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Refugees, Safety and a Decent Human Life

SARAH FINE

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B I O G R A P H Y

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E D I T O R I A L N O T E

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REFUGEES, SAFETY AND A DECENT HUMAN LIFE¹

SARAH FINE

In this paper, I explore how engaging with refugee voices might contribute to more nuanced and informed philosophical responses to refugee movements. I also highlight a common methodological approach in political philosophy and propose that there are virtues in rethinking it. The common approach assumes that first ‘we’ need to settle ‘our’ views about the requirements of justice, for example, and then apply these fixed ideas to questions about migration and other such topics. Instead, I ask what might happen if that order is revised.

I. INTRODUCTION: LOOK WHO’S TALKING

THIS PAPER BEGINS with two ‘texts’: an exhibition and a book. In the summer of 2017 I visited ‘Call me by my name: stories from Calais and beyond’ at London’s Migration Museum Project. The exhibition documented fragments from life in the ‘Jungle’—the semi-formal camp in Calais which was home to thousands of refugees and other migrants—not long before the camp’s demolition by the French authorities. ‘Call me by my name’ displayed artwork by residents of the Jungle, as well as pieces from visitors to the camp and by members of the public.

Something that struck me while looking at the pieces, and which has stayed with me since then, was the apparent significance of the cultural (in the sense of ‘arts and culture’) life and community in the Jungle. From the images and texts on display, the visitor got the impression that books, music, art, social spaces, learning, and creativity in general were central features of life in the camp, and that these were vital for making it more bearable for the residents. This impression is reinforced by Nasr Chamma, a visitor to the camp:

In The Jungle, there are many different nationalities, communities, languages and the cultural life is vivid and vibrant. There are many things for the mind but almost nothing for the body; the physical conditions are terrible. Residents have personalized their environment and created

1 Draft paper for the *Proceedings of the Aristotelian Society*. Comments welcome. An earlier version of this paper was presented at the workshop on Migration, Citizenship, and Democracy: Contemporary Ethical Challenges, Berlin, August 2017, and at the Centre for Ethics, Law, and Public Affairs, University of Warwick, May 2018. Warm thanks to the participants for their questions.

socio-cultural spaces like schools, churches and mosques, community kitchens and makeshift restaurants. The vivid community life and this certain sense of “freedom” are the two most important characteristics that were mentioned by almost every resident of the camp... These places are not only for learning but also for gathering, meeting with others, talking, playing games and music, doing art ... They are the breathing spaces of the camp (Chamma and Komlosi 2016).

One reason that this observation about cultural life in the Jungle made such an impression on me is that the importance of art, creativity, and cultural community are rarely emphasized in public discourse about refugee movements, and appropriate responses to them. It is also an aspect of refugees’ experiences that is missing from prominent philosophical literature in the ethics of migration. Of course, many issues do not receive due consideration in popular and academic debates for all sorts of reasons, but I suspect that this particular omission is not just coincidental. Rather, it is likely to be a symptom of a wider phenomenon, already familiar from much contemporary political and philosophical discussion about refugees: the near absence of the voices of refugees. Little attention is paid to what refugees, other migrants, and displaced people say about their own experiences, intentions, and aspirations.

My visit to the exhibition happened to take place at a time when I was re-reading and reflecting on David Miller’s *Strangers in Our Midst: The Political Philosophy of Immigration* (2016). At the end of the book, Miller includes a postscript about ‘the European Migration Crisis of 2015’. There, he wonders out loud whether the so-called crisis presents a challenge for the position he has defended throughout the text, and particularly the revisionist distinction he draws between ‘refugees and economic migrants’. This distinction is a key feature of his argument, because he maintains that states have more stringent duties to refugees than to the people he calls economic migrants. In a move away from the international legal definition, Miller defines refugees ‘as people whose human rights would be unavoidably threatened if they remain in the place they inhabit, regardless of whether the threat arises from state persecution, state collapse, or natural disaster’. In one sense, this expands on the standard definition. However, refugeehood, for Miller, relates to the (possible?) conditions in the place *one is currently living*, rather than in one’s country of origin (country of citizenship or habitual residence). He adds that it is not ‘the source of the threat’ that matters for whether or not someone qualifies as a refugee, but instead whether the threat ‘could be averted *without* the person moving, for example by creating a safe haven within current state borders for those displaced by civil war or by erecting temporary accommodation for earthquake victims’. Economic

migrants, on his view, are people who move for any reason other than unavoidable threat to their human rights (Miller 2016, pp. 167-8, author's emphasis). There is, as he emphasizes, a 'counterfactual element' central to his definition of a refugee: could the threat be averted without the person moving? If it could, the person is not a refugee.

A possible source of discomfort here, Miller notes, is that on his definition some refugees essentially become 'economic migrants' simply by moving on. For example, refugees from Syria who move from, say, 'underfunded refugee camps' in Jordan or Lebanon to Greece, or from Greece to Germany, do not appear to 'qualify as refugees' any longer, because they were 'already located in places where their basic rights either are or could be secured' (Miller 2016, p. 168).² This way of characterizing the issue is in direct tension with UNHCR's (the UN Refugee Agency's) own guidance on the question. UNHCR emphasizes that 'a refugee does not cease to be a refugee... simply because they leave one host country to travel to another. A person is a refugee because of the lack of protection by their *country of origin*' (UNHCR 2016). In the end, though, Miller concludes that people who, in his words, have 'decided to quit refugee camps in which they were protected against attack but where opportunities to work were inadequate' in order to move on do *not* qualify as refugees, and that it is legitimate for European governments to discourage and deter them from entering their territories (Miller 2016, pp. 169-71).

This conclusion did not sit comfortably with the evidence from the Calais exhibition. I found the suggestion that people effectively forfeit their refugee status if they move on from places where 'they are protected against attack' alarming and concerning, as I shall explain in more detail in the course of the paper.

Experiencing these two related but quite different texts at the same time prompted me to draw comparisons and contrasts between them. One obvious difference between the exhibition and the book is the degree of engagement with refugee and other migrant perspectives. Whereas Miller is concerned to give voice to 'popular anxieties about immigration', he shows less concern about engaging with the anxieties of refugees and other migrants (Miller 2016, p. 10). In fact, he explicitly cautions against judging an immigration policy 'by thinking about the way in which it might affect specific individuals who were subject to it'—by which he means the ways in which it affects *migrants*, rather than the ways in

² Miller focuses on people who reside in or leave refugee camps (2016, p. 166, 168, 170). Yet it is worth emphasizing that, according to UNHCR estimates, around 69% of refugees are living outside camps (UNHCR 2017). The proportion of Syrian refugees in the Middle East living outside camps is even higher, at around 85% (Crisp 2017, p. 95).

which it affects resident citizens (Miller 2016, p. 159). A complex set of issues around which voices dominate and are heard, and which are marginalized, ignored or silenced have risen to greater prominence in the discipline thanks to important work in areas such as feminist philosophy and the critical philosophy of race (see for example Lugones and Spelman 1983; Mills 1998, and hooks 1981). I would like to bring these concerns to bear on debates in the ethics of migration.

This paper has two main objectives. The objectives are both methodological and substantive. First, I want to think about how listening to and engaging with voices of refugees and other migrants might contribute to a more nuanced understanding of refugee and other migrant experiences and thus help inform a ‘realistic’ (in the straightforward sense of ‘in touch with reality’) and sympathetic approach to refugee movements.³ I concentrate on the case of so-called ‘onward movements’, sometimes called ‘secondary movements’, and the role of discussions about ‘safety’ in this debate. Refugees have left their country of nationality or habitual residence. They may travel through and/or stop in various countries before moving on. They may or may not seek formal protection in those ‘transit countries’. ‘Onward movements’ is the name given to the (uncoordinated, usually irregular—without the required authorization and/or documentation) movement of asylum seekers and refugees, from countries in which they sought or could have sought some form of international protection, to other countries. These onward movements are the focus of much critical and political attention, as many states and transnational actors seek to manage and curtail such activity.⁴

Second, I aim to highlight and reflect on a common methodological move in political philosophy in general, and in the ethics of migration in particular, and to propose that there are virtues in rethinking or at least supplementing that approach. The common move is to think or assume that first ‘we’ need to settle ‘our’ views about ‘the requirements of justice’—something that is done by reading (primarily philosophical texts, and particularly other work theorizing about justice) and thinking carefully. Then these more or less ‘fixed’ ideas are applied to questions about migration and other such topics. For example, Miller writes that ‘we can’t think properly about the specific issue of immigration without

3 The importance of a ‘realistic’ approach to the political philosophy of migration is a central theme of Miller’s *Strangers in Our Midst*. My paper represents an implicit critique of Miller’s understanding of what a ‘realistic’ approach should involve.

4 I should note that the term ‘onward movements’ is controversial, because it seems to characterize movement as a problem and to imply that refugees and asylum seekers should remain in the first place where they could have sought protection. I use it for the purpose of highlighting the tendency to problematize refugee movements.

knowing where we stand on the wider issue... which is whether and to what extent states are justified in showing what I shall call “compatriot partiality”—treating their own citizens more favourably than outsiders’ (Miller 2016, pp. 20-21). But perhaps, contra Miller, it is possible that we cannot think properly about the requirements of justice (or other crucial theoretical questions) without first or simultaneously thinking carefully about migration and other such issues, or at least that thinking about those issues will help us to clarify and modify our provisional thoughts about the requirements of justice. Furthermore, as I wish to suggest, perhaps listening to the voices of refugees and other migrants may help us all to engage productively with some important and enduring controversies in debates about the requirements of justice. What follows is an attempt to think about how to put these ideas into practice.

II. LISTENING AND SPEAKING

The call for philosophers to ‘listen to the voices of refugees’ might sound straightforward enough, but what does it demand? How should it be done? Who should be listening? And listening to whom? In this paper, I draw from interviews, newspaper articles, talks and surveys all available in the public domain, but there are various alternative (and/or complementary) approaches and sources. Of course, many well-known students and scholars of philosophy are and were refugees and exiles, and some—such as Hannah Arendt and Isaiah Berlin—famously engaged with their own experiences of displacement in their work (see for example Arendt 1986 [1951]). One obvious and important way of foregrounding migrant perspectives in philosophical discussion is via the work of philosophers who are or were migrants.⁵

Then there are the numerous hazards that a project like mine should try to avoid. For example, there should be no suggestion that refugees and other migrants speak in a single voice. Refugees may have nothing more in common with each other than the experience of crossing borders in search of protection that cannot be found in their own state. Generalizing from the comments of some refugees will obscure the myriad differences in individual (as well as group) experiences, attitudes, and aspirations. There will be dissenting voices, progressive and conservative voices, and so on.

⁵ Here I draw attention to two exciting-looking books, not yet published at the time of writing, which explore themes of exile and dislocation through the work of philosophers, such as Arendt, Berlin, and Adorno, with personal experience of displacement: Benhabib (2018), and Stonebridge (2018).

What is more, some people will speak out and be heard, while others will not. And when the voices of refugees are mediated through surveys and interviews, extracted into pithy quotations, paraphrased and abridged, we are only seeing a small fragment of the wider picture, and perhaps even a tidied-up version of the messier original. Some comments fit more neatly with favoured narratives than others, and are repeated and repackaged as a result. Any attempt to engage with refugee and other migrant voices must acknowledge that the result is inevitably a selective, incomplete, partial representation, and forms just one contribution to a wider discussion and set of narratives.

In addition, alongside refugee perspectives, there are other voices that will have much to contribute to the discussion. For example, there are the people who are not displaced but who are bearing witness to displacement, such as reporters, aid workers, scholars in the field, residents from countries of origin who are not themselves at risk of persecution, and people in neighbouring countries. There are the people who cannot move and are left behind. There are also the contributions of people who reside in the countries hosting large refugee populations. There is always a bigger picture.

Moreover, it has not escaped my notice that there may seem to be something strange about an academic who is not a migrant, and who is speaking from a position of relative privilege, arguing about the importance of making space for the voices of refugees and other migrants. I cannot claim to represent or speak on behalf of migrants, and in a sense I am speaking in their place. For someone who is making the case for listening, I appear to be doing a lot of the talking. Shouldn't I just move over and give this space to migrants (especially refugees) themselves?⁶

At the same time as acknowledging the risks of this exercise, though, it is also important to note the dangers of staying silent and retreating from the philosophical discussion about migration and refugees, especially at this moment. The ways in which countries across the world respond to the movements of refugees and other migrants is one of the defining issues of our era. My paper is a tentative attempt to think about how to listen and how to speak in this context—and about the potential pitfalls of doing both, or neither.

III. 'THEY HAVE ALREADY LEFT SAFE COUNTRIES ...'

Knowingly or not, Miller's revisionist definition of refugees feeds into a wider set of narratives and longstanding policy debates about refugee

⁶ On these questions, see the instructive analysis in Alcoff (1991-92).

movements. His argument that people should not be considered refugees if they leave places where ‘they are protected from attack’ could have serious—even harmful—implications for many of those in search of international protection. The assumption underlying this idea about the essential connection between refugeehood and safety is recognisable from popular and political attitudes and responses to onward movements. In this section, I will critically explore and elaborate on that notion.

Turning back to the example of the Jungle, the residents of the Calais camp were refugees and other migrants who had reached France and wished to enter the UK. Many were from Syria, Afghanistan, Eritrea, Somalia and Sudan, and wanted to seek asylum in the UK. Some had family in the UK and were waiting to be reunited with them. They were in Calais in part because they were prevented (temporarily or permanently) from using legal routes to cross the border into the UK. The British government made no secret of its determination to keep out as many of the Jungle’s inhabitants as legally possible. In Parliament in 2016, the then UK Prime Minister, David Cameron, infamously made the following comment about residents of the camp. Referring to Labour leader, Jeremy Corbyn, and shadow Chancellor, John McDonnell, Cameron said: ‘...They met with a bunch of migrants in Calais, they said they could all come to Britain. The only people they never stand up for are the British people and hardworking taxpayers’ (quoted in Mason and Perraudin 2016).

According to the 1951 Refugee Convention (and as distinct from Miller’s definition), a refugee is a person who, ‘owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, ... is outside the country of his nationality [or, for a person without a nationality, outside his/her country of habitual residence] and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country’ (Hathaway 2005, p. 1, n. 1). There is a great deal of debate (legal, philosophical, political) about how to understand the different elements of this now standard international legal definition, and whether it ought to be amended.⁷ However, most parties to the debate are willing to recognise this at least as the *minimum* core of refugeehood. Two components (among others) of refugeehood, according to this definition, are: 1. Having left one’s country of nationality/habitual residence; 2. Being unable/unwilling to get the protection of that country. A refugee has left his or her country, and has a human right to seek and to enjoy in other countries asylum from persecution (Article 14.1, Universal

⁷ Interpretations of ‘persecution’ can be more or less expansive. It is worth noting UNHCR’s definition of refugees as ‘people outside their country of origin because of feared persecution, conflict, violence, or other circumstances that have seriously disturbed public order, and who, as a result, require ‘international protection’ (UNHCR 2016).

Declaration of Human Rights). That much is widely accepted. Yet one of the most controversial questions is *where* people are entitled to go in search of asylum.

The duty of non-refoulement, as laid out in the 1951 Refugee Convention (Article 33), and now considered a principle of customary international law and binding on all states, prohibits states from returning refugees to places where their lives or freedom may be at risk, for reasons of race, religion, nationality, membership of a particular social group or political opinion. Nonetheless, it is common practice for states to engage in a variety of non-entrée measures designed to prevent refugees from reaching their territories and triggering protection responsibilities there. States also regularly remove refugees from their jurisdiction without giving them the opportunity to apply for protection, maintaining that the people in question should have sought, or did seek, protection elsewhere first, and thus that they are the responsibility of a different country. There is growing public suspicion of, and hostility towards, refugees who have left or are trying to leave places where, at least in theory, they could have sought protection, such as the refugees in France who are trying to cross the border into the UK.⁸ One commenter on a YouGov survey describes refugees crossing state borders within Europe as ‘illegal immigrants (as they have already left *safe countries*)’.⁹

This sentiment is not unusual. The emphasis on the relationship between safety and refugeehood is widespread. In fact, it seems that the ‘safety rhetoric’, as I will call it, plays a significant justificatory role in the public hostility towards—and state practices designed to prohibit—onward movements. Some of the emphasis on safety with respect to refugees is understandable and justifiable, but much of it is thoroughly disingenuous, as I will illustrate.

IV. THE SAFETY RHETORIC

Safety is central to common understandings of how and why people become refugees. The Refugee Convention definition of a refugee itself conjures up images of people who fear that their lives are at risk, and who cross borders in desperate search of safety. From the perspective of refugees and other displaced people, there is no denying that concerns about safety are often pivotal. Oxfam reiterates that, in its surveys over 15 years, ‘one thing it has consistently heard is that their physical safety

⁸ Britain’s *Daily Mail* newspaper runs regular stories questioning the status of refugees and migrants in France. See Martin et. al (2016).

⁹ See the first comment here: <https://yougov.co.uk/news/2015/09/24/public-no-more-10000-refugees/>, emphasis added.

is the first, vital thing that displaced people are seeking' (Cairns 2016, p. 3). It is clear that the search for safety is crucial to understanding refugee movements.¹⁰

It is unsurprising, then, that 'safety' is also and correspondingly a dominant and recurring theme in legal, political, and public *responses* to refugee movements. Initially this focus might seem harmless and thoroughly fitting. The absence of safety in a country is central to reasons for exit, and the return to conditions of safety is central justifications for the possibility and desirability of repatriation as a 'durable solution'. UNHCR's 1996 handbook on voluntary repatriation emphasizes that its 'pursuit of lasting solutions to refugee problems is... oriented, first and foremost, in favour of enabling a refugee to exercise the right to return home in safety and with dignity' (UNHCR 1996). It defines 'return in safety' as:

Return which takes place under conditions of legal safety (such as amnesties or public assurances of personal safety, integrity, non-discrimination and freedom from fear of persecution or punishment upon return), physical security (including protection from armed attacks, and mine-free routes and if not mine-free then at least demarcated settlement sites), and material security (access to land or means of livelihood) (UNHCR 1996, section 2.4.).

However, when looking again at the practices of states in response to refugee movements, it is questionable how far the emphasis on safety tracks (or is intended to track) the basic interests of refugees and other displaced people rather than the priorities of those states, such as controlling immigration figures, reducing irregular migration, and deterring and limiting asylum applications. In this vein, it is increasingly common for the asylum policies of many countries to include a selection of controversial 'safe country practices' (Costello 2016, p. 604). For example, a state or group of states may declare that there is 'generally no risk of persecution' in a particular country or set of countries, and will designate those as a 'safe country of origin', with the result that the citizens and residents of the supposedly safe countries will find it much more difficult, if not almost impossible, to secure asylum in countries that have made that declaration (Costello 2016, p. 605). In addition, states may choose to remove or return refugees who have entered their jurisdiction to a so-called 'safe third country', which then is 'supposed' to take responsibility for processing their asylum claims (Gil-Bazo 2006).

10 See also Mary Maker's TEDx talk, 'Why educating refugees matters', delivered at from Kakuma refugee camp in Kenya, in which she explains that her mother fled Sudan in search of safety for her and her children. Available here: <http://www.unhcr.org/afr/news/stories/2018/9/5b8ce07d4/why-educating-refugees-matters.html>.

These practices are dressed up in the language of safety. The attempts to manage and limit irregular ‘onward movements’ and close irregular routes are presented as designed to protect refugees and other migrants from the real and myriad dangers of clandestine journeys, exploitative smugglers, traffickers, being turned away from subsequent destinations, and so on. Yet this claim usually looks insincere, especially since, in practice, the closing of one irregular route means increased use of other, often more dangerous routes. Witness the growing number of deaths in the Mediterranean Sea that followed the ‘closure’ of the shorter Aegean route (see Dehghan 2017).

These policies are controversial for a variety of important reasons, not least the question marks over the criteria for determining ‘safe country’ status (how safe? And safe for whom?). While we might expect the process to involve ‘a rigorous assessment of the actual state of human rights in the country’, explains Cathryn Costello, in reality we find that political ‘concerns about the number of asylum seekers... and extraneous political concerns dominate’ (Costello 2016, p. 610). The EU’s designation of Turkey as a safe country of origin, and well-publicised deal to return asylum seekers arriving in Greece back to Turkey, speak volumes here.¹¹ As Mohammad, a Syrian refugee in Lesbos explained to Oxfam and ActionAid, ‘I want to tell Europe that if Turkey was a safe country, I wouldn’t have risked the lives of my wife and children and put them in the boat to cross the sea’ (quoted in Rendón and Samiou 2016, p. 5).

Many lawyers, activists and refugee advocacy groups have raised serious concerns about the ways in which these practices restrict access to asylum procedures, and may be in contravention of international law, especially the duty of non-refoulement. It is important to emphasize, as María-Teresa Gil-Bazo clarifies, that the duty of non-refoulement ‘includes the obligation not to reject asylum-seekers at frontiers and to grant them access to a fair and efficient asylum or status determination procedures’ *and* that ‘there is no duty in international law for an individual to seek asylum in the first country that they enter’ (Gil-Bazo 2011, p. 2).

It is also notable that the safety rhetoric has trouble accommodating the real life practices and experiences of the many refugees and other migrants moving onwards, compelled to act in ways which may compromise their safety, including embarking on dangerous journeys that could end in imprisonment, injury, torture, and death. Again, the eventual quest for

11 See the European Commission’s statement here: http://europa.eu/rapid/press-release_MEMO-16-4321_en.htm. On the dire human rights situation in Turkey after the 2016 attempted coup, see <https://www.hrw.org/news/2018/07/20/turkey-normalizing-state-emergency>.

safety is usually part of the story, but is clearly not the whole story. Consider Patrick Kingsley’s description of the decision many African migrants make once they are in Libya and encounter unendurable conditions:

Without proper paperwork, they can’t ask for help from their embassies—many of whose staff, in any case, have left the country while the hostilities continue. There’s little point to returning the way they came—across the desert—because the cost and risk of death is as great if not greater than crossing the sea. So the sea suddenly becomes *the realist’s choice* (Kingsley 2016, p. 68).

Importantly, though, there is also something troubling about the assumption that refugees ought to be satisfied with mere safety, that this is all they can reasonably expect, and must prize above all other considerations, as refugees. Safety as a maximum expectation runs counter to the principles underlying the international refugee protection regime. For example, the 1951 Refugee Convention lays out the basic rights of refugees, which go well beyond physical safety, and include freedom of movement within the state, rights to work, access to housing, elementary education, and travel documents, and more.¹² UNHCR itself emphasizes, as Katy Long and Jeff Crisp point out, that “‘effective protection’ in a country of first asylum must include access to adequate and dignified means of subsistence’, and in fact ‘that failure to ensure this is a justification for continued movement’ (Long and Crisp 2010). Safety as a maximum expectation is also at odds with familiar arguments about the ‘social minimum’ and the concept of a ‘decent human life’ from various theories of justice. As Martha Nussbaum writes, in her account of the Capabilities Approach and its notion of a decent human life, ‘we do not want politics to take mere survival as its goal’—a theme to which I will return in Section VI (Nussbaum 1999, p. 40).

Hence, while the emphasis on safety may have its roots in the circumstances that create refugees, it also contributes to the widespread sense that refugees move primarily in search of safety, and that safety is all that refugees are ‘owed’. Focusing on safety to the exclusion of other fundamentally important elements in the story of refugeehood threatens to misrepresent the nature of many refugees’ experiences, needs, and desires, and may result in problematic recommendations and responses to refugee movements.

12 See the text of the Convention here: <http://www.unhcr.org/uk/3b66c2a10>.

V. WHY REFUGEES KEEP MOVING

Attempting to understand why onward movements happen is obviously crucial to thinking about appropriate responses to them. In this section I explore what refugees and migrants say about their reasons for moving.

Safety is also *a* factor here. As Mohammad's comment above illustrates, there is the pressing question of whether and in which senses third countries are actually 'safe', whether they are safe for the relevant individuals and groups (some people are at greater risk than others), and whether the specific places in which refugees are living are 'safe'. For example, an Afghan woman at Katsikas Camp in Greece told interviewers: 'I can't sleep at night—I don't feel safe. We [two women] live in a tent together and we take turns sleeping' (quoted in Rendón and Samiou 2016, p. 13). The Conseil d'État in France has ruled the authorities in Calais are exposing migrants there 'to inhuman or degrading treatment' (see O'Carroll 2017). While many people are aware that thousands of migrants are dying on route to Europe, there may be less awareness of the fact that hundreds of asylum seekers have died within Europe since the 1990s, in camps, detention centres, and prisons. Many of these are suicides (McIntyre et. al 2018). In one week in 2017, three migrants died in the makeshift refugee camp in Lesbos. The cause of death was thought to be the inhalation of toxic fumes from the heaters in their tents (BBC News, 2017). 'Safety' for refugees and other migrants certainly is not a given in European countries.

But people leave or want to leave (even supposedly 'safe') third countries for a wide range of reasons often not related or at least not reducible to physical safety. There are reasons relating the conditions in the 'host' country and reasons relating to the destination countries. For example, the interviewers for an Oxfam and ActionAid study on refugees and migrants in Greece reported that 'almost everyone' to whom they spoke 'said that they did not wish to remain in Greece'. Fatima, from Syria, living in Kara Tepe Camp in Lesvos, explained: 'Life in the camp is very hard. One day is like a lifetime. We want to feel our humanity and to have our respect. We feel forgotten. We want the world to know what's happening to people like us.' Wahid, from Afghanistan, living in Katsikas Camp in Epirus, said: 'We feel we have overstayed our welcome in a country that is struggling to support itself and its own people. The Greek people have their own problems' (quoted in Rendón and Samiou 2016, p. 7). Refugees and undocumented migrants in France report that they are on the receiving end of frightening levels of brutal treatment by police, including the use of tear gas and physical violence (Bulman 2017). Ahmad Mohammad, a Syrian living in Zarqa, Jordan, fled Syria after his

young daughter was shot. He says, ‘That’s why I left Syria. Now I am going to risk the danger of going to Europe for my kids. Even if I die, I need them to have a better future. Whatever it takes, I will do it’ (quoted in Cairns 2016, p. 15).

Many express the desire to go to a specific country in order to be reunited with family members, from whom they may have been separated for years. Again, the interviewers for Oxfam and ActionAid report that ‘the urgent yearning to be reunited with family was a constant theme’ but that ‘the process for reunification is confusing, with little information provided, while a narrow definition of “family” means that for many, family reunification is not an option’ (Rendón and Samiou 2016, p. 9).

Another recurring reason refugees and other migrants want to move on is the anxiety, despair and sense of hopelessness that come from existing in ‘limbo’, as they wait in temporary accommodation, their lives on hold, with little information about what may happen next. The Oxfam and ActionAid report explains that ‘the state of physical, psychological and legal limbo in which people find themselves [in camps within Europe] has led to a sense of hopelessness and desperation’ (Rendón and Samiou 2016, p. 3). Laura MacFarlane, who worked as a medic at Moria camp in Lesbos, describes a hunger strike and multiple attempted suicides at the camp, and explains that ‘a lack of knowledge about the future creates an overwhelming sense of uncertainty, which can exacerbate any pre-existing psychological problems and is contributing to new diagnoses of anxiety and depression’ (MacFarlane 2017).

In short, people move or wish to move from third countries for a variety of factors, and the notion that it is unjustifiable to leave for any causes and reasons other than safety fails to take seriously the living conditions and experiences of refugees and other migrants.

VI. A DECENT HUMAN LIFE

If we look again, and more closely, at Miller’s argument in *Strangers in Our Midst*, we see that his broader assessment of the needs and rights of refugees is more nuanced than the line above about ‘protection against attack’ implies. Indeed, his suggestion that people should not be regarded as refugees if they leave a refugee camp where they are protected from attack but lack other opportunities appears to be inconsistent with his own understanding of refugeehood. To repeat, on his view, refugees are people whose human rights are at unavoidable risk in the place they inhabit and who must leave that place in order for their human rights to be protected. However, human rights (even on minimal conceptions) are

far more extensive than bare physical security. Miller himself explains that there are ‘requirements that people everywhere need to have fulfilled if they are going to lead decent human lives’ (Miller 2016, p. 31).

...There are activities and practices that are present everywhere... Human beings work productively, play, raise families, make music, participate in religious rituals, and so forth, and in order to do these things, certain preconditions must be fulfilled. We can then define human needs as the needs that must be met if people are to be able to lead minimally decent lives, engaging, if they so choose, in each of the activities on the list that make up the human form of life. And correspondingly, human rights are the rights whose possession allows people to meet these needs, securing them against various potential threats... (Miller 2016, p. 32).

It seems clear, then, that people’s human rights can be at (unavoidable) risk even where their physical safety is not threatened, for example, where they are forcibly separated from family members, unable to practice their religion, and unable to work. More than that, the Universal Declaration of Human Rights includes the following:

Article 22: Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 27 1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

In other words, if we are concentrating on unavoidable risks to human rights, then it looks as though refugees may and do have numerous, human-rights-related (though non-safety-related) reasons for leaving a third country—reasons which in no way compromise their status and/or entitlements as refugees.

VII. A DECENT HUMAN LIFE, ACCORDING TO WHOM?

In the final section of the paper, I intend to reflect upon the ways in which engaging with the voices of refugees and migrants might contribute to theorizing about justice and related issues.

In political philosophy, a common approach to thinking about how to respond to refugee movements and other questions about migration is to try to develop a framework or theory, or to adopt an existing framework or theory (normally about ‘justice’), and then apply that to this case. On this model, it may look as though theorists first must decide where they stand

on a selection of fundamental questions about global and social justice, before drawing on those answers to help solve puzzles about migration. But what about the possibility that thinking about refugees and migration could help to clarify and answer some of those, and other, fundamental questions in political philosophy?

To illustrate how this thought might work in practice, let us revisit the familiar idea of a ‘decent human life’, so central to a variety of contemporary theories of global justice. In his discussion of human rights, Miller alludes to the potential difficulties involved in trying to identify a suitably universal set of human needs and the rights that are grounded in them (Miller 2016, p. 32). Elsewhere he argues that ‘the purpose of a doctrine of human rights is to specify a global minimum that people everywhere, regardless of societal membership or cultural affiliation, are owed as a matter of justice’ (Miller 2012, p. 409). How might one theorize about a ‘global minimum’ in a way that takes proper account of cultural and other differences but does not rely on culturally specific (and thus not properly universal) evaluations?

The same question is raised by advocates and critics of the Capabilities Approach. Nussbaum takes this issue seriously, and maintains that it is possible to determine a list of ‘basic capabilities’ all humans should have by thinking about how to answer the question: ‘what activities characteristically performed by human beings are so central that they seem constitutive of a life that is truly human? In other words, what are the functions without [the availability of] which we would regard a life as not, or not fully, human?’ (Nussbaum 1999, p. 39). To curate and support this list, which is ‘open ended and non-exhaustive’, Nussbaum explicitly draws on testimony from women across the world, including from Bangladesh, China, India, and the USA (Nussbaum 1999, p. 47).

Her list of ‘Central Human Functional Capabilities’ is as follows. The capabilities for:

1. Life
2. Bodily health
3. Bodily integrity
4. Senses, imagination, thought
5. Emotions
6. Practical reason
7. Affiliation (relationships)
8. Other species
9. Play
10. Control over one’s environment¹³

¹³ This is a shortened version of each ‘capability’. For the list in full, see Nussbaum (1999, p. 41).

Returning to my initial discussion of the ‘Call me by my name’ exhibition, this list of basic capabilities seems to cohere well with the exhibition’s implicit message that opportunities to engage with and in art, cultural life, creativity, and community are fundamental components of a decent human life. Listening to the words of refugees and other migrants, there can be no doubting the profound importance of ‘control over environment’. Here consider the words of Leymah Gbowee, reflecting on her visit to Jordan’s Zaatari refugee camp:

[M]emories came flooding back of my own experience as a teenager, living in a refugee camp in Ghana. The scenes were immensely familiar: homes insufficiently built to protect families from the sweltering sun and infrastructure focused solely on *keeping people alive but not providing any space to truly live and thrive* (Gbowee 2018, emphasis added).

What is more, it seems reasonable to suppose that refugees, other migrants, and displaced people—from different parts of the world; with different languages, cultural practices, educational backgrounds, and religions; who have been compelled to leave their countries, towns, homes, families, familiar environments; who have, in many cases, experienced unimaginable human suffering—are in a prime position to offer evidence and guidance on the conditions necessary for living a decent human life. Engaging with refugees, other migrants, and displaced people, and trying to hear what they say about why they are or are not moving, what they need and desire, may provide an impeccable basis for trying to make universal prescriptions about such things as ‘a global minimum that people everywhere, regardless of societal membership or cultural affiliation, are owed as a matter of justice’ (Miller 2012, p. 409). It may be that existing ideas about human rights and capabilities ought to be modified to accommodate, for example, what refugees report about the special form of suffering involved in a life in enforced limbo.

With that in mind, and given the objectives of this piece, it seems fitting for the last words on onward movements and the idea of a decent human life to go to a Sudanese refugee in Calais who did not want to give his name:

I do not want to stay in France for the same reason I did not want to stay in my home country. They do not treat us like humans here, they treat us like animals... I will try [to cross the border] until I can be a human being again (quoted in Tasch 2016).

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