

Empowerment in the Asylum-seeker Regime? The Roles of Policies, the Non-profit Sector and Refugee Community Organizations in Hong Kong

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This article presents an analysis of the extent to which non-governmental organizations (NGOs) and refugee community organizations (RCOs) empower asylum seekers in Hong Kong. Based on 28 in-depth interviews with asylum seekers and five interviews with NGO managers, the author argues that mainstream NGOs adopt the traditional roles of Provider and Liberator, whereas RCOs take up 'alternative roles' in addition to a limited range of traditional roles. Mainstream NGOs determine and hierarchize the needs and wants of their clients and cater only to the former. This, in turn, is experienced as disempowerment by service recipients, who feel that the NGOs are not working for the recipients' benefit, but rather to further their own agenda. RCOs proactively engage in policy advocacy, although this has yet to enhance their popularity among asylum seekers. Overall, the major challenges to empowerment for asylum seekers in Hong Kong are the financial dependence of mainstream NGOs on the government, the Hong Kong government's perceptions of welfare policy and civil society, the existence of the international refugee regime and disunity among asylum seekers.

Keywords: Asylum seekers, NGO, RCO, empowerment, Hong Kong, international refugee regime

Introduction

A general philosophy of empowerment is to allow the disadvantaged to make their own decisions, especially where these pertain to control over their lives, bodies and decision-making processes. It is about 'helping the disadvantaged to help themselves', in many cases leaving important decisions to the disadvantaged (Perkins and Zimmerman 1995; Rowlands 1995; Craig 2002; Darlington and Mulvaney 2003; Cattaneo and Chapman 2010; Kolb 2011).

Pick and Sirkin (2010) differentiated between the extrinsic and intrinsic natures of empowerment: while extrinsic empowerment is behaviour motivated by materialistic factors, intrinsic empowerment is achieved when personal agency evolves to the point where 'individuals begin to see themselves simultaneously as part of the context and influential within it' (2010: 243). While there is broad agreement over the meaning of empowerment, there are heated debates on how to achieve it and the extent to which it can be achieved.

This article concentrates on the empowering effects of non-governmental organizations (NGOs) serving asylum seekers and refugees, around which a variety of critiques have emerged. NGOs are a diverse group of organizations that defy generalization, ranging from small informal groups to large formal agencies, and thus they play different roles and take on different shapes (Lewis 2016). There are two major types of NGO, namely mainstream (or intermediary) and grassroots. The former group is made up of people working on behalf of, or in support of, a marginalized group, while the latter organizes policy advocacy and public campaigns in pursuit of social transformation (Lewis and Kanji 2009). The nature of these two types of NGO differ in terms of structure, funding and membership, with mainstream NGOs typically being larger, more formal and more bureaucratic than grassroots NGOs. In terms of funding, mainstream NGOs can be externally funded while grassroots NGOs depend on locally mobilized resources. In terms of membership, mainstream NGOs work with communities from the outside whereas grassroots NGOs are community-based or people's organizations (Lewis 2016: 3).

Refugee community organizations (RCOs) are a specific type of grassroots NGO for refugees and asylum seekers. They form part of the larger voluntary sector and NGO support network working on behalf of asylum seekers and refugees to provide rights- and advice-based counselling or material assistance (Zetter and Pearl 2000). These grassroots organizations have a better understanding of refugees' needs than traditional agencies (Salinas *et al.* 1987) and are formed and managed by refugees themselves, usually from a specific national, ethnic or cultural group (Tomlinson and Egan 2002: 1026). Phillimore and Goodson (2010) suggested that the critical role of RCOs is to assist asylum seekers to adapt to life in mainstream society through the provision of support services, building links with the wider community and providing expertise to all levels of government.

Both mainstream and grassroots NGOs have been criticized for an inability to empower refugees (Nagar and Raju 2003; Reimann 2005; Farrugia *et al.* 2016; Sanghera 2016). Regarding mainstream NGOs, for instance, Manzo (2008) pointed to the use of evocative images by NGOs to convey their role as human rights warriors engaging in humanitarian intervention in areas struck by war or natural catastrophes. For Manzo, this highlights the status inequality between those who distribute charity and those who receive it, which can turn encounters between NGOs and those in need into a humiliating experience for the latter, thus undermining the principle of respect for

human dignity. A similar perspective is provided by Holden (1997) in his earlier study of the relationships between volunteers in a homeless shelter and the beneficiaries of the shelter, in which the volunteers incurred the wrath and hostility of the clients because they were obliged to enforce the rules and thus were prevented from developing relationships with the clients that would allow the clients to feel good about themselves and what they were doing. Rainbird (2012) also explored how asylum seekers are presented as dependent and are excluded from decision-making processes in the course of service delivery. This is tied up with the relationship of mutual dependency existing between NGOs and asylum seekers.

RCOs, on the other hand, have been criticized for marginalizing service recipients from the mainstream community (Tomlinson and Egan 2002; Zetter *et al.* 2005). This involves ‘a continuing identification of refugees as “different”, as a distinctive category of deserving and worthy individuals’ and requires a ‘discursive shift’ from ‘needy, helpless and dependent towards “empowered”, capable, and involved’ (Tomlinson and Egan 2002: 1027). Another critique of RCOs is that they tend to serve individual needs rather than to facilitate institutional change (Phillimore and Goodson 2010). It is argued that RCOs concentrate on individuals rather than working with institutions to transform systems and make policy changes because the latter approach might deter asylum seekers from mainstream services.

In this article, the author adopts Anne Toomey’s analytical framework to understand the empowering and disempowering functions of asylum seekers. Rather than advancing the discussion of this framework or developing a new framework based on this one, Anne Toomey’s analytical framework is adopted as a reference for systematic categorization of various roles and capacities of NGOs and RCOs. In this respect, the author will discuss the roles of NGOs and RCOs with reference to Toomey’s eight categorization of roles. Toomey (2011) categorizes NGO practitioners into four traditional and four alternative roles. The traditional roles, reflecting the uneven power relations between service providers and service recipients, are ‘Rescuer’ (being responsible for providing humanitarian assistance to victims in times of crisis), ‘Provider’ (giving tangible resources to those in need, regardless of whether there is an immediate crisis situation), ‘Modernizer’ (engaging in the modernization of communities in underdeveloped countries) and ‘Liberator’ (engaging in the education, integration and political involvement of the underprivileged). The Liberator produces the most empowering effect among these traditional roles, but it can also be repressive, neglecting the cultural and spiritual specificity of the community it aims to serve and, ultimately, disempowering the disadvantaged.

The alternative roles reflect horizontal modes of engaging with served communities and are more effective in empowering those communities. Toomey categorizes four types of alternative roles, namely ‘Catalyst’ (provoking new ideas or actions guiding people to community development), ‘Facilitator’ (gathering people and then mobilizing them for action to

challenge decision-making processes), ‘Ally’ (supporting empowerment activities and referring to someone who represents, mediates, interprets, educates and speaks for the people) and ‘Advocate’ (actively supporting political struggles by instigating social movements, advocating policies or disseminating ideas).

Within Toomey’s framework, mainstream NGOs in support of asylum seekers in Hong Kong can be seen as predominately taking up the traditional roles of Provider and Liberator but not those of Rescuer or Modernizer, as they are not providing one-off measures or emergency relief in times of crisis. In parallel, the author regards RCOs as not only performing the role of mainstream NGOs, but also taking up the alternative roles of Catalyst, Facilitator, Ally and Advocate.

Aims of the Article

This study examines the population of asylum seekers in their relationships with non-governmental actors and argues that the work of mainstream NGOs and RCOs is a double-edged sword: while service users manage to escape from destitution, they feel that mainstream NGOs are not working to their benefit, but rather lead them to feel infantilized and disempowered. Five NGOs that assist asylum seekers in Hong Kong are identified: one government contractor, two supported by Church-based and charitable organizations and two (both RCOs) are predominately supported through donations. The following key questions are addressed:

1. To what extent do asylum seekers truly wish to advance their agenda and achieve transformation? What are their views towards empowerment by NGOs and RCOs?
2. How does the capacity for empowerment of NGOs and RCOs depend on immigration policies and the welfare system in Hong Kong, and what is the nature of this dependence?
3. What are the implications of the international refugee regime, under which asylum seekers are treated as transient migrants and are therefore not eligible for rights beyond basic subsistence, for the capacity to empower asylum seekers?

This article identifies the role of NGOs and RCOs in assisting asylum seekers and refugees in Hong Kong, and discusses the ways through which the Hong Kong government and the international refugee regime in general interact with NGOs and have a direct influence on civil society.

Contextualizing Asylum Seekers in Hong Kong: A Historical Review

Refugees have been an issue in Hong Kong since the middle of the twentieth century. The influx of Chinese refugees to Hong Kong in the 1940s, resulting

from political factors (i.e. the coming-to-power of the Chinese Communist Party in China) and economic factors, led the British colonial government to introduce the Immigration Control Ordinance 1949 to limit the numbers of undesirable immigrants (Chen 1988). It is important to note that there were no clear guidelines on the discretion of the immigration authorities. As early as 1950, a number of charitable organizations had already been established and were working actively to relieve the problem arising from the influx of refugees. For example, the Hong Kong Council of Social Service was founded in 1947 to engage in relief work and the Hong Kong Red Cross, established in 1950, provided emergency relief items for the victims of disasters (Lui 2010).

Hong Kong also needed to cope with the Vietnamese refugee crisis stretching from 1975 to 2003 due to the establishment of a communist regime in Vietnam and the hostile leadership of the Vietnamese government (Hong Kong Democratic League 1991). More than 200,000 Vietnamese arrived in Hong Kong seeking asylum between 1975 and the mid-1990s, with most either resettled in a third country or repatriated to Vietnam (Loper 2010: 409). Hong Kong received the first group of recorded Vietnamese refugees, with over 3,700 arrivals in May 1975, and became a port of first asylum. All Vietnamese asylum seekers were granted temporary protection and allowed to remain in Hong Kong pending resettlement in third countries (Chan 2011: 7). Arrivals in 1980 and 1981 remained high, causing the Hong Kong government to implement a closed-camp policy in 1982, under which Vietnamese arrivals were no longer allowed to roam freely in Hong Kong (Chan 2011: 6).

Because of the increasing number of arrivals and the growing reluctance of resettlement countries to accept them, the Hong Kong government began to detain refugees in June 1988 (Loper 2010: 410). By that time, Hong Kong had already accepted around 15,000 refugees for settlement but around 2,000 Vietnamese were arriving each month by boat (Chan 2011: 8). The government responded to the influx by reopening some previously closed camps to accommodate the new arrivals. On 16 August 1988, the Hong Kong government introduced a screening policy, which granted refugee status to those who qualified under the 1951 Refugee Convention and 1967 Protocol (Security Branch 1988) and distinguished 'genuine' refugees from those who were economically motivated. Those who failed under the system would be labelled as non-refugees and/or illegal immigrants and repatriated to Vietnam. When an involuntary repatriation scheme was introduced in the late 1980s, a policy of returning those 'who have not Volunteered but not Objected to Being Sent Back' was agreed by the United Nations High Commissioner for Refugees (UNHCR), the colonial government and the Vietnamese government to send asylum seekers back to Vietnam (Hong Kong Democratic League 1991).

The screening policy was criticized not only for being inhumane, but also for the lengthy processing time for each case and the failure to process cases in accordance with procedural fairness (Hansen 2013). The policy also failed

to stop the influx of refugees, with 8,000 more asylum seekers arriving in the weeks after its implementation, only to be detained in refugee camps. In 1988 and 1989, Hong Kong received over 53,000 Vietnamese asylum seekers by boat, and a further 20,000 arrived in 1991 (Chan 2011). By 1993, the inflow of Vietnamese arrivals had ceased because of economic growth in Vietnam and the availability of alternative methods to settle in other countries (Hansen 2013). In January 1998, as conditions changed in Vietnam and the flow of asylum seekers subsided, Hong Kong ended its port of first asylum policy. When the last refugee camp in Tuen Mum closed in 2000, over 2,000 Vietnamese who were not entitled to resettlement were given Hong Kong residency for local integration (Shum 2019: 39). The refugee issue in Hong Kong died down temporarily, until the next wave of asylum seekers from South Asia and Africa began to arrive in 2004.

There is minimal research on the welfare of Vietnamese refugees. Chan (2011) sketched the life of Vietnamese youth in three circumstances: in closed camps, in open camps and after the camps. Within the closed camps, children enjoyed fewer restrictions than adults and could move about freely. International Social Service Hong Kong (ISSHK) provided primary (Grades 1 to 5) and secondary education (Grades 6 to 10) based on the UNHCR curriculum in the camps. Empowerment programmes such as health education, family planning, religious services, and games and activities were arranged by mainstream NGOs. For those who were screened as refugees, the British colonial government gave HK\$750 and allocated an empty structure (8 × 12 feet) with no private toilets for each family. Apart from governmental assistance, these refugees found it difficult to make a living in society because they lacked an identity and had no well-established social networks in Hong Kong.

Resolving the Vietnamese refugee crisis demonstrated the efforts of the Hong Kong government to cope with the problem locally and internationally. It faced challenges, especially the discontent of the international community, to implement its closed-camp and screening policies. The Hong Kong government and the UNHCR have maintained an informal arrangement since the closure of the Vietnamese refugee camps in 2000 and Hong Kong has allowed asylum seekers to remain in the territory until the resolution of their claims. The experience of resolving the Vietnamese refugee crisis can serve as a reference for the Hong Kong government to deal with current refugee issues, and also shed light on the way the government and NGOs assist asylum seekers and refugees in Hong Kong.

The Current Situation

Before 2005, only 53 torture/non-refoulement claims were made, resulting in 49 outstanding cumulative cases (Immigration Department 2017). Since 2004, when the Court of Final Appeal of Hong Kong prohibited the Hong Kong Immigration Department from removing any illegal immigrants claiming

persecution or risk of torture and awaiting adjudication of their claims, there has been a dramatic increase in the arrival of asylum seekers and torture claimants from South Asian and African countries (Loper 2010; Immigration Department 2013). The Director of Immigration also permits UNHCR-designated refugees to remain in Hong Kong pending resettlement in third countries. The UNHCR and Hong Kong government signed a memorandum of understanding in 2009 that increased their level of cooperation. The number of claims drastically increased to 3,286 in 2009, resulting in 6,340 outstanding cumulative cases by that year. The number of claims dropped a bit since then until 2013, when the number of claims dropped down to 491, leading to 2,792 outstanding cases (Immigration Department 2017).

Since March 2014, people who arrive in Hong Kong as a result of persecution risk in their home countries have been eligible to apply for non-refoulement protection under the Unified Screening Mechanism (USM), under which the Immigration Department is responsible for assessing their claims (Immigration Department 2016). Those whose claims are substantiated are referred to the UNHCR and then wait for resettlement. This led to as high as 8,851 claims in 2014, resulting in 9,618 outstanding cumulative cases in that year. The number of claims dropped significantly in the next few years from 5,053 to 578 between 2015 and the first half of 2019 with 279 outstanding cases by June 2019 (Immigration Department 2017). The official record illustrates that, from before 2005 to June 2019, there were 34,145 applications for torture/non-refoulement claims (Immigration Department 2017). As Hong Kong is not a signatory member of the 1951 Refugee Convention and its 1967 Protocol, non-refoulement claimants are not granted refugee status under the USM (HKSAR Legislative Council 2015). Therefore, Hong Kong is at most treated as a temporary resettlement region by asylum seekers whose ultimate goal is to look for a third country for permanent resettlement. Furthermore, refugees are unable to benefit from the range of socio-economic rights set out in this institutional arrangement (Ramsden and Marsh 2014).

Asylum seekers in Hong Kong are legally defined as ‘illegal immigrants’ and barred from working while waiting for their claims to be processed. To prevent destitution, the HKSAR government offers assistance in the form of a monthly stipend of around HK\$3,000: HK\$1,500 (US\$194) for housing, HK\$1,200 (US\$155) for food, HK\$300 (US\$39) for utilities and a few hundred HK dollars for transportation (Branches of Hope 2018). This amount is greater than that provided to local adult recipients of the able-bodied comprehensive social security allowance (CSSA), who receive HK\$2,525 per month (Social Welfare Department 2019), but considering that CSSA recipients are entitled to public housing, and that housing is extremely expensive in Hong Kong, asylum seekers can hardly afford the essentials for a dignified life. This effectively renders them outsiders to mainstream society, isolated from the local population and being powerless in leveraging their way out of this situation. They therefore resort to local NGOs and charities in search of solutions to their precarious social and economic conditions.

Hong Kong has a number of NGOs, both mainstream and grassroots, providing support in a range of areas, including the provision of housing, rent and living subsidies, education and health care. The UNHCR is the major provider of support to mandated refugees in the form of living subsidies. However, the level of support provided by the voluntary sector in Hong Kong has fluctuated over the years. For example, the UNHCR recently decided to reallocate its resources to address ongoing refugee crises in poorer countries, due to which the monthly allowance available to mandated refugees was cut by 80 per cent from HK\$1,500 to HK\$300 (Ramsden and Marsh 2014).

The relationship between mainstream NGOs and the government is co-operative in nature and, when NGOs are responsible for providing subsidies and monitoring service quality, they become less creative and more subordinate to the government due to a reliance on government funding (Wang 2010). For example, Vecchio and Beatson (2014) contend that the government's outsourcing of services for asylum seekers could lead to NGOs functioning either as law-enforcement officers or social-control agents, and thus reinforcing welfare policies concerning asylum seekers, ultimately dehumanizing asylum seekers and standardizing their basic needs.

Methodology

The author conducted 28 in-depth interviews with asylum seekers and five interviews with NGO practitioners between April 2016 and February 2017. In-depth interviews were used because they can be a rich source of information emerging from the daily life experiences of interviewees, including their perceptions of various stakeholders, such as the government, NGOs and the Hong Kong community (Berg and Lune 2011). Eight of the asylum-seeker respondents were female (from East Africa and South Asia) and 20 were male (from different parts of Africa, South Asia, the Middle East and the former USSR). Eleven of them had higher-education qualifications and were working in their respective professions before coming to Hong Kong, while others held a variety of management, teaching or qualified jobs. Although most of the respondents were single (unmarried) at the time of interview, five were single upon arrival in Hong Kong but later formed families there.

All interviews were carried out in English and were held either in the NGO's offices or in public areas, such as coffee shops and parks. To better understand asylum seekers, the author attended weekly English classes comprising around 15 to 20 asylum seekers organized by a mainstream NGO (MNGO-3) during the data-collection period. All participants in these classes were informed of the author's identity as a researcher and university teacher on the first day she attended the class. After several classes, asylum seekers were invited to take part in interviews. The majority responded enthusiastically, with only a few declining the invitation, and this launched the data-collection process. After interviewing 15 people up to November 2016 (14

asylum seekers and one NGO practitioner), the author moved to a new field site by approaching another mainstream NGO (MNGO-1) and attending its religious services on a weekly basis. Like the respondents identified in the English class, the asylum seekers were enthusiastic about the interviews and were even keen to refer other participants to the author. There was a definite enthusiasm to share personal stories and experiences with the author. Between December 2016 and January 2017, interviews with another 14 asylum seekers and four NGO practitioners were conducted.

The length of the interviews varied from one to seven hours. The aim of the interviews was to find out about the lives of the respondents before they came to Hong Kong and their reasons for seeking asylum, and about their relationships with their counterparts, NGOs and the wider community. All interviews were integrally transcribed and coded into themes in relation to existing literature such as Toomey's (2011) analysis on empowerment and disempowerment of NGOs. Examples of these codes include 'empowerment activities', 'resource mobilization', 'forming alliance', 'receiving education', 'advocating rights', 'feeling of disempowerment', 'views towards NGO', 'views towards asylum seeking process', 'views towards UNHCR' and 'views towards Immigration Office'. The author then matched relevant quotes to these themes, summarized all interviews in relation to these codes and identified the variance of views within each code, which was generally small. While most respondents shared similar views towards mainstream NGOs, only a small number of them had become involved with RCOs. Many of the respondents regarded RCOs as radical and were in fear of retaliation from the authorities if they were found to be involved with them.

To achieve a holistic view, the author also gathered information from NGO practitioners and RCO activists. Among the 28 asylum-seeker respondents, at least two were leaders of RCOs, who provided abundant insights into why and how RCOs are established and run. The author also interviewed five other NGO practitioners, involved in senior management, supervision and counselling, who were working for mainstream NGOs at the time of interview. These five interviews provided a variety of insights into the rationales behind mainstream NGOs, their empowering effects and the limitations in their service provision. Given the politically sensitive nature of the refugee issue, the description of their experiences in Hong Kong may be deemed selective because it is almost impossible to claim the representativeness of the sample. Asylum seekers originate from a variety of countries and cultural backgrounds, and have a range of different personal and social experiences before coming to Hong Kong. Only those who are willing to share their experiences would join the activities organized by NGOs/RCOs and agree to be interviewed. A large but invisible group of asylum seekers may be unwilling to reach out for a wide variety of reasons (psychological, material or personal).

The confidentiality and anonymity of interview information before the release of research results were strictly enforced, including the names and

identities of the interviewees. In keeping with efforts to ensure the participants' anonymity, the author made use of pseudonyms and only named world regions rather than countries of origin.

Research Findings

Traditional Role: Providers

Generally, mainstream NGOs are regarded as 'Traditional Providers' that give continuous material support to asylum seekers. This role has a two-fold effect on service recipients—providing for fundamental human needs that are necessary for empowerment, and conversely disempowering them by undermining their own efforts (Toomey 2011).

Mainstream NGOs provide material assistance including financial help, food, clothing, accommodation, transportation, health care, hygiene items and other basic necessities. The main provider of material assistance is the ISSHK, an NGO that has been contracted by the HKSAR government to provide humanitarian assistance to non-refoulement claimants since 2006. As previously mentioned, up to February 2017, every claimant could receive around HK\$3,000 monthly stipend including food assistance, rent allowance, utilities allowance, transportation allowance and other basic necessities (provided in kind) every month. In addition to ISSHK, other mainstream NGOs provide material assistance such as diapers, donated clothes, luggage and referrals to medical services. These items are regarded as supplementing the official humanitarian assistance offered by ISSHK. Some asylum seekers are satisfied with this kind of help, which they consider substantial:

I was so happy, I gave some statements, and they gave me a token, went to the office and got some food ... I found everything and they gave me. Very little, but more things. Rice, more, milk, more, some more cans, other things, little ... At that time it was bad, now is better. Because they are giving coupons, I buy everything I like ... I think enough (Amalan, South Asia).

The material assistance helps to fulfil the basic needs of asylum seekers and prevent starvation or homelessness. As Providers, NGOs empower service recipients through the provision of necessities.

Mental health has long been an alarming issue for many individual asylum seekers and their communities (Quinn 2014). To improve asylum seekers' psychological condition, the government provides counselling services through ISSHK (HKSAR Legislative Council 2017; International Social Service Hong Kong Branch 2017). Other formal NGOs also take care of psychological needs including long-term care, trauma support, stress management, recreational groups, art therapy and sports therapy. In addition, publicly funded legal assistance is also provided to non-refoulement claimants. In 2015, about 480 duty lawyers (including barristers and solicitors) with specialized training provided legal assistance to claimants (HKSAR Legislative

Council 2015). By June 2017, the Duty Lawyer Service had referred 3,200 claims to duty lawyers every year (HKSAR Legislative Council 2017).

Nonetheless, the provision of assistance can sometimes be disempowering for asylum because, upon receiving long-term assistance, their life becomes heavily reliant on NGOs. Many tend to stick with the status quo because they believe that any extra effort to empower themselves would be negligible compared to existing official assistance. Moreover, some believe that their efforts might undermine their claims (Matthews 2011). According to respondents who were dissatisfied with NGOs, mainstream NGOs betray people by pacifying them and diverting their attention from fighting for their own rights:

They [asylum seekers' lives] would be a lot easier if the NGOs didn't exist ... NGOs are betraying even the people. They open a lot of programmes where they are getting like small money, people are very focused on these things, they go to this place or that place, they even forget the reason why they are here ... If there is no NGO, you will be focused on your claim. If there is nowhere else to go, you will stand there and think wait, I have nothing to do, are they accepting me or are they rejecting me? They would protest and fight for their rights (Asad, East Africa).

Among many respondents the author has talked to, Asad is one of those who have a relatively critical perspective on his situation and is aware of the disempowering effect brought about by the service provision of mainstream NGOs. Living in a relatively stable situation, service recipients could neither gain enough access to resources nor improve their status quo—they have only obtained minimal resources for basic survival that is driven by the humanistic concern of the UNHCR. Paul, an asylum seeker from Central Africa, interpreted the disempowering process as follows:

The problem is not what I need. Now, I don't need money, money is nothing. You can give me a lot of money today, but if I cannot move, I cannot do something, I am not happy. For me, money is nothing, you understand? Because the good thing is how you can earn money. If you say to me you are hungry, I give you food today, I give you the fish. Take it and eat. And then tomorrow, what do we do, I come again to ask for fish, and next tomorrow and every day is the same. But if you come the first time and I take you, I say you go to the sea, I show you how you can get the fish (Paul, Central Africa).

Once they have 'lost the ability to catch fish', asylum seekers become more dependent on NGOs. This allegory of uncertain origin, mistakenly attributed to the New Testament, points to the disempowering effects of assistance in the form of handouts. Such assistance makes asylum seekers more vulnerable and less engaged in empowerment activities, and thus disempowered. This echoes Rainbird's (2012) findings that British NGOs exclude asylum seekers from the decision-making process, claiming for themselves the role of

competent holders of knowledge and expertise about asylum and thus constructing themselves as instrumental in identifying and providing the services needed by asylum seekers.

Ritual Liberators

Apart from the role of Providers, many mainstream NGOs adopt the role of Liberators. Toomey describes a Liberator as one who generates strong empowerment effects for oppressed groups through solidarity, education and bottom-up political engagement. This study shows that NGOs not only provide material support, but also bring together and offer educational services to asylum seekers. For example, one Church-based mainstream NGO hosts small worship sessions two days a week. One of the pastors states that the Church is a platform for social activities organized by asylum seekers themselves:

They run their own football tournament, and there are fundraisers. Business people take part in these tournaments; they pay a certain amount of money to take part in it And the fundraisers usually take people from the community working together, changing the opinion About three years ago asylum seekers said we would like to actually do a production, musical, drama and dance. So, they put two evenings on, and people paid money to come and watch (Pastor A, MNGO-1).

Social activities create opportunities to bind asylum seekers who can become volunteers to contribute to the community. Another activity for Liberators is training and education with the aim of equipping asylum seekers with practical skills and knowledge, such as language classes, driving courses and professional training.

A Liberator could be perceived as an improved Provider in the sense that such a person contributes to personal and community development. However, their empowerment effects are not as significant as Toomey suggested: integration into the community at this stage is limited to the provision of security, and asylum seekers are not yet to be able to fight for their own wellbeing. They might become more skilful and more knowledgeable, but they are not developing a liberated mind. Hence, no bottom-up political-empowerment activities are observed in the above activities. Responding to Toomey's concept of the Liberator role, the author introduces the role of 'Ritual Liberator', which is illustrated by NGOs that integrate and educate the oppressed but do not produce explicit empowerment movements in the community. The asylum seeker quoted below accuses the NGOs of distracting asylum seekers from their claims and blames the NGOs for not advocating for any agenda that will advance the wellbeing of asylum seekers:

But what I want is for them to change things. They don't solve the problems, they assist with small stuff. They should change the system. They should make it possible for us to work here, not just give away food. My life would have

been harder without them in the beginning, but then I could have managed. Maybe I would have slept in the park for a few nights or who knows, but it wouldn't have been very different. Because they are always oh, the asylum seekers, and they give you the charity and they just make you feel like nothing when they give that. They ask for your documents, they don't do anything to change things. If they changed anything and if we could work, they wouldn't need to exist. So you see, they also have their sixty dollars (Matthew, Middle East).

The 'sixty dollars' remark is in connection to a story Matthew told about trying to build solidarity among asylum seekers against one NGO that was asking for ID for a refund registration record in exchange for transportation-cost refunds (to the amount of 60 dollars). According to Matthew, when the NGOs threatened the asylum seekers that they would not receive their refunds, they gave in and showed their identification—an act that left Matthew feeling betrayed by his fellows.

Just like Traditional Providers, the Ritual Liberators disempower asylum seekers by trapping them in what the service providers deem a satisfactory situation, but that service recipients consider a humiliating experience. Although Ritual Liberators provide more welfare to the oppressed groups, the effect of containment escalates in the community. The motivation for engaging in empowerment activities is thus undermined.

Alternative Roles

The findings suggest that RCOs adopt the roles of Catalyst, Facilitator, Ally and Advocate. They empower asylum seekers and are determined to respond to asylum seekers' dissatisfaction with the existing situation by fighting for better conditions. Some point out that mainstream NGOs help families more than they do individuals (especially men) who are single while others said there is conditional assistance and deprivation by NGOs. For example, mainstream NGOs tend to help active members more and give less assistance to individuals whose behaviour does not match conventional notions of 'proper' behaviour on the part of an asylum seeker. This has been reported by Vecchio and Ham (2017), who showed that Hong Kong mainstream NGOs are more likely to reward asylum seekers who are docile, follow the 'rules' and do not challenge the status quo. Those who do not fit this profile are penalized in the form of delayed or selective provision of services.

Being stuck in the same undesirable situation, some asylum seekers establish RCOs and act as Facilitators. Not only do grassroots groups help to serve and protect members; they also try to empower other marginalized populations in Hong Kong:

We go to Chinese community, to educate them about our community; also going to ... schools, primary schools, secondary, universities, to tell them about [RCO-2] We were moving from one community to another in the

Chinese community, to promote African culture. It was like multicultural activities that we were doing (Robert, West Africa).

The empowerment activities initiated by RCOs allow asylum seekers to build a better image of themselves in the form of a Facilitator. A Facilitator produces auxiliary power for the entire empowerment process, which helps individual asylum seekers to become affiliated with established self-help groups and mobilize resources for future empowerment actions.

Moreover, the NGO mentioned has helped asylum seekers to manage their own affairs by providing a platform for them to create an RCO. One of the leaders of the resulting grassroots groups claimed:

Mostly here, [MNGO-2]. Because we have [RCO-2] here, but we are not standing by ourselves. It is [MNGO-2] supporting all the activities of these asylum seekers here. And the organisation is the best advocate for refugees and asylum seekers. . . . I cannot say it's [RCO-2], because what we do, all people even if they are not in [RCO-2], any achievement, we share the same, it seems like no difference. But in, like, being activists, [MNGO-2] is the spearhead. And then we come to support, to be participants. But [MNGO-2] was the founder of [RCO-2], is the father. For us, we are children, in this case. You can't separate a father from a child; that's why we are working together (Diana, East Africa).

The almost parent–child relationship between the two organizations exemplifies the role of Catalysts in sparking new ideas or actions and giving direction to other followers. Hence, the followers mobilize the community and continue to tackle the identified problem. It also reflects Toomey's definition of Ally—that is, a friend who supports others' participation in empowerment activities. With the help of resources and the support of mainstream NGOs, grassroots organizations are empowered to mobilize for their human rights. The mainstream NGO outsources an alternative role to its subordinate branch for which such active cooperation can broaden access to empowerment for asylum seekers and other minorities.

Under the guidance of the Catalyst and with the support of the Ally, RCOs take up the role of Advocate and empower themselves using different strategies. In 2014, a social movement called 'Occupy ISS' was launched by asylum seekers to challenge the food distribution practices of ISSHK, a mainstream NGO (Vecchio and Beatson 2014; Vecchio and Ham 2017). According to one of the active members of the protest, an RCO was formed in that movement:

And they used to cheat us out of our food. Because the food [allowance] is 1,200, and they were supposed to subdivide it three times a month; so they allocate you, and go there and you get your food But after you get the food, you could do the math, you can go to the supermarket, you compare the price and you see that you are getting 700 or 800 worth instead of 1,200. We started asking them to give us the prices They refused to give us the price list and this made the refugees occupy ISS for almost a week, and they went to court.

They had a court order and people had to evacuate. And this is how the RCO-2 came to be founded (James, East Africa).

The struggle partially succeeded. It put pressure on the authorities to provide more assistance, but the effect was not remarkable because the institution remained unchanged. Whereas James explained the necessity for the Occupy movement by referring to the government's lack of flexibility, Edward, a representative of another RCO, challenged the Occupy movement and, in general, asylum seekers' mobilization for increased welfare. He asked, instead, for human rights. He advocated for different tactics, including negotiating with lawmakers, organizing press conferences and creating websites to fight for better treatment from the government:

I've talked to radio stations, I can't remember, we have talked to many press or a lot of them. More than 80, and we are trying to ... get response. I've gone to LegCo more than 10 times, [to] all the Legislative Council and lawmakers ... Well, we do press conferences, we raise the issue. ... And at the press conference, ... [m]ajority were different entities like NGOs, universities, lawyers, barristers, even lawmakers were there against this discrimination. ... Initially, we were the only asylum seekers who had a website. There was a web administrator and my colleague was the author. So we analysed a lot of issues regarding the situation of asylum seekers. It is closed now ... (Edward, West Africa).

After repeated protests, the government raised the amount of rent allowance from HK\$1,200 to HK\$1,300, and finally up to the current HK\$1,500. The above RCOs are typical examples of Toomey's Advocates, responding to dissatisfaction with the existing situation in Hong Kong and the problem identified by the Catalyst. They actively engage in social movements by protesting as marchers, advocating policies to politicians and making their message public. They even attempt to put local issues on the global agenda, although this is the hardest mission to complete.

However, it was found that, apart from protesting and advancing their political agenda, the general activities and programmes initiated by RCOs are not much different from those initiated by NGOs:

Women's groups have different activities. Sometimes, we do sharing sessions, we can get in topics which are beneficial to daily lives, according to our situations, we handle that, we get people who can handle it. Then English, the asylum ladies don't know how to speak or write in English, we do classes for that, we do arts and crafts, we make jewels, different things which can be, even some classes for domestic work. Hygiene, such things. We also guide them about their children (Diana, East Africa).

In spite of the advocacy role of the RCOs, what they have achieved does not seem to amount to institutional change. The author hardly sees much distinction between NGOs and RCOs if political advocacy is excluded. Moreover, in spite of their passion and political vision, RCOs have yet to extend their empowerment programmes or enhance their popularity among

asylum seekers; hence their effect does not seem to go beyond that of mainstream NGOs. However, unlike the mainstream NGOs that predominately achieve extrinsic empowerment for asylum seekers, RCOs devote themselves to consolidating the rights and identities of asylum seekers. Diana said:

We are helping asylum seekers as an activist advocate. Other NGOs help asylum seekers in whatever ways they can, but they can't ... because as we are here, we have to value ... to seek our value as asylum seekers. It doesn't mean that just because we are asylum seekers, that is the end. Because we are eating, we are sleeping and that's the end (Diana, East Africa).

Perhaps the sense of 'empowerment' here is a very subtle one—it does not refer to results or what is achieved, but rather to the asylum seekers being in charge of running and pushing out these programmes, which in turn gives them a sense of ownership. But this definition of empowerment is more concerned with the processes of empowerment than with the outcomes. This can be explained by the fact that RCOs are in a relatively early stage of development, and their immaturity is hindering their ability to empower asylum seekers to the fullest extent.

Challenges to Empowerment Faced by NGOs and RCOs

Having received limited assistance from the government and experienced the limited empowering effects of mainstream NGOs, some asylum seekers refuse to resign themselves to the status quo. Individuals' struggle for the power to control their own lives is a crucial process in the empowerment of disadvantaged groups, and some consider a bottom-up struggle as a method to achieve this when they are unable to make significant breakthroughs by relying solely on mainstream NGOs. Nevertheless, turning to RCOs is not necessarily empowering for asylum seekers. RCOs are yet to demonstrate significant impact and, at present, the means through which asylum seekers develop a sense of empowerment matter rather more than real progress. In the following sections, the author looks at three major challenges hindering the empowerment process for asylum seekers in Hong Kong.

The first challenge is the relatively conservative orientation of mainstream NGOs, which makes them unwilling to adopt alternative roles. Even though asylum seekers have requested more support from the government, mainstream NGOs restrict the actions of asylum seekers because they wish to avoid conflicts with the government:

If you tell [MNGO-3], 'I am going to demonstrate against the government', they will say no. If you talk to [MNGO-1], they will say no. This is not part of what they do. They will not allow that; they will avoid (Daniel, East Africa).

The best explanation for this stance may be that an NGO's funding determines its relationship with the government and, when the NGO regards itself

as subordinate to the government, the NGO will be more likely to protect itself by not challenging the funding provider:

And the members say they told us, ‘No protesting, we cannot come and join’. And some asylum seekers also have a fear of speaking up, of showing themselves. If they see me, they will make my claim . . . , they have a fear of that. And we can’t blame them. But in the case of NGOs, we thought they could come, and we can speak one language as advocates for refugees, asylum seekers in Hong Kong. But on the other hand, they are funded by the government, so they cannot speak up; they cannot force the government which is funding them (Diana, East Africa).

Diana pointed to her efforts to get members of her grassroots organization to mobilize despite other mainstream NGOs warning them of the risks they might be taking if they protest against the government. It was also found that, with the exception of a couple of RCO activists, the respondents were not enthusiastic about RCOs, and rarely showed interest in them.

Just as asylum-seeker respondents accused mainstream NGOs of restraining their empowerment and advocacy by discouraging relatively non-institutionalized means such as demonstrations or even speaking up on their behalf, a practitioner from a mainstream Church-based NGO also stressed their ‘non-confrontational’ perspectives towards advancing the rights of service recipients:

Some of them (RCOs) handle things differently. We feel that we don’t want to have an antagonistic relationship with the government or with anybody, really, we don’t feel that helps. So we try and state things in ways that are not antagonistic . . . I guess that’s probably the biggest thing (of being different from RCOs). So some organisations are quite antagonistic, they are willing to do like name and shame type of things in the press. They’re willing to make statements that are more aggressive. We don’t really feel that that’s helpful. But we don’t disagree with them to the point that we can’t work with them (Peter, senior manager of MNGO-1).

These are mostly the advocacy groups (The author).

Yeah And we do advocacy as well, like I went to LegCo (Legislative Council) for the Convention Against Torture hearings that they held last month. And some organisations were like, ‘this is unacceptable, this has got to change, we are demanding this and this and this’, and our message was more . . . basically, what I talk about earlier, as a civilised world city, we are known by how we treat our vulnerable ones, I just wanted to work on that and bring that to mind. My statement was like please keep this in mind when you discuss asylum seekers in the Convention Against Torture (Peter, senior manager of MNGO-1).

Peter, a senior manager of a mainstream NGO, presented his views against being confrontational with the government and his belief that the advancement of asylum seekers’ rights should be sought within the establishment,

namely the Legislative Council. In spite of working within the establishment, this NGO has provided a lot of practical services to asylum seekers, such as counselling, recreational activities, worshipping, language education and volunteering services to the community, fulfilling the roles of Provider and Liberator as discussed above.

An examination of the websites of various NGOs shows that they are mostly funded by the government. ISSHK received more than 96 per cent of its funding from the government in 2017–18, while MNGO-3's 2016 funding came from the government (42 per cent), donations (31 per cent), programme income (17 per cent) and grants and foundations (9 per cent). This goes a long way towards explaining why most NGOs refuse to oppose the government's welfare policies or challenge the government on refugee policy. In contrast, RCOs are free from government pressure and can potentially become involved in social movements. Self-funding allows operators to preserve their autonomy in choosing the methods through which they pursue their political advocacy.

Furthermore, the dominance of government in civil society poses a threat to empowerment and a change in charity policy directly affects the welfare provided by charities. In the early days of colonial rule, the Hong Kong government took a minimal role in the provision of social services (Lui 2010). Since the 1970s, the government has become more actively involved in the provision of social services and from the 1980s, apart from a more institutionalized social-services system, the awareness of social rights increased significantly. Citizens mobilized local resources and collectively organized to fight for their rights and policy advocacy. After 1997, when Hong Kong was handed over to China, the role of the government and NGOs gradually changed. The government had relied on charities to meet social needs, but its goals were inconsistent with those of the charities. For political reasons, the government tried to dominate the supply of social services, obstructing the social-service sector and eventually turning charities from 'partners' to 'subordinates' (Lui 2010).

The second challenge to empowerment is the disunity among various asylum-seeker communities. Different ethnic groups have conflicting viewpoints on, and levels of interest in, the various issues, which can create disharmonious relationships. The following reflects the antagonism among different ethnic groups:

I always try to just to avoid natives. I get chills just from seeing them. So if you are talking about getting along with them, is good. Here I can get some people who are the same status, but they are not my natives. Even I got some phobia about South Asians, like Nepali or Pakistani, I avoid them. But not my native guys (Obasi, West Africa).

The disunity among asylum seekers leads to the disempowering effects associated with Toomey's category of the Liberator, which can potentially undermine the rights of minority groups. Once an RCO dominates the

representation of asylum seekers, NGOs that disagree with it may boycott its programmes and agenda. One representative from an RCO made the following criticism:

You are telling them go protest. They don't have the knowledge ...; It's not [RCO-2] who protested for coupons. It was a collective idea, it was us, we had a front line Exactly, I completely and absolutely disagree. It was not a [RCO-2] idea. It was a previous idea, it was our idea, before they came on board ... We know what we are doing, we don't want to be controlled They didn't achieve anything. People get sick and tired. The government didn't say anything, they will get tired, fold their tent and leave (Edward, West Africa).

Such conflict between NGOs reduces the synergistic effects of cooperation and hinders the efficiency of social movements. This can weaken the solidarity of the movement, disperse the existing sense of empowerment and slow down the further development of the empowering progress.

The third and most vital challenge to empowerment relates to the international refugee regime and its operation, which undoubtedly has a significant impact on refugee policy and thus hinders the empowering effects of NGOs towards refugees and asylum seekers (Cantor 2019). The international refugee regime consists of a set of legal instruments, a number of institutions designed to protect and assist refugees, and a set of international norms concerning the treatment of refugees (Castle 2006). It is led by the UNHCR, which was assigned the responsibility of providing international protection and seeking solutions for asylum seekers and refugees. The UNHCR was established to promote the adoption of international conventions, supervise their application, assist governments to promote solutions, promote the admission of refugees, keep in touch with government, intergovernmental organizations and NGOs, and support through agreements with government the execution of any measures to improve the situation of refugees (Aleinikoff and Zamore 2018). In other words, the UNHCR is chartered to ensure that the condition of refugees is acceptable.

In reality, the international refugee regime, consisting of agencies shaping local governmental policies and NGOs and the local governance, constrains refugees and asylum seekers in their host regions. The existence of the international refugee regime and the manner in which the government subscribes to the UNHCR means that asylum seekers are treated as transient migrants and are therefore not eligible for rights beyond basic subsistence. It thereby hinders the enthusiasm of asylum seekers to be empowered and the government and NGOs from regarding their situation seriously. Both asylum seekers and NGOs are subject to this global governance, which is arguably the major 'agent' disempowering asylum seekers.

The Refugee Convention (under which Hong Kong is not a signatory member) is a guarantee of freedom of movement within the host state, rights to work and open businesses, protection of labour laws and rights to education and welfare (Aleinikoff and Zamore 2018). The lack of legal

protection in Hong Kong limits the opportunities for asylum seekers to be empowered as well as incentives for NGOs and the government to empower them. There is no incentive to empower asylum seekers when they are regarded as merely transient residents in Hong Kong. The hope for resettlement in a third country also affects the asylum seekers' propensity to empower themselves or to take opportunities for empowerment offered by others.

Conclusion

This article analyses how substantial funding from the government impacts Hong Kong NGOs that regard asylum seekers as their core service recipients. It also discusses the immature development of RCOs, which limits the empowerment process of asylum seekers. Using Toomey's framework, it is demonstrated that the mainstream NGOs perform the traditional roles of Providers and (Ritual) Liberators well but have not yet pioneered alternative roles. Frontline practitioners of mainstream NGOs go a long way towards easing the lives of their clients by making available various empowerment activities. Yet, the empowering effects, which Pick and Sirkin (2010) termed as extrinsic empowerment, of all these efforts are not exercised to the fullest extent—rather than setting their own agenda, asylum seekers are positioned as service recipients. The author, however, does not consider these efforts disempowering, as argued by some asylum seekers, because all of these efforts seek to practically address the material and emotional difficulties of asylum seekers. One can only argue that these efforts are not empowering enough and the empowerment is on an extrinsic rather than intrinsic level.

RCOs that are established by asylum seekers are better able to perform the alternative roles of Catalyst, Facilitator, Ally and Advocate because they can be more flexible in organizing resources, making alliances with asylum-seeker activists and mainstream NGOs, and developing and advocating agendas. However, due to a lack of resources and perhaps the difference in organizational orientations, these RCOs are not able to take up the traditional roles as extensively as mainstream NGOs. At most, they serve the function of intrinsic empowerment, although the extent to which the asylum-seeker community is influenced is uncertain. The last issue is the challenges faced by mainstream NGOs and RCOs in fulfilling the empowerment agenda. The mainstream NGOs' subordination to the government dampens the empowerment process, and the existence of the international refugee regime and the disaggregation and lack of unity among asylum seekers undermine the development of RCOs.

Viewed in a more macro way, borrowing from Ager and Strang's (2004) idea of social connection, the empowerment agenda of asylum seekers relies on social bonds (i.e. how asylum seekers relate to each other), social bridges (i.e. how asylum seekers relate to other social groups in the community at large) and social links (i.e. how asylum seekers connect to service providers). Whereas stakeholders in host societies in the West tend to have a strong

propensity to strengthen social links and social bridges to achieve the goal of social integration (Beirens *et al.* 2007), grassroots organizations in Hong Kong undoubtedly have to build up both bridging and bonding social capital to enhance their negotiation with different stakeholders in the local community.

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