

Forced return

The deportation of former Cambodian refugees from the US

Cambodians who came to the US as refugee children after the Khmer Rouge genocide are being sent back to the country that they barely knew. Growing up in inner city America, some of them became involved in gang activities and petty crimes; they are deported even after serving time in prison. Not allowed to return to the US, they are once again forced to separate from their families.

Sylvia R. Cowan



Fig. 1 & 2
Catholic Workers Protest Deportation,
Kansas City, Missouri, USA; April 28, 2008.
Photographer Mona Shaw; used with permission.

AFTER GROWING UP IN THE US, Karney, (This is a pseudonym. All the names in this article have been changed to protect the anonymity of respondents), now in his mid-thirties, is in Cambodia trying to rebuild his life and reconstitute his family. His life has been disrupted and displaced repeatedly. Fleeing Cambodia at the age of 10 after Vietnamese troops ousted the Khmer Rouge, then spending two years in Thai refugee camps, he arrived in the US as one of the 145,000 Cambodian refugees who were resettled in America between 1975 and 1999 (Hing 2005). After living in the US as a permanent resident for 22 years, however, Karney was forcibly 'returned' to Cambodia, a country he barely knew. Most deportees, including Karney, were forced to return to Cambodia after serving their time in prison for gang activity and other, often minor, crimes.

This wave of 'return migration' is a direct result of the changes in US Immigration laws in 1996. The Anti-terrorism and Effective Death Penalty Act and the Illegal Immigration Reform and Immigrant Responsibility Act made deportation mandatory for all legal permanent residents who are sentenced to a year or more for 'aggravated felonies,' 'moral turpitude,' or use of controlled substances. Judges' discretion in individual cases was removed, so that no defendant can be exempted from deportation by considering his/her prison experience, rehabilitation, attitude, behaviour, ties to family, and length of time living in the US. The US and the Cambodian governments reached an agreement in March 2002 to repatriate Cambodian citizens who had broken the law and served their terms in US prisons. From June 2002 to September 2008, 192 Cambodians were 'returned,' many leaving behind families and children in the US. They are not allowed to return to the US, even to visit family members there.

Furthermore, about 1,500 more Cambodians, currently on a list 'to be deported,' are living a life of uncertain futures. Aside from the change in policies, more complex human stories lie behind the forced return.

"We're the product of the American system"

For many refugee families from Cambodia, success in crossing mine-filled terrain to temporary camps at the end of Pol Pot's reign and reaching a new country did not put an end to the trauma. More challenges awaited them in the new territory. Confronted with a completely alien language and culture, the adults often had to work two or three jobs simultaneously in order to make ends meet. The children, often left neglected, made the streets of America's inner cities their new homes. Their peers often became like family. Billy, one of the deportees, told me:

"Man, our parents were traumatised, didn't know what was happening with us kids. I was a good boy at home – washed the dishes, cleaned up – so they didn't know anything about

gangs. We just got into gangs to protect ourselves. We were just kids, thrown in the inner city with Mexicans and Blacks. We're the product of the American system." (Personal communication, August 2008)

Similar to Billy, Karney described himself as a 'good boy', who helped distribute water and food in the refugee camps, and has always been fair and kind. In the US, he tried to obey his strict uncle, who took the role of his father. But never feeling he could measure up, Karney sought comfort elsewhere:

"I started going to school... and was getting harassed by everybody. The Hispanics. The blacks and the whites. You know 'cause we stayed in a mixed community... everybody was there... all kinds of people... like the ghetto type. Then I had my bike taken. My silver necklace taken. I started meeting other Asian males around there so we started going in groups. Not just alone. That way we'd feel more protected. Which worked. At that time, yeah, they'd see us a bunch, and then they wouldn't come charging at us. They'd think twice. So that... you know, slowly but surely, it turned into more serious stuff. We started retaliating. We started fighting in school. And by the time I was 14... seventh grade... you know... I started not going to school. Then I started having problems failing. I went to different schools and after school and stuff. So that's how things got started. [It] got worse." (Personal communication, August 2008)

Group solidarity was intended to protect each other, yet this also led them to more serious activities. For Karney, it was juvenile court, then later, six years in and out of prison. It was in prison that he decided to turn his life around:

"My last trip [prison], you know, I started going to school and stuff. Take a trade course. A government program... anything really to help me better myself. Get my GED [General Education Development credential, equivalent of high school completion]. College courses... parenting course... you know and... and all for a guy who only went to and dropped out at seventh. When I passed my GED I was so like proud. For only two years of school." (Personal communication, August 2008).

Yet when Karney completed his sentence, he was picked up by the then Immigration and Naturalization Service (INS; the agency was later merged into the Homeland Security as the Immigration and Customs Enforcement), and taken to a detention

Fig. 3
Father and son; Phnom Penh, February 2006.
Photo courtesy of the author, 2007.



centre, where he waited for 12 months to be transported to Cambodia. His daughter, left behind in the US, later asked him in a telephone conversation,

"When are you coming home, daddy? You said you were coming home when you got out of prison." (Personal communication, February 2006).

A New Life in Cambodia

Karney, like other 'returnees' to Cambodia, found it arduous to live in a place he had never really known. Luckier than others though, he had continued to speak Khmer in the US and has some relatives still in Cambodia. Nevertheless, the process of adjustment was long and hard. The most difficult part was the forced separation from the family:

"It's the worst when they had a wife and kids in the States, and can't ever go back there. That's a punishment too harsh. They served their time... it's too hard, to keep them from their families. It's hard on them, hard on their families. The kids end up growing up with no dad. And they can't support them." (Personal communication, February 2006)

Karney has made a new life. He married a Cambodian woman, and now has three children. He's found new meaning in life by helping others:

"I even help people that are the same as I was. I give 'em food, a place to stay in my house. As long as they don't mess up. Although I'm struggling with myself...it's time for me to give back and sometimes even though I get tired and wonder, why am I doing this? I'm helping a few people myself with a lot of things. I have to do it. It's a way of giving back to what I've taken from society." (Personal communication, August, 2008)

But not everyone who went through these enormous upheavals is able to turn things around. Some have turned to drugs; a few ended up back in prison; one committed suicide; some are just getting by day-to-day. There was no system of assistance that was planned for these Cambodians, in anticipation of the first groups' arrival. One American who is a long term resident of Phnom Penh started the Relocation Assistance Program (RAP) with small donations to provide transitional housing, assistance with job searches and adjustment. Later, this project received USAID funding and was formalised as the 'Returnee Integration Support Program'. That funding is not being renewed, and RISP may have to close down.

The deportation of the Cambodians is part of a larger programme of expulsion of the US government. Annually nearly 200,000 people are forced to return to their country of citizenship. While solving complex issues of undocumented immigrants eludes politicians, they can look tough enforcing deportation on this group. The policy is justified explicitly as a necessary means for reinforcing law and order within the US territory, and implicitly by the notion of 'return': is it not 'natural' for one to 'return' to where he/she was born? While return is often imagined as a warm, comforting journey home, forced return entails enormous human costs. While the deportation programme may appear to maintain social order in the US, it has certainly created disorder for the returnees, their families, and many in the Cambodian society. Meanwhile their children in the US are growing up without fathers. The law must be changed to reflect justice and fairness, to provide judicial review in determining whether deportation is justifiable in individual cases.

Sylvia R. Cowan
Director of the Intercultural Relations Master's Program
and Associate Professor at Lesley University
Cambridge
Massachusetts, USA
scowan@lesley.edu

References

Hing, Bill Ong. 2005. *Deporting Cambodian Refugees: Justice Denied? Crime & Delinquency*, Vol. 51, No. 2.