholars of migration to consider which factors Şahin Mencütek identifies—international politics, national security and domestic politics, and economic development—matter most in determining host state policies toward refugees in other regions and under what circumstances.

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Refuge Beyond Reach: How Rich Democracies Repel Asylum Seekers



David Scott FitzGerald

Oxford: Oxford University Press, 2020, pp. 376.

In *Refuge beyond Reach*, sociologist David Scott FitzGerald addresses the most significant challenge to the global regime of refugee protection—the actions of states in the Global North to block refugees’ access to territories where they are safe from persecution. FitzGerald draws upon domestic law, court cases, bilateral agreements, communications between governments, and reports by intra-governmental and non-governmental organizations to trace the origins and evolution of “the architecture of refugee repulsion” in the United States, Canada, the European Union, and Australia. This architecture consists of interwoven policies that FitzGerald groups into five types and describes in the first chapter: cages, buffers, domes, moats, and barbicans. Cages and buffers keep refugees in their country of origin or in transit states, using refugee camps, readmission agreements, and safe third country agreements. Domes and moats prevent arrival of asylum seekers via airplanes and boats through visa checks, carrier sanctions, and interdiction at sea. Barbicans are fortifications near the border to prevent arrival, such as walls or excision of territory. Because the countries examined in the book seek to prevent refugees’ arrival, FitzGerald characterizes the deaths of Syrians in the Mediterranean Sea, including Alan Kurdi, his brother, and his mother, as the intended outcome of these states’ migration policies (4). This characterization sets the tone for the book, which at times reads as a catalogue of abuses. FitzGerald does not shy away from pointing out the personal consequences of the policy regimes he analyzes or their legal and humanitarian implications.

Chapters 2 and 3 document antecedents to contemporary policy manoeuvres that exclude refugees from state protection. For example, the techniques used to deny entrance to Jews—interceptions at sea, visa restrictions, pressure on transit countries to prevent migration, and sabotaging boats used by smugglers—resemble much of what we have witnessed recently in the Mediterranean and the us-Mexico borderlands. While the scope, resources, and capacity of such exclusion may be new, the practices and underlying imperatives are not. In spite of the often-repeated “never again” rhetoric following the Holocaust, FitzGerald argues that, while the contemporary refugee protection/repulsion regime follows the letter of international refugee laws, in practice it violates the spirit of those laws by engaging in tactics to deny refugees access to state protection.

Chapters 4–7 analyze refugee repulsion in the United States and Canada, as these two countries use all five apparatuses identified in the architecture of refugee repulsion. Thus, this first empirical section serves as an introduction to FitzGerald’s typology. The practices of the United States and Canada extend all over the globe, from land borders and territorial waters to international waters and into the sovereign territory of sending and transit countries. The case studies of migration from Cuba and Mexico to the United States are particularly instructive, because they demonstrate how sending and transit countries affect the ability of receiving countries to regulate mobility.

Chapters 8 and 9 examine how refugee repulsion is practised in the European Union. The chapters pay particular attention to the contradictory effects of harmonization of immigration policy across the Union. Harmonization has been used to expand the reach of restrictive policies in order to prevent refugees from getting to countries located in the centre of the Union. Yet EU officials are less motivated than state actors within national EU states to adopt strict policies to regulate mobility. And, in turn, the EU legislation on human rights has demanded greater accountability for the national courts, constraining the actions of individual EU members in their efforts to prevent the arrival of refugees.

In Chapter 10 FitzGerald shows how Australia shifted relatively quickly from permitting boat arrivals to deterring boats carrying refugees. Various iterations of excision, interdiction, and off-shore processing have dramatically reduced the numbers of arrivals. FitzGerald argues that the Australian case is unusual in its weak rights of territorial personhood, the willingness of successive governments to violate international refugee law, and the ability of the government to pursue draconian policies at a great distance from Australian shores, allowing it to operate with relatively little public scrutiny. Compared to the European Union and North America, a very high percentage of people subjected to caging and off-shore processing are ultimately granted refugee status, although very few have been resettled onto mainland Australia, contradicting claims by Australian policy-makers that intercepting boats is important to prevent the irregular arrival of so-called economic migrants.

Refuge beyond Reach is a volume with an ambitious scope. It brings together case studies from across the globe and traces how each case has evolved. This allows FitzGerald to

draw attention to a broad convergence in the United States, Canada, Australia, and the European Union around the architecture of refugee repulsion in the Global North, while also pointing out distinct features of each case. In particular, Fitzgerald examines how rights of territorial personhood and sensitivity to international reputation configure state action. However, while Fitzgerald provides concrete examples to back up his claims, the reader is often left wanting more details. Furthermore, the broad scope does not leave sufficient room to draw out tensions between the policies that regulate mobility and their implementation. For example, Fitzgerald argues that states want to be seen as upholding their obligation not to deport people to a country where they face persecution, known as *refoulement*. However, he

also relates numerous instances of *refoulement* and chain *refoulement* without exploring this tension.

The book feels very up-to-the minute and includes references to recent developments, such as the Trump administration's manoeuvres to end access to asylum in the United States and the subsequent increase in migration across the US-Canada border. Written in an accessible style, *Refuge beyond Reach* makes an excellent introduction to the topic of refugee deterrence.

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The Boy on the Beach: My Family's Escape from Syria and Our Hope for a New Home



Tima Kurdi

Toronto: Simon & Schuster Canada, 2018, pp. 241.

The *Boy on the Beach* is a heart-wrenching memoir, where Tima Kurdi details her family's harrowing experiences as a refugee during the Syrian civil war. At the same time, the book is a scathing critique of global geopolitical dynamics and their impact on the resettlement provisions offered to asylum seekers. The author dispels dominant discourses of the "dangerous refugee" by offering a complex, relatable story of her family's journey. Kurdi, a Syrian-Canadian, is a hairdresser-turned-social-activist, public speaker, and advocate of human rights worldwide. Her entrance into advocacy was incumbent upon the death of her nephew Alan Kurdi, as her brother's family were attempting to flee their war-torn home in Syria.

Between 2011 and 2017, during the onset of Syria's instability, armed conflict, and displacement of innocent civilians, the Kurdi family, along with millions of other Syrians, sought the safety and refuge of a land without threats of violence. By sharing her family's tribulations, Kurdi gives the readers a personalized perspective into the lives of political refugees. Her tale dispels the biased reports that refugees fleeing war are terrorists. As Kurdi explains, refugees are "victims of terrorism and global geopolitics, yet they [are] increasingly viewed with the same suspicion and hostility as the terrorists that they had barely managed to escape" (112). The narratives in this memoir are rife with passion, love, and above all, humanity.

The story begins with Tima Kurdi recanting her idyllic upbringing in Syria, surrounded by a loving, inseparable family. By retelling her childhood, she exposes the commonalities between Westerners and ordinary people in the Middle East; the tender embrace of loved ones; their successes and tragedies; and the minutiae of a modern upbringing mingled with the dreams and aspirations of prepubescence. Tima goes on to explain: "I have shared this to show you that all during my childhood, we were a regular middle-class family, perhaps not so different from yours" (9).

Then we see the author navigating homesickness and integration into her host community in Canada, while being physically separated from her birthplace, and from her family and friends who become caught in the midst of a full-blown war. Kurdi became a helpless bystander, forced to witness the massacres and bombings, wondering if her family was safe, and longing to help them reach safety. Many of her attempts to bring her family to Canada were halted

by bureaucracy, and she became increasingly consumed by anger and guilt. The stories of her family's struggles became a vehicle for her advocacy, and the Canadian government's exaggerated claims of being a global saviour further fuelled her desire to vie for the rights of all asylum seekers.

Although Kurdi migrated to Vancouver in the early 1990s, her perspective on forced migration is current, direct, and inspiring. As a Syrian who immigrated to Canada well before the war, she was unequipped to understand the hardships of refugee life. Then she learned of the conditions that her family had to endure. As an outsider looking in, Kurdi's involvement gained momentum when her nephew, Alan Kurdi, "the boy on the beach," was found dead after his family attempted to cross the waters between Turkey and Greece. After learning of Alan's death, and of the media's simple representation of him as "the boy on the beach," she made it her objective to help refugees around the world. She sought to share their real stories and real names, rather than watching them presented as faceless statistics in the news.

Only after the tragic death of Kurdi's sister-in-law and two infant nephews did the Canadian government and the international media listen to her pleas for granting asylum to her family. Regarding her brother Abdullah, the father of Alan Kurdi, Tima reports that suddenly "his expired passport and lack of UN card were no longer obstacles. The authorities treated him with the dignity and humanity that he and his wife and children had been denied for so many years—dignity that millions of refugees were still being denied" (156). After media attention had stained their reputations, the Western immigration authorities sought to evade their complicity in these deaths, adopting the roles of impartial caregivers who had suddenly made refugees their priority. As Canada's former immigration minister Chris Alexander explained, "People called me a 'child killer'" (222), and the Kurdi family's tragedy "caused his party to lose the election" (222).

The Boy on the Beach is an insightful, informative account of the refugee crisis. It conveys the actualities of refugee lives, which have been largely distorted by popular culture and media accounts through a one-sided view that refugees pose security threats to Western nations. By telling her family's own story, the author provides a rich account of the throngs of refugees. She invites us to hear their voices, regardless of whether they speak English or have been silenced by fear or by death. Kurdi captures the plight of those displaced by

violence and warfare. She opens a dialogue, allowing others to speak and share their own experiences of seeking refuge. After reading this memoir, others will sympathize not only with the Kurdi family, but also with other refugees who have been portrayed as threats to society. This is an awe-inspiring story of survival and perseverance, one that has the potential to promote change in the public's understanding of forced migration. *The Boy on the Beach* reminds us of the complexities and commonalities of human suffering. The Kurdi family's story contains a message about how the traumatic experiences of refugees do not define their entire existence, nor are their pleas for assistance inherent flaws, but rather testaments of an oppressive humanity determined to ruin their livelihood.

For researchers, scholars, educators, policy-makers, and immigration officials, this memoir offers an in-depth narrative of forced migration in the modern world. Tima Kurdi's

story has power to inform the international community about the dire need to support refugees. Her voice is a potent instrument for social change. The Kurdi family's experiences have already affected settlement policies worldwide. Organizations dealing with forced migration can benefit from further disseminating this story, as a means to shift public perceptions of refugees, and to begin developing strategies to overcome the stigmas attached to them.

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Adventure Capital: Migration and the Making of an African Hub in Paris



Julie Kleinman

Berkeley: University of California Press, 2019, pp. 209.

In *Adventure Capital*, Julie Kleinman explores how West African men support one another in an unusual ethnographic site: the international crossroads of Gare du Nord in Paris. Kleinman does so using the framework of “adventurer”—a term long used among Western Africans to denote the journey or rite of passage of their migrations. For many migrants living on the margins of urban life, the idiom of adventure—not abjection—more aptly characterizes their lives and struggles. The notion of “migration as adventure” captures the historical tradition of journeying in the Western Sahel, in which migration is considered a necessary phase of life. The Gare du Nord, one of Europe’s primary transit hubs, is a site of social opportunity for the men Kleinman meets—site for carrying out the adventures and of forging lasting connections that might enable future mobility. From finding temporary work and housing to picking up women, adventurers use their social networks at the Gare to produce “adventure capital,” despite legal, social, and economic marginalization.

The station, however, is also a border zone, complete with the trappings of border enforcement. Military patrols, customs agents, immigration officers, national and railway police, and private security guards patrol. Migrants battle extreme racial profiling and segregation, built into the very design of public spaces in France. They do so in the quest for an alternative form of integration to the “colour-blind” model that the French state purports to uphold: a highly controlled version of diversity that discounts heterogeneity. It is in this way, Kleinman suggests, that West African men present more meaningful models of migrant integration that cut across national, racial, ethnic, and class boundaries.

Kleinman takes the Gare du Nord as an embodiment of “the way borders, state policy, urban public space, and migration intersect in France” (9), which allows her to chart the social and physical infrastructures that West African migrants navigate. The survival strategies of adventurers in navigating their migrant livelihoods are labelled the “Gare du Nord method.” Kleinman draws on ethnographic fieldwork in the station over 18 months, creating her own social networks and tracing threads and leads, much like her protagonists. This is coupled with archival research into blueprints, records, and correspondence associated with the Gare, an internship with the Société Nationale des Chemins de Fer—France’s state-owned railway company—interviewing

transportation architects, accompanying railway police on patrols, and eventual fieldwork in Mali to follow her interlocutors’ return journeys.

Kleinman’s book begins with a historical analysis of the Gare’s construction in the nineteenth century as a deeply segregated space. At that time, architectural strategies of containment maintained separations between the middle/higher classes, assumed to be taking the high-speed trains, and the urban poor and regional migrant workers using the commuter lines. These techniques and aggressive forms of policing later moved to colonial subjects and non-European workers as the new “dangerous others,” who purportedly threatened the national order. Delving into the spatial divisions, policing tactics, and ideas of difference built into the Gare takes Kleinman into an exploration of how West African migrants make social ties in and outside the station to support their survival in Europe. This exploration includes a close analysis of the 2007 “revolt”—represented in media and political narratives as a “riot”—that took place following police brutality against a ticketless Black Metro rider. Kleinman uses the incident to exemplify contradictions of the French Republic narrative of inclusion: where racial differences are denied, despite the reality of extreme racial prejudice. Adventurers must tirelessly evade the police, ticket controllers, surveillance cameras, and a distrusting public fed with representations of Black men as dangerous to the French public order.

By exploring these urban practices, Kleinman pushes us to rethink the factors behind international migration beyond merely seeking citizenship and socioeconomic benefits. This is an important contribution, and the framework of migrant-as-adventurer counters depictions of vulnerable migrant or refugee suffering. Likewise, Kleinman’s emphasis on how migrants negotiate pathways to integration through their own social practices is a counterpoint to the state-imposed multicultural models, particularly when West African migrants are often stigmatized as refusing assimilation into French society. However, Kleinman runs the risk of overly elevating the concept of adventure. This can push the legitimate economic motives of the men to the background, along with their struggles to obtain residential legality. It also raises ethical quandaries about the ethnographic documentation and framing of such practices. Even as the adventurer framework combats representations of abjection, could it

also inadvertently reinforce populist negative representations of migrants?

Kleinman uses the adventure-as-method as universally rooted in West African male traditions, yet how does this framework apply to migrants from other regions or to women? Migration patterns show an increase in independent female migration from West African countries to France, but in *Adventure Capital*, discussions of racial boundaries are prioritized over gender. What onward-looking strategies are then developed by women in this context? More so, for Kleinman's adventurers, gender norms—such as being a household provider and returning home as a marriageable man—go uncontested. The xenophobia and racism in France become Kleinman's main critiques, rather than a fuller picture of how masculinity, as much as constructions of Blackness and Africanness, shapes adventuring and become a site for social change.

Adventure Capital is a beautifully written and an empirically rich journey into the pathways of West African men, in spite of extreme hostilities and uncertain futures. It makes it possible to reimagine how meaningful forms of living together could look. This has been all the more pressing in the global COVID-19 pandemic, as many politicians have retreated into ideas of racial difference, continuing to play on anxieties of the racialized others, foreigners, and their diseases. Such ideologies of difference, where “undesirable” migrants are racialized as people of colour, fail to advance, in adventurers' terms, new strategies for creating meaningful relationality.

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Time, Migration and Forced Immobility: Sub-Saharan African Migrants in Morocco

Inka Stock

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Time, *Migration and Forced Immobility* is an important contribution to research on migration politics. Based on over ten years of ethnographic field research in Morocco, Inka Stock's insightful book explores the existential impacts of European migration-control policies—and the responses of the Moroccan government to them—on migrants “stuck” or trapped in Morocco. The book argues that an understanding of these experiences necessitates a shift from the notion of “transit migration”—which has captivated policy-makers in recent years—towards the concept of “forced immobility.”

The book is organized thematically across seven chapters. Chapter 1 introduces the study, and chapter 2 provides an overview of European migration policy and the ways in which it has influenced the Moroccan government's approach to irregularized migrants. Chapters 3–6 draw on interviews and observations carried out with 40 sub-Saharan African migrants between 2007 and 2017. Chapter 3 focuses on individuals' motivations for migration, while chapter 4 analyzes the policy environment in Morocco that produces the rightlessness they experience. Chapter 5 explores how rightlessness and forced immobility affect migrants' experiences of time and chapter 6 examines the contradictions or ambivalences of migrant social relations while forcibly immobilized in Morocco. The final chapter focuses on the strategies employed by the migrants when trying to leave Morocco and it examines how these intersect with a “politics” of waiting.

One of Stock's primary goals is to “make visible” the experiences and stories of the migrants she has come to know and the “existential consequences of forced immobility” on their lives (3). This is one of the book's greatest successes, largely due to the ethnographic work. The reader “meets” a number of migrants in chapters 3–6 and often encounters the same individuals several times, coming to “know” or understand their experience—as it relates to rightlessness, temporality, waiting, and their changing understandings of themselves as people. Stock shows how the everyday experiences of migrants in Morocco reveal the nature and functioning of migration control systems, mapping the regional and domestic implementation of regulatory frameworks in addition to the global migration management system with which many readers will already be familiar. Paying attention to the experiences of Jean, Pierre, Silvester, Angelique (all pseudonyms), and others reveals how “migrants slip in and out of

different migratory categories during their trajectories and according to the places they are travelling to” (155); how state authorities are often deeply implicated in trafficking and the circulation of forged documents, making it difficult for many to comprehend or navigate murky legal environments (52); how one's ability to keep moving depends on the development of local ties (110); and how these possibilities are structured by political, economic, and social contexts, which are differentially experienced according to gender, class, or country of origin. In personalizing what often appears, in migration scholarship, as deeply impersonal, Stock draws attention not only to how such impenetrable structures work but also to the strategies employed by migrants to circumvent them. Bribery, purchasing of identity documents, and reliance on smuggling networks, for example, emerge not only as actions the migrants' deemed necessary in order to facilitate their movement, but also as areas of blurred legality/regularity that are important for understanding how unauthorized migration works. Stock recounts the story of Peter, from Nigeria, who travelled to Niger on his Nigerian passport, for which he had to bribe an official in order to receive it quickly. Once in Niger, he needed to purchase a Malian passport in order to cross the border between Niger and Algeria, as the result of visa restrictions on Nigerian nationals. Since, for Peter, visas and passports are documents acquired through payment/bribery, “the distinction between regular and irregular travel in terms of documents became blurred” (50).

The book's most important contribution is its conceptualization of “forced immobility” as a novel analytical framework for understanding the experiences of irregularized migrants, particularly those trapped in Morocco—unable to continue their migratory journey, often rightless, and unable or unwilling to return “home.” While the concepts of “forced” or “voluntary” migration, and the immobility-of-most versus the hyper-mobility-of-the-few will be familiar to migration scholars, Stock argues that immobility can also be experienced by migrants during their journey: it is not only that migrants can be forced to move but they can likewise be forced to stop moving. Such forced immobility should not be confused with forced settlement, or with lack of migrant agency. Rather, the concept of forced immobility draws attention to the ways in which “migratory projects” (10) can be shaped or curtailed, in different places, and for

different periods, by regulatory frameworks that not only structure migrants' journeys—intersecting with their class, gender, and nationality—but also have an impact on their ability to live *meaningfully* where they find themselves. The notion of “transit migration,” Stock argues, has proven to be a particularly useful policy tool for the Moroccan government to justify excluding migrants from settlement, citizenship, and rights (11). If we approach such migrants not as people in transit—with the linear and compressed temporality that this implies—but as forcibly immobilized—with the experience of existing “out of time”—Moroccan and European policies toward migrants might begin to look different and could allow us to ask important questions about challenges that migrants might face. Here Stock's ethnographic fieldwork and conceptual innovation combine to produce a compelling account of migration under contemporary political, social, and economic conditions.

One of the book's weaknesses rests in what Stock herself acknowledges: the comparatively limited analysis of migrant

community experiences in Morocco. Largely as the result of methodological constraints, the reader is given only a glimpse of the complex social relations that migrants build with each other. Through a brief exploration of the activities of a Pentecostal Nigerian church community, and the migrant “governments” of the Cameroonian, Congolese, and Ivory Coast communities, Stock highlights the dialectical nature of these relationships—as sites for recovering identity and social significance on the one hand, but creating dependency and the potential for exploitation on the other hand (108). A fuller account of how forcibly immobilized migrants interact with, support, and exploit each other would contribute to a more well-rounded narrative analysis of the existential experience of forced immobility.

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Comparative Perspectives on Refugee Youth Education: Dreams and Realities in Educational Systems Worldwide



Edited by Alexander W. Wiseman, Lisa Damaschke-Deitrick, Ericka L. Galegher, and Maureen F. Park
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C*omparative Perspectives on Refugee Youth Education: Dreams and Realities in Educational Systems Worldwide* contributes to the field of refugee studies by challenging the assumption that education is a “cure-all” for integrating refugee youth and their families into host societies. Proponents of this perspective believe that education can provide refugee youth with the skills and country-specific values necessary for full participation in society, contribute to healing the trauma that many refugee children have experienced, and alleviate poverty in host countries. The purpose of challenging this assumption is to shed light on how the capacity of education to solve social challenges is often overemphasized, as demonstrated by the limited success experienced by countries around the world with education-centred approaches to integration. Educational attainment for refugees has not been universally translated into future economic productivity, social integration, or civic participation. The failure of education to consistently act as a panacea for refugee integration stems from the inconsistent definitions of “refugee” in international and national policy frameworks, from the diverse experiences faced by refugees in their forced migration journeys, and from countries’ differing institutional approaches to providing educational services to refugees. Despite international recognition of education as a human right, many public education systems, often characterized by a shortage of qualified teachers and an impersonal approach to teaching, are ill-equipped to provide quality education for all. Wiseman, Damaschke-Deitrick, Galegher, and Park focus on these challenges and limitations from two main perspectives that inform the structure of the book: the anticipated effects of education at a macro-policy level in part 1 and the local, community, and school-level assumptions about the wide-ranging impact of education in part 2.

The global push to integrate refugee youth into national education systems, as opposed to parallel systems implemented by non-state actors, in unorthodox settings such as refugee camps, is intended to provide a long-term solution for increasingly protracted refugee displacement. Through reviews of scholarly literature, government documents, and secondary data analysis, part 1 of this volume showcases the structural challenges faced by different national attempts to integrate refugee youth into domestic education systems.

The diverse approaches highlight how countries seek to align with international policies but also with domestic social, economic, and political norms. For example, in the United States, where economic self-sufficiency is prioritized, refugee youth are fully incorporated into an educational system designed to position students for post-secondary education and careers by acquiring a broad range of skills. In contrast, the German government views social integration as a crucial first step towards social participation, hence integration programs focus heavily on German language acquisition, with the government providing integration support courses that are separate from the typical education system.

Similarly, the influence of context-specific factors on educational integration is highlighted in several examples, such as the No Lost Generation initiative and the Regional Refugee and Resilience Frameworks in the Middle East, as well as the Comprehensive Refugee Response Framework in Uganda and Kenya. These initiatives are designed to standardize integration into national education systems and to reduce the burden for host countries; however, their targets, goals, and strategies are often disconnected from local and national realities. In the Middle East, despite national policy shifts to increase access to education for refugee youth, many refugees are faced with barriers imposed by long distances to schools, prohibitive school fees, overcrowding, and lack of legal status or documentation necessary for enrolment. In Turkey and Lebanon, community members pressure school administrators to refuse the enrolment of refugee students, regardless of national policy. Countries in the Middle East, as well as Uganda and Kenya, also encounter severe financial constraints. These are major barriers to implementing educational policies, as most of the regional and international organizations that propose such policies do not provide funding, or do so in a limited capacity. The financial burden of incorporating refugee students into public education systems is not shared internationally, so countries with the greatest influx of refugees often cannot fully implement international and national educational policies aimed at improving quality of education.

Part 2 reflects similar findings, yet from the perspective of refugees themselves as they pursue educational opportunities at the primary, secondary, and tertiary levels. In emphasizing the individualized narratives, part 2 sheds light

on the lived implications of macro-level policy decisions for refugees. For example, many of the international frameworks focus predominantly on integrating refugee youth into primary and secondary schools, failing to account for the significant population of refugees seeking to continue or begin tertiary education. For women pursuing higher education in Germany, Egypt, and Kyrgyzstan, this translates into bureaucratic challenges, such as legal status requirements for enrolment, increased financial burdens resulting from classifying refugees as international students, and lack of access to formal labour market opportunities. In countries such as Egypt, where unemployment is high, governments are hesitant to facilitate access to resources for refugees in the interest of protecting the needs of their citizens. Additionally, language barriers and a lack of peer understanding about refugee students' contextual situations contribute to feelings of marginalization, motivating students to seek support from refugee communities as opposed to local peers. These challenges point to the failure of higher education in contributing significantly to refugee integration into host societies, and point to a need for heterodox solutions for refugee integration that go beyond primary and secondary education.

Despite the challenges faced by the host countries with recruiting teachers and preparing them to integrate refugee youth into the classrooms, both parts 1 and 2 of the book underscore the importance of teacher training and pedagogy at the primary and secondary levels. Analysis in chapter 3 of data from 72 countries suggests that highly educated female teachers who participate in mentoring and training opportunities are best equipped to address both the academic and

non-academic needs of refugee students, many of whom have experienced significant trauma and extended periods out of school. Interviews with teachers in Kenya, however, suggest that in order to improve student outcomes, teachers need access to higher quality, longer term support, particularly in the form of professional development opportunities and teaching materials. Furthermore, as teachers work most directly with refugee youth, their perspectives need to be incorporated in policy decisions. This evidence suggests a need for a national education system of integration that accounts not only for student needs but also those of the teachers.

Overall, *Comparative Perspectives on Refugee Youth Education* provides a comprehensive analysis of the limitations inherent in refugee youth education, challenging the burden placed on education to solve all challenges associated with refugee integration, while still highlighting the positive role it can play. A criticism of the volume is that, since it appears that each article was written in isolation, the introductory summary in each commentary comes across as repetitive. Nevertheless, the article build on each other to provide a comprehensive picture of the challenges, limitations, and possibilities of refugee youth education. This volume proposes strategies for critically approaching educational programming in context-specific ways that address their potential to mitigate but also to exacerbate the challenges faced by refugee youth.

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