


Mismanagement and misinterpretations in asylum interviews: Perspectives from South Africa and Sweden

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Abstract

This article explores the interactions between key actors in asylum interviews in South Africa and Sweden. It is based on forty-one interviews with asylum seekers, interpreters, state officials, and legal representatives. The analysis is guided by theories on professional encounters, bureaucratic violence, and interdependence. The result is presented in two themes: the emergence of mismanagement due to repressive policies and cost-cutting measures, and misinterpretation due to poor interpretation services and failure to recognize the hermeneutic aspects of asylum seekers' claims. These issues lead to mistrust in the asylum system and in each other's capacities, as key actors fail to take joint responsibility for the interview act and its outcome. The conclusion is that all key actors operate within a destructive process of mistrust, reinforced by an increasingly repressive political framework as its strongest driving force.

Keywords: asylum interview; asylum seeker; interpreter; legal representative; state official; South Africa; Sweden

Introduction

Ubuntu means we are because you are. Even if you are an officer at Home Affairs, you are there to serve people. If there were no people there for you to serve, you are not going to be an Officer. Your job is there because there are people that need help, you know. So let us have that love, you know. Love your neighbour. They have to learn to love other people. (SA, Interpreter)

This quote from a South African interpreter is an appeal to refugee receiving countries to restore the sense of humanity when dealing with asylum seekers. It refers to the African

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philosophical concept of 'Ubuntu' to emphasize the inter-dependent relationship between human beings, whether they are powerful or powerless (Tutu 2009).

While the interpreter's plea for love underscores the emotional strain endured by asylum seekers throughout the asylum process, it also brings to light the stark contrast to the harsh realities of refugee laws and asylum procedures. Migration and refugee laws in host countries are becoming increasingly repressive and their execution is characterized by the arbitrary exercise of power by state authorities responsible for implementing the law and of managing and controlling the influx of asylum applicants (Gill and Good 2019; Bhatia 2020; Lundberg 2023; Martinez 2023). This indicates that asylum regimes worldwide are adopting similar strategies to manage the increasing numbers of people seeking political asylum.

Building upon this understanding, this article examines perspectives from two sites, South Africa and Sweden, focusing on the asylum interview and the interaction between its key actors, the asylum seekers, the state officials, the interpreters, and the legal representatives. Based on interviews with these actors, we explore how similar strategies are applied and adapted within different political, cultural, and social contexts. As will be further discussed in the Methods and Material section, the combination of material collected in the two countries can broaden the analysis and make tacit or self-evident knowledge explicit and tangible (Gingrich and Fox 2002).

The article draws on forty-one interviews conducted with key actors from South Africa ($n = 13$) and Sweden ($n = 28$) from 2019 to 2022. The quote above is an excerpt from these interviews. In this article, we analyse the interviewees' perceptions of asylum interviews and challenges affecting this process. The two main research questions are as follows:

- How do the interviewees describe the conditions that shape their interactions in the procedure?
- How do they interpret their interactions in relation to the other key actors?

This article employs theoretical concepts such as professional encounters, interdependence, and bureaucratic violence to analyse asylum interviews in both countries (Tutu 2009; Herz and Johansson 2019; Abdelhady et al. 2020). These concepts are explained in more detail in the section following the Methods and Material section. Before this, the context and combination of the two sites is discussed, followed by a presentation of previous research focusing on key actors in asylum interviews. The main part of the article is the section on results and analysis, where we focus on two main themes that capture prominent conditions and problems in the asylum interview: *mis/management* and *mis/interpretations*. The article concludes by summarizing the findings and discussing the role of trust in the asylum interview process.

South Africa and Sweden: Two sites—One refugee convention

The conditions of asylum interviews are shaped not only by different national legislation and migration management but also by ambivalence between seemingly contradictory jurisdictions and claims, both in a new democracy like South Africa and in a welfare state like Sweden (Gibney 2004; Amit 2011; Johnson 2015). This ambivalence can be seen in public debates on issues such as human rights vs. security and the rights of refugees vs. the right to protect the institutions of the national welfare state (Gibney 2004).

In the case of Sweden, the ambivalence became evident with the implementation of new immigration policies that limited the possibilities for permanent residence and family reunification for asylum seekers (SSB 2016:752).

South Africa's refugee and immigration policies are primarily governed by the Refugee Act of 1998 (Refugee Act, No. 130; Republic of South Africa 1998) and the Immigration Act of 2002 (Immigration Act, No. 13; Republic of South Africa 2002). These laws have been amended multiple times to address changing migration patterns and perceived crises. However, conflicting amendments have created obstacles, delaying asylum processing and impeding asylum seekers' rights. Consequently, applicants often face prolonged periods on temporary permits, and some are unlawfully arrested and detained, violating the Refugee Acts (Johnson 2015).

In both cases, the government and politicians justify the stringent laws by alluding to the pressure that the increased influx of refugees is putting on social services, schools, health, and medical care. The 'refugee crisis' of 2015, particularly in Europe, thus became framed as a crisis for the receiving country rather than a crisis for the people seeking protection (Gill and Good 2019). In Sweden, the Temporary Aliens Act of 2016 (SSB 2016:752), which became permanent in 2021, can be described as a turning point in Swedish migration policy (Gustafsson and Johansson 2018). Meanwhile, in South Africa, ever-changing migration policies and amendments to the Refugee Acts have become key defining moments in the lives of refugees and asylum seekers, who live in constant fear and uncertainty (Amit 2011).

Combining material from the two sites is motivated by the fact that asylum procedures in both countries are based on international conventions and human rights, most notably the 1951 Refugee Convention with protocol 1967, which give rise to similarities. In both countries, for example, the oral account given by asylum seekers to state officials, supported by country information and other documentation, is a crucial part of the asylum process in assessing the credibility and legitimacy of the claim for refugee protection.

However, the application or interpretation of these conventions and laws at the continental and national levels also leads to variations and differences, especially in the processes and procedures for determining the legitimacy of asylum claims. In addition, the patterns of forced migration and the reasons for migrating to Sweden and South Africa are different. The conditions for seeking asylum and what is considered an accurate and consistent narrative during the interview process can also vary significantly.

This article primarily focuses on highlighting the similarities and shared dilemmas in the asylum processes of both countries. It is important to note that the asylum processes in both countries are highly bureaucratic, serving the contemporary purpose of exerting control, management, and elimination of potential threats to national security and sovereignty (Johnson 2015; Elsrud and Lalander, 2022). Furthermore, in recent years, the responsibility for refugee protection has increasingly been influenced by arguments put forth by political parties and the public, seeking to absolve signatories of the Refugee Convention (United Nations, 1951) from their duty to provide asylum to legitimate refugees (Amit and Kriger, 2014; Gustafsson and Johansson, 2018).

This has led to strict legislation for asylum seekers in both countries as well as growing hostility and an increase in xenophobic violence. Such restrictions and hostilities have created space for debate and criticism of the challenges associated with the asylum process, such as the lack of legal security for refugees due to the low professional skills and competence of state officials and interpreters (Abdelhady et al. 2020).

Previous research on the challenges of asylum interviews and the key actors

The topic of this study covers a wide field of research conducted in different countries, contexts, and disciplines. The selected research presented below focuses on the interview situation and the key actors. Most previous studies have focused on only one part: the asylum seeker, the state official, the interpreter, and more rarely, the legal representative, since few countries practice that kind of right to legal support for asylum seekers (cf. Ottosson and Lundberg 2013). Sweden does, but not South Africa. We have therefore focused on asylum seekers, state officials, and interpreters in the review below.

The asylum seeker

The situation of asylum seekers is often described as extremely difficult and complex, as they have to recall and narrate personal and often traumatic experiences in an unfamiliar environment, guided by strict policies and laws and in a language they do not understand (Blommaert 2001; Puumala et al. 2017; Bohmer and Shuman 2018; Gill and Good 2019; Wadensjö et al. 2022).

Herlihy and Turner (2007) provide a psychological perspective on the function of memory in asylum interviews. They conclude that discrepancies and gaps in memory for trauma weaken the possibility to remember accurately. It also undermines the capacity to gather, organize, and present information. In another study, Bögner et al. (2010) analyse how the physical environment, the room, as well as the competences, or lack of competences, of the state officials and interpreters have impact on the ability of the asylum seeker to perform a credible account. They discuss the impact of shame and cultural background factors, for example, an individual raised in a culture that holds collectivistic values may be reluctant to self-disclose abuse since it might have negative impact upon family and kin.

Akin (2017) and Kjelsvik (2014) investigate asylum seekers' expectations and performance in the interview as active agents with their own agendas. Kjelsvik (2014) analyses the impact of 'prior discourses' that asylum seekers refer to in their accounts. One prior discourse is provided by the Norwegian Association of Asylum Seekers (NOAS), which gives information about the rights of asylum seekers, referring to the Refugee Convention (United Nations 1951). In contrast to the impact of prior discourses, Blommaert (2001) and Maryns (2013) have analysed the use of 'home narratives', attempts among asylum seekers to provide detailed, contextual, personal accounts of their life and experiences. Maryns (2013) concludes that individual information of experiences is highly valued in asylum procedures while Blommaert (2001) states that the details given can backfire, since they are possible to verify. If there is any inaccuracy, inconsistency, or contradiction in the story, it might disqualify the credibility of the asylum seeker.

The state official

Compared to the asylum seeker, to the state official the interview is everyday work in a familiar setting. The state officials dominate, since they are the ones who know the law, the language, and make decisions (Jubany 2011). As for the asylum seeker, there are also many factors that influence the interview for the official, for example, experiences on a personal and/or professional plan, mandate, and 'prior discourses' (Kosyakova and Brücker 2020). A problematic aspect is the way language and narratives differ in different contexts. Blommaert (2001) describes how the assessment relies on rules of evidence that are products of culture and society in specific environments, and people are socialized into these rules through education, public discourse in media, and professional practices. Blommaert's (2001) study evinces that the state official is likely to give higher credibility to a well-formulated narrative with chronological order and specific details than a narrative full of gaps and discrepancies. Amit and Kriger (2014) and Johnson (2015) describe the home office's lack of competence in this area as a crucial problem. Also problematic is an ad hoc procedure where the state officials make no effort to explain the procedure or the purpose of the interview to the applicant. Furthermore, the state officials take the role of persecutor, inquiring every word of the narratives and the asylum seekers' decision to seek protection (Amit and Kriger 2014; Johnson 2015). Liodden (2022) has investigated how state officials use land information rather to inform their doubts than to contradict them.

Jubany (2011) and Bohmer and Shuman (2018), among others, discuss how 'a culture of disbeliefs' is developed among state officials. The doubt goes back to a major 'prior discourse' about who is a true refugee that is 'suffering, vulnerable and genuine' and who is false, that is 'wily, determined and tough economic migrants'. Bohmer and Shuman (2018:13–14) analyse how this suspicion directed towards asylum seekers is guided by 'a fear of admitting unwanted asylum seekers'.

The interpreter

If the asylum interview is stressful for the asylum seeker and familiar and everyday routine for the state officials, it could be both for the interpreter. The interpreter should function as an impartial medium that the other two would hardly notice. Yet, the interpreters are the only ones in the interview that manage both languages. This gives the interpreter a powerful position in the frontline, while at the same time, it is a position in the margin (Gustafsson 2023). The role and

impact of the interpreter comes forward in several of the selected studies, most often referred to as a tool for facilitating communication (Kjelsvik 2014). In other studies, they are highlighted as one of the many problems at stake in the interview. For example, Herlihy and Turner (2007) argue that interpreters may themselves be victims of torture and that working professionally with trauma victims may re-traumatize them. Maryns (2013) shows how the interpreter coordinates the interaction between the asylum seeker and the state official, altering the utterances of both parties, both in terms of content and style. In particular, the asylum seekers' home narratives, full of details about personal experiences of fear, are presented in a summarizing style in neutral language. Thus, instead of being a facilitator, the interpreter unconsciously becomes an obstacle that undermines the asylum seekers' narrative and grounds for legitimacy (Wadensjö et al. 2022).

Another problem analysed by Keselman (2009) is when the interpreter has another ethnicity, nationality, or religion than the asylum seeker. Also, Tipton (2008) argues that the interpreter mediation ruins the possibility for the asylum seeker to react in a reflexive way on the communication with the state official and vice versa. This lack of reflexive interaction has effect upon the narrative and the way claims comes forward and puts the credibility of the narrative and asylum seeker in danger.

Taken together, previous studies show that the asylum interview is the most fragile part of the asylum procedure. This is because it involves a combination of complex text trajectories, trauma, memory loss, stressful inquiries, false expectations, poor interpretation, marginalization of children, and gender neutrality. Furthermore, the asylum interview is a context that gives priority to assessment of credibility and the burden of proof, rather than a willingness to find out about the well-founded fear and practice the principle of the benefit of the doubt (Craig and Zwaan 2019). On this basis, we will analyse how those involved in the interview perceive these problems and describe their ethical and political implications.

Methods and material

Initially, our intention for this study was to integrate both observations and interviews. We dedicated significant effort to facilitating this through communication with Home Offices in South Africa and the Migration Agency in Sweden. Nevertheless, as highlighted in prior studies, gaining access to migration authorities can be a demanding process in terms of time and resources (e.g. Puumala et al. 2017; Maryns and Jacobs 2021). Unfortunately, despite our efforts, access to observations was ultimately denied, citing concerns related to legal security and the pandemic circumstances spanning 2020 to 2021.

In South Africa, our interviews involved thirteen individuals: four state officials (Refugee Status Determination Officers, RSDOs), four interpreters, and five asylum seekers/refugees.

In Sweden, we conducted a total of twenty-eight interviews, comprising seven state officials (caseworkers and decision-makers), nine public service interpreters, five legal representatives, and seven asylum seekers.

The South African interviews took place from late 2019 to early 2020, while the Swedish interviews were delayed due to the COVID-19 pandemic and national recommendations against overburdening public services. Despite these challenges, we conducted the interviews over a 2-year period from 2020 to 2021, lasting between 45 minutes and 2 hours each. Interpreters were used in some interviews with asylum seekers, and all interviews were recorded and transcribed.

In both countries, interviewees were selected based on their role as representatives of one of our four key actors: asylum seekers, interpreters, state officials, or legal representatives. Our aim was to gather a diverse representation to understand asylum interviews from various perspectives. The interviews in South Africa were conducted by the lead researcher along with a research assistant. This assistant, having been a refugee and a former interpreter, played a crucial role in facilitating access to essential participants, including RSDOs. Furthermore, the team employed a snowball sampling method to extend their reach to additional refugees, asylum

seekers, and interpreters. In Sweden, research participants were recruited through official organizations, language classes, interpreting agencies, and personal contacts and interviewed by the researchers. The study received ethical approval from the Swedish Ethical Review Agency (Dnr 2020-02101).

In addition to following formal procedures of obtaining informed consent and providing contact details for counselling services, we strived to establish an empathetic and non-intrusive atmosphere during interviews. This approach was adopted to acknowledge the potential trauma associated with recounting asylum experiences and to respect the sensitivity of the topics being discussed.

At the beginning of each interview, all participants except asylum seekers were asked to both outline a 'typical asylum interview' and to recall a particularly noteworthy situation. These descriptions formed the basis for further questioning, delving into participants' roles, reflections, and the involvement of others. The comprehensive collection of descriptions provided valuable insights into the planning and execution of asylum interviews at each site, enriching our understanding of the process.

We conducted a thematic analysis of the collected material (Rapley 2011), identifying ethics, responsibilities, and trust as prominent and problematic features across both contexts. These findings were supported by coding during subsequent readings. Through coding, we uncovered dilemmas, situations that were particularly problematic and seemed impossible to solve, that significantly impacted the interaction between key actors and the quality of asylum interviews. Some dilemmas were structural, while others arose from interactions between key actors, yet they frequently overlapped. We categorized them into two themes: mismanagement and misinterpretations. Both are relevant to a third theme: the potential establishment of cultures of mistrust within the system and among individuals.

As mentioned above, this study combines material from two countries in a joint analysis, a methodology that is common in previous research. For example, Bohmer and Shuman (2018) investigated asylum interviews in the US and the UK, while Gill and Good (2019) edited volume covers several European countries. Notably, research in this area has tended to emphasize similarities rather than differences when combining different countries. For example, Craig and Zwaan (2019:45) argue that despite national differences, certain features prevail, such as compromised human rights standards, the impact of national security and sovereignty consensus on rejections, and the potential for legal awareness among key actors to enhance procedural fairness. In the case of our study, South Africa and Sweden, we would like to add the perspective that these countries are part of a global hierarchy shaped by the legacy of colonialism and unequal relations between the global North and South. In postcolonial contexts, it is crucial to rethink the logics of comparison and avoid falling into hierarchical thinking, where one is superior to the other, or relativistic thinking, where systems are different but equal because they follow incomparable rationalities. Thus, we consider the two sites in relation to each other rather than in contrast (Gingrich and Fox 2002).

Finally, in the presentation of the results, we use citations from the interviews to open up for reflection on the themes. These citations are marked with a country code, Sweden (SW) or South Africa (SA), and the title of the key representatives. Beyond these citations the material is presented in a comprehensive ethnographic style.

Theoretical concepts

We use theoretical concepts such as professional encounters, interdependence, and bureaucratic violence as critical lenses to explore key actors' narratives of the asylum interview. While interdependence, meaning that human beings are social and interdependent and that one becomes a person in relation to others (Tutu 2009), is recognized as inherent in all human relationships and interactions, this article aims to highlight the nuances of how key actors interpret and negotiate their interdependence and interactions with each other in asylum interview

settings, that is contexts characterized by both explicit and implicit power asymmetries. The interview can be framed as a professional encounter that takes place in public institutions where at least one party has professional status (Herz and Johansson 2019). Such encounters are built on administrative rationalities and political governance, which gives state officials an explicit and superior position. In asylum interviews, power asymmetries increase when the asylum seeker does not know the language, neither the administrative language and rationalities nor the majority languages, that is, English or Swedish.

We have also found the concept of bureaucratic violence valuable in our analysis (Abdelhady et al. 2020). This term refers to how seemingly neutral administrative procedures and policies can cause harm, injustice, or violence to individuals or groups through the exercise of bureaucratic authority. Abdelhady et al. (2020) define bureaucratic violence as the deprivation of rights, freedoms, and opportunities to address perceived injustices. However, they emphasize that bureaucratic violence does not always involve explicit threats or physical harm. On the contrary, the authors conclude that a common form of bureaucratic violence is the mere act of making people wait, which is a pervasive theme in the research literature on the asylum process (Gill and Good 2019). Both contexts can be analysed through this concept, although it may manifest differently in each.

Theme 1. Mis/management

As a civil servant, I personally feel that it is important that the law I apply should be a law that I believe in, and in the direction we are going now, I don't know how long that will be the case.
(SW, State official)

The quote above expresses how the conditions for the asylum interview are directly affected by policy and legislation (Herz and Johansson 2019). These encounters are based on formal procedures that create power asymmetries between the state official who have the power to investigate, assess, and take decision; the interpreters who are in control of translations; and the asylum seeker. Thus, a fundamental condition for such professional encounters is trust in how these encounters are managed. Management refers to a process of getting the work done that is required for achieving the goals of an organization in an effective manner. Management includes planning, organizing, staffing, leading, and controlling this work. The interviewed key actors complained a lot about how the changing repressive political landscape as well as drastic cuts in resources and costs led to mismanagement. In the South African context, mismanagement also creates opportunities for bribery, corruption, and abuse of the rights of asylum applicants. The following text contain an analysis of these two factors, repressive policies and cost-cutting measures, and their impact on key actors and the asylum interview.

Repressive policies

By trying to assist a large number of asylum seekers daily, it changes the mood of the RSDOs. The RSDOs think that if we grant asylum to all of them, then they are gonna replace our people. They have been briefed on how the decisions they make on granting asylum affect their country.
(SA, Interpreter)

The quote above captures two dominant features in the interviews, namely, how repressive policy is expressed both in practical constrains, that is, keeping down the amount of migrants, and in hostile attitudes in society (Amit and Kriger 2014; Gustafsson and Johansson 2018; Elsrud and Lalander 2022). A prominent narrative among the asylum seekers at both sites was how they suffered from high levels of stress caused by constant uncertainty. In both countries, the asylum process is never-ending due to the practice of temporary residence permits and asylum seekers were concerned that legislation can change quickly and that they do not feel secure as their legal status is constantly being negotiated.

This uncertainty affects the work of state officials who are following directives from the government. One state official in South Africa explains how her manager may announce that it is not desirable to approve asylum applications at all for a specific period. Apparently, as another state official puts it, this makes it difficult to independently perform the job and gives the impression that the management appears 'frivolous or tired of refugees'. The South African interpreter in the quote above argues that state officials are guided by perceptions that asylum seekers will take the resources of South African citizens if they are granted a residence permit, a view that he suggests can be traced back to current political populist debates aimed at deflecting from political failures. As noted above, the government and its representatives have tended to blame migrants for high unemployment and poverty. For them, granting refugee status to asylum seekers would give them access to more opportunities supposedly reserved for citizens (Tevera 2013, Mbatha and Koskimaki 2021).

In Sweden, several of the legal representatives also criticize the fact that state officials are guided by repressive policy, looking for reasons to reject an asylum application rather than carrying out a fact-based investigation. They add that state officials are often inconsistent with their assessment of evidence presented by applicants. For example, one legal representative explains that certain stamps used in the Middle East may be considered invalid in one case but requested in another. The Swedish Migration Agency may also criticize the failure of an asylum seeker to provide certain information, although that information was not requested during the interview. One of the legal representatives says that because of all this, he feels 'like a mercenary' intentionally trying to legitimize an illegitimate system.

The strong symbolism of repressive policy creates a hostile climate where the message is that migrants are not welcome (Gustafsson and Johansson 2018). This affects the interview situation and asylum seekers in South Africa describe the interview as arbitrary, violent, and painful in every aspect. Several of the interviewed interpreters and asylum seekers in South Africa point to the fact that the state officials are often rude and brusque. One interpreter says that it is common that the state official verbally abuses asylum seekers using derogatory names, swearing and threatening them. Obviously, the interpreter argues, this makes it difficult for asylum seekers to tell their story as it requires some form of basic trust. Another interviewee, an interpreter and former asylum seeker, says that physical violence against asylum seekers is common and that he chose the interpreting profession because he wanted to try to change this.

The asylum seekers interviewed in Sweden describe milder versions of similar treatment. They do not witness the brutality described in South Africa and there are no mentions of corruption, physical, or verbal violence. However, they do highlight indifference and a lack of empathy among state officials as a significant issue. This form of violence might be typical for the bureaucracy characterizing Nordic countries, which often strive to be 'impersonal, efficient, rule-based, and formal' (Abdelhady et al. 2020:15). Resisting such violence can be challenging and proving it can be difficult as there is no explicit fear of reprisal and punishment.

A central issue at both sites is the bureaucratic apparatus' failure to recognize the violence, instead referring back to the rule of law and regulations. Cases are perceived as being handled according to the rules, yet often lack fulfilment in ethical and qualitative dimensions of assessment. This violation of asylum seekers' rights creates a situation of mistrust among key actors and adversely affects their conditions. Consequently, bureaucratic violence stemming from repressive policies shapes the situation for all involved parties.

Cost-cutting measures

The asylum seeker must be allowed to speak freely during the investigation and at the same time a certain time limit must be respected to be efficient and reduce costs./—/The work does not fit into the obsession with time, it is a form of factory thinking that permeates the whole society. You have to measure time for different elements, and we are dealing with complex issues that affect people's lives. (SW, State official)

The quote above points out that repressive policy is not only restricted legislation and hostile attitudes, but it also initiates hands-on changes when cutting down costs and resources. In South Africa, the Home Affairs Offices and Refugee Reception Centres have always been under-resourced because the government does not consider asylum issues a priority. Although the number of asylum applications continue to increase exponentially, staffing constraints have not been resolved, resulting in a huge backlog of unprocessed applications (Amit 2011; Landau and Amit 2014; Angu and Mulu 2016).

The focus on cost-cutting is especially salient in payment of public service interpreters (Johnson 2015; Wadensjö et al. 2022). The interviews show that access to adequate interpreting services is a significant problem in the asylum process in both countries. While Sweden has a system for state funded training and legislation that regulate the use of professional interpreters, this part of the asylum process is very fragmented and uncoordinated in South Africa. At both sites, many of the interpreters are former asylum seekers themselves; in fact, in South Africa, they might be recruited only on the basis of that experience and their ability to speak the applicant's home language and English. This results in low quality interpreting and the process being compromised, as several unethical practices, for example bribery, related to interpreting may occur.

In a Swedish context, the allocation of resources also affects how legal representatives are able to represent asylum seekers, because often, they claim, they are not paid for the hours they spend on cases. Consequently, as for the interpreters, it is common for dedicated lawyers to prioritize other more fairly paid legal areas; this affects the quality of services rendered to asylum seekers because applicants rely on legal professionals who do not put as much work into the task as it demands.

Another topic raised in the quote above and in other interviews is the importance of the asylum seeker being able to speak freely during the investigation, given that details about an event are more valid if they come forth in a free narrative rather than as a result of the state official posing many questions (Blommaert 2001; Maryns 2013). In the South African context, asylum interviews are often short and uncommitted, around 1 hour, but 20 minutes is also mentioned. One state official describes that he handles 10–12 cases a day. The Swedish state officials explained that the normal time for an interview is 3 hours and a state official handles two to three investigations a week. However, although the Swedish state officials generally spend more time on each asylum case, they identify several issues tied to the constant focus on efficiency. However, as a state official explained, the time limit for investigations must be respected to reduce costs, and there are few possibilities to devote more time to an interview than is customary. Thus, they must obtain all the necessary information but do it in a limited time, which can be difficult to reconcile.

This dilemma between quality and efficiency is also highlighted by the legal representatives. According to them, many asylum seekers feel insecure when the investigation tends to adopt an interrogation-like format, with the asylum seeker receiving contradictory information and being told to 'tell everything' but not 'say anything that is not important'.

Cost-cutting measures can thus be understood as part of the bureaucratic violence, motivated by the fact that adjustments to fewer resources is the driving force for changing the procedures rather than demanding improvements. It also leads to constant staff turnovers which affects the possibility to take care of and value competence among state officials, interpreters and legal representatives. Furthermore, the interviews revealed how cost-cutting measures lead to mismanagement and open up for critique and suspicion. The key actors have no confidence in the competences and responsibilities of the other actors, and this undermines the sense of collective responsibility and interdependence (Tutu 2009). Taken together, mismanagement at all levels creates a destructive environment for the asylum interview and those involved.

Theme 2. Mis/interpretations

I think, they wanted to see if I was going to say something that is different from what I said in the first interviews. Until now they are still asking me those same questions. Sometimes I have

to tell them, no I cannot remember the date now because it has been a very long time. You can't ask me things that happened 15 years ago and then you expect me to remember everything. I can remember what happened, but I won't remember all the details. It is like a trial in court, they want to make sure that what you are saying is the truth. (SA, Asylum seeker)

The asylum seeker in the above quote points out how the interview is a situation affected by demands that goes far beyond what one normally can expect from a person, when it comes to providing accurate accounts. Furthermore, it is a situation affected by the feeling of being treated as a suspect rather than a victim of human rights violation.

As stated in the previous section, the quality of an asylum interview depends on the competence of the various actors involved. The most fragile part, pointed out by all key actors, even the interpreters, is the act of interpreting. Interpreting is obviously a task designed for the interpreters, but all key actors are involved and contribute to this process (Wadensjö et al. 2022; Gustafsson 2023). Hence, all key actors are interdependent and collectively responsible for the oral claim that is formulated in the interview situation. Yet, at the same time, the responsibilities are not equally distributed since the encounter takes place in an institutional context where the professionals not only have more power and act and talk from a superior position but are also the ones that master the majority language (Hall and Valdiviezo 2020).

Therefore, before getting into different layers of interpreting, we return to the professional encounters again and the central feature that the asylum interview setting is multilingual. Most obviously, it is multilingual because the key actors do not share languages, for example Swedish, English, Swahili, or Arabic. In addition, the setting includes different vernaculars as well as specific terminology based on migration policies and legislation. Terminology is also an issue when asylum seekers speak of their experiences in a particular profession or the political situation in their home countries. Spoken languages are perhaps most dominant in the interview, but written language, various forms of text, and documentation also play a crucial role (Blommaert 2001). Age, gender, and education have an impact on styles and jargons.

This plethora of languages means that key actors are constantly engaged in different acts of interpreting (Wadensjö et al. 2022; Gustafsson 2023). Accordingly, interpreting in these settings refers to translating between different languages. Furthermore, interpreting refers to the hermeneutic act at stake when key actors interpret the asylum seeker's experiences, how these are narrated and enacted during the interview, and how asylum seekers interpret the setting, rationale for the interview, and questions asked by state officials (Blommaert 2001; Maryns 2013; Bohmer and Shuman 2018). In the following text, interpretation and its impact on key actors is analysed from these two perspectives.

The act of interpreting languages

One more thing I would like to add, nobody believes in the interpreter. For example, an asylum seeker can sit there and say like 'the interpreter is interpreting wrong' or 'I don't want this interpreter', 'I don't like the clothes that she's wearing' or even, 'I feel like this interpreter is annoying', or 'I don't like her voice'. And then they can replace us. (SW, Interpreter)

In the interviews, all kinds of dissatisfaction with interpreting came forward. Asylum seekers in both countries suggested that the interpreter could be a spy and a threat to their security. State officials described the problem differently, suggesting that the interpreter could be a loyal compatriot supporting asylum seekers in making their claim. However, most common among all key actors was the doubt in the interpreters' competences and ability to interpret accurately.

As explained above, in South Africa most interpreters have no training and are employed on an ad hoc basis (Johnson 2015). In Sweden, this is not the case, but nevertheless, interviewees report that low-skilled interpreting is a widespread problem and that they have noticed that interpreters often do not know the relevant terminology, translate incorrectly, add information themselves, take the side of the asylum seeker, or interfere in other ways that can contaminate the interview.

In South Africa, one state official says that it is common to get interpreters who can speak the other language very well, but that their competency in English is low: 'You will find that this person is an interpreter but it is like s/he needs an interpreter as well because I do not understand their translations to English'. In the Swedish case, one legal representative claim that it is not uncommon for the interpreter to simplify the Swedish language so much that the state official gets a misleading picture of the asylum seeker. For example, in some investigations, it may be crucial to make it likely that the applicant is politically active, and this becomes more difficult if the interpreter does not have the ability to convey the asylum seeker's way of expressing himself in his native language.

Because of this problem, one of few standard questions asked during the interview is whether the asylum seeker understands the interpreter, referring to whether the asylum seeker understands the interpreter's language or dialect. An affirmative answer is considered as confirmation that the asylum seeker understands not only the language of the interpreter but also the whole setting. However, in many cases, the asylum seeker understands the language and dialect but not the setting, information, or questions asked by the state officials.

In fact, in the interviews, the interpreters give many examples of misinterpretations that are more related to cultural and social connotations than linguistic issues. Thus, there are situations when every word is translated correctly, but the meaning of the information or question remains unintelligible for all parts. This can happen because the context and legal framework is complicated, but more often these gaps appear in seemingly simple questions (Nikolaidou *et al.* 2023). One South African interpreter describes how the question 'tell us more about your life' might be confusing for someone who has never been asked such a question before. Because of this, the interpreters explained, from their perspective it would be more fruitful for the state official to also ask the asylum seeker: 'Can you explain to me what you think that I am asking for and what I want you to do during this interview?'

The hermeneutic aspect of asylum interviews

What we do when we assess a case, it stands or falls on whether we believe in the applicant or not. In more legal terms, it's about assessing whether the applicant is likely to have done what he or she says has happened and whether we see that there is a risk that something like that or something worse will happen again. In this particular assessment of whether the applicant has reliably told a probable story, it's very easy for a lot of personal values to come into play and it's difficult to separate them out because it's not a purely legal assessment either. (SW, State official)

The quote above refers to the hermeneutic process in which all key actors are collectively involved. A situation that can cause problems from a hermeneutic point of view is when the asylum seeker speaks in fragments, without any coherent meaning (for the interpreter or the official). This clashes with the expectation of a coherent and consistent narrative (Blommaert 2001). It is sometimes difficult for the official to decide whether it is the interpreting or the asylum seeker's way of expressing themselves that is failing. State officials and interpreters in both countries explain how they try to tackle these situations. The interpreters might try to create coherence directly while interpreting, and state officials might use more specific questions guided by the wish of establishing a chronology between different parts of the story told by the asylum seeker.

A related theme in the interviews is that mistrust in the interpreter's ability to interpret accurately leads to situations where interpreters are openly accused of misinterpretations. This is described both as a genuine experience, when asylum seekers or legal representatives point out and give examples of how crucial facts in the asylum seeker's narrative have been misinterpreted, thereby jeopardizing the whole case, and as a way of criticizing the final decision, mostly refusals. Among the South African interpreters, the issue of misinterpretation was seen as a threat that they had to deal with all the time; according to them, asylum seekers cannot be

trusted because they might report the interpreter on false grounds if they are not content with the decision, causing them lose their work.

All interviewed key actors were quite aware of these misinterpretation problems. Several of them discussed how they might manage them. One Swedish state official expressed the need for taking a comprehensive approach in relation to the interview. This includes not only calculating the risk of linguistic and conceptual misinterpretation but also paying attention to other aspects, such as the asylum seeker's stress and insecurity and the evasive act of recalling memories or talking about traumatic events and taboos (Bögner et al. 2010). Furthermore, the state official emphasized that gender, ethnicity, religion, education, and professional background play a role. Hence, those that we have interviewed are aware of the hermeneutic qualities of the asylum interview and that the asylum seekers' narratives are formed in the interactions between the key actors and the legal framework. At this level, layers of languages and misinterpretations are recognized and discussed in a critical way, and there are some strategies for handling them. This could be an example of how the benefit of doubt comes into practice (Craig and Zwaan 2019). However, the time constraints and demands for efficiency described above were identified as hampering such efforts.

One point of concern, according to legal representatives, is the Catch-22 situation that can arise when the asylum interview protocol contains inaccurate information, due to interpretation problems, carelessness, and incompetence in writing on the part of caseworkers, or indifference and lack of commitment on the part of legal representatives. In such cases, it is almost impossible to change it because the protocol is considered proof that something has happened in a certain way; it is verified as soon as the asylum seeker, and in the Swedish case, the legal representative, accepts its content and the way it is organized. Suddenly there is a documented, evidence-based story, told by the asylum seeker, who has the burden of proof, without taking into account all the other layers of interpretation and interaction that shape the content of the protocol. The benefit of the doubt, that is, the recognition of the hermeneutic qualities of the interview, disappears through the systematization of the narrative into a written protocol, and both interpretations and misinterpretations become evidence on which the final decision is based. This transition from an open-ended hermeneutic understanding of the interview to an evidence-based positivist approach can be viewed as an act of bureaucratic violence, reinforced by the fact that those in power, who speak the majority language, are also responsible for producing the protocol.

Discussion: Mismanagement, misinterpretations, and mistrust

This article takes a broad perspective by analysing the experiences of key actors in two national contexts. Two main themes have been presented, adding to existing knowledge and contributing to maintaining a critical voice about a legal system that has a huge impact on people's lives. In relation to the reviewed research on the key actors, we can see that most of those that we have interviewed are aware of how complex and fragile the interview situation is. They are also aware of their own creative part in the interview.

However, instead of opening up for critical self-reflection and change, the two themes analysed, mismanagement and misinterpretation, show how the increasingly repressive policies implemented in South Africa and Sweden adversely affect the asylum interview. Returning to the theoretical framework of the professional encounter, which is indeed a politically informed encounter, it is obvious that these policies have a negative impact. However, we learn from the interviewees that state officials, interpreters, and legal representatives are aware of how these policies lead to changes in their daily working conditions. For example, state officials explain how they are guided by their management's demands to keep the number of accepted applications low, and by constant cost-cutting measures, which creates mistrust both in the system and in the competence and skills of other actors.

They also testify to how repressive policies reinforce negative expectations and assessments of asylum seekers' claims; asylum seekers may be perceived as frauds rather than genuine, and priority may be given to protecting state security and welfare rather than the human rights of asylum seekers. Thus, the ambivalent nature of the asylum process, which encompasses both the right to seek asylum and the right to prevent people from entering the territory, as identified by Gibney (2004), is manifested in the practical experiences of the key actors.

Furthermore, the material also shows how the exercise of bureaucratic violence can become more direct and explicit depending on how policy is implemented in practice. In South Africa, the interviewees describe direct and physical abuse, while in Sweden they express a vague sense of mistreatment, often justified by bureaucratic demands for legal certainty, that is, that everyone follows the rule of law.

We have discussed how bureaucratic violence is a consequence of the power asymmetries at stake in these encounters (cf. Abdelhady et al. 2020). However, although all key actors are targets of this violence, it is the asylum seekers who have the least influence and power in the professional encounter and who are subjected to bureaucratic violence. It is the state officials who are responsible for dealing with these asymmetries supported by interpreters and, in Sweden, legal representatives. The key actors interviewed explain that they recognize this responsibility and their dependence on the support and skills of the others, but they do not give evidence of any efforts to work together; rather, they describe low trust and working against each other. This is most evident in relation to the interpreters, who are identified as the weakest part of the professional encounter and who are openly questioned and mistrusted by all the other parts.

The idea of interdependence and the division of power and responsibility, referred to in the opening quote of this article, is thus undermined by structures of mismanagement, which in turn create spaces of misinterpretation in which key actors fail to take joint responsibility for the setting. This leads to the conclusion that all key actors operate within a destructive processes of mistrust, reinforced by the political framework as the strongest driving force. Ultimately, this leaves the asylum seeker in a legally insecure situation, and this is a situation of which the asylum seekers interviewed in both South Africa and Sweden are highly aware, regardless of whether they have received positive or negative decisions.

Author contributions

Collecting data has been a joint responsibility including all three co-authors. Lisa Ottosson and Kristina Gustafsson have done the analysis of the data, made the literature review, and written the original article. Pineteh Angu has been responsible for contributing with expertise on the South African situation.

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