Wheeler, William. "Conversion through Destitution : Religion, Law, and Doubt in the UK Asylum System." *Refugees and Religion*: . By Birgit Meyer and Peter van der Veer. London: Bloomsbury Academic, 2021. 239–255. *Bloomsbury Collections*. Web. 26 Apr. 2023. <<http://dx.doi.org/10.5040/9781350167162.0022>>.

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Conversion through Destitution

Religion, Law, and Doubt in the UK Asylum System

William Wheeler

Introduction

“I slept beneath Jesus!” “Abdul,” a young man from a war-torn country in the Middle East, told me, describing how, as a destitute refused asylum seeker, he slept in night shelters in churches—before adding, with his characteristic irreverent humor, “Hallelujah!”¹ Living in one particular church for several months, he gradually became a member of the church. It was through this experience—being supported by people whose faith inspired them to help the destitute—that he converted to Christianity in May 2014. The following year, he claimed asylum again, on the basis that he feared religious persecution in his country of origin.

In July 2016, I accompanied him and his minister, “Ben,” to a First-Tier Tribunal (FTT) hearing for his appeal against the Home Office’s latest refusal to grant him asylum. Although refused asylum, he had been granted humanitarian protection, for reasons unconnected to his religion. He now had five years’ leave to remain in the UK, but he still hoped to win his asylum case. His solicitor, who had a bubbly but professional demeanor, declared in the prehearing consultation that we were unlucky: the immigration judge (IJ) who would hear this case had a reputation for always refusing conversion cases. Sure enough, the appeal was dismissed: the IJ (who was white and middle class, and gave no indication of his own religious belief or nonbelief) concluded that Abdul had been baptized for opportunistic reasons, to further his asylum case, rather than genuine belief. Although this decision was later set aside in the Upper Tribunal (UT) and remitted back to the FTT for a further hearing, Abdul at that point dropped his case.

In this chapter, I use Abdul’s story to explore the relationship between asylum law and religious conversion. How do asylum decision makers and immigration

courts assess whether the outward signs of conversion reflect inner belief? How do they judge whether a conversion is genuine and not opportunistic? Crucially, while it may seem that the law and religion are discrete spheres that only meet in the courtroom, the ethnographic account that follows suggests a much more sustained, intricate relationship. Abdul's legal status as a refused asylum seeker provided both the social context for his conversion (he was helped by a church when destitute) and a material motive (he could use conversion as the basis for a fresh asylum claim), but the two are not easily separable. This point, I argue, unsettles the binaries of sincere/fake, genuine/opportunistic on which the legal process rests.

Scholars of religious conversion, questioning the Protestant notion of conversion as an interior transformation of the individual, have long focused on the social relations and cultural context within which conversions take place (Buckser and Glazier 2003; Gooren 2010; Meyer 1999; Rambo 1993; Smilde 2007). Scholars have also attended to the political contexts that provide varying degrees of coercion or incentive for people to convert (Austin-Broos 2003; Kravel-Tovi 2014; Seeman 2003). The politics of migration is one such context: religious conversion can provide a basis for an asylum claim. As Susanne Stadlbauer (2019) describes, the widespread phenomenon of Iranian Christian converts claiming asylum in Germany has prompted suspicion, both in the media and among decision makers, that the conversion may not be genuine. Likewise, Don Seeman (2003) describes how, because a "return" to Judaism was the precondition of the Ethiopian Felashmura's immigration to Israel, they were deemed not to be converting for the "right" reasons. Similar dilemmas are discussed in Michal Kravel-Tovi's (2019) ethnography of conversion to Judaism in Israel: since conversion can carry tangible material benefits even for Israeli citizens, there is an anxiety that it cannot be freely chosen.

In such contexts, bureaucracies are tasked with assessing whether conversions are genuine. Hence the "faith test" in German assessments of Iranian converts discussed by Stadlbauer (2019). Hence too the complex processes of assessing Jewish converts in Israeli religious courts (Kravel-Tovi 2012). In such processes, as Kravel-Tovi (2012) shows, the subject's inner life becomes the object of bureaucratic knowledge, but this knowledge is necessarily incomplete, haltingly coproduced by converts, judges, and other actors. In what follows, I show how bureaucratic and legal knowledge about Abdul's conversion story is generated. If social life is irreducibly complex and thus inherently ambiguous, I show how decision makers "manage" doubt to make a clear ruling about his conversion (Good, Berti, and Tarabout 2015; Kelly 2015).

Such processes share the assumption that a “genuine” conversion is one made for spiritual rather than material rewards, that outward signs match inner belief. Seeman (2003: 36) writes of “the recalcitrance of social experience to the politically expedient ‘pure hearts’ discourse on which social bureaucracies rely.” By juxtaposing Abdul’s legal case, and similar case law, with his own accounts of his conversion story, I flesh out this “recalcitrance.” The “pure hearts” discourse, I argue, assumes that religion is an interior sphere of belief abstracted from social and material worlds (Asad 1993; Keane 2002). This image does not match Abdul’s religious experience, although, as we shall see, he has his own anxieties about the ambiguity of “using” religion for his asylum case.

Talal Asad (1993) has famously shown that the abstraction of religion from the social is historically contingent on the development of the western secular state. Thus, insofar as they are artifacts of the same historical process, there is a symmetry between religion and the law of the state: if the convert’s outward signs are expected to transparently reflect their inner beliefs, legal determinations are expected to objectively represent reality; if religion is supposed to stand above the social as an abstract system of symbolic meaning, so too is the law expected to operate according to its own rational laws, autonomous of the social.

But legal ethnographies query these assumptions. Krael-Tovi’s (2012) description of the Israeli religious courts draws out how knowledge is generated through performance on the part of judges and converts. Indeed, Good et al. (2015: 15), comparing law and ritual, propose that legal decisions are “in part aesthetically and emotionally grounded rather than being arrived at by purely rational means.” Ethnographies of asylum determination, in particular, stress the extrajudicial social and political pressures which formally weigh the process against the applicant, and informally shape decision makers’ attitudes to the case (Campbell 2017; Gill and Good 2019; Good 2015; Thomas 2011). Building on this literature, the following material shows how, in Abdul’s case, the law falls short of being the autonomous, objective field that it is set up to be. This matters because Abdul himself is acutely aware that the asylum process is opaque and highly politicized.

This chapter is based on events predating my current research position. I first got to know Abdul in 2014, while I was volunteering at an activist organization, and we became good friends. I first describe Abdul’s conversion story as I understood it at that time, when it formed the basis of his asylum claim. This understanding was based on our extensive conversations; I am not religiously observant myself, and I have not witnessed him practicing his faith. I met Abdul regularly throughout the period when he submitted his claim, was refused

and appealed. In the central parts of the chapter, I explore his Home Office refusal and his appeal to the immigration tribunal, contextualizing his case in the case law. Some months after the dismissal of the appeal, I mentioned the possibility of turning his story into an academic paper and possible publication. Abdul was enthusiastic about the idea and said he wanted to explain more. In the lengthy conversation that ensued, he offered me a fresh perspective on his conversion, directly confronting issues about sincerity and material reward. This conversation forms the basis of the final part of the chapter, where I show how it problematizes the categories the legal process was based on.

Although I hope that what follows will draw out some of the complexity of Abdul's social experience, it is not intended to be holistic. There is another dimension of his life which has also been, and continues to be, profoundly shaped by his immigration case. This aspect of his life is largely separate from his religious practice, but at certain moments it becomes relevant to the following story. However, I find this other dimension too sensitive to write about. So, at the moments in the story it becomes relevant, I hope the reader will forgive a certain vagueness.

Abdul's Conversion

Abdul came to the UK in 2006, when he was nineteen, fleeing his home country, where his father had been politically persecuted. Brought up Muslim, Abdul stopped practicing when he came to the UK. He claimed asylum, but received no decision on his case until he was refused in 2011, by which time the political situation in his country had changed, and the previous asylum claim was no longer relevant. Between claiming and being refused asylum, he had made British friends, studied English, and had been permitted to work. His life was now in the UK. Moreover, there was ongoing conflict in his country. He submitted two more applications for leave to remain, but these were refused, the second in February 2014: despite the deteriorating situation in his country of origin, it was deemed safe for him to return. After his 2011 refusal, things became much harder. Barred from formal employment, he engaged in exploitative "black work" in construction. Homeless, he spent some time living in a tent in the countryside, and some time in a homeless camp in Manchester. He lost his paperwork, and his efforts to retrieve it from the Home Office through freedom of information requests proved futile.

After the 2014 refusal, he was referred to a faith-based charity that provided accommodation for destitute asylum seekers and refugees in a network of night

shelters in churches. He found it demeaning to be bussed out to a different church every evening, and to sleep on the church floor. However, in one of these night shelters he started talking with the volunteers about Christianity. Inspired by their motivation to help the destitute, he started attending this church, which carries out various community support activities, including with white British homeless. In May 2014, he decided to be baptized, with a full immersion baptism, a video of which was posted, with his consent, on YouTube. From then on, he attended the church every Sunday, and played an active role, particularly in helping cook for the shared meals (Abdul is an excellent, if eccentric, cook). He would join in improvised prayers in the services, and would introduce new people to the church. He attended church weekends away, bringing his irreverent sense of humor to the conviviality. He went to Bible study, but was less interested in reading than in doing: he describes himself as a “practical Christian,” which he characterizes as helping other people out, particularly those in need.²

Abdul’s legal status as a refused asylum seeker was the defining context of his conversion. As Sarah Willen (2007, 2014) has argued, migrant “illegality” is more than just a sociopolitical status: it structures people’s experiential lifeworlds, setting severe constraints on their possibilities for social being. Abdul had become destitute and homeless as a direct result of his immigration status: he was forbidden to work, and, having “no recourse to public funds,” he had no access to mainstream welfare benefits or Home Office support, or to social housing. Ashamed to tell his British friends about his status, he lost contact with many.

It was in these conditions that Abdul encountered the church, through the night shelter. Mark Rainey’s (2017) ethnography of these night shelters explores the varying motivations of volunteers: while not all are religious, most perform a “social gospel,” some with a more missional ethic, others with a sense of ethical commitment to the wider community. The church which became Abdul’s home was not a strongly evangelizing church, and the interest in conversion came largely from him. Whatever the motivation, Rainey describes how volunteers perform often mundane, routinized practices of care—including shared meals, the focal point of social interaction. These shelters are no substitute for a long-term home; as Rainey (2017: 294) puts it, they are: “‘spaces of asylum’ that carry all the tensions this term entails. They are spaces of movement and fixity, dignity and indignity, of care, concern and welcome; but also of tiredness, restlessness, and anxiety.”

For many, then, the night shelter is just a roof for the night; but for Abdul, this particular church became what Willen (2014) calls “an inhabitable space of

welcome.” It was a space where he could negotiate the constraints his immigration status put on his lifeworld. The conversation reported in the final section fleshes this point out. In the next sections, however, I examine how Abdul’s conversion was disbelieved first by the Home Office and then by the IJ.

Home Office Refusal

In July 2015, Abdul submitted a fresh claim for asylum based on fear of religious persecution in his country of origin, where there is substantial evidence that apostates are persecuted. Abdul’s fresh claim was submitted by a large, respected law firm. Various forms of evidence were submitted: a baptism certificate; a statement setting out the conversion story outlined earlier, composed through dialogue with the lawyer and the organization where I was volunteering; a statement from the minister, Ben; and other statements from church members. Once his claim was in, Abdul could access the Home Office’s asylum support—housing in a town outside Manchester and financial support. In February 2016, he had his substantive interview (SEF) with a Home Office official. She was friendly, Abdul said, but he was scornful of the questions she posed. “They even asked me what Jesus ate!” he said with bitter humor. He was refused asylum in June 2016. However, he was granted humanitarian protection, giving him five years’ leave to remain, because of the ongoing war in his country of origin.

Official Home Office guidance on asylum determination states that, in conversion cases, the claimant’s own testimony is key, and the decision whether to grant the benefit of the doubt should be based on “the claimant’s personal credibility” (Home Office 2015: 29). The Home Office follows the UNHCR’s (2004) very broad definition of religion to encompass beliefs, identity and way of life, but the guidance places most emphasis on the applicant’s interior state:

What is being assessed is primarily whether the claimant has genuinely moved towards a firm decision to leave the faith of their upbringing and become a Christian. To be credible, something so potentially life-changing should not be perfunctory, vague, or ill-thought out. (Home Office 2015: 29)

However, decision makers, the guidance states, can ask about the claimant’s level of understanding, although they are only qualified to assess answers to the most basic factual questions. In practice, interviewers go beyond their brief, asking a lot about trivial knowledge (APPG for Religious Freedom and AAG 2016). More broadly, treatment of conversion cases is typical of a “culture of disbelief” within

the Home Office (e.g., Asylum Aid 1995, 1999; Griffiths 2012; Anderson et al. 2014). Decisions are primarily based on the substantive interview (SEF), which tends to be conducted in such a way as to catch the applicant out (Campbell 2017). While “credibility” is central to asylum determination, it is a vague term that can be interpreted to include a wide range of factors extraneous to the substance of the asylum claim, meaning that the benefit of the doubt is seldom granted (Good 2015).

All these points emerge in Abdul’s Reasons for Refusal Letter. Following Marco Jacquemet (2009, 2011) and Massimiliano Spotti (2019), I approach this letter as the endpoint of an intricate process through which Abdul’s conversion story is entextualized, a process shaped by the institutional position and cultural assumptions of the Home Office officials involved. During this process, the story is simplified so as to be comprehensible within bureaucratic categories. As is typical, this letter is printed in small print, itemized by paragraph, with extensive quoting of case law and confusing use of grammar and punctuation. All decisions on fresh asylum claims begin by quoting the findings of the IJ in the appeal against the initial asylum claim. In Abdul’s case, the letter states that the IJ in 2011 had found him “not to be credible,” and then proceeds to quote from his determination—but the quotations are confusing and do not suggest that the IJ found him to have fabricated his story. Nevertheless, as is standard, Abdul’s lack of credibility is taken as “the starting point for any further consideration.”

The substance of the letter focuses on Abdul’s asylum interview. This encounter functions as the main source of bureaucratic knowledge about his story. One paragraph focuses on his account of going to the church when he was destitute, being supported there, and wanting to give something back. The letter then states that he had been asked if he attended more for community than faith. He had replied that it was more about community; he was a practical Christian, and did not read extensively. Abdul’s conversion is thus entextualized through a leading question that asks him to oppose community and faith, an opposition that is then crystallized in the refusal letter. In the following paragraph, we hear that he had been asked if he had researched any other faiths before converting; he had not. The letter then addresses his responses about proselytizing; he had said that he talks about his faith but does not preach. The following paragraph itemizes his wrong answers, chiding him for his mistakes. For example, he “failed” to correct himself regarding a mistake about a biblical figure (whose name is, ironically, misspelled in the decision letter).

The next paragraph summarizes why his conversion is deemed not genuine. First, he “admitted” that he attended for the sense of community rather than

religious reasons; secondly, he had only gone to the church because he was destitute and homeless; thirdly, his lack of knowledge; and, fourthly, his failure to proselytize.³ The witness statements from the church and the baptism certificate are dealt with in less depth since the decision maker has already concluded that he did not attend for religious reasons. Abdul's own statement is ignored. As an object of bureaucratic knowledge, Abdul is known primarily through the Home Office interview. Several further paragraphs suggest, implausibly, that Christian converts are not really at risk in Abdul's country.

The production of knowledge about Abdul's religious experience rests on unspoken assumptions about what religion is. According to the version of his story entextualized through the interview, he attended church for community rather than faith, and he had not researched other faiths prior to his conversion. Religion figures as something the individual researches, shopping around for the religious beliefs that suit the individual; community is seen as an add-on, distinct from the inner core of belief. As noted earlier, scholars of conversion have long questioned this interior model of religious conversion. Indeed, it presupposes that religion is a sphere of belief completely abstracted from the social (cf. Asad 1993)—in stark contrast to my narration of Abdul's story earlier.

The letter does not simply communicate a decision. Its form is opaque, and the letter is imbued with a moralizing tone, from the initial finding of lack of credibility to Abdul's "failure" to correct himself about his mistakes. Abdul was not surprised by the decision: from his previous rejections, he felt intense distrust toward the Home Office, and his interview had exasperated and amused him in equal measure. The refusal letter only heightened this distrust (cf. Campbell 2017; Danstrøm and Whyte 2019; Griffiths 2012).

First-Tier Tribunal Hearing

Despite being granted humanitarian protection, Abdul appealed to the FTT. Although he now had the right to work and claim benefits, refugee status was preferable because it entitled him to an internationally recognized travel document, which he urgently needed for reasons connected to that other aspect of his life hinted at earlier.⁴ He also wanted to prove his case in court. Before the hearing, his solicitor prepared a detailed statement, crafting a further entextualization of his journey of faith that responded to the points raised in the refusal letter. I traveled to the hearing with Abdul and Ben, the minister; amidst the banter between them, the minister described going to such a hearing

before, when the IJ had treated him with undisguised hostility. Having felt unprepared for that hearing, he had prepared better this time. Unfortunately, it was the same IJ.

The hearing started in confusion, as it turned out that no one had read the 2011 appeal determination of Abdul's initial asylum claim—which the Home Office decision maker had taken as the starting point of their decision about his fresh claim. Abdul's lawyer had not seen it as Abdul had lost all his paperwork, and the Home Office Presenting Officer (HOPO) was unable to provide a copy. Accordingly, the substance of Abdul's initial asylum claim and its refusal was left in doubt. Most of the hearing involved the IJ questioning Ben. Though ostensibly courteous, he made little attempt to veil his skepticism about his branch of Christianity, expressing incredulity that people could ask to be baptized and then be baptized on the same day. Ben talked coherently about Abdul's journey of faith, and how he had developed through various stages of belief. Abdul himself, far from his usual humorously irreverent demeanor, responded briefly and succinctly to the questions put to him, showing deference to the IJ.

The HOPO was young, inexperienced, and nervous. The IJ, performing a separation between the executive and the judiciary, mocked her as she haltingly concluded, "These, your honour, are my humble submissions." Abdul's solicitor tried to raise a piece of case law which suggested that church attendance was sufficient evidence of faith, but this was brusquely dismissed by the IJ.

Kravel-Tovi (2012) describes an atmosphere of cooperation in Israeli religious courts, which shapes the knowledge that is produced about Jewish converts. By contrast, the atmosphere in Abdul's tribunal was hostile. In particular, the IJ's thinly veiled antagonism toward the minister shaped the sort of knowledge that was produced. Moreover, despite the appearance of symmetry—the HOPO on one side, Abdul's solicitor on the other, and the IJ on a slightly raised podium in the middle—the IJ did much of the cross-examination, filling in the gaps left by the inexperienced HOPO.⁵

The hearing matched other ethnographic accounts of UK asylum courts. Jessica Anderson et al. (2014: 9) see "the performance of law in this environment as being prone to confusion and scepticism, or 'disbelief.'" As John Campbell (2017: 96) highlights, many IJs, despite lacking comprehensive knowledge of asylum law, are characterized by "professional hubris." While HOPOs are not actually solicitors, and hence are treated with contempt by the appellants' advocates and the IJs, they nevertheless have an inbuilt advantage in that they spend the whole day with the same IJ. Moreover, they share access to parts of the building that are closed off to the appellants and their advocates (Hambly

2019; Campbell 2017, 2019). Crucially, many IJs, especially in FTTs, are swayed by extrajudicial factors: anti-migrant media discourses, and explicit government policy to create a “hostile environment” for irregular migrants (Hambly 2019). This IJ’s hostility to conversion cases is symptomatic of the high level of judicial discretion and resultant arbitrariness in decisions (Anderson et al. 2014; Gill et al. 2015; Thomas 2011). In sum, the law is not the autonomous field that its authority rests on, especially in this highly politicized context.

The appeal was dismissed within a week. The IJ’s statement of reasons sets out the background, the documents before the court, and describes the hearing, before setting out the IJ’s findings. The findings begin by citing legislation and case law which establish that Abdul’s credibility was adversely affected by his having remained in the UK without leave to remain since 2006. Recall the indeterminacy surrounding this point: given the absence of paperwork, the court knew nothing about the substance of Abdul’s original asylum claim. So he was from the start not a credible witness—but no one knew why (cf. Good 2015).

In his statement of reasons, the IJ found that, based on the SEF interview, Abdul did in fact have a reasonable knowledge of Christianity; but he deemed the interview unhelpful, since knowledge is not the same as belief. The IJ then picked up on various inconsistencies in the evidence, which, he said, generated confusion about when the conversion took place. Abdul had, when questioned, said that he also approached mosques when he was destitute, so the IJ concluded that before April 2015, he must have been a practicing Muslim, which contradicted one of the witness statements. Several statements stressed Abdul’s kindness and willingness to help others. The IJ argued that these could apply to any faith, and such behavior must be instrumental, in order to support Abdul’s claim.

The IJ addressed only two aspects of Ben’s evidence. First, because Ben had explained that the church provides shelter for anyone, regardless of their beliefs, the IJ concluded that Abdul had initially attended only for community and shelter, not for religion. Secondly, Ben had acknowledged the difficulty of assessing whether a conversion is genuine, but had said that he was convinced that Abdul’s was. Though he had given a comprehensive explanation why he thought this in court, this was not recorded in the statement of reasons. Instead, the IJ declared that, in his view, the baptism was too quick—so it must have been opportunistic. Abdul’s latest asylum claim had been refused in February 2014, so he must, the IJ reasoned, have seen a window of opportunity to advance his immigration status, hence the very rapid conversion in May 2014. In effect, he overruled Ben’s authority to read the signs of Abdul’s conversion, referring to

legislation and case law which situate refused asylum seekers as not credible witnesses. This conflict of authority had been evident in the courtroom, and it was materialized in the statement of reasons.

Finally, the IJ asked whether Abdul had become a genuine Christian since his baptism. When Abdul was housed outside Manchester, he would walk every Sunday to and from church, a three-hour journey. Abdul had explained in the hearing that he preferred the community and friendship at his current church. A genuine Christian, the IJ argued, would have found a local church: he must have been going only for community.

Abdul's Case in Context

Abdul's lawyer appealed to the UT. Rather than hearing the evidence again, the UT immigration judge's role was to assess whether the FTT IJ had made an error of law in his decision. In August 2017, the UT found that he had done so, because he had not adequately evaluated Ben's evidence.⁶ So the case was sent back to the FTT to be heard again before a different IJ. However, Abdul now dropped the case: work commitments had kept him from attending church for several months, Ben had left, and the new minister could not vouch for him in court.

The status of ministers' evidence is a key bone of contention in case law about asylum claims based on conversions in the UK. In the seminal case of *Ali Dorodian v SSHD* [2003] 01/TH/01537, the IJ declared that "no-one should be regarded as a committed Christian who is not vouched for as such by a minister of some church established in this country." Since then, the testimony, *in court*, of a minister, known as a "Dorodian witness," has been deemed crucial to the success of appeals. But interpretations vary. One interpretation sees the presence of a Dorodian witness as sufficient evidence of conversion. As a High Court judge, HHJ Gilbert, declared:

It is a dangerous thing for anyone, and perhaps especially a judge, to peer into what some call a man or woman's soul to assess whether a professed faith is genuinely held, and especially not when it was and is agreed that she was and is a frequent participant in church services.⁷

In some decisions, then, the Dorodian case is interpreted to mean that church attendance—the outward sign of conversion—is sufficient evidence;⁸ in others, judicial authority is effectively outsourced to the minister, whose role is to assess whether the conversion is genuine.⁹

But many IJs chafe at the idea that their authority can be outsourced in this way. As one IJ has remarked, the wording of the Dorodian judgment was that no one could be Christian *unless* vouched for, which does not mean that being vouched for is sufficient evidence that someone is Christian.¹⁰ Such IJs suggest that ministers may sincerely believe that the asylum seeker is a genuine convert, but they are not qualified to judge because they do not know the full story. In such decisions, the IJs' negative assessment of the claimant's credibility casts doubt on evidence of other witnesses. As one IJ stated:

the experience of the Tribunal, reflected in many decisions upheld on appeal in the higher courts, is that many who claim asylum on the basis of Christian conversion from Islam specifically engage as an active participant in a dishonest and calculated effort to falsely portray themselves as genuine converts.¹¹

The IJ at Abdul's FTT hearing evidently belonged to the second camp, drawing on his own assessment of Abdul's credibility to dismiss Ben's testimony. However, when the appeal was taken to the UT, the higher IJ found that the Dorodian witness's evidence had not been properly evaluated. Remitted back to the FTT to a different IJ, the ruling may have been different—we will never know.

As Abdul's case makes clear, then, the struggle between these two approaches continues. A recent ruling of the Scottish Court of Session powerfully upheld the first approach: IJs should consider evidence "in the round," meaning that even if they find the convert's own evidence not credible, this should not be used to cast doubt on the evidence of other witnesses.¹² Since Dorodian witnesses are not just reporting what converts have told them, but on their observations of their religious practice, this evidence should be considered on its own merits.¹³

Problematizing Genuine/Opportunistic, Sincere/Fake

However, proponents of both approaches broadly agree on one key assumption: that a conversion is either genuine or not genuine, that the outward signs of a conversion may or may not reflect a transformation of inner belief. After all, when there are obvious material incentives for a conversion, this casts doubt on the sincerity of the convert and the transparency of the signs of their conversion. Where the different judicial approaches differ is in how they "manage" this doubt (Good, Berti, and Tarabout 2015). In Abdul's case, extrajudicial factors—the IJ's suspicion about conversion in general, and his hostility toward Ben's church—were evidently key to Abdul not being given the benefit of the doubt. But is

the dichotomy between genuine and not genuine, sincere and insincere, as clear as it seems? Does material reward of a successful asylum application make the conversion fake? Grace Milton (2018) queries this assumption, arguing that it is based on a separation between the spiritual and the material which is alien to many religions, where salvation may be a “whole-life state.” The ambiguity in Abdul’s conversion takes us to the heart of how religion relates to the social, the spiritual to the material, sincerity to pragmatism. In his analysis of Venezuelan evangelical converts, David Smilde (2007: 14) argues that “there is no *natural* distinction between religious and nonreligious goals” [emphasis added]. Rather, the dualism between the religious and the material is contextually contingent: different religions, and even different adherents of the same religion, may draw the distinction in different ways.

In what follows, I report a discussion with Abdul about his conversion in July 2017, after the FTT hearing but before the UT hearing, which revealed a highly complex relationship between immigration status, destitution, a religious community of care, and conversion. When I proposed writing about Abdul’s conversion for an academic paper, he was enthusiastic. Saying that he wanted to explain something, he confronted the issue of opportunism directly. He succinctly described what being a refused asylum seeker means: your case is closed. In order to put in a fresh claim, you need “a new story.” He scornfully suggested that many conversions are not at all genuine. Following the changed political context in his country of origin, his reason for fleeing was no longer relevant. He couldn’t go back, owing to the ongoing violence, but he did not have a *case*. While living in the church and participating actively in church life, he helped baptize a British person (Abdul could participate as a church member, despite not yet being baptized himself). This man, who knew a lot of asylum seekers, suggested he convert, in order to put in a fresh claim.

Abdul described his conversion as “60 percent for my case.” But he also said, “I saw God.” We tried to unpack this over the course of the conversation. The minister had told him that he would be reborn, that his sins would be cleansed, he said. He also explained that the church had helped him when he was destitute; he believed that some sort of divine providence had taken him there—as the minister told him, “God works in mysterious ways.” But, despite being very articulate in English, Abdul struggled to convey what it was that made him convert—what that other 40 percent was about. A few times, he said, “It’s hard . . .” (i.e., “hard to explain”). Perhaps the clearest explanation he gave was this: “I believe it. I was there, I was fed, I was cooking—I was cooking for 17 people. I was in charge, Ben left me there; I was part of something. He trusted me and I

feel part of something.” As an “inhabitable space of welcome” (Willen 2014), the church offered Abdul the chance to develop social relations and exert a sense of agency within the severe constraints set by his immigration status. This, then, is why he did not change church when he moved away: his faith was inseparable from the social relations within which it emerged—a point that had not been articulated in the courtroom.

Although the idea to convert was connected to his need for a fresh claim, he told me that he did not submit a fresh claim for over a year because, once converted, he did not want to use it for his case. He considered it “selfish.” In Smilde’s (2007) terms, the way Abdul drew the line between the spiritual and the material precluded using his conversion for his own benefit. The minister and others at the church disagreed: they drew the line between the spiritual and the material differently to Abdul. When he finally submitted the fresh claim, he explained, it was because he desperately needed to access asylum support from the Home Office (housing and £36.62 per week)—he stressed this immediate issue of destitution rather than the longer-term goal of getting refugee status. He expressed his anger at the “bastards” in the Home Office at the situation: “I feel they made me do it, made me do something selfish.”

Despite the reassurances from the other church members, he told me that he continued to feel guilty about it. His discomfort arose from “using religion to get something out of it”; he compared imams who promised young men rewards in heaven, while enriching themselves on earth. If people intend to be good, he continued, they should be good for no reason. Later, he elaborated further: it would be like helping a homeless person and welcoming them into your home, and then demanding money. In Abdul’s characterization, the material world of self-interest is distinct from the religious world of disinterested giving, mutual support, and shared meals.

Nevertheless, he did not regret using religion for his fresh claim. Although his asylum claim was unsuccessful, he felt that putting in the claim was key to getting humanitarian protection. Now permitted to work, in a library and as a cook, he said that he feels like he is someone; he feels that people know him, and he is paying bills: “Before, I was a ghost.” As Willen (2014) argues, immigration status structures people’s lifeworlds, setting constraints on the social relations they can enter—eloquently expressed in Abdul’s memory of being “a ghost.” Hence, he described the grant of humanitarian protection not in terms of individual advancement but in terms of the social relations it enables. While Abdul separated the spiritual and material motivations for converting, there is a homology between the two. Having been a “ghost” as a destitute refused asylum seeker, his

participation in church life—cooking for others, helping out—mirrored the way he talked about having status. The benefits of having leave to remain were, on his own account, precisely that he could enter into social relations by engaging in labor with obvious social value, by being known, by paying into society. This would seem to question Abdul's sense that it was self-interested to "use" his religion for his case. Nevertheless, feeling forced into using the outward signs of his conversion pragmatically—to achieve a goal in the material world—he felt insincere, which left him with a strong sense of guilt (cf. Keane 2002).

Conclusion

Perhaps it is unsurprising that the courts struggle to perceive the irreducible complexity of social life. Abdul's reflections on his conversion suggest that different sorts of motivation interact: the more instrumental, and the more spiritual. As I have argued, there is no sharp dichotomy between the two, and, moreover, motivations oscillate with the ebb and flow of social life—it was when Abdul felt his destitution most acutely that he decided to "use" his conversion for his asylum claim, motivated by the pressing need for Home Office support. Outward signs of conversion such as church attendance can be transparent expressions of religious belief, but they can also be deployed pragmatically to "prove" the conversion. Such complexity exacerbates the uncertainty that is inherent in adjudicating such cases. But legal processes, as Good, Berti, and Tarabout (2015) argue, are about resolving doubt. If social life is characterized by uncertainty, the law must come down one way or the other, resolving doubt into narrow judicial truth. In this case, uncertainty is resolved by reducing the complexity of refused asylum seekers' conversions into a narrow binary of genuine/opportunistic. Fascinatingly, the Scottish Court of Session decision cited earlier questions this binary:

It is also right to accept that asking the question in terms of whether a conversion is or is not genuine suggests a binary choice more appropriate to an instantaneous (or "Damascene") conversion whereas for many, perhaps most, the process of gaining a religious belief in adulthood may be more gradual, so that at any one point it may not be possible to say whether the "conversion" is complete, let alone "genuine."¹⁴

Here, then, is some judicial recognition that social life is complex and messy, and does not easily fit into the categories of the law. "But," the ruling continues,

“these questions need not trouble us for present purposes.” Even as complexity forces its way into the law, it is squeezed out again.

Legal judgments may cut through the uncertainty, but since they are not arrived at by solely rational means, Good, Berti, and Tarabout (2015: 1) propose that their legitimacy depends on “an authority that arises partly from the judges’ displayed mastery of techniques of doubting, and of dispelling doubt, and partly from their social and political position.” In Abdul’s case, the IJ’s cross-examination of the minister demonstrated his mastery of techniques of doubting, while also establishing his own authority. Without a reliable lawyer, Abdul’s case would have been left there, this decision now set in stone. As it happened, a further judicial performance in a higher court resulted in this decision being set aside by a higher authority. We cannot know how the doubt would have been resolved—by the time his case was due to be heard again more than a year later, he no longer had the all-important Dorodian witness. Even had the case ultimately been resolved in his favor, the complexity of Abdul’s social experience would surely *not* have entered the courtroom.

Earlier I noted the symmetry between secular understandings of religion as an abstract system of symbolic meaning, where words map directly onto belief devoid of social function, and the law as a transparent field that stands above the social (cf. Asad 1993; Keane 2002). The ethnographic account above unsettles both aspects of this symmetry. The IJ judged Abdul against a vision of religion as an abstract realm of belief; because his religious practice so obviously and pragmatically related to his social status as a refused asylum seeker, the IJ deemed it insincere. And yet, like any legal judgment, its authority depended on writing the social out of the courtroom. Rather than seeing the court’s findings as coproduced by the various socially sited actors in the courtroom—with radically different degrees of power—the IJ presented them as objective findings, mapping directly onto reality and casting Abdul as an opportunist and fake.

Like many asylum seekers faced with illegible and highly politicized bureaucratic and legal structures, Abdul has intense distrust toward “the system” (cf. Campbell 2017; Danstrøm and Whyte 2019; Griffiths 2012). While he has his own anxieties that his own words and actions may not be wholly transparent, and that his religious life is not wholly independent of the material world, he is also all too aware that the law is neither autonomous nor transparent, even if its authority—an authority which has shaped his life story in the UK—rests on it being presented as such. It is unsurprising then that the net result of the entanglement of religious experience with legal processes should be anger and guilt: guilt at, in his view, exploiting his conversion pragmatically for material

gain; and anger at the system that made him do it, but refused to believe him when he did. As Abdul is, at the time of writing, undergoing a personal crisis which—though not proximately related to the material discussed in this chapter—indirectly follows the refusal to grant him refugee status, it is hard not to share his anger.

Acknowledgments

I am grateful in the first instance to Abdul, for his warmth, humor, and friendship—and for all I have learned from him about religion, asylum, and what it means to live through destitution. I would like to thank also the editors for their constructive comments and the other participants at the Refugees and Religion conference. This chapter has further benefited from comments from Jeanette Edwards, Olga Ulturgasheva, Connie Smith, and Mark Rainey. Finally, my thanks to the Leverhulme Trust, which has funded the position through which I have written this material up.