



universität
wien

MASTERARBEIT / MASTER'S THESIS

Titel der Masterarbeit / Title of the Master's Thesis

The Greek Island(s) of Instability

A Scientific Analysis about the Complexity of the Incorporation of
Refugees within the European Union – Greece as Example

verfasst von / submitted by

Elisabeth Ruth Maria Pointner, BA BA

angestrebter akademischer Grad / in partial fulfilment of the requirements for the degree of
Master of Arts (MA)

Wien, 2021 / Vienna, 2021

Studienkennzahl lt. Studienblatt /
degree programme code as it appears on
the student record sheet:

UA 066 810

Studienrichtung lt. Studienblatt /
degree programme as it appears on
the student record sheet:

Masterstudium Kultur- und Sozialanthropologie

Supervisor:

Doz. Dr. Helmut Lukas

Abstract (English)

This thesis is a descriptive study, focusing on international law concerning asylum policy and refugee rights within the European Union. Its member state Greece, being geographically at the EUs borders, is pointed out as an example to show how a strongly effected state is reacting to an increased arrival of refugees. The question is thereby how interstate inequality in the distribution of responsibility can lead to the need for (inter-)national actions.

In the first part of the thesis a short outline of paradigm shifts within science are provided. As scientific rules keep evolving, like complexity itself, some scientists talk about the evolution of science, which is a transition from Science I until Science III (so far), meaning the changes from theoretical physics to molecular biology and the further shift to cognitive sciences.

The second part is going into greater detail through analysing the paradigms behind the work of Matthew J. Gibney and Christina Boswell, whose outcomes are ideological – and impractical – rather than scientific and applicable. They see a lack of morality, as states often do not fulfil their duties to refugees.

In the third part, the state itself is discussed and presented as a social organism, which exists out of different parts and functions as a whole system, having its own ways of reacting to, like in this example, the incorporation of refugees. One can say that if a system would have a chaotic configuration, the integration of refugees causes the need of new kinds of mechanisms: rather than adding numbers of new kinds into the whole, such as non-nationals into the existing social system, there can be observed certain repulsion mechanisms, such as deportations or temporary stays on so-called “hotspots”, described by its residents and experts of the field as open-air prisons. The EU is installing hotspots at the EU’s borders, where refugees have to wait for months or even years in camps under unsanitary and crowded conditions, as well as the fact that the EU wants to invest 37 million euros to finance a monitored, prison-like camp on Samos is making obvious that spaces like Mória should serve as a deterrent example, which should stop refugees from trying to come to Europe.

As the state (and on a higher level the EU), is the law and order-maintaining institution of a human society, binding its members by law, the author is concerned to rethink and change some laws concerning granting asylum on a national base and within the EU (like the Dublin Regulation), with a special focus on the EUs external borders, such as Greece, Italy and Hungary.

Abstract (German)

Diese Masterarbeit ist eine deskriptive Studie, die sich auf das internationale Recht in Bezug auf Asylpolitik und Flüchtlingsrechte in der Europäischen Union konzentriert. Als Beispiel wird der Mitgliedstaat Griechenland angeführt, der geografisch an der EU-Außengrenze liegt, um zu zeigen, wie ein stark betroffener Staat auf die seit 2015 verstärkte Ankunft von Flüchtlingen reagiert. Aufgrund der jüngsten Ereignisse des Jahres 2020, wie beispielsweise dem Zusammenbruch des EU-Türkei-Abkommens, Auseinandersetzungen zwischen rechten Gruppierungen und Demonstranten sowie die weltweite Coronavirus-Pandemie stehen Griechenland und die in den griechischen Lagern untergebrachten Flüchtlinge dabei vor neuen Herausforderungen, wie sie kein anderer Staat zuvor erlebt hat. Die zentrale Frage dabei ist, wie zwischenstaatliche Ungleichheiten in der Verantwortungsverteilung zu (inter-)nationalem Handlungsbedarf führen kann. Im ersten Teil dieser Arbeit wird ein kurzer Abriss der Paradigmenwechsel innerhalb der Wissenschaft vorgestellt. Da sich die wissenschaftlichen Regeln, wie auch die Komplexität selbst ständig weiterentwickeln, sprechen einige Wissenschaftler*innen von der Evolution der Wissenschaft. Dies führt direkt zum zweiten Teil, in welchem die Paradigmen der Arbeit von Matthew J. Gibney und Christina Boswell detailliert analysiert werden, deren Ergebnisse (ein Mangel an Moral, da Staaten ihren Pflichten gegenüber Flüchtlingen nicht nachkommen) ideologisch und unpraktisch als wissenschaftlich und anwendbar sind. Im dritten Teil wird der Staat selbst als sozialer Organismus diskutiert und dargestellt, welcher aus verschiedenen Teilen besteht und als Gesamtsystem funktioniert. In dieser Arbeit wird festgestellt, dass im Falle einer Konfrontation neuartige Mechanismen notwendig werden: Anstatt Neues integrieren zu müssen, so wie etwa Geflüchtete in das bestehende Sozialsystem, können bestimmte Abstoßungsmechanismen, wie beispielsweise Abschiebungen oder vorübergehende Aufenthalte in sogenannten "Hotspots" das System davor "bewahren" oder zumindest vorübergehend als Lösung dienen. Die Tatsache, dass die EU Geflüchtete in unhygienischen und überfüllten Camps auf den griechischen Inseln festzuhalten versucht und nun rund 37 Millionen Euro investieren möchte, um auf Samos ein überwachtes, gefängnisähnliches Camp zu finanzieren, deutet darauf hin, dass Europas Außengrenzen so abschreckend wie möglich gemacht werden, um weitere Einreisen von Geflüchteten zu verhindern. Da der Staat (und auf einer höheren Ebene die EU) die Recht und Ordnung aufrechterhaltende Institution einer menschlichen Gesellschaft ist, die ihre Mitglieder gesetzlich bindet, ist die Autorin bemüht, einige Gesetze zur Asylgewährung auf nationaler Basis zu überdenken beispielsweise jene, welche die Außengrenzen der EU, also insbesondere Griechenland, Italien und Ungarn betreffen.

Content

INTRODUCTION	1
PART I	4
TO A NEW KIND OF SOCIAL SCIENCE - OF COMPLEXITY AND BEYOND	5
SCIENCE FOR SOCIETY: TEN GRAND CHALLENGES OF 21 ST CENTURY	11
PART II	19
WHAT ABOUT A `FAIR´ DISTRIBUTION OF REFUGEES BETWEEN STATES?	20
THOUGHTS ABOUT `REFUGEES AND JUSTICE BETWEEN STATES´	31
IS OFFERING IDEOLOGICAL SOLUTIONS ENOUGH?	36
WHAT ABOUT REFUGEE RIGHTS VS. NATIONAL INTERESTS?	46
THOUGHTS ABOUT `LIBERAL UNIVERSALISM, PARTICULARISM AND THE PROBLEM OF FEASIBILITY´	52
IS OFFERING A NEW REVIVAL OF LIBERAL POLITICAL PHILOSOPHY ENOUGH?	66
PART III	77
FROM A HUMANIST TO A SCIENTIFIC CONSIDERATION	78
THOUGHTS ABOUT THE `REALITY´ OF SOCIETY AND STATE	83
EUROPEAN UNION´S MIGRATION AND ASYLUM HISTORY	92
GREECE AND THE HISTORY OF ITS REFUGEE POLICY	101
CAMP MÓRIA, CAMP PIKPA AND THE “NEW” MÓRIA ON SAMOS	107
CONCLUSION	113
LITERATURE	118
FIGURES & ATTACHMENTS	127

Introduction

Studies concerning with the movement and integration of refugees (and/or migrants) can take place on different levels. The federation of states, the level which is central to this thesis, is the highest level. Interaction on this level leads to international relationships, where nation states are interacting one level below. One step lower than this, specific groups are formed within and as part of the state. The lowest stage is individuals, who are members of these collective entities but also exist for themselves. This thesis will be a descriptive study of the first two levels, with focus on international law concerning asylum policy and refugee rights within the European Union. Greece, one of the member states, will serve as an example to find out how a state is reacting to an increased arrival of refugees with different cultural backgrounds and why they have reacted in that way.

Due to the latest events of 2020, such as the collapse of the EU-Turkey migration deal¹, clashes between right-wing groups and protesters², as well as the worldwide coronavirus pandemic³, Greece and the refugees living within Greek camps thereby have to face new challenges, the like of which no other state has ever experienced before. As the rest of the world's nations are primarily concerned with saving their own national economies from the effects of COVID-19, aid is barely provided. Amongst other things, this led to the suspension of the asylum law for one month by the Greek Prime Minister Kyriakos Mitsotakis, as well as assaults and violence directed toward asylum seekers by Greek security officers. Only recently, serious allegations have been made against the European Border and Coast Guard Agency called FRONTEX. Non-governmental organizations (NGOs), non-profit organizations (NPOs) and the biggest international organizations in this regard, like the International Organization for Migration (IOM) the UN Refugee Agency (UNHCR), as well as the specialists for human rights at the UN, oversee the latest events and are seriously worried. Felipe González Morales, UN Special Rapporteur on the human rights of migrants, stated that he was “very concerned about the

¹Agreed in March 2016, the EU-Turkey deal was a statement of cooperation between the European Union and the Turkish government, in order to provide financial support for Turkey in exchange for Turkish authorities curbing the flow of migrants into Europe (Aljazeera, 2020; France24, 2020; Help Refugees Limited, 2018).

²After the Turkish border was opened, members of right-wing groups from several European countries travelled to the Greek island Lesbos, which is hosting in its biggest camp Mòria more than 20,000 refugees (Info Migrants, 2020).

³Greece' toll from the coronavirus is low in comparison with Italy, Spain, France and Britain. The bigger concern is about its migrant population, as two facilities have already entered quarantine after residents were tested positive. An outbreak of the virus in the camps, where sanitation and hygiene is poor, as well as accommodation is overcrowded, makes the virus easy to be spread (The New York Times, 2020).

reported pushbacks of asylum seekers and migrants, which constitutes a violation of the prohibition of collective expulsions and the principle of non-refoulement” (OHCHR, 2020).

The following chapters deal with the question of how interstate inequality in the distribution of responsibility can lead to the need for (inter-)national actions and what those actions look like. Therefore, the EU-Turkey migrant deal from 2016 and other political actions on the national as well as international level will be discussed. This is in order to realize different mechanisms put through by the EU as well as by the receiving states. Their practical implementations will be analysed by referring to Greece, as this country is geographically and economically (with the sovereign debt crisis of 2010⁴) in a “special” situation.

In the first part of the thesis a short outline of paradigm shifts within science, will be provided. As scientific rules keep evolving, like complexity itself, some scientists talk about the evolution of science, which is a transition from Science I until Science III (so far), meaning the changes from theoretical physics to molecular biology and the further shift to cognitive sciences. Trying to understand those shifts are necessary, in order to understand why researches are conducted from different perspectives and therefore lead to different understandings. After defining the upcoming challenges for future investigation in science, this part also contains a short history of migration within the EU. The second part will go into greater detail through analysing the paradigms behind the work of Matthew J. Gibney and Christina Boswell. From different perspectives, both authors reflect on the EU’s refugee policy and states performance concerning international law on a national level. They see a lack of morality, as states often do not fulfil their duties to refugees. Further, they denounce the unfair distribution of refugees within the EU, arguing that this leads to a heavier burden for some of the member states. To have a better understanding about their paradigms, four principles, called the epistemological (**EP**), methodological (**MP**), ontological (**OP**) and the theoretical principle (**TP**) will be analysed. It will be pointed out, why the outcomes of the authors are ideological – and impractical – rather than scientific and applicable.

In the third part, the current situation of Greece will be studied, which will supplement the previously discussed thoughts of Gibney and Boswell. The discussion of Greece will be influenced by a paradigm which differs from those used by these authors, as it is trying to

⁴ The Greek debt crisis is “the biggest financial rescue of a bankrupt country in history. [...] The EU had no choice but to stand behind its member by funding a bailout. Otherwise, it would face the consequences of Greece either leaving the Eurozone or defaulting.” (TheBalance, 2020)

rationally describe the situation, instead of finding unfeasible solutions, which are based on ideological viewpoints.

As one aim of this analysis is the exemplification of how to do research on a macro-anthropological/-sociological level, it is not necessary to fully grasp each detail of the so-called meso- or micro-level. By taking a step back, it should be possible to see the whole picture from a different perspective. Considering it as a social organism, the state itself and its reactions will be the subject of matter.

The author is aware, that providing a general rule to explain the reaction of states when receiving a large number of refugees within a specific time, is not within the scope of this master thesis. Rather, the author attempt to show the importance of conducting more scientific research related to this issue, in order to obtain relevant and useful scientific information. Therefore, another aim is to raise awareness for the need to carry out more scientific research in order to obtain scientific information which will, in turn, allow for general statements to be made about other member states, especially for Italy, which is in similar situation⁵.

⁵ Especially in 2015 “Italy and Greece have both called on EU states for more help to deal with the huge influx of asylum seekers” (BBC News, 2015).

PART I

To a New Kind of Social Science - Of Complexity and Beyond

In the history of science, the Descartes-Newtonian paradigm has shaped the Western way of thinking in particular. Years of exchange, or rather a forced influence by the powerful West consequently affected the rest of the world. In the past, Descartes offered two ontological kingdoms based on Isaac Newton's '*Principia Mathematica*'. On the one hand he described the natural world (*res extensa*), on the other hand the mental substances (*res cogitans*). In shaping the thinking of both natural and social scientists, the so-called neoclassical framework led to progress and further development specifically of the former, whilst the second, according to Hollingsworth and Müller has remained weak in developing a comprehensive theoretical alternative (Hollingsworth & Müller, 2008: 1f).

Müller and Toš, elaborating on that idea, stated that:

“[...] the science system as a whole has entered within the last decades a phase of radical transformations from an old regime, called Science I, to a new regime under the name of Science II. Science I was the dominant form of science from the beginning of modern science in the 16th century up to the period of 1900 to 1950. Science II, consequently, emerged over the last decades and will turn out to be the new hegemonic regime, although Science II will not replace Science I completely.” (Müller & Toš, 2012: 17f)

Speaking of the evolution of scientific knowledge, they mention four theories concerning the long-term development of science. In figure 1.1, one can see four different patterns, which represent four different perspectives, which Müller and Toš describe as logically impossible. Why they are still interesting to work with, will be shown later.

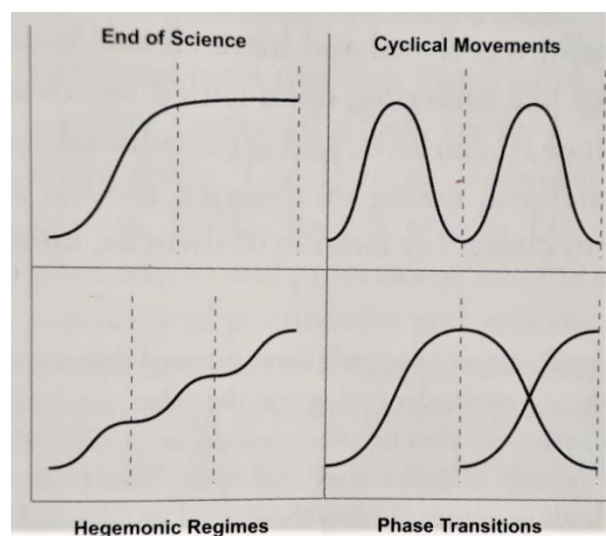


Figure 1.1

Likewise, Hollingsworth and Müller divide the two techniques into Science I, which is following the epistemology of reductionism, and Science II, which is “primarily concerned with an effort to comprehend both the natural and the social world in terms of evolution and complex adaptive systems which tend to be self organizing.” (Hollingsworth & Müller, 2008: 3)

Within the emphasis on reductionism, societies are understood to be built up from individuals, which on their behalf consist of cells, finally leading to atoms, being – so far – the smallest unit. Through analysing those elements and their peculiarities, one could possibly find similarities to the greater whole, namely the behaviour of large interactive systems such as states. By doing so, following the approach of Newton and Descartes, the identification and clustering of universal laws was the aim. Hollingsworth and Müller describe the view of the world shaped by the influence of Newton and Descartes as “comparatively tidy and predictable”, whereas “the new scientific configuration emphasizes the complexity and unpredictability of the world, open to many more possibilities.” (Hollingsworth & Müller, 2008: 3)

With regard to Science II, the hegemonic status of the life sciences⁶, two men were explicitly mentioned here. On the one hand Charles Darwin, a biologist and on the other hand Ilya Prigogine, a physical chemist:

“Darwin and Prigogine emphasized the importance of dynamic analysis, the uniqueness of historical events, the irreversibility of social and natural processes and the difficulty of making successful predictions in complex systems.” (Hollingsworth & Müller, 2008: 3)

Agreeing only partially, it should be mentioned here that even though each action, as it is happening, is unique, one could claim that there are similar situations and similar outcomes. For example, if a nuclear physicist would bombard a large atomic nucleus with neutrons or other atomic nuclei, it can be split into several smaller nuclei. Each time the action itself (the bombardment) happens, the conditions on some level will not be exactly the same (perhaps the next time he will not wear the same clothes or might not be in the same mood when doing his work), but still the action and outcome are similar if not even the same. Considering social phenomena, the similarities might be harder to find, but they also exist. Through making comparison to the past, historical events might be recognized in the present, even though the increase of complexity is given. This, of course, does not mean that social phenomena have the

⁶ “Life science is an enormous field of study that examines every living thing on earth. From bacteria to begonias to beluga whales, life sciences aim to learn everything about life on this planet.” (Artifacts, 2019)

exact same input and output (as with the atoms) but rather produce a similar result under similar conditions. In other words, the discovery of certain patterns can help us to understand and model human systems. This creates the possibility of developing these systems in a way that makes them theoretically less chaotic and easier to understand. To enable this, there is a need for openness, flexibility and – not to forget – financial support:

“In the near future the science system as a whole will experience limits to growth due to the fact that, put in a simple manner, a linear increase in truly innovative outputs requires an exponential increase in financial support.” (Müller & Toš, 2012: 27)

The availability of finances is for the most part determined by the interests of those who control the vast sums of money required and/or to whom a scientific research is addressed. If it is the majority who would benefit from further investigation, investigation is more likely, but it could be that due to cultural differences this majority is not a direct concern for the wealth controlling influential majority. Together with financial possibilities, the current state of science and the technologies available play a role in research. One example is the current fight against COVID-19, which the majority, if not the whole world wants to be solved. Compared to other viruses, which mainly occurred in poorer, southern countries, the production and distribution of a vaccine against COVID-19 is being carried out at an extraordinary rate.

“It is one that relies on good fortune as well as scientific brilliance; has origins in both a deadly Ebola outbreak and a chimpanzee's runny nose; and sees the researchers go from having no money in the bank to chartering private planes.” (Gallagher, 2020)

Concerning the unequal distribution of wealth, Hollingsworth and Müller refer to a so-called power-law distribution. Commonly used in mathematics or physics, this law can also be used to describe social phenomena, such as the related variables of wealth and scientific discoveries. Power-law distributions usually have a small number of high values and a large number of low values, which in this example would be only a few individuals with extreme wealth compared to most of individuals with low wealth and only a few organizations with numerous major discoveries, while most others had none. Translated into mathematical language it is “The key factor in a power-law distribution is a quantity generally referred to as an exponent, which essentially describes how the distribution changes as a function of the underlying variable.” (Hollingsworth & Müller, 2008: 15f)

Sticking with the theme of mathematics, probability is another term which can help to understand a phenomenon. It is the measure of the certainty or uncertainty of an event happening or not happening.

“Practitioners of Science II think in terms of probabilities. Physical and social phenomena are always evolving, but no one can predict the future. Systems have an inherently non-linear dynamic quality. The games in which actors are engaged are ever changing, and even in the same game, the rules keep evolving.” (Hollingsworth & Müller, 2008: 4)

Not only systems are based upon a non-linear dynamic. Scientific rules keep evolving, as complexity itself is. Based upon the above mentioned figure 1.1, there is a combination of all four perspective in figure 1.2, coming to a science drift which is taking into account the raising complexity over time. This table expands the evolution of science to another transition, which is Science III, described as “the age of cognitive neural sciences”. One must be careful with such statements about the future, even if the succession of theoretical physics to molecular biology and the further shift to cognitive sciences seem plausible to the logic of an evolutionary progress of science and the increasing complexity of life (Müller & Toš, 2012: 29-39).

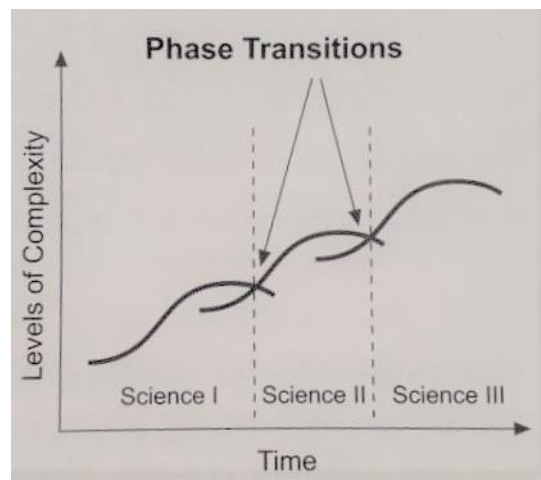


Figure 1.2

As Karl R. Popper explained in the second hypothesis of his presentation called ‘*Die Logik der Sozialwissenschaften*’ (translated as the logic of the social sciences), the overwhelming process of progress in the natural sciences shows us, that although knowing more natural and social facts than ever before, there is even more to come which we do not know. Continued on the Socratic thought “I know that I know nothing”, Popper addresses new coming problems with every step forward. Not just that new challenges come up considering new findings, but also

some findings we took for granted and which used to be verified, at some point were falsified (Popper, 1988: 103).

In social sciences, due to its high complexity, verification or falsification is still a big challenge. Partly, this is due to the lack of discovered regularities so far, or how Robert L. Carneiro states, the lack of law-like statements:

“The number of law-like statements so far proposed by anthropologists, let alone verified by them, is still small. But this is due largely to the fact that, for so many years, virtually no effort was expended in this direction. Things, though, seem to be changing. The laws [...] express significant cultural regularities that hold for a large number of cases in widely separated domains of culture”. (Carneiro 2000: 253)

After all these years of doing scientific research, the one and perhaps the clearest result came to be the fact that life is getting more complex and, on top of that, unpredictable. Natural and social phenomena are continuously evolving, which makes it necessary to constantly revise our current knowledge about them (Hollingsworth & Müller, 2008: 4).

“A central tenet of complex systems analysis is that large-scale collective behaviours result from repeated nonlinear interactions among constituent parts, whereby wholes tend to be much more than the sum of their parts.” (Hollingsworth & Müller, 2008: 4f)

The “whole” and its “parts”, further explained in Part III, are in this thesis the state and its inhabitants (divided into groups). Findings about the formation of a state itself, so far, generally are seen as the long-term processes which led to the emergence of modern political states. In a wide range of studies, the transformation from smaller local groups to a bigger whole called society, is described to have its origins in Europe, from where it expanded through European colonialism to other regions in the world. The interdependency between “state” and “society” will be further outlined in Part III (Oxford Bibliographies, 2020).

“This literature has reconstructed modern state formation in Europe and the parallel formation of the international system of states as a complex directional but non-steered historical process, which comprises different central elements. These include, most importantly, the monopolization and institutionalization of the legitimate means of violence and various functions carried out on this basis, such as taxation, social ordering and policing, and maintenance and use of military capacities; the successive democratization of these monopolies; the bureaucratization, rationalization, and depersonalization of rule; the idea of territorial boundaries of state rule coupled with the idea of state sovereignty; symbolic practices meant to ensure the legitimacy of state domination; the embedding of these processes into the expansion of capitalism as a dominant form of economic reproduction; and the emergence of classes and nations.” (Oxford Bibliographies, 2020)

Dealing with a theoretical problem, one tries to find an explanation of a fact or phenomenon, which might have some strange regularity or exception. “Explicandum” is what Popper calls the fact which is to be explained by using logical theory. In the case of this thesis, the “explicandum” is the reaction (mechanisms) of the member state Greece, concerning the incorporation of refugees within European legislative. Such systems should thereby be “understood by letting them evolve—over time or with simulation analysis” (Hollingsworth & Müller, 2008:5). Taking this into account, the goal of the closest approximation of the truth can be achieved, through a systematic analysis of Greece and its previous experience with the treatment of refugees. External influences, such as EU law and actions of other member states, will be considered alongside the analysis of national actions. Before going on to part II, which will discuss certain paradigms used for the explanation of social phenomena concerning refugees, there will be a short outline of mobility and migration within the EU, which will be further explained in part III (Popper, 1988: 117).

Science for Society: Ten Grand Challenges of 21st Century

In the former section of this text was a short introduction to scientific transition in terms of its forms and kinds. After a closer look into the evolutionary progress of science, another question is, for what is scientific research needed, and why. It might seem clear that scientific research is undertaken in order to answer scientific questions and to gain scientific knowledge about something, “in other words, science is one of the most important channels of knowledge.” (UNESCO, 2019) Seeing a specific role and function in it, the United Nations Educational, Scientific and Cultural Organization (UNESCO) states that science is there to improve our lives, and must respond to societal needs and global challenges. If following this logic of science being used to tackle current challenges, with the aim of improving the quality of life, then one should ask what kind of challenges these are and who determines them. For that reason, there will be two sets of ten grand challenges for the sciences in the 21st century, coming from different perspectives (UNESCO, 2019).

The first perspective which will be introduced is the list of ten grand challenges, which were identified by Leonard Krishtalka almost twenty years ago. Krishtalka, director of the Biodiversity Institute & Natural History Museum and professor of the Department of Ecology and Evolutionary Biology at the University of Kansas has had what one may call a successful career in science so far. While being specialized in various scientific fields, such as Zoology, Anthropology, Vertebrate Paleontology and Program and Systematics and Ecology, he is interested in the history of science. Some of his thoughts led to a discussion of what science wants to achieve in the future, which he noted down as the following ten grand challenges (The University of Kansas, 2018).

- “1. What is the origin, structure, and fate of the universe?
2. What is the fundamental structure of energy and matter?
3. We need to decipher Earth’s physical systems—its climates, geology, hydrology, ocean systems ...
4. What is the diversity of life on Earth?
5. We need to understand the tree of life which tells us the evolutionary kinship of every single species of plant, animal, and microbe.
6. The sixth grand challenge is to decipher the language of life.
7. How do these four phenomena—Earth’s physical systems, diversity of life, tree of life, and language of life—interact to form the planet’s web of life?
8. The eighth grand challenge focuses on the ... Homo sapiens. From urban systems to agrosystems, we need to understand and model human systems, or human ecology.
9. The ninth grand challenge is in neuroscience.
10. Finally, if we are going to tackle these grand challenges, the 10th and greatest grand challenge is understanding and modelling complexity.” (Müller & Toš, 2012: 30)

As has been mentioned, one may think of science in an evolutionary process, which transforms from Science I to Science III. Shown in table 1.3, the overlapping timetable of science so far is classified into the age of theoretical physics, leading to the age of life sciences, and “ending” with the age of cognitive neural sciences. The classification might look different, as the results depend on the angle taken. This is brought up in discussion now because the grand challenges for the 21st century identified by Krishtalka are distributed on all three steps of science: the first fall under the field of physics, from three through to eight are challenges researched in the field of life sciences, while the ninth and tenth belong to cognitive sciences. Nonetheless, all of them are connected with each other. Either through using similar methods or likewise a similar approach. The topic of this thesis might tackle challenge number eight, concerning modelling human systems, and will potentially challenge ten, which is trying to understand complexity in practice (Müller & Toš, 2012: 29f).

Leading Science Field	Characteristics
The Age of Physics [1687–1900/1950]	Rise of Newtonian Physics; Application across a Large Number of Fields; Maximum Level through the system of Maxwell-equations (Unification to an electromagnetic field theory); Tipping Point: Einstein's Special and General Theory of Relativity as well as the Quantum Physics drift towards a GUT (Grand Unified Theory) Electro-Mechanic Technologies across a Large Number of Fields;
The Age of the Life Sciences [app. 1859–2050]	Pre-phase 1859–1950 (Darwin's theory of evolution) Breakthrough into a self-sustained take-off via the decoding of the genetic code [Watson and Crick 1951] Evolutionary theories and models for evolutionary dynamics move along a “grammar of becoming” Recombinant Bio-technologies
The Age of the Cognitive Sciences [app. 1948–2150]	Pre-phase 1948–2050 (Pre-phase for the Cognitive Sciences) Breakthrough to a new leading discipline around 2050 Cognitive technologies

Figure 1.3

The 21st Century Lab Community, consisting of its three founding members, carries out the second perspective on upcoming challenges. The first member, Professor Mary Stuart, did her Doctorate in Social Policy and focused on social mobility, higher education, life histories and civic engagement. The second and third members are Liz Shutt, who is the Director of Policy for the University of Lincoln and Linda Marshall, who is the Business Manager at the

University of Lincoln. The 21st Century Lab is an educational approach, focusing on higher education while aiming to make universities more permeable. The following ten listed challenges, are seen as non-hierarchical and interrelated: “Living in a global society”, “Changing economic powers”, “Void of vision and foresight”, “Mitigating environmental and ecological damage”, “Conflict and war”, “Increasing of wealth and income”, “Technological disruption”, “Civic disaffection”, “Identities and changing norms in society” and finally “Migration and mobility”. All of them are in some way or another relevant to the topic of this thesis, but particularly relevant are “Living in a global society”, “Conflict and war” and “Migration and mobility” and therefore they will be analysed more closely (University of Lincoln, 2020).

Globalism makes national economies more interconnected than ever. Concerning the challenge of “Living in a global society”, there are opportunities created, such as intercultural exchange, but also disadvantages such as maintaining stability in a bigger picture. When talking about globalism, the view of the world can be separated into a macro- and micro-perspective. The whole world would be on the macro-level and its existing parts, like the countries. Those parts can merge into a so-called meso-level, a step in between, such as coalitions of states (for example the EU, the Arab League and the United States of America). Imagining the research subject (or object) as “whole” and “parts” has a long tradition. More than 2.000 years ago in Aristotele’s Metaphysics, there were thoughts about “whole” and “parts”: “In the case of all things which have several parts and in which the totality is not, as it were, a mere heap, but the whole is something besides the parts, there is a cause.” (SE Scholar, 2018). His subject of matter was not society, but language. Aristoteles saw a definition of a word as a whole, and its terms as its parts. Nowadays, his words have been translated and interpreted many times, but in general, this specific statement can be translated into “The System is something beside, and not the same, as its elements.”(SE Scholar, 2019)

Thousands of years later, in the late 19th and 20th century, a sociologist and structural functionalist named Emile Durkheim was also talking about “whole” and “parts”. Specifically, the society as a whole and individuals as parts.

“Durkheim adopted an evolutionary approach in that he considered society to have developed from a traditional to modern society through the development and expansion of the division of labour. He compared society to an organism, with different parts that functioned to ensure the smooth and orderly operation and evolution of society [...] While he considered society to be composed of individuals, society is not just the sum of individuals and their behaviours,

actions, and thoughts. Rather, society has a structure and existence of its own, apart from the individuals in it. Further, society and its structures influence, constrain, and even coerce individuals in it – through norms, social facts, common sentiments, and social currents.” (Adams & Sydie, 2003)

Without delving any deeper into the theory of Aristoteles and Durkheim (which both have a leading position concerning their significance in science), through this short digression it can be stated that the discussion about whole and parts might help us to understand certain complex relationships on different levels. Coming back to globalism and national economies, being connected means that if one part (Greece), of a whole coalition (EU) is affected, most likely the rest of the, let's call it team, will also be afflicted. In other words, if one member state gets highly affected, the other member states are more likely to face challenges as well. On the other hand, if one part is winning, the others can win too. This is dependent on the contract between the team players and their commitment to fulfil them. Therefore, a global collaboration such as the EU has to find common solutions for its member states if, like in Greece's case with the crisis of 2010, the state cannot solve a problem by itself. The EU must also act (or should act) jointly concerning, for example, the influx of refugees. If there was no aid given, the part which is facing the problem might no longer see a reason in remaining part of the team. Looking at it from the reverse perspective, the team might not see a reason for keeping a team player if it is not playing fair. The division of tasks and the distribution of goods is not an easy process, and due to different needs and benefits of the member states can be particularly complex. In part III, the example of Greece will show how one state can have a higher burden than other states, partly due to its geographical situation. One last interesting thought about globalism is the fact that some countries, although being part of the economic market, seem to lack team spirit. China is an interesting example, which is rather inward-looking and has a higher sense of nationalism than most other states do nowadays (University of Lincoln, 2020).

The challenge of “Conflict and war” is centred on the fact that countries are carrying out their wars on foreign soil. What was once called colonialism, is nowadays called neo-colonialism. This term, first used after World War II, depicts the ongoing exploitation of developed countries, which were formerly colonized. Originally applied to European policies, the term refers to the maintenance of control of African and other dependencies after their independence from former colonial rulers. Broadly, it is understood as “a further development of capitalism that enables capitalists' powers (both nations and corporations) to dominate subject nations

through the operations of international capitalism rather than by means of direct rule.” (Britannica, 2021)

An example was the so-called “Great Game”, which started in 1830 and describes the confrontation of British India and Czarist Russia. One and/or the other continued to spread their spheres in the areas of Mughal India, Turkmenistan and Persia (Iran). As the two empires broadened their borders in Central Asia over time, they gradually got closer to one another, which either side did not like very much. Therefore, Afghanistan, which had always been an important crossroad dominated by other civilizations throughout its history, was used as a buffer state by British India in order to avoid a Russian invasion. As Russia also gained influence over Afghanistan, using the tactic of claiming to free Afghanistan from the British invasion and giving them the opportunity to be independent, this led to the First Anglo-Afghan War (1838-1842) and the Second Anglo-Afghan War (1878-1880) and finally the Third Anglo-Afghan war, which lasted one month in 1919. The boundaries of Afghanistan, which were decided by outside forces, are still problematic. Especially the border between Pakistan and Afghanistan, the Durand Line, which is a source of dispute between the countries to this day. These former disputes are still having an impact today and, among other things, have led to the fact that Afghanistan is now in such a bad situation, forcing their inhabitants to seek higher security in other, mostly neighbouring but also European countries (Smith, 2021).

While trying to play out tensions somewhere else, inter-state global tensions increase. Wars are mostly fought in order to gain access to resources, providing the victor with the power to decide who has access and who does not.

“Conflict and war is often triggered by access to resources, increasingly exacerbated by climate change, a fear of migrants and many of the other challenges set out here. Conflict and war are moreover major contributors to environmental damage and climate change.” (University of Lincoln, 2020)

An example of “international investment” is the interest in Iraq’s oil, which before 2003 was domestic, and after an invasion fully nationalized by the largest oil companies of the West. Oil was a central interest for the United States of America, and the main contributing factor to their decision to invade and make war. As these conflicts on the “bigger” global level are the reason for the movement of the people on the individual level, the next challenge of “migration and mobility” goes hand in hand with this one (Juhasz, 2013).

Migration has played an important role throughout the history of the European Union since the start of the 20th century and even before, but the role that it has played changed over time. Since the beginning of the 1960s, there has been a higher level of immigration into the EU than emigration from the territory of the EU than before. Most of its member states have become the destinations of refugees and migrants. Since the end of 2014, when asylum applications increased greatly, this phenomenon of immigration is – even more – a subject of political conflict. At the same time, within the scientific community the debates about migration, integration and flight intensified as struggles enhanced (Fassmann & Dahlvik 2012: 7f).

“Undoubtedly Europe does face challenges when dealing with migration and its many related issues. And Europe is in need of a more coherent migration policy which is based on solidarity between Member States. But the issue must be kept in perspective, and the challenges responded to in a timely and flexible way.” (European Union, 2016: 11).

Within Europe, the discussion was centred on demographic changes, and social and economic factors in sending as well as in receiving countries. Additionally, the question about the right method of integrating refugees from one system into another has been pondered. In combination with that, the tasks and obligations of states are questioned. Researchers intend to find solutions for a fair distribution of responsibility for refugees and migrants between states, mostly without questioning what exactly is implied with the term ‘fair’ (Fassmann & Dahlvik 2012: 7f).

Within anthropology, the so-called Refugee Studies are in comparison with other topics a relatively new phenomenon, especially in German speaking countries. With the establishment of the Refugee Studies Centre (RSC) in the University of Oxford and the Centre for Refugee Studies (CRS) in the York University of Canada, the first institutions for multidisciplinary research on Refugee Studies were created in the 1980s. Before that, there was no direct differentiation between Migration Studies and Refugee Studies, mostly because the distinction between migration and flight is not always that explicit (Hoyer 2011: 28).

In the 1920/30s research about migration started with Robert Park from the Chicago School in the USA. Studies were focussed on the effects of migration, especially about the processes of contact between inhabitants and immigrants. In addition, there were examinations of the continuity of ethnically different groups within one society. They questioned whether immigrants would be able to adjust to the new cultural context or if they would just keep their own cultural identity. There were theories about different stages of integration, asserting that

integration is happening step by step⁷. The social anthropologist, Ulf Hannerz describes integration, for example, as a process from isolation to assimilation (Strasser 2012: 38).

An early example of research on migration in German speaking countries is the Peasant Studies, which began in the 1940s. At that time, focus was on movement from rural to urban areas. One notable approach was from Frederik Barth, who saw ethnicity as something which is existing out of and maintaining through relational processes of inclusion and exclusion. Ethnicity, transnationality, cultural essentialism and nationalism are since then mainly discussed as concepts in anthropological theories (Strasser 2012: 25).

“For the last 50 years, historians’ scales of temporal and spatial analysis and periodization of migrations have shifted from a focus on micro-level and short-term community studies meant to illustrate the persistence of ethnicity and thus the salience of culturally plural nation states toward studies of race as a problem of nation-building and toward studies of mobility undertaken at spatially and temporally very large scales of analysis.” (Gabaccia, 2015: 43)

The world is getting more mobile than ever, which leads to new challenges and scientific questions. Therefore, studies in this field will increase gradually. The unequal spread of mobility as voluntary migration on the one side and the forced migration on the other side is bringing up new tasks in many areas. Tourism, or the belief that another country would offer better possibilities are two completely different reasons, having various causes and effects of mobility (University of Lincoln, 2020).

“Increased mobility, while enabling skilled people to engage globally results in an elite distanced from their own communities of origin. The ease of travel, on the other hand, means that health pandemics could spread faster than we could control and increased air travel is contributing to climate change.” (University of Lincoln, 2020).

Apart from the current challenge of fighting COVID-19, the upcoming environmental change as well as forthcoming wars for resources, will force more people to leave their countries of origin, in order to find a new, safer place to settle down. With the number of people on the move set to rise, what can be already expressed here is the need for regulation through bureaucracy and organisation, which has to adapt in order to keep the order of the system. This

⁷ For example the sociologist Hartmut Esser with the following four unidirectional steps: cultural assimilation, structural assimilation, social assimilation and emotional assimilation (Pries 2015: 11-15). Another one is the AGIL paradigm created by the American sociologist Talcott Parsons, which are four functions a system has to fulfil: adaption, goal attainment, integration and latency (Trevino 2011: xliii)

will be examined in the last part of this thesis, while Greece will serve as the example (University of Lincoln, 2020).

To summarize part one, there will be all kinds of challenges in the near future, which require new forms of science across various fields. Therefore, in the next chapter, forms of scientific research dealing mainly with the question of how to distribute refugees within the EU on a moral basis will be shown. The last part, then, will point out, why other forms of scientific research, written clearly and comprehensibly, will be necessary, demonstrating why this thesis might be of great value for future progress in the scientific field.

“To face sustainable development challenges, governments and citizens alike must understand the language of science and must become scientifically literate. On the other hand, scientists must understand the problems policy-makers face and endeavor to make the results of their research relevant and comprehensible to society.” (UNESCO, 2019)

PART II

What about a 'fair' distribution of refugees between states?

In this part, there is going to be a scientific analysis of books and articles published by Matthew J. Gibney, who was born in Melbourne, Australia and educated at Monash University, as well as at King's College, University of Cambridge as a Commonwealth Scholar. He was the Director of Oxford's International Summer School in Forced Migration for almost ten years. Next to being Professor of Politics and Forced Migration at the University of Oxford he is the Director of Refugee Studies Centre at ODID since 2017. Gibney has an international reputation as a leading scholar of the political and ethical issues raised by refugees, citizenship, and migration control. His research interests are normative and explanatory political theory relating to refugees, migration, citizenship, and statelessness. He questions what the fundamental rights of refugees concerning contemporary citizenship are and which measures, like visa controls or carrier sanctions, are morally reasonable. He discusses an "evolution of citizenship", along with specific norms, such as migration controls at borders and deportation back to the country of origin. Gibney is questioning these norms, or more precisely, he is challenging them by raising questions about their absoluteness, having a look at past and present events, also referring to the human rights. Mainly he is interested in some normative and ethical questions about the moral of asylum policies and their implicit mechanisms. He is doing comparative studies across Western States, as well as the UK and the USA. His findings are partly from parliamentary debates and interviews, as well as from historical literature. He has recently written on topics including denationalization, duties of refugees and states, and the ethics of international responsibility sharing. He questions how much protection a state should provide to (non-) citizens, what rights refugees in different countries have, and how (national) identities are formed. Examples of Gibney's influential work are, *Globalizing Rights* (2003); *The Ethics and Politics of Asylum* (2004); *Immigration and Asylum* (2005), *The Political, Social and Historical Contours of Deportation* (2012) and *The Normative, Historical and Political Contours of Deportation* (2013) – the last two having been edited in collaboration with Bridget Anderson and Emanuela Paoletti. His recent articles include *Denationalization* (2017), *The Unworthy Citizen* (2017), *Refugees and justice between states* (2017), as well as *The ethics of refugees* (2018). Journals such as the *American Political Science Review*, *Journal of Politics*, *Government and Opposition*, *Political Studies* and *Citizenship Studies* published his research. His work and views have been cited by the *New York Times*, the BBC, the *Australian*, the *Toronto Globe and Mail* and CBC Radio in Canada. As Professor, Gibney has held visiting

positions at Monash University, the University of Toronto, and the University of New South Wales (Refugee Studies Centre, 2018).

Current debates about the legitimate use of deportation power or how to enable long-term residence, are subject in different arenas of international politics. On the one hand, it is common to find solutions for some raising questions about asylum policies (like within the EU), on the other hand, there are some issues dealt on a national level. Especially within modern politics, the question of how to protect the citizens living within a national border but also to be responsible for the protection of humans outside of this border is challenging. Particularly over the last 15 years, Gibney has morally questioned states and the mechanisms they use for keeping asylum seekers out of their territory. Within this period of time he has written several articles, books and chapters about similar topics, influencing the research carried out by others because of his international reputation as a leading scholar of the political and ethical issues raised by refugees and citizenship. Christina Boswell, whose findings will be discussed in detail in the second analysis of this part, referred to some of Gibney's ideas within her Ph.D at the department of International Relations:

“Gibney, for example, introduces a collection of essays on ethics and immigration policy with the questions “[c]an closed borders be morally justified? To what extent should a nation be able to maintain its “communal autonomy” through its immigration policies?” [...] The policy issues these authors seek to address parallel those raised in this thesis: namely, conflicts between the (more or less morally founded) claims of immigrants, and national interests.” (Boswell, 2001: 21)

Gibney himself was influenced by, among others, Michael Walzer (1935), an American political theorist, who writes on similar topics. Taking an ethical point of view, he discusses economic and social justice as well as tolerance between human beings. Gibney was also influenced by Hannah Arendt (1906-1975), who was writing about politics in the 1930s and 1940s as an association of equals commonly shared but at the same time an existing plurality of persons in that association. She stated that unique individuals, who form their own identities within a nation, should have political freedom, being able to participate in a public sphere, setting off new ideas through speech and action. This might remind some of Kant's philosophy about the public sphere and his moral thoughts about education and political critique. For Arendt, in the 1930s and 1940s, the increasing emergence of refugees across Europe was due the developing trend of nation states using national and ethnic criteria in order to determine

who belonged to a particular political community and who had to flee their traditional homeland (COCKS, 1996: 40f).

In the book *Nationalism* (1994), edited by John Hutchinson and Anthony D. Smith, various academic thoughts about the concept of nationalism have been collected within several chapters. The first step in defining what a nation and nationalism is, is to distinguish it from other words with similar meanings, “The state is the major political subdivision of the globe [...] Defining and conceptualizing the nation is much more difficult because the essence of a nation is intangible.” (Connor, 1994: 36) Although ‘state’ and ‘nation’ are two different words, in some theories and considerations they are used interchangeably, or mixed up completely when called ‘nation-state’. For Gibney “Real states, however, are a lot more: they are also *territory* – they divide between them the earth’s habitable surface – and they are *agents* – actors in an increasingly interconnected global environment” (Gibney, 2004: 36). As it is important to know how a scientist is referring to their ‘matter of subject’ I will come back to his approach when analysing the paradigms behind it. Anthony Giddens, a British sociologist, stated the following:

„A ‘nation’, as I use the term here, only exists when a state has a unified administrative reach over the territory over which its sovereignty is claimed. The development of a plurality of nations is basic to the centralization and administrative expansion of state domination internally, since the fixing of borders depends upon the reflexive ordering of a state system.” (Giddens, 1994: 34)

Giddens sees borders as something that determines the territory of a state and therefore the territory in which a ‘nation’ can exist, while the administrative reach is organizing this ‘state’s system’ from inside. Also, Gibney thinks that “In the modern world, people have no alternative but to live in the territory of some particular state.” (Gibney, 2004: 37).

So-called ‘alternatives’ existed not long ago in certain regions of the world. Until the 19th century and in some cases even into the 1960s (until the beginning of the 2nd Indochina War), many areas of Southeast Asia, like Laos, North-Burma as well as Northwest and Central Vietnam were outside the control of states. Through the emergence of states, a decline in autonomous political systems led to fewer than 200 ‘units’, exclusively states. Next to those precisely defined borders, there is almost no place today that is not controlled by the state, whereas according to an estimate by Robert Carneiro, there were 200.000 autonomous political

systems worldwide at the beginning of the Neolithic. (Lukas, 1994: 321; Geertz, 1994; Rambo & Gillogli, 1991: 64).

James Scott (2009) called the region from India until the Vietnam „the largest nonstate space“ (Scott, 2009: 13), as „zone of refuge from state power“ (Scott, 2009: 31). According to him, in the history of Southeast Asia mass exodus and migration have always played a role:

„This pattern of state-making and state-unmaking produced, over time, a periphery that was composed as much of refugees as of peoples who had never been state subjects. Much of the periphery of states became a zone of refuge or “shatter zone,” where the human shards of state formation and rivalry accumulated willy nilly, creating regions of bewildering ethnic and linguistic complexity. State expansion and collapse often had a ratchet effect as well, with fleeing subjects driving other peoples ahead of them seeking safety and new territory. Much of the Southeast Asian massif is, in effect, a shatter zone.“ (Scott, 2009: 7)

The shatter zone is called ‘Zomia’ by Scott, described as

„[...] a new name for virtually all the lands at altitudes above roughly three hundred meters all the way from the Central Highlands of Vietnam to northeastern India and traversing five Southeast Asian nations (Vietnam, Cambodia, Laos, Thailand, and Burma) and four provinces of China (Yunnan, Guizhou, Guangxi, and parts of Sichuan). It is an expanse of 2.5 million square kilometers containing about one hundred million minority peoples of truly bewildering ethnic and linguistic variety. Geographically, it is also known as the Southeast Asian mainland massif. Since this huge area is at the periphery of nine states and at the center of none, since it also bestrides the usual regional designations (Southeast Asia, East Asia, South Asia), and since what makes it interesting is its ecological variety as well as its relation to states, it represents a novel object of study, a kind of transnational Appalachia, and a new way to think of area studies [...] Zomia is the largest remaining region of the world whose peoples have not yet been fully incorporated into nation-states. Its days are numbered. Not so very long ago, however, such self-governing peoples were the great majority of humankind.“ (Scott 2009: ix)

‘Territory’ is on the one hand something imagined (like the imagined communities in Benedict Anderson’s approach from 1983), as in many cases there are not even ‘real borders’, like walls. On the other hand, these borders become real, when specific actions are set through in order to control them:

“Traditional states sometimes constructed frontier posts, demanding payment, and occasionally documentation of those, who travelled through. But where these existed they were usually, in fact, at divisions between provinces rather than between states as such. The coupling of direct and indirect surveillance (customs officials and frontier guards, plus the central co-ordination of passport information) is one of the distinctive features of the nation-state [...] A nation-state is, therefore, a bordered power-container—as I shall argue, the pre-eminent power-container of the modern era.” (Giddens, 1994: 34)

This power-container, as Giddens calls the nation-state, has some 'energy' which other people desire. As refugees have to pass these borders, in order to apply for asylum in a specific country, Gibney questions in particular the mechanisms used for controlling these borders from an ethical point of view:

“[...] I employ the resources of political theory to examine and provide an answer to the question of how liberal democracies should respond to the claims of refugees to enter and reside in their territory. I begin by considering questions of value: I argue that a convincing ethical ideal must strive to balance the competing claims of citizens and refugees.” (Gibney, 1999: 169)

Talking about the quest for an equal treatment between citizens and refugees, Gibney is referring to a specific value, very similar to the German sociologist Max Weber:

“If the concept of 'nation' can in any way be defined unambiguously, it certainly cannot be stated in terms of empirical qualities common to those who count as members of the nation. In the sense of those using the term at a given time, the concept belongs in the sphere of values. Yet, there is no agreement on how these groups should be delimited or about what concerted action should result from such solidarity.” (Weber, 1994: 22)

Last but not least, the French J. Ernest Renan, stated from a philosophical point of view:

“Nations are not something eternal. They have begun, they will end. They will be replaced, in all probability, by a European confederation. But such is not the law of the century in which we live. At the present time the existence of nations happens to be good, even necessary. Their existence is a guarantee of liberty, which would be lost if the world had only one law and only one master. Through their varied, frequently opposing, abilities, nations serve the common cause of civilization; each holds one note in the concert of humanity, which, in the long run, is the highest ideal to which we can aspire.” (Renan, 1994: 17f)

Renan notes the fluid characteristic of nations, being well aware that the current system of nations changed over time and will change in the future. For him, the existence of nations is something essential, in order to have the liberty of different ways of living. These approaches, which have been summarized rather shortly, are important to keep in mind. Some of those distinctive paradigms had and still have an impact on the research that followed.

In his article *Liberal Democratic States and Responsibilities to Refugees* (1999) Gibney writes about a “global explosion of refugees” within the last two decades, meaning a raising number of asylum seekers from three million in 1978 to fourteen million in 1997 within Western States. Differences to the current situation are, amongst other things, the countries of origin of refugees, the reasons for their flight and their rights concerning asylum. Although there might be

differences, Gibney is asking the same questions back then in 1999, as he is asking in his current articles: What are the states' moral responsibilities for (non-)citizens and how can they be met?

“In the face of citizen anxiety about the economic, cultural, and political costs of admitting needy strangers—anxiety exacerbated by the dubious legitimacy of many asylum claims—many states have done little more than fulfill their international law duty not to return to a dangerous state or territory (*refouler*) the seekers of asylum who make it to their borders. There is no doubt that the principle of non-*refoulement* is an important constraint on state sovereignty [...] Many states have simply avoided its full demands by using indiscriminate measures—such as visas and carrier sanctions—to prevent asylum seekers from arriving at frontiers where they could claim entry. This in turn has exacerbated disparities in the burdens of individual states, as those that cannot insulate themselves from refugee flows have attracted a disproportionate number of entrants.” (Gibney, 1999: 169f)

Also, in his 2001 article, *New Issues in Refugee Research: The state of asylum: democratization, judicialization and evolution of refugee policy in Europe*, Gibney makes similar moral claims:

“Since the late 1970s, all Western states have resorted to increasingly restrictive measures in an attempt to reduce the number of asylum claims they receive. In particular, they have used a range of common practices – such as visas, carrier sanctions, airport liaison officers and international zones – to prevent asylum seekers from arriving at frontiers where they could claim the protection of the 1951 Geneva Refugee Convention and 1967 Protocol. The effective use of these practices has in turn exacerbated disparities in the burdens of individual states, as states of first asylum, particularly in the South, unable to insulate themselves from refugee flows, have attracted a disproportionate number of the world's refugees.” (Gibney, 2001: 1)

Regarding the approaches discussed above, Gibney talks about states' territories and the implying duties, once their borders have been crossed: “The territoriality of the state has important implications for the legitimacy of entrance restrictions” (Gibney, 2004: 37). Restrictive measures and common practices for managing the borders (which rather exist symbolically, and which have changed throughout the history as we have mentioned above) are to Gibney the reasons why disparities between states occur. He wants to see an end to the practice of preventing refugees from crossing these borders, and sending them straight back, and asks that refugees are provided with help through the provision of asylum. In a way, he is criticizing states – which he sees as globally interconnected agents or actors, as cited above – for the measures they use to maintain their borders. He also thinks that not providing asylum to stateless individuals cannot be morally right. He poses the idea that, states have done only the minimum in fulfilling their international duty to supply aid for refugees. In order to be able to answer the question of how liberal democracies should handle the claims of refugees and

asylum seekers, he – in an article written in 1999 – split his answer into three sections. The first section dealt with the issue of “value”, considering the ethical perspectives on refugees – the partial and the impartial view. While Gibney is not explaining any further about what these “values” specifically are or mean, he is explaining and criticising theories by partialists. Second, he discusses issues connected with some of the social, political, and economic considerations that shape and constrain the ability of states to implement morally defensible practices toward refugees. Third, he is asking if these actions meet the ideas about humanitarianism (Gibney, 1999: 170).

Related to this, he talks about the same topic and similar questions – what are the duties of states and how should states fulfil their responsibility concerning asylum – in his book *The Ethics and Politics of Asylum* (2004).

“If the provision of protection for refugees is its central goal, then the system of asylum offered by Western states is currently in deep crisis. Over the last few decades, liberal democratic states have put in place barrier after barrier to prevent the arrival of rising numbers of refugees, as well as individuals on the move to escape grinding poverty or lack of opportunity.” (Gibney, 2004: 229)

Criticising states and their border management yet again, he poses moral questions. He questions what particular rights states have to use and protect the territory they occupy, what distinguishes citizens from outsiders as not having the same rights, and whether or not states responsible for their harm. Christina Boswell, as being influenced by Gibney, deals with similar questions in *Refugee Policy and the limits of liberal universalism* (2001). She questions the relationship between refugees’ rights and nationals’ interests. She fights for a more generous asylum policy by using liberal universalist arguments, which I will go into greater detail on in the following analysis. In his book from 2004, Gibney points at states’ obligations and utilizes the humanitarian principle applying to the actions of liberal democratic states:

“We can begin the task of moving towards superior policies to refugees by identifying an appropriate principle to govern the actions of liberal democratic states. In my view, that principle should be the principle of humanitarianism. Humanitarianism can be simply stated: the principle holds that states have an obligation to assist refugees when the costs of doing so are low [...] For the conception of ‘low costs’ suggests that states (or individuals) have room to protect other valued interests or obligations to which they attach significant value” (Gibney, 2004: 231).

The questions of how border-controls could possibly work according to the ‘appropriate principle of humanitarianism’ and what exactly is meant by ‘low costs’ and having room to

protect other valued interests or obligations with significant value appear again in Gibney's work. Much the same as he did in 1999, Gibney tries to answer the question of how liberal democracies should handle the claims of refugees and asylum seekers:

"I will now outline three ways that governments can work towards making responses to refugees and asylum seekers less hypocritical, more effective and more in tune with the moral significance of providing protection than current practices". (Gibney, 2004: 244)

His approach to solving the problem, this time, is a little bit more extensive as one will see. First, Gibney is talking about reshaping public opinion and attitudes concerning refugees and asylum seekers (1), next the participation of states in resettlement sharing for a fair distribution of responsibility and thereby encouraging international cooperation (2) and directly tackling the causes of forced migration (3).

"As unlikely and difficult as structural reform might be, there are still plenty of things that a state aiming to live up to the humanitarian principle could do to reduce the likelihood of forced migration. The provision of well-targeted development aid, bans on the small arms trade, allowing greater access to Western markets for third world producers and, in some cases the entry of economic migrants (who might generate remittances) are some of the forms that positive action might take. The moral reasons for reducing forced migration are powerful on their own." (Gibney, 2004: 248)

It seems that, since 1999, Gibney is swinging from one solution to the other, trying to solve the same problems with different approaches from a moral point of view. Several times, he offered solutions, which ideally should lead to a fair distribution of refugees between states and an adequate, humanitarian way of treating refugees within each state. It might, even for him, be obvious, that his ideal proposals are working in theory but are more or less impracticable. Within fifteen years working on the same topic, his solutions stayed ideological rather than feasible. This becomes clear when one reads his article *Refugees and justice between states* published in 2015:

"In this article, I consider the neglected question of justice between states in the distribution of responsibility for refugees. I argue that a just distribution of refugees across states is an important normative goal and, accordingly, I attempt to rethink the normative foundations of the global refugee regime. I show that because dismantling the restrictive measures currently used by states in the global South to prevent the arrival of refugees will not suffice to ensure a just distribution of refugees between states, a more detailed account of how responsibilities should be shared between states is required." (Gibney 2015: 448)

Instead of talking about ‘disparities in the burdens of individual states’ generally, he is now dealing directly with the sole problem of distribution of refugees between states. From the end of 2014 and the beginning of 2015, when social media in Europe was filled with pictures and reports about increased immigration to the European States, his key question about a fair distribution between states seemed to return to prominence. Gibney, with his research interests and his attempt to find solutions for specific problems concerning refugees, asylum and citizenship, seemed to be even more relevant than before. Maybe that is one of the reasons why he became the Director of Refugee Studies Centre at ODID in 2017. In his article *Refugees and justice between states*, Gibney claims that the question of justice between states in the distribution of responsibility for refugees has been neglected although he himself has talked about it already more than fifteen years ago.

Gibney is discussing a problem which is from his point of view, as already mentioned, a moral one. It is about “protecting values” and as a goal, Gibney demands the reconciling of a just system for states with respect for the moral claims of refugees. He makes three allegations – very similar to his article from 1999 and his book from 2004 – the first one being that the term for refugee has to be broadened, so as to include harms of action or omission by states. Now, it seems, Gibney tries to tackle the problem from another side – instead of defining states’ responsibilities he is defining the term ‘refugee’ itself. Second, he proposes that a fair share of refugees should be based on integrative capacities of each state – here the ‘low costs’ from above are suddenly more accurately named as ‘integrative capacities’. He seems to be carrying on some of his old ideas about justice. Last, he says it is important that the interests of refugees in destination matters should be realized. In his opinion, asylum should give refugees the possibility to build up their social world from new and therefore, they should not be transferred into states which are not able to accommodate this (Gibney, 2015: 462).

What might come to one’s mind here is, that his way of operating became even more focused on the rights of individuals, in this case asylum seekers and refugees, than in the past:

“It might be suggested that states have equal interest in ensuring that the refugees that they accept are able to integrate into their society. Shouldn’t the cultural preferences of states (and not just those of refugees) thus influence where refugees are settled? However, I do not believe that the interests of states and those of refugees should be ranked equally. For the individual refugee, where he/she is settled is going to have a powerful and far-reaching effects on virtually every aspect of their life (as I note earlier). The same can hardly be said of states. Large, culturally diverse states can accept many thousands of refugees without profoundly disrupting the lives of their citizens in a similar way.” (Gibney, 2015: 462)

One could make a comparison to a teacher, trying to integrate a new student into the class. No matter where this new student is coming from, he or she has to follow the rules of the new school regardless. The new environment in school will have an impact on this student's life. The teacher can help this new student up to a certain point. But what if not just one, but ten new students are joining the class? How should the teacher enable all students at once to follow the lessons? If the teacher had, before the new students showed up, some students who had difficulties in following his lessons and who needed extra help, how will he continue helping them? Is the teacher obligated to help those, who came new and might not even understand the language which is used in class? What about the rest of the class, what is the teacher supposed to do with them? The point here is, if large, culturally diverse states should be able to accept a certain amount of refugees, then their own cultural diversity should be taken into consideration. At that point, it is important to have a look at some mechanisms, such as the deprivation of citizenship.

Gibney discusses this issue in some of his recent articles, for example in '*A Very Transcendental Power*': *Denaturalisation and the Liberalisation of Citizenship in the United Kingdom* (2013) and *The Deprivation of Citizenship in the United Kingdom: A Brief History* (2014) as well as in *Denationalization* (2017). In the last one, the topics covered are the 'selling' of citizenship, in-between statuses, multilevel citizenship, citizenship laws, post-colonial citizenship, the impact of technological change on citizenship, and other cutting-edge issues. In the first two articles, Gibney is challenging the decision made in 2002 by the British government to denaturalise certain categories of citizens, including those who were born in the UK. These he sees as certain responses to terrorism, as well as concerns about the value of citizenship. This kind of citizenship deprivation is nothing new, as Gibney shows through the example of the communist regime by Russia in 1921 and 1924, as well as the German Nazi regime in 1933 (Gibney, 2013: 637).

“The loss of citizenship transforms the citizen into an alien in the eyes of the state, stripping them of all rights held qua citizen and making them vulnerable to deportation power. An individual might even be rendered stateless.” (Gibney, 2013: 638)

According to Gibney there is a growing recognition by states of a right to citizenship for second- and third-generation children of immigrants born on state territory. Concerning this, states are stressing that their citizens should be able to speak the national language and should have a basic knowledge of the state's history and dominant civic values.

“These changes and the broader movement away from access to citizenship as a privilege have typically been attributed to the need for European states to align formal membership laws with the realities of who actually lives in their states, particularly to deal with the social and human legacy of the guest workers who failed to return home after their labour was no longer needed in the 1970s; the role of embedded liberal norms, particularly when operationalised by courts dealing with domestic constitutional law and international treaties by boosting rights of residence and procedural fairness in citizenship decisions [...]” (Gibney, 2013: 640)

Within these formal membership laws, in case of not receiving any status in one state, deportation is one way to withhold citizenship for asylum seekers. Shifts concerning citizenship have occurred, whenever it was ‘necessary’, like Gibney says, and most of the time in favour of the state. In Greece for example, many asylum seekers are denied, once their claim has been interrupted, and there has been a month when no new asylum applications have been accepted. More about this in Part III (Human Rights Watch, 2020).

Thoughts about 'refugees and justice between states'

Now going more into detail about the content of one of Gibney's recent articles from 2015, which was mentioned above: *Refugees and justice between states*. In the first chapter "The international context", he summarises the differences in numbers of hosting refugees between Southern and Northern States. In the top ten of refugee hosting countries only Germany is a rich, Northern State, while the rest of them are all located in the southern part of the world. He comes up with the explanation that this is due to the different roles of the states: whilst the global North is responsible for extended stays, the Global South rather provides short-term stays in refugee camps. Due to the 1951 Geneva Refugee Convention, which is an international legal norm for distributing responsibilities for refugees between states, there exists the principle of non-refoulement. States have obligations for those refugees arriving at or within their territorial boundaries, while beyond their borders they have no legal duty to provide assistance or protection. For Gibney it is clear that the absence of a binding duty amongst states is exacerbating inequalities concerning the distribution of responsibility. Based on proximity, southern countries are more affected by receiving refugees because they are countries refugees coming mostly from the South, or Southeast, can most easily reach. Northern countries meanwhile are reinforcing the protection at their borders in order to keep refugees outside of their territory. Smuggling and the use of even more insecure routes, which are not controlled yet, are the result of this practice. Physical and economic obstacles can prevent some refugees from having a chance to flee from the South and therefore leave them trapped there. Gibney takes into account different subjective factors of Northern and Southern states. The obvious way of dismantling the non-arrival measures of the Northern States is, for Gibney, not a long-term solution. Instead, he has three objectives: broadening the definition of a refugee, allocating a fair share of states based on a state's integrative capacities, and meeting the interests of refugees in their destination country (Gibney 2015: 450f).

The first challenge he discusses is "Who is a refugee". Gibney states that although there is an internationally agreed legal definition (under the 1951 Refugee Convention), theorists adopt a more inclusive approach. It includes victims of violence of a more generalised and indiscriminate sort, such as ongoing impoverishment through war, natural disasters and/or structural violence. Therefore, he is endeavouring to broaden the definition of a refugee. For that reason, Gibney is referring to literature from Andrew E. Shacknove, who published an article also called "Who is a refugee" in 1985 in the magazine *Ethics* (Gibney 2015: 452f).

Shacknove notes that in fact there are dozens of definitions of who is a refugee, as most states have municipal definitions, which tend to follow the construction of the UN Convention. Those concrete definitions implicate ideological ideas, which arose from historical events. For example the notion that there has to be a bond of trust, loyalty and protection concerning a citizen and a state:

“With the proponents of the current conception of refugeehood, I take as my point of departure the assumption that morally (if not in fact) a normal, minimal bond of trust, loyalty, protection, and assistance has always existed between virtually every human being and some larger collectivity—be it clan, feudal manor, or modern state—and that the refugee is spawned when these minimal bonds are ruptured.” (Shacknove, 1985: 277f)

The definition of refugees is therefore not a natural and given fact but an outcome of different kinds of societal organisations in combination with (national) perceptions. In the case of a refugee, persecution and alienage are the physical manifestations of this severed bond, which are the necessary and sufficient conditions for determining refugeehood. Shacknove is convinced that there exist many forms of the negation of society, not just persecution and alienage. Talking about a *normal* positive relation between citizens and the state, from his point of view the purpose of a state is the reduction of each person’s vulnerability, in order to provide safety within its borders. Behind this fact posits the idea of the existence of a *normal* relation of rights and duties between citizens and the state. If different nations handle asylum policies differently, who says what has to be the right way of dealing with this issue and what is thereby considered as ‘normal’? Moreover, if this *normal* relation is interrupted, why is there a moral requirement for international help? Is there also a *normal* positive relationship between refugees and foreign states? Considering this, Shacknove sees refugees as victims of states that failed to protect the refugees’ *basic needs* (Shacknove 1985: 275ff).

“Refugee status should only be granted to persons whose government fails to protect their basic needs, who have no remaining recourse other than to seek international restitution of these needs, and who are so situated that international assistance is possible.” (Shacknove 1985: 284)

Meaning the same thing, Gibney talks about human rights instead of basic needs:

“[...] I propose to define the refugee here as someone who requires the substitute protection of a new state because their fundamental human rights cannot or will not be protected by their state of membership or usual residence.” (Gibney 2015: 452f)

From a moral, humanistic point of view⁸, a person needs and deserves international protection from another state if he or she is treated inhumanely. Gibney considers here that human rights are something fundamental and globally applied. He might be well aware that this is not the case in reality. Still, he believes in their positive moral outcome and fights for holding on to them. Therefore, the protection of a new state is required by a refugee. A state, in his opinion, has the responsibility to serve this protection as this is what has been decided in the Geneva Convention. Applying to the asylum law, one state has to take this responsibility if the person who needs protection is within this state's borders (or where the first finger print has been documented).

The following, rather short part "What is a fair share?" is about the idea of determining fair shares between the states, such as strict numerical equality. Another one is the consideration of the GDP, meaning richer countries could receive a higher number of refugees. Another possible solution would be the right proportion of refugees compared to the population. Gibney suggests the non-inclusion of subjective factors of states' integrative abilities, like the experience of hosting non-citizens in the past. This, in his mind, would be impossible to measure objectively. Here he is theoretically looking for nomothetic regularities, which are practically not easy to find (Gibney 2015: 456f).

"What is owed to refugees *qua* refugees?" deals with the idea of a just system for states with respect for the moral claims of refugees. To deal with this issue, an agreement about the challenges above would be necessary: "Let us suppose we can reach agreement on a normatively defensible refugee definition and that we can construct an account of fair shares for each state." (Gibney 2015: 457) This demonstrates the ideology behind Gibney's imaginations. It is not a scientific consideration of cause and effect – which will be the case in Part III – but rather a desirable aim. For achieving this aim, he is asking for further actions:

„The provision of access to a secure asylum is the minimal and most important duty of the international community. But states also have a duty to look for ways to settle refugees in countries where they are likely to flourish." (Gibney 2015: 459)

Who is this "international community" and why is it the most important duty to provide access to secure asylum? By comparing this topic with a child who wants to be adopted, Gibney is asking that a refugee's cultural and social background like the child's personal experiences and

⁸ For further explanation go to page 38-39.

background should be considered. In this sense, Gibney sees the state as the new parent of a refugee, who should be culturally conducive with the new “family-member” and provide protection. The new home should be chosen on an individual level. This way, integration would be easier, as refugees could choose their future residence and select one, which offers the correct resources in order to satisfy the social needs. Concerning the comparison, children who are going to be adopted are not necessarily asked beforehand, while in some cases they are indeed still too young to actually understand the impact of their decisions.

“This broader sense of what refugees have lost is relevant to how we conceptualise asylum as reparation. If asylum is a form of compensation for the losses incurred because state malevolence, negligence or ineffectiveness, then, ideally, it should offer the refugee not only physical security and basic rights but also a place where she can rebuild a meaningful social world.” (Gibney 2015: 460)

Not only should a state provide protection and serve the “right cultural aspects” of life, a state should compensate losses in a sense of “reparation”. When looking at the current developments, a refugee being able to “rebuild a meaningful social world” sounds more like the end of a fairy tale than a possibility coming true at some point in the future. The receiving state should take care of all the asylum seekers and make them live happily ever after. This ideological wish is partly coming from a movement of postmodernism in the mid- to late-20th century. The idea of moral relativism comes into play and in this sense also the tendency for empowering the objectives to become subjectives:

“Certainly, the refugee is probably best positioned to judge the country where they could best rebuild their social world or integrate successfully, particularly if provided with appropriate information on destination countries.” (Gibney 2015: 460)

In this quote, Gibney is empowering refugees to freely choose their destination country. In the case that there are some states which are favoured by refugees, for Gibney financial help could be the solution. He is not talking about unfair distribution at this point – when one destination country could be favoured, leading to social and cultural instability as result – although this is the article’s main topic. Regarding financial help, which he suggests could be provided, some European countries such as Greece and Italy already received big amounts. Still the situation is far from organized, rather what we would call inhuman. Therefore, although they receive financial help, the situation is not considered an example of fair distribution. Money would not change the social and cultural situation in the form as he describes it here. His idealised way of

looking at things are again not realistic or practically useful. Rather, Gibney seems to contradict himself with this – as pointed out – with giving easy solutions himself.

So what exactly is this fair distribution of responsibility for refugees, which data is necessary in order to find out if it exists and who decides what to do if it does not? In his conclusion, Gibney realizes that the solutions he tried to find cannot be implemented that easily under the constraints of political reality:

“Governments are unlikely to embrace a broader definition of a refugee than is currently offered in international law; richer states that are largely unencumbered by large numbers of refugee claims are likely to contest the criteria on which refugees should be distributed; and those states that feel that they would be popular destinations for asylum by refugees will be unhappy with an arrangement that allows refugees much choice in where they will settle.”
(Gibney, 2015: 461)

If he, himself sees little chance in realizing his unspecific and broad solutions, why does he not come up with feasible, manageable solutions? Or, instead of trying to come up with easy solutions for high complex phenomena, why does he not first try to understand the causes and effects of massive movements on a higher level, in order to understand the individual movements of people from one part to the other part of the world? I will now come to the part that outlines which methods are useful, and which knowledge is necessary in order to get answers for similar concerns and therefore to examine specific social phenomena.

Is offering ideological solutions enough?

Scientific findings are the product of thinking and theorising within different academic spheres. In order to understand why some realizations about similar topics might vary, or completely disagree with each other, it is necessary to have a look at the paradigms behind the theories.

“Science is a technique for acquiring factual knowledge that combines the fundamental principles of logical analysis with practical guidelines for evidential appraisal. Science begins by employing the logical rule of falsifiability to recognize the distinction between emotive and propositional claims (between statements of value and statements of fact, in other words) and then utilizes the rule of public verifiability to recognize the distinction between subjective and objective perspectives [...]” (Lett, 1997: 41)

James W. Lett, American anthropologist, explains the basic outlines about what science is. One can already forecast here that Gibney is not using a scientific approach but rather – as pointed out in several examples – an ideological one. As has been shown, Gibney is trying to understand certain arts of social intercourse between citizens and refugees, while he examines states and their ability and willingness to integrate refugees and asylum seekers. In order to realise why he could not come up with a feasible solution, despite the fact that he examined this matter for several years, it is important to have a look at the paradigms laying behind his research. A paradigm, an abstract guideline for research, consists of various principles with certain set of rules. Scientific findings – or at least so-called – can be achieved by following certain guidelines of principles and assumptions. How research is conducted and the results one ends up with depends on these principles. Some authors are referring to more than one paradigm, sometimes even within one article, one theory.

“As an analytical tool, the paradigm shows how to combine different approaches dealing with different topical questions, with both causes and effects [...] with different time frames and levels of analysis, and with both system and process.” (Ferguson, 1999: 390)

Another definition given by Egon Guba and Yvonna Lincoln says that:

“A paradigm may be viewed as a set of *basic beliefs* (or metaphysics) that deals with ultimates or first principles. It represents a *worldview* that defines, for its holder, the nature of the “world,” the individual’s place in it, and the range of possible relationships to that world and its parts, as, for example, cosmologies and theologies do.” (Guba & Lincoln, 1994: 107)

To have a better understanding about Gibney and his way of researching, I will have a look at four of these principles, called the epistemological (**EP**), methodological (**MP**), ontological (**OP**) and the theoretical principle (**TP**). Through realizing the paradigm(s) behind Gibney’s

research I will show why the outcomes of his research were ideological – and impractical – rather than scientific and applicable.

EP / MP / OP / TP

For the first principle, in what a scientist is referring to as his ‘subject of matter’ it is important to understand his/her *point of view*. The **epistemological principle** is thereby related to the approach a scientist takes – it asks **how one is examining a certain phenomenon**. The question asked here is, from which point of view, or concerning which principles is Gibney writing about the distribution of responsibility for refugees between states?

Behind Gibney’s ‘moral-driven’ effort to achieve changes in the distribution of refugees through his analyses, is the **epistemological principle of humanism**. Under this principle, human beings occupy a separate ontological realm, which coming to later, meaning that it can only be understood properly in its own terms. Knowledge can be gained through self-reflection on language and the environment (experiences, interactions). Humans cannot be fully explained by natural science nor theological science. For Gibney therefore, reality is mentally constructed, meaning that human beings have their own minds and free will to change habits.

“Humanists have long shared a commitment to the idea that man himself, the human subject—understood as man’s consciousness and will—is the originator of human actions and understanding. The notions of individual freedom and individual responsibility, and the philosophies that support them, have long been based upon it.” (Windschuttle, 1997: 134)

Instead of trying to *explain* the reason behind certain circumstances concerning refugees and their treatment within states, he criticised the circumstances which have already occurred, therefore he tries to understand them in his own way and *change* them in the way he sees fit. As mentioned earlier, Gibney was writing about problems concerning equal distribution between states and morally correct treatment of refugees subjectively. Over fifteen years he was trying different approaches to solve similar or even the same problems with more or less similar strategies. For him, changes within states are mind-dependent, as they are ruled by and consist out of humans. He is convinced that human beings themselves can and should change habits, as they are responsible for themselves and – in a way – creating their ‘own’ world, separated from natural forces. The own mind is more powerful, then for example biological needs.

Gibney also wants to ensure that there will be a change in the distribution and treatment of

refugees: A refugee, as a vulnerable human being, should have the free will and the right to live securely. In some of his articles he talks about the problem of the deprivation of citizenship, which prevents state-less people from having access to a secure place. States are, in his opinion, responsible for protecting each individual, which is living within its borders. If this protection cannot be provided, international help is required. This is not a realistic possibility but rather an ideological wish. Instead of talking about facts, and trying to examine them from a scientific point of view, he is making proposals in order to provide for an equal share and fair treatment of refugees between and within states. Demanding change on a political level is typical for a humanism point of view. As mentioned above, humanism is a philosophy, which believes that the human subject is completely self-conscious and acts in an autonomous way according to reason. While in a scientific approach opinions are unimportant, humanism is a way of looking at things from a personal point of view and therefore also talking about personal concerns. Several times, Gibney was trying to give solutions, for example to use the principle of humanitarianism (Gibney 2015: 450).

To sum up, when Gibney is morally questioning state's way of 'treating' refugees, he is not doing scientific research but rather ideological research. Driven by the ideology of having human rights (which are themselves not static), refugees should therefore be protected by any state, while Gibney is trying to find ways in order to achieve justice and equality.

EP / **OP** / MP / TP

Connected to the epistemological principle is the **ontological principle**, which explains how a scientist views their subject/object of matter. It tells us **how a scientist is referring to the subject/object** when doing their research. In a way, the ontological principle describes what a scientist perceives as reality. The most important distinction made here is between animals and the human species – between inorganic plus organic (nature) versus superorganic (societies). On the one hand, if one makes a qualitative distinction, human beings are seen as something superior to animals, defining them as something unique, while the uniqueness of other species are deemed worth less. This is what Gibney is doing. On the other hand, human beings are seen as not gradually superior but rather quantitatively different, like the American anthropologist Leslie White mentions:

“[...] there is a *fundamental* difference between the mind of man and the mind of non-man. This difference is one of kind, not one of degree. And the gap between the two types is of the

greatest importance—at least to the science of comparative behaviour. Man uses symbols; no other creature does. An organism has the ability to symbol or it does not; there are no intermediate stages.” (White, 1949: 25)

Human beings are therefore able to use symbols. They have specific words being both, signs and symbols, with specific meanings.

“The difference between the behaviour of man and other animals then, is that the lower animals may receive new values may acquire new meanings, but they cannot create and bestow them.” (White, 1949: 29)

As already mentioned Gibney believes that human beings possess free will and are not necessarily driven by any higher power or senses. He sees humans as something superior compared to animals and does not make a link between human beings and natural facts. He believes, human beings are independent from external influences and can (or should) solve their problems on their own. In this sense, the superstructure would determine the basis. The nature is determined, not the other way around, as human beings are have a free choice: Either a state wants to help refugees, or it does not. Gibney is looking into states’ ability and willingness to incorporate refugees, asking about the morality of actions concerning refugees criticising how it is dealt with internationally. It has nothing to do with a scientific explanation of why certain conditions arise, but rather with his subjective interpretation of global actions and what has to be changed in the future. He is explaining socio-cultural phenomena by examining individuals and not by looking at a society as a whole. This leads me to the methodological principle, which is interwoven with the ontological and epistemological principle (White, 1949: 29).

EP / OP / **MP** / TP

If we assume, like Gibney, that human beings possess free will, their decisions have to be circumscribed by their mind. Each individual is defined as a crucial unit of an analysis in order to explain sociocultural behaviour. Linked to this is the thought that a society is nothing more than the sum of its parts, of its individuals. It lacks its own dynamic, nothing is happening out of any other reason than human mind. The **methodological principle** behind his thoughts is **methodological individualism**. From this perspective, Gibney views human beings as individuals, being aware of their actions and therefore also being aware of every detail of the inequalities between states. Being conscious of the responsibility for helping refugees is based on the idea of a human mind and above that cultural patterns which lead those minds. In his opinion, the problem concerning the inequalities in the distribution of refugees could be solved

if states wanted to. For this reason, human beings and their social problems need to be analysed differently than other natural phenomena. Instead of analysing cause and effect of specific circumstances, and trying to describe social phenomena, his analysis is focused on understanding the circumstances, navigated by moral rationality, meaning that states have moral obligations for refugees and a free will in supporting them. How Lett would call it, Gibney is giving 'statements of value' next to trying to find different solutions. He is not interested in providing information which can be either falsified or verified, for which it would be necessary to also examine the whole system and not just each part separately (White, 1959: 210).

According to White, any system, also human society is characterized by order and regulation. He is asking questions about the system's control of the behaviour of individuals, in order to bring uniformities and differences. For example, there exist differences in the behaviour of different gender, to which the system must articulate in order to make the different parts work with each other. Thereby, the system is establishing and maintaining itself as a 'smooth-working, effective functioning whole'. Considering the whole of an atom, there are three things working together: 'the kinds of parts, the number of each kind, and the configuration in which they are placed and organized into a coherent whole'. There has to be explained both, the atom as a whole with reference to its parts (White, 1959: 2010).

If one has a look into a society as a whole and also examines relations and connections between the individual parts, it is called methodological holism. Therefore, the basis determines the superstructure. For example, an individual being raised in a capitalist system thinks capitalistic and is thereby shaped by the system. The superstructure of a sociocultural system determines and forms the participants minds and behaviours, such as by rationalisation, people endorse the infrastructural premises and act to conform and survive (Begemann, 2016: 37f)

The organism is in this sense not necessarily dependent on every single individual. Rather, it is an entity of its own. In this sense, understanding the members of a society separately is not leading to any scientific fact, but is rather explaining psychological and sociological facts on an individual level.

“Thus there is a difference in how individuals act to how groups do. As organic (biological) organisms refer to different laws as inorganic (physical), they also refer to different laws as superorganic (cultural) ones. Therefore societies and other accumulations of related human beings cannot be analysed in the same categories; nor can individual faculties like emotions,

abilities, etc. hold good for whole societies. If, furthermore, the human condition would depend on individual faculties, based e.g. on biological universals, those must be proven in the ethnographic record. But no biological universal concerning human interaction is proven cross-culturally; the example of the 'homo economicus' quoted above points to this as well. Phenomena of human interaction thus cannot be explained in terms of individual, biological groundings. They must be explained in methodological holistic terms. This denies the relevant influence of 'mind', 'free will' or other individual, idealistic factors." (Begemann, 2016: 39)

EP / OP / MP / TP

The theoretical principle, also called the causality principle, **explains how a specific phenomenon occurred**. It questions the **relationship between cause and effect**. Gibney is writing about refugees and states from a **moral rationalism** point of view, which belongs to the theoretical principle of **idealism**. Gibney, seeing states as self-aware actors, who possess moral obligations for non-citizens:

"The *moral importance* of providing asylum to refugees has been one point of agreement amongst political theorists during a lively debate on the morality of immigration controls in recent years. Even scholars who defend the right of states to control their borders to human movement typically accept that this discretion is limited by *obligations to refugees*, whom states are *morally obligated* to admit to their territory. [Italics added]" (Gibney 2015: 448)

His arguments revolve around psychological ideas regarding the good and bad treatment of refugees. According to Gibney, states are deliberately devising new measures designed to prevent the arrivals of refugees to their territory, such as visa controls, carrier sanctions and interdicting them at sea. He has been mentioning these measures since 1999, and yet still not questioning why a state is implementing them from a macro-sociological point of view. Instead of examining cause and effect related to these measures, in order to realise why a state implements them - for example in order to maintain the inner order - he is accusing the political decision makers within these states of taking the *wrong* course of action. The 'bad' cause of the new measures put in place are having a 'bad' effect on refugees as individuals. There seem to be several reasons why immigration has become harder, one of them, Gibney states, might be the unfair allocation of responsibility for refugees between states, especially between the Global South and the Global North. The process of immigration and distribution of refugees seem to be a ethical question of the willingness and readiness of states to incorporate non-citizens into their territory. Gibney assumes that states are more or less actively and consciously trying to stop immigration through political actions, especially those who are confronted with a high

number of new arrivals. It is supposed that the reason behind the effect of trying to stop immigration is a moral one triggered by an unequal distribution. This includes a judgement of states who are (not) providing asylum to refugees, which is for Gibney clearly not within the meaning of human rights (Gibney 2015: 461).

At this point it is necessary to ask what human rights are, if they are nomothetic, meaning verifiable or falsifiable? The scholarly discipline related to the history of human rights is rapidly expanding. This discipline is split within itself, as there are various contenders with different proponents says McCrudden, professor of Human Rights and Equality Law at Queen's University Belfast. According to her the debate is between continuity and rupture, questioning the past uses of human rights, as well as new forms and kinds (McCrudden, 2015: 180). At the moment there exist two competing human rights narratives, which McCrudden calls 'orthodox' and 'revisionist' narrative. The first one concentrates on the 1800s until the 1970s, where the second narrative picks up. After the Second World War, through an increasing recognition of the Holocaust, the diffusion of human rights were culminated in a set of internationally-binding legal instruments. This became the worldwide basis for how states should behave internally towards their citizens, as well as externally towards others. "Not surprisingly, therefore, the scope of what we consider to be protected as human rights will expand as we develop a greater understanding of what it means to be human." (McCrudden, 2015: 182f).

If we consider McCrudden thoughts, in order to understand human rights, we also have to understand what it means to be a human being. As already mentioned, there has been an observable shift, from certain common characteristics in the 1800s, to new human rights in the 1970s. Before this shift, rights appeared only through the state, through the construction of citizenship – in which rights were accorded and protected – and nothing else was above it. Concerning the declaration of rights back then, they had a local rather than universalistic meaning, deeply bounded up with the construction of state and nation. The rights of man were incorporated in the state itself:

“[...] the rights of man always went along with the propagation of national sovereignty as indispensable means, entailed precondition, and enduring accompaniment.” (McCrudden, 2015: 184)

Concerning the rights of man and the further progress leading to human rights in general, not only citizens are granted rights, also non-citizens. Therefore, the inclusion of non-citizens is

seen as good/right, rejecting them as bad/wrong from this point of view. So much to the theory. In real life, however, the situation is different. Part III will show the constant ignorance or rather the constant violation of these laws, with Greece and in particular the situation on its island as example.

The table down below lists up the principles outlined above and here a short summary of what can be summed up about his researches. Gibney is examining refugees as parts of a unit but does not examine the society as a whole. Therefore, he is convinced that the superstructure determines the basis. It shows his idealistic point of view and in particular his moral rationalism. Summing up the analysis on Gibney, his epistemological principle is humanism, as the author tries to cause changes through his analyses. The reality, for him, is mentally constructed: Humans have their own minds and free will to change habits. The methodological principle is so-called methodological individualism meaning that each individual is considered separately and the society is not examined as a whole. This is connected to the ontological principle, as human beings should be analysed differently than other natural phenomena. Last, Gibney explains the cause of inequalities between the distribution of refugees through the failed responsibility of states fulfilling their moral duties, which is an idea of moral rationalism, a theoretical principle of idealism.

EP Humanism: - Free will & Human mind - Giving subjective solutions - Trying to change refugee policies (on a political level)	OP - Refugees considered as individuals with universal human rights - States considered as actors, morally obligated to give safety
MP Methodological Individualism: - Each refugee should have the choice to choose where to live	TP Idealism: - Psychologism - Moral rationalism - Good/Bad nation state is helping/not helping refugees

The research conducted by Gibney is relevant to my thesis, as he discusses the need to change asylum policy with consideration of countries that receive disproportionate asylum applications. Such a country is Greece, being in a geographically vulnerable position. His thoughts and approaches are opening up new discussions about an arising situation, a situation in which some countries are placed under more pressure than others. In order to release some of this pressure, theoretical thoughts and ideological wishes are a first step to realise different problems. It is one task to philosophize about future possibilities for a more organized and structured asylum policy, in order to realize different problems. It is another task to write about this topic from a scientific point of view, in order to realize and improve the current situation realistically.

What about refugee rights vs. national interests?

The second analysis will examine Christina Boswell's work, who, as mentioned in the first section, was influenced amongst others by M. Gibney. Boswell's interests are centred on political philosophy and refugee policy in combination with ideas on liberalism and international relations. This focus emerged partly during her three years working on the refugee 'policy scene' and one year working as consultant at UNHCR. Another reason why she was becoming increasingly interested in the topic of liberal theories concerning asylum policy was her experience of eight months working with Rwandan refugees for UNHCR in Burundi. This experience deeply influenced her thinking on a range of political and ethical issues, as she explains in one of her books (Boswell, 2005: Preface).

Boswell is a Director of Research for the School of Social and Political Science at the University of Edinburgh. With her paper *Refugee Policy and the Limits of Liberal Universalism* (2001) she graduated as Doctor of Philosophy at the London School of Economics. Before that, she did her bachelor at the University of Oxford (1990) and her master at the College of Europe (1993). Her research interests are the relationship between knowledge and public policy, with a special focus on the production of the use of knowledge concerning immigration and asylum policy. Theories she refers to are, for example, liberal political universalism and organisational sociology, as well as moral motivation. Next to her position as a professor, she founded and co-directs a Centre for Science, Knowledge and Policy (SKAPE). This Centre brings together scientists from different departments, such as Politics, Sociology, Law and Business. Until summer 2016, she was leading an ESRC-funded project which explored the determinants and effects of different monitoring practices across three different policy areas: climate change, defence procurement and immigration policy (University of Edinburgh, 2018).

Before analysing *Refugee Policy and the limits of liberal universalism* in depth, I want to mention three of her other works, which will be included in the following analysis. In *The Ethics of Refugee Policy* (2005) Boswell continues the topic of her Ph.D. which has some connections to Gibney's thoughts. In this book, Boswell is concerned about the question of liberal universalism and the problem of feasibility of implementing human rights worldwide, in particular concerning the protection of refugees. One reason for her research at the London School of Economics and Political Science (LSE) in the International Relations Department from 1997 until 2000 was because Boswell wanted to ask for a more generous asylum policy

in general, which should fulfil individuals' interests, regardless of whether they were national or international interests. Another book where she is concerned about a similar topic is *Migration and Mobility in the European Union* (2011) which she published together with Andrew Geddes. In this book, the authors are conceptualizing the patterns of migration flows since the end of the Cold war, while referring to political and policymaking processes at EU level and amongst EU member states. Finally, in February 2018 she published her monograph book titled *Manufacturing Political Trust. Targets and Performance Measurement in Public Policy*, which is about different performances, measurements and productions of trust used by governments. These measurements, she states, have led to a certain distrust between politicians and civil servants, which Boswell shows by an in-depth analysis of the UK's targets on immigration and asylum since 2000 (University of Edinburgh, 2018).

In her works, especially in *Refugee Policy and the Limits of Liberal Universalism* and in *The Ethics of Refugee Policy* there is one core aim, which is fighting for refugees' rights through examining and sentencing liberal universalist theories and their practical feasibility. In order to do so, Boswell splits this topic into three different parts. The first one being an analysis of the history of origin of liberal universalist theories compared to other rather right-wing theories. The second part is a discussion of the problem of moral motivation of liberal democratic states and as a result the dichotomy of national interests and refugee rights; and the third part is suggestions for some implications within refugee policy.

More accurately, she started to focus on liberal universalist theory and the problem of the practical feasibility of providing duties to refugees by receiving states. She considers this universalist moral or political theory as:

“[...] one that gives equal weight to the interests or well-being of all human beings. Thus whatever the theory's conception of the good or the conditions for human well-being, it will start from the premise that every individual has an equal moral claim to this good and/or the means for pursuing it. Universalist theories are based on an assumption of the moral equality of human beings. This implies that the morally relevant characteristics of human beings are those which are universally shared, for example the capacity for reason, or interest in maximising pleasure. A radical or 'thick' universalist theory will assume that the only morally relevant features of human beings are those that are universal. The theory will give equal consideration to the interests of each individual, regardless of their particular characteristics, ties, or other non-universal features.” (Boswell, 2005: 35)

While examining the relationship between duties to refugees compared to duties to fellow nationals, she claims that liberal universalist theories have a lack of moral motivation and are

at risk of being counter-productive as they impose ethical demands. She shows this by using the philosophical theory of motivation and the theory of the psychology of moral development. Continuing this line of thought, she developed her ideas in the book *The Ethics of Refugee Policy*, which was published only four years after her graduation. Here she is continuing to find a solution for the question of the discrepancy between meeting refugees' rights while fulfilling the national needs within the destination country.

“Most commentators characterise the crisis as a conflict between refugee rights and national interests, especially in cases of mass refugee influx. Granting asylum to large numbers of refugees is considered to impose a financial and political burden on receiving states, running directly counter to their national interest.” (Boswell, 2001: 6)

Boswell is convinced that this problem has other explanations, which have to do with a lack of moral motivation and thereby having the wrong approach for helping refugees. It is not perceived by states as helping their own nationals while helping refugees but on the contrary, helping non-nationals is considered as working against their own nationals. Herself being motivated to change current refugee policy into a more responsible and fair policy, she considers the fulfilment of refugee rights as one of the moral duties of states and their neglect as not fulfilling their obligations. As already mentioned, she is referring to the liberal universalist theory, which argues for the moral equality for all human beings, independently of their nationalities. As her aim is to fight for a more generous asylum policy, it is necessary for her to consider this, although criticising the lack of consideration for nationality in other terms. In her opinion, neglecting theoretical differences considering this equality, the practical feasibility of fulfilling moral duties to refugees is less likely.

“Starting from a premise of the moral equality of all individuals, pure liberal universalism denies the moral relevance of nationality and other characteristics that are not universally shared. And - unless liberal theorists can find practical or instrumental arguments for diluting this universal commitment (which many of them attempt to do) - they proceed to derive theories of duties to refugees that seem hopelessly unfeasible. Consistent liberal universalist theories produce normative prescriptions that are at best utopian, at worst counter-productive to their own ends.” (Boswell, 2001: 7)

As the above quote shows, she is actually facing the inherent problems that come with liberal universalism theories in that they are mostly utopian and therefore hardly feasible. Nonetheless, she defends and trying to revise these theories. The two key sections of Boswell's Ph.D., “Critique of Liberal Universalism” and “Constructing a Non-Rationalist Account”, contain the same findings and claims as the chapters “The Origins of the Crisis in Refugee Policy” and

“Liberal Universalism and the Problem of Feasibility” in her book from 2001. In those chapters, Boswell defends liberal universalism, as she fears this theory is becoming more and more irrelevant to political discussion, which is leading to an even more insecure status for refugees within Western States. As well as this, she is concerned about other theories, like those of nationals or communitarians being taken from the “left place” and put to the “right side”.

“Thus while I am deeply critical of the liberal universalist failure to recognise the importance of community, it is not my intention to abandon notions of refugee rights. I am broadly sympathetic to the liberal universalist normative agenda of promoting refugee protection in liberal democracies [...] Indeed, it is precisely because of this acknowledgement of the ethical force of the commitment to refugee protection that I am keen to salvage liberal universalist prescriptions from their more extreme nationalist and communitarian critics. But I believe that the best hope for rescuing liberal universalism is to significantly modify a number of its underlying assumptions. (Boswell, 2005: 5)

In an attempt to “save” this theory, she wants to reveal misleading assumptions first and offer an alternative account next, which should be a theory including moral agency and motivation. Boswell argues that nations take historical examples of failed attempts to accept and integrate refugees as a kind of warning sign, which in turn explains the lack of nations that offer protection to refugees on moral grounds. In her book *The Ethics of Refugee Policy* this topic is covered in chapters 4-6, and in her Ph.D. through chapters 5-7.

Other authors who have made similar contributions to the debate about liberal universalism are Charles Taylor, Mervyn Frost, Jürgen Habermas and Andrew Linklater. Some of them theorized about the practical problems and theoretical values of pluralism and the possibility of constructing an international community with shared values. While the other authors tend to go in another direction (such as questioning identity and society as a whole, as well as specific norms and cultural diversity per se), Linklater was concerned about the relationship between ethical duties to nationals and non-nationals, similar to Boswell herself. Through his researches, new linkages could be drawn between political theory and international relations. In the introduction of his book *Violence and Civilization in the Western States-Systems* (2017) he found that “The level of domestic pacification had increased in European societies over recent centuries, but the tolerance of force in relations with enemies had not been significantly reduced.” (Linklater, 2017: 1). Talking about marginalization and problems with inclusion and exclusion, he is facing the issue from the perspective of sociological enquiry. His findings will be of special significance for the third part.

According to Boswell, he is missing philosophical and psychological analysis of moral agency and motivation, which are her major concerns. Addressing this, she describes her aim as a practical and theoretical one:

“Its objective is therefore two-fold: to advance theoretical understanding of moral agency and motivation in liberal theory; and to help motivate a more generous policy towards refugees in liberal democratic states.” (Boswell, 2001: 12)

Seeing it as a ‘crisis of the refugee policy’ Boswell states that international refugee law and the liberal universalist model have been more vulnerable to attack in the last two decades, visible through the increasingly restrictive asylum policy. Instead of analysing the progress of these policies, asking what led to those changes, Boswell is criticizing liberal democratic states for putting the national needs and interests on top, before considering refugee rights (Boswell, 2001: 12).

“These critics of state practice invoke international refugee law as the ethical standard for evaluating refugee policy, basing their normative prescriptions on universalist theories of individual rights. On the other hand, states tend to draw on notions of national interest to justify restriction. They claim that national economic, strategic and social goals take precedence over duties to refugees.” (Boswell, 2001: 13)

Boswell is calling these two perspectives “nationalist” (duties for the nationals at first hand) and “universalist” (duties for those who need it most, no matter what nationality). Unlike most academics or governments, for her these two sides are not incompatible per se. In other words, the problem is not the conflict of putting through the rights for refugees and meeting national interests itself. Rather, Boswell claims, it is causing trouble just because this dichotomy is set independently of one another:

“The claim is that the inability to adequately conceptualise the problem of refugee rights is symptomatic of a deeper, unresolved tension in liberal theory regarding the relationship between universal and particular duties. This inadequate conception originally shaped, and now serves to constrain, the debate on refugee policy [...] Namely, the assumption that there is a dichotomy between a personal, particularist perspective, which comprises personal characteristics and interests, as well as particularist social ties, values and beliefs; and an impartial, ethical perspective which is abstracted from these particularist elements, and which should serve as a constraint on the pursuit of self-interest.” (Boswell, 2001: 22)

Boswell is arguing that the enforcement of national interest is used in a way to ensure nationals are helped first and - if possible and profitable - supporting the others. To change this way of political thinking and acting, she is looking for an alternative way of conceptualising the

relationship between national interests and refugee rights. In this sense, she sees these interests, no matter if they are individual, national or transnational, dependent on broader ethical considerations, not just on nationality but it seems she is rather considering the theory of territory – a refugee aiming to come to Europe should be supported by doing so, as soon as the state can help. The increased commitment to ethical values would create implicit norms and expectations about what is wanted or needed. Drawing on psychological theories of moral motivation, Boswell is convinced that if an ethical stance is adopted then practical aims such as a more generous refugee policy will be achieved. If the dichotomy of “nationalist” versus “universalist” would break up, she believes, alternative policy approaches could be uncovered, which allow liberal democratic states to meet the needs of refugees and nationals at the same time:

“My aim is rather to question whether it is both descriptively accurate, and politically expedient, for proponents of refugee rights to accept in sharp distinction between ethical concerns and national interests. In other words, is it an adequate characterisation of the relationship between the interests of compatriots, and duties to non-nationals? And, if not, is there an alternative way of conceptualising this relationship, that avoids the descriptive and practical shortcomings of this trade-off characterisation?” (Boswell, 2005: 8)

In the following, her attempt of dealing with these questions will be outlined, before showing the paradigms behind her approach.

Thoughts about 'liberal universalism, particularism and the problem of feasibility'

Boswell assumes the failure of liberal democratic states to provide support to refugees is partly due to the false political conception of universal liberal ethics and the resulting tendency to pretend to act primarily in the best interest of nationals. To be able to find out why the practical application of universal rights concerning obligations to non-nationals is mostly unfeasible, a Boswell traces the historical emergence of rights. Fitting her theory, Boswell lines out two evolutionary transformations; those are the rise of nationalism and its form of community in the nineteenth century, leading to nation based interests; as well as the changing nature of mobility together with changes in the asylum procedures in receiving countries. In the past, liberal political theories rarely recognised duties to non-nationals. Early forms of particularist and nationalist theories did not clarify the notion of controlling immigration. The notion of equal rights in political thought may have existed but there was a failure to apply them with regard to non-nationals (Boswell, 2001: 36-38).

“While such an historical approach is not the main focus of the thesis, as I argued in the Introduction, it is nonetheless important for helping us grasp the distinct nature of the current conception of conflict, demonstrating its fluidity, and suggesting possibilities for changing it.” (Boswell, 2001: 36)

Boswell analyses how the conception of both theories, the “universalist” and “particularist” have shaped responses to refugee influx within Europe. She considers factors such as domestic economics, international political considerations, and the influence of nationalist and liberal political thoughts in the history of European refugee policy before the twentieth century. The “universalist” set of theories include various conceptions of human rights, international justice and universal duties, tending on liberal conceptions of universal rights and international justice to justify their claims. Being different in its philosophical foundation and practical implications, particularism rejects the premises of these liberal theories, and rather concentrates on the local or particular, which is usually a community or nation. Duties to fellow nationals are placed higher above obligations to non-nationals and as the refugee problem itself escalated, the conflict between the two theories intensified. In other words, in periods when immigration and refugee flows were not considered as problematic but rather beneficial (e.g. labour migration of skilled workers), the question of duty to offer support to refugees and its conflict with national interests did not arise (Boswell, 2001: 37).

Other than that, Robert James Martin Wight (mostly just called Martin Wight), one of the most profound thinkers of international relations in the twentieth century (Porter, 2007: 783), identified not just two but three different, as he calls it, “traditions”, being the *realist*, *rationalist* and *revolutionist*. Those are related to the subjects of international anarchy, institutional intercourse among states and the idea of a society of states. Being primarily historian, Wight came up with his theory through analysing past ideas about international relations compared to those of modern states (Bain, 2014: 943).

“Wight speculated that the ancient Greeks and Romans appear to have had little or no conception of ‘international ethics’ that restrained violent harm. He highlighted the differences between the states-systems of classical antiquity and the modern international order where moral sensitivities to the use of force appear to be more developed.” (Linklater, 2017: 1)

Wight is seeing a lack of ethics concerning other nationals in the human history in general, also Boswell describes a similar development. She is giving a brief history of rights and how conceptions of the refugee problem - as it emerged in the twentieth century - has shaped the current conception of a conflict between universal duties and particularism. Individual rights were in early Roman law defined by the concept of “*ius*”, which originally denoted the objective right being good or fair, and became subjective in mediaeval natural law theories. The definition of the term *ius* extended in the twelfth century, concerning the meaning of property and later in the fifteenth century concerning freedom. At that time, the discussion was a theological debate about the natural rights of slaves. In the seventeenth and eighteenth centuries, the emphasis on law of peoples shifted to a preoccupation with questions of national politics and the role of the state, mainly focusing on the problems of political legitimacy, property rights and civil liberties of citizens. The scope of political rights was limited in classical contract theories and therefore without explicit implications for duties to the nationals of other countries (Boswell, 2001: 38-42)

“These limitations in scope were echoed in the American and French declarations on the late eighteenth century, and went largely unchallenged at the national level until political mobilisation of the working classes and women’s movement in the nineteenth and early twentieth centuries.” (Boswell, 2001: 42)

From the seventeenth century, liberal political theory was dominated by national concerns, and rights were primarily instruments for ensuring the right balance of freedom and state interference, meaning property rights. The central problem was regulating the conflict between states, rather than ensuring the rights for all individuals. Concerning national politics in

Europe in the seventeenth and eighteenth century, women and “non-civilized” cultures did not have the same rights as men. Men were seen as equal in power and reason, and therefore provided with civic rights. Women were seen as passive providers and in some other cultures were not even perceived as human beings and therefore remorselessly enslaved. Therefore, questioning the rights of non-nationals was rather irrelevant, and more than simply being irrelevant, in the nineteenth century, some more progressive liberal theorists saw colonization and the forced spread of civilisation as beneficial rather than damaging. Next to political thoughts, Christian notions of charity and obligation influenced thinkers like Locke, Rousseau and Kant. Rights were derived from duties to God rather than in human interests, “in the case of Wight it was God's plan for the world as revealed in Christian eschatology.” (Porter, 2007: 783). Also, the Greek philosophy of “positive freedom” had an influence on Rousseau, Hegel and Marx (Boswell, 2001: 43-45).

Later on, in the early twentieth century, social and economic changes shifted the history of liberal thought, an event called the “Keynesian moment”. With “New Liberalism” the link between socio-economic equality and liberty led to universal rights in subsistence, shelter, education, health-care and so on (Boswell, 2001: 45-46).

“Liberal thought was profoundly influenced by changing conceptions of the role and functions of the state in the nineteenth century. These conceptions were in turn influenced by the demands of a politically mobilised working class, and the articulation of more radical notions of emancipation and equality. Again, while these social and economic claims were not initially couched in the language of rights, they were integrally bound up with aspirations to freedom.” (Boswell, 2001: 45)

Most of the contemporary liberal theories therefore drive to find the balance between social justice and legal freedom in different ways. This extension of rights had an impact on the notion of universal justice and made it more challenging. Next to this universalist theory, there was also the notion of nationalism becoming more relevant. Examining theories of nationalism and the national interest is necessary for understanding their impact on notions of duties to protect refugees. To this, Boswell stated:

“The rise of nationalism and theories of the moral relevance of the nation-state was closely bound up with the processes of state consolidation and democratisation in Europe. These empirical factors also had a direct impact on the phenomenon of refugees: state consolidation and nationalism both generated large numbers of refugees; and encouraged restrictions on their entry in countries of refuge.” (Boswell, 2001: 46)

In a short summary, Boswell writes first about the process of the formation of the modern state and its relation to nationalism, and second the impact of empirical developments and political ideas on refugees and asylum. Due to industrial development, demographic changes and international conflict, the state needed better controlling systems and had to structure itself with clear borders and rules for the population living within its borders. This meant a growth of centralised administrative structures and the need to implement policies of law and order, military recruitment and education. The centralised administrative structures went hand in hand with notions of national identity, shared national language and the thought of a shared national culture. Through this process, a sense of loyalty to the state was achieved. The moral and political relevance of patriotism, which Rousseau articulated as a concept of general will, would also explain why it was possible to mobilise men as soldiers for war. As differences between nations were becoming more intense, not everybody fit into the same state. The identification within a state (class, race) was mostly due to ethnic or linguistic characteristics. The state, because of guaranteeing security, became a main player in giving civil and political rights, as well as providing welfare systems (Boswell, 2001: 46-48).

“The perceived social and economic benefits of citizenship would encourage a reluctance on the part of citizens to share finite resources with non-nationals, especially in times of unemployment and depression. Although the rights accrued to citizens in democratic states were grounded in a characteristically universalist conception of equal rights, they still had the effect of reinforcing the significance of national membership.”(Boswell, 2001: 48)

As the membership became restricted, the distinction of citizens and non-citizens was a contributing factor toward increased refugee flows, which - according to current findings - occurred in Europe around the end of the fifteenth century. When examining the factors which are shaping responses to refugee flows, Boswell divides the historical account into three different periods. The first period is before World War I, during which only small refugee and immigration flows appeared to occur, mostly due to religious conflicts. In the early sixteenth century, these religious conflicts led to the persecution of religious groups. The first major movement was caused by the expulsion of Muslim Moors and Spanish Jews from Spain in 1492, who had to leave Spain or convert to Christianity. Their descendants were called ‘Moriscos’. Further displacement resulted from the French wars of Religion and the Thirty Years’ War. England was beginning to serve as a place for fleeing Protestants, coming from Spain, the Netherlands and French Huguenots. In 1685, when a further 200.000 Huguenots fled to England, the term “refugié” was used to refer to this mass of people escaping from one place

to the other. In English, this word was adopted as “refugee”, which was noted by the Encyclopaedia Britannica in 1796, describing it as the need of a person to leave the country in times of distress. At that time, asylum was facilitated because of population shortages and economic interests in most of the European states. Debates were mainly about whether immigrants contributed to prosperity, next to discussion of “Christian duties” to assist refugees. Over the next century, questions about population and national prosperity were more and more important, right next to the right of Europeans to settle in colonial territories. In the second half of the eighteenth century, population shortage due to a dramatic increase in population led European states to encourage emigration to North America and other colonies, most of them had reduced restrictions. Over-population and therefore the immigration of refugees were not existing problems for most of the nineteenth century as there was not a high number of displaced people fleeing within Europe and therefore no burden for receiving countries (Boswell, 2001: 49-52).

After this period came the time of the inter-war years and World War II, which led to a significant increase in refugee flows, without a clear definition of international commitment to protect refugees. Concerns linked to economic depression and international political tensions explicitly over-rode any conception of duties to refugees (Boswell, 2001: 50).

“The rising inter-state tensions around this period [...] also reinforced notions about the priority of national interest over transnational cultural ties, free trade or duties to non-nationals.”(Boswell, 2001: 49)

In the last third of the nineteenth century, when the movements of nationalism and anti-Semitism were a cause of several large-scale movements, there came along a rise of nationalist feeling. Domestic economic and social unrest came together with concerns about the insecure international climate, which generated the first wave of immigration restrictions. Concerns at the continuing movement of Jews and rising unemployment after 1901 brought the issue of controlling immigration and it was, as a result, further restricted with the introduction of passport controls in 1914. This time was characterised by conflict and war, which caused many transfers of refugees. After 1918, the unmixing of nationalities was seen as necessary for independent states, and population exchanges served for preventing further (religious) conflicts. This resulted in the movement of almost two million people, exchanging in the areas of Turkey, Bulgaria and Greece (Boswell, 2001: 50-57).

“The idea of separating Muslims and non-Muslims and forcing a congruity between new sovereign units and their peoples had initially emerged with the establishment of the independent Greek state. French, Russian, British and Ottoman officials held talks in Istanbul regarding the procedures for the removal of Muslims from Morea. The Ottoman government accepted the uprooting of the Muslims from the new Greek state within six months [...] This is a significant development in that it represented the emergence of a new pattern framed by a novel understanding. Greece was the first nation-state to break away from the Ottoman Empire and at this initial instance of boundary drawing certain groups are rendered excesses that cannot be absorbed within those boundaries.” (Kolluoğlu, 2013: 536)

The types of persecution and expulsions of ethnic minorities that occurred within states, were mostly attached to a particularist conception of nationality, Boswell claims. Another solution for dealing with minorities besides population exchange was direct exclusion, such as in the Romanian citizenship law of 1924, which made 100,000 Jews inside Romania stateless and in the Soviet Union almost one million Russians in the early 1920s. This action led to the establishment of a High Commissioner on Behalf of the League by the League of Nations in 1921. Actions of governments should be coordinated, and the legal status of refugees clarified. Partly due to labour shortages in Europe, most of the displaced people could find a home, although there was still no conception of universal refugee rights underlying in international cooperation. Assistance to refugees was explicitly political in order to protect the security of each state. In the 1930s, with economic depression in Europe and America, international relations began to destabilize and led to less cooperation with the refugee flows. There happened to be large-scale movements from fascist regimes in Italy, Spain and Germany, which also led to more restrictive policies. Only Jewish immigration saw a relaxation of restrictions, as persecution intensified in Germany and Austria. During the Second World War, as response to the displacement of an estimated 30 million people in Europe, the United Nations Relief and Rehabilitation Administration (UNRRA) was established by the Western Allies in 1943. Around fourteen million people were repatriated. There was hope that refugee flows would dry up and that there would be no further need for international interventions (Boswell, 2001: 48-57).

“In particular, Cold War politics had a huge impact on the design and evolution of the post-war international refugee regime, producing an individual right-based conception of refugees and an emphasis on resettlement as the favoured response to refugee flows.” (Boswell, 2001: 57)

After World War II, a conception of individual rights of refugees had been codified, which embodied liberal universalist ideas but were contingent on economic and political conditions.

Taking this historical development into account, Boswell continues to examine universalist and realist theories, while questioning the practical effects for the current crisis in refugee policy (Boswell, 2001: 50).

When realist theories emerged in the 1930s and 1940s, they were emphasising the primarily self-interested behaviour of states. National interests were seen as the search for power in international politics, independent of their moral values. This is partly due to the assumption of rationalist theory that reason is a central role for motivating moral action:

“According to the rationalist view, it is reason (rather than desire) that moves us to act in accordance with the requirements of morality [...] According to these accounts the moral agent is abstracted from her particular situation and characteristics and is moved by reason, rather than personal desires or attachments.” (Boswell, 2005: 102)

Boswell questions what exactly motivates human beings to engage in practical reasoning in the first place. She sees a problem in this theory, as adopting the impartial perspective would appear to be both the precondition and the outcome of the exercise of reason. “Rationalist theories of motivation need to overcome this sort of criticism by showing how reason can influence the agent’s will.” (Boswell, 2005: 103)

The conception of national interest, especially in forms of neo-realist theories, assumes that states defined their interests irrespective of their moral values. Concerning this, the realist account of nationalism was, concerning Boswell, rather descriptive than normative, and as such in principle compatible with liberal universalist political theories.

“Many liberals still accept these realist descriptive claims about the nature of national interest, whilst diverging from realists’ practical prescriptions. On this account, the gap between “ideal theory” and the current state of international politics can be explained by the regrettable selfishness of states. And once again this produces a conception of national interest and universal duties as having separate sources – the one self-interested, the other ethical, and both defined independently of one another.” (Boswell, 2001: 49-50)

In 1950 the United Nations High Commissioner for Refugees (UNHCR) started to - and still does - shape international refugee policy. Its task is to address the symptoms of conflict and uncover human rights abuses. Its definitions of “refugee” and the goals of international cooperation to deal with refugees were similar to those adopted in the Convention on the Status of Refugees drafted in the Geneva Convention 1951.

“The definition of refugee was clearly based on a universalist theory of human rights, although – as has subsequently been argued – with a bias towards civil and political rights rather than economic, social and cultural ones.” (Boswell, 2001: 59)

These standards have been eroded, since the late 1970s. Though the definition was based on universalist theory of human rights, as Boswell states, their practical implementation in liberal states was limited:

“While most liberal democratic states have retained nominal support for the principles of refugee protection, they have introduced a range of measures to limit the substance and scope of these commitments. These restrictive measures have typically taken three main forms. The first is to limit access to their territory, through imposing visa requirements on the nationals of certain countries, and introducing sanctions for companies or individuals found to be transporting people without the required travel documents.” (Boswell, 2005: 3f)

Other measures make Europe appear unattractive to potential asylum seekers and prevent them from travelling to European countries. Such measures include cutting welfare benefits or dispersing asylum seekers to different locations. Boswell also states, influenced by Gibney, that increasing burdens for receiving asylum, and better protection of the borders of Europe would further reduce the number of asylum seekers within the European Union. Sending back asylum seekers to their “safe” countries of origin after a temporary protection, and limited access to legal assistance or rights of appeal are further strategies mentioned (Boswell, 2005: 4).

These measures can have different implications for refugees seeking protection in Western States. As Boswell sees it, policies invoke liberal universalist arguments to defend refugee rights as being able to fight against these restrictions. Regardless of nationality, those theories give equal moral weight to the welfare of all individuals. But denying the moral relevance of nationalism, Boswell continues, makes these theories on the same level unfeasible, at best utopian. This utopian perception is partly due to the assumption of free action (Boswell, 2005: 103-104).

“The connection between pure and practical reason is established through Kant’s notion of free action. Free action denotes a series of empirical events whose cause is not empirically conditioned, but free. It is through such free action that the purity of reason in the noumenal realm is supposedly transferred to the realm of practical action. So *pure* practical reason [...] is only possible if we assume the possibility of unconditioned causality. In the absence of such a concept of freedom, the will could not be rendered good.” (Boswell, 2005: 104)

Not fully satisfied with his findings, as for her there remains the question of how a person is motivated to apply reason, Boswell sees Kant’s attempt as failing to provide a plausible account

of motivation. This is why Hume's Belief-Desire Theory is taken into account, although this theory rejects the role of reason in motivation completely. In this theory, beliefs are seen as passive representations of the world, which might supply relevant information for an action but cannot themselves motivate action, whereas desires, being active themselves, are seeking to change the world, thus motivating action to bring about such change:

“The source of moral motivation, it was argued, should be understood as a set of general and abstract basic desires, which are then given more precise direction and specification by beliefs and reason. Beliefs and reason show how these desires may be fulfilled, and in turn help create the natural and social world (facts), as well as *moral* beliefs (norms).” (Boswell, 2005: 112)

Next to these philosophical attempts, Boswell discusses the social contract theory, which has a long tradition in liberal political thought, dating back to the seventeenth century. It can be classified as a variant of liberal universalism, but one that is more explicitly concerned with the question of motivation. Originally, it dealt with the question of political obligation and how to ensure cooperation between individuals, who are seen as naturally self-interested but motivated to comply with rules of justice. For most theorists who interact with this theory, consent has a dual role, namely generating morally desirable norms and ensuring that people have a reason to obey them. “In other words, achieving agreement on rules of justice produces a coincidence between what people should do and what they will be motivated to do.” (Boswell, 2001: 130)

The Canadian political philosopher Hillel Steiner theorizes about the meaning of ‘justice’ itself. He comes up with two broad approaches, described as requirements for justice. On the one hand, being *procedural*, which is “to discover who may justly do or have what is to excavate the regulatory and allocative rules that would be or have been chosen by following certain procedures.” (Steiner, 1996: 311). The second approach, exemplified in natural right theories, describes the requirements as *substantive*.

“Judgements about who may do or have what are ultimately derived from rules determining the general form of what each person categorically owes or is entitled to, *irrespective of whether those rules would be or have been chosen by any particular set of procedures.*” (Steiner, 1996: 311)

Natural rights, being closely related to natural law, are (or should be) independent on customs or beliefs and therefore taken as universally valid and inalienable. They are referred to as if existing without culture and government and are usually connected with the concept of legal

rights. Those rights, nonetheless, are given by a legal system and can be modified, repealed or restrained (ER Services, 2021).

“Natural law is integral to Wight’s conception of international society. It is natural law that grounds the common values, the conditions of co-operation and mutual assistance, and most important of all, the sense of common obligation, which sets international society apart from the precarious, competitive anarchy that is the world of (political) realism.” (Bain, 2014: 943)

Closely related to the idea of natural rights are the human rights, and even sometimes seen as the same. Natural rights and the believe of their universally came from the so-called social contract theory. Those typically posit individuals as having consented explicitly or tacitly surrendering some of their freedoms to authorities, in exchange for the protection of their rights (ER Services, 2021).

“Social contract theory, nearly as old as philosophy itself, is the view that persons’ moral and/or political obligations are dependent upon a contract or agreement among them to form the society in which they live.” (Friend, 2021)

The basic rules for regulating social interaction come, according to the social contract theory, from an agreement of different parties to a contract. With this contract, there is the aim of the avoidance of conflict, as it guarantees the cooperation of all participants, and therefore ensures stability and may also maximise the individual benefits. A second reason for the need of a contract is due to the moral significance of autonomy. Here the equality of justice is more important than stability. Boswell discusses three different social contract theories by Thomas Hobbes, John Rawls and Brian Barry. She explains how they define the role of consent and states, that the first two theorists are good examples for drawing out short-comings concerning morality(Boswell, 2001: 131f).

Hobbes, as being influenced by the Scientific Revolution tried to provide a theory of human nature, after discovering that the universe could be described and predicted. Informed by mechanisms, Hobbes saw everything in the universe as matter in motion. His psychological theory tried to explain human behaviour, dividing it in to macro-behaviour, which is the effect of certain kinds of micro-behaviour (Friend, 2021).

“So, such behaviors as walking, talking, and the like are themselves produced by other actions inside of us. And these other actions are themselves caused by the interaction of our bodies with other bodies, human or otherwise, which create in us certain chains of causes and effects,

and which eventually give rise to the human behavior that we can plainly observe.” (Friend, 2021)

Human behaviour therefore is able to be explained in terms of universal laws of nature, although these behaviours are very complicated organic machines, responding to different inside and outside stimuli of the world. Thereby, love or hate are just words describing things which are on one side caused by certain stimuli and cause motion on the other side. Considering this, also good and bad do not have a meaning, but rather describe our appetites and aversions. “Moral terms do not, therefore, describe some objective state of affairs, but are rather reflections of individual tastes and preferences.” (Friends, 2021)

From this mechanistic theory of human nature, Hobbes describes humans as exclusively self-interested:

“All men pursue only what they perceive to be in their own individually considered best interests – they respond mechanistically by being drawn to that which they desire and repelled by that to which they are averse. This is a universal claim: it is meant to cover all human actions under all circumstances – in society or out of it, with regard to strangers and friends alike, with regard to small ends and the most generalized of human desires, such as the desire for power and status. Everything we do is motivated solely by the desire to better our own situations, and satisfy as many of our own, individually considered desires as possible. We are infinitely appetitive and only genuinely concerned with our own selves.” (Friends, 2021)

Even carrying for others, such as parents are carrying for their small children, Hobbes defines as self-interest, as human beings become the recipient of a sense of obligation, which could solely be understood as survival instinct. On a higher level, so not just within the family, Hobbes is theorizing about political actions:

“According to Hobbes, the justification for political obligation is this: given that men are naturally self-interested, yet they are rational, they will choose to submit to the authority of a Sovereign in order to be able to live in a civil society, which is conducive to their own interests.” (Friends, 2021)

Imagining men in their “natural state”, Hobbes theorizes about the so-called State of Nature, in which all human beings are hypothetical, the same. They are equal, which means there is no real hierarchical structure, resources are limited and everybody could kill the other. In order to find a way to cooperate though, humans make a social contract, which is divided into two main claims (Friends, 2021)

“First, they must agree to establish society by collectively and reciprocally renouncing the rights they had against one another in the State of Nature. Second, they must imbue some one person or assembly of persons with the authority and power to enforce the initial contract. In other words, to ensure their escape from the State of Nature, they must both agree to live together under common laws, and create an enforcement mechanism for the social contract and the laws that constitute it.” (Friends, 2021)

Even in this hypothetical thought one might wonder, if humans were only self-interested, then why did we come up with the idea of being cooperative? Developing the hypothetical assumption further, with the exception of seeing all humans as the same (because as we know we are not), the authority would not come up because we had the idea of finding mechanism, but this mechanism rather came into force as life became more complex, with rising number of humans. In order to avoid chaos, those humans with minimal more strength (back then) and maybe nowadays with more power and/or intelligence would be the ones, who would be in charge to make decisions, guiding away from this chaos (as stability is what we are aiming for).

“Since the sovereign is invested with the authority and power to mete out punishments for breaches of the contract which are worse than not being able to act as one pleases, men have good, albeit self-interested, reason to adjust themselves to the artifice of morality in general, and justice in particular. Society becomes possible because, whereas in the State of Nature there was no power able to “overawe them all”, now there is an artificially and conventionally superior and more powerful person who can force men to cooperate.” (Friends, 2021)

Barry’s theory, in Boswell’s opinion, provides a better conception of duties to non-nationals and thus provides the best way for constructing a global contract, which also reveals its weakness – the unfeasibility (Boswell, 2001: 133)

“Regarding the content of the norms chosen, to put it simply, if conflict is defined as the basic problem for political theory, then the motivation to comply with rules of justice will usually be derived from the self-interested desire to avoid conflict or to maximise individual gains. This is the approach adopted by Hobbes, and more recently David Gauthier. In their theories, the content of justice will be defined according to the self-interest of the parties, and the scope of justice will be contingent on the existence of conflict between individuals. Non-nationals will only be included in the contract if they threaten the stability of the society in question, or if their cooperation in some way brings additional benefits to current members. On the other hand, if consent is motivated by ethical considerations - as in the case of Barry’s theory, and on some interpretations of Rawls - then terms of justice are likely to be defined on the basis of a commitment to fairness or impartiality. In this case, the scope of the contract may also incorporate a wider sphere of individuals, and the terms of justice are more likely to include a commitment to the rights of non-nationals.” (Boswell, 2001: 133)

However, one might decide either that interest must be reduced to duty or that duty must be derived from interest, the conflict-based model (or the egoistic model) does not fit for Boswell's attempt of shared values and moral obligations. Therefore, she refers to psychological theories:

“Theories of moral motivation are necessarily based on a number of assumptions about human psychology [...] in the absence of a more comprehensive theory of psychology, which provides an account of the development and source of the desires and beliefs relevant to morality, moral philosophy accounts will remain essentially superficial and fragmented.” (Boswell, 2001: 211)

We will not go into detail about her findings here, as it is enough to know that Boswell, as subjectivist, is taking psychological assumptions into account, in order to criticise cognitivism. Thereby, she is locating the sources of moral motivation in the affective features of the self. “And it questioned cognitivist claims about the role of reason in defining morality, opting for a conception of morality as shaped through intersubjective conceptions of the good.” (Boswell, 2001: 250)

Subjectivists, like Boswell, take moral properties to be reducible to psychological properties and relations, as humans have some psychological attitude towards everything they are dealing with (Huemer, 2005: 48).

“Here are a few examples of subjectivist theories; in each case, the ‘=’ sign indicates that the expression on the right explains *what it is* for the expression on the left hand side to be true:

x is good = The speaker believes that x is good.
 x is good = The speaker approves of x .
 x is right = Society approves of x .
 x is right = x accords with God's wishes.²

Theories (a) and (b) make morality relative to the individual; that is, they imply that two different individuals may correctly call different things ‘good’. According to (a), when I say something is good, I mean that *I* believe it is good; when you say something is good, you mean that *you* believe it is good. Theory (c) makes morality relative to a culture; it implies that members of different societies may correctly call different things ‘right’, though two members of a *single* society may not.” (Huemer, 2005: 48)

Finally, Boswell wants to combine the non-rationalist account of morality and moral motivation with the liberal universalism theory. Concerning refugee rights, Boswell concludes, there is no talk of universally valid claims but rather intersubjective values of communities. They are seen as a set of shared values particular to specific societies. The commitment to these values maybe very deeply rooted in the history of a culture and practice of particular groups. This type of

account of morality is grounded in communitarian political philosophy, coming from a particular tradition of moral and political thought in Western countries. In the next part, there will be a focus on Boswell's approaches, which have influenced her way of thinking (Boswell, 2005: 137).

Is offering a new revival of liberal political philosophy enough?

Boswells paradigm, and therefore also the principles are very similar to the one of Gibney when talking about his concerns about a fair distribution of refugees between liberal democratic nation-states. In almost the same manner, their approach is not a scientific, but rather an ideological one. Just as in the previous chapter, there will be a look at the epistemological (**EP**), methodological (**MP**), ontological (**OP**) and theoretical principle (**TP**). This time, examining Boswell's findings about national interests versus refugee rights.

EP / MP / OP / TP

To briefly call in mind what the **epistemological principle** is: it is about the subject of matter, which means **the approach of a scientist**. Therefore, asking from which point of view and with which approach Boswell writes about the relationship between refugees and nationals and their influence on refugee policy. As refugee policy became more restrictive over the years, Boswell's main goal is to achieve a more generous refugee policy for the future. Amongst other things she tries to "save" the liberal universalist theory by changing some of its assumptions, as she notes that this theory seems to be growing increasingly less influential on politics because of its incompatibility with reality:

[...] Indeed, it is precisely because of this acknowledgement of the ethical force of the commitment to refugee protection that I am keen to salvage liberal universalist prescriptions from their more extreme nationalist and communitarian critics. But I believe that the best hope for rescuing liberal universalism is to significantly modify a number of its underlying assumptions. (Boswell, 2005: 5)

Like Gibney, she sees reality as something which is mentally constructed and can be influenced by, for example, herself through revising the universalist theory. She believes that if she causes a change in the theoretical approach of liberal universalisms, liberal states would be more likely to help non-nationals. This reveals the **epistemological principle of humanism**, as humans have their own free will, which can be influenced consciously.

"One of anti-humanism's central philosophical claims is that humanism's belief in the autonomy of the subject is an illusion. The two characteristics of 'the subject' that come under strongest attack are those of *free will* and *consciousness*. From a humanist perspective, the individual is a free agent who normally weighs up the issues confronting him and makes his own, rational decision about what to do. The anti-humanist rejects this as naïve, for it omits the dimension of the unconscious [...] the unconscious is the dominant influence on behaviour and thought, and that we must abandon the assumption that purposive action is consciously directed." (Windschuttle, 1997: 135)

Boswell is criticising liberal democratic nation-states because of their restrictive mechanisms used in refugee policy. She is taking a certain position, which is against those nation-states, which are not acting in a way she would consider as 'liberal' and 'positive'. Just like Gibney, Boswell, being subjectivists, is thereby assessing actions as *morally positive* or *morally negative*. She assumes that one reason why liberal states do not want to help refugees is because they think that by doing so they are acting against their own nationals. This is something Boswell sees as necessary to change. In a quote, Boswell makes alternative suggestions to break up the dichotomy of national interests and refugee rights. She thereby sees the need to encourage the development of a group's identity or identities together with a commitment to liberal universalist values. By that she means a commitment for a better and more generous treatment of refugees, which would be seen as equal with nationals. "[...] In this sense, the group's commitment to refugee rights and its achievement of these goals could be perceived as a source of fulfilment, rather than as running counter to the interests of its members [...]"(Boswell, 2005:150). Next to those smaller groups, she also mentions bigger institutions such as schools or social groups/classes like groups of friends, neighbours or ethical associations, which may reach out for these types of goals, while shaping the members' values and interests and also motivating them to respect the rights of refugees (Boswell, 2005:150f).

As Gibney, Boswell tries to come up with easy solutions, which in reality are not feasible in a complex system. Her idealised way of looking at things are not realistic or practically useful, considering the fact that many thoughts stay unanswered. Even if groups are successfully formed, there remains the question of who decides which liberal values should be taken into account or incorporated in these 'group identities'? Who should be able, who should have the power to decide which morality works best for all and what happens if not everybody is convinced by that? Should there be a democratic way of deciding? The interpretation of values can differ a lot, like the feeling of equality might also vary. If everybody receives the same, but have different needs, he or she might not feel satisfied with what everybody gets but claims to require more than the others. The institutions such as schools, which Boswell mentions, do not match in their ideological point of views. There are many different paradigms behind institutions and even behind each teacher, meaning they pursue different aims. One teacher might want their students to be able to think for themselves and develop critical thinking in order to emancipate the less powerful by revealing and questioning dynamics of power (Critical Theory) (Guba & Lincoln, 1994: 109f). The other teacher might want its students to know about

important historical facts and being able to connect them to current phenomenon (Perennialism) (Link, 2008: 1-6). Some schools are convinced learning by doing is the correct method, others argue that studying theories first and then experimenting is the best way. Therefore, if institutions, schools, professions, and social groups differ in their beliefs, how can they act in a way that they form pupils with equal values and motivation to help non-nationals as if they were nationals? Not to mention the other groups she is expecting to share a common outlook, namely neighbours, social classes and friends. Sometimes the members of one family fail to share a common opinion and values. Concerning the USA, with Trump just recently being president before Joe Biden has replaced him, it is even going in the opposite direction of what Boswell wanted to achieve in the future. Within the American educational system, the values which are seen as important are nation-building and nation-strengthening, conveying “America first”. This slogan, used by Trump, stands for the new trade policy and political orientation of the USA, moving from a global responsibility to a national focused policy, with the USA being the centre of interest. And other nations just seem to follow this example (Gabler Wirtschaftslexikon, 2020). One could say that this is a reversion to the past, as the USA used to be an isolationist nation until it was forced to become globally active.

“The isolationists were a diverse group, including progressives and conservatives, business owners and peace activists, but because they faced no consistent, organized opposition from internationalists, their ideology triumphed time and again. Roosevelt appeared to accept the strength of the isolationist elements in Congress until 1937. In that year, as the situation in Europe continued to grow worse and the Second Sino-Japanese War began in Asia, the President gave a speech in which he likened international aggression to a disease that other nations must work to “quarantine.” At that time, however, Americans were still not prepared to risk their lives and livelihoods for peace abroad.” (Office of the Historian, 2021)

History indeed sometimes seems to repeat itself, although each moment is unique. What should be taken into account here is that there might be similar causes and effects, which can lead to similar outcomes. This just is another good reason, trying to find some universal laws, which would make it easier to define specific causes and to be able to exhaust all that can be predicted about a system’s (state’s) behaviour, of course ending up with many different possibilities, as the future is never fully predictable. Nonetheless, nations looking into their own needs and trying to fulfil their self-interest might be something one could state as rule.

“Defence of national interest is often effective in mobilising political support – it conveys notions of pragmatism, skilful leadership and patriotism. By extension, those who seek to prioritise refugee rights over the national interest can be labelled as politically naïve, unpatriotic or idealistic.” (Boswell, 2001: 14)

What Boswell takes into account in this quote can be observed when following speeches made by Trump. He claims to take care of national security, protecting American nationals from negative external influences, such as people coming from Mexico. And yes, people are likely to be influenced by Trump's values through media, but the question is where are they coming from and who decides if they are good or bad? Even if these values should be criticised, as they are racist and stigmatizing, who should have the permission to "break down the wall" and why? This question is one of power, which Boswell might not have seen as important. As political leaders can have an influence on the values and interests of nationals through, as we have seen, manipulating media, this should have been tackled for further thoughts concerning nationals' interests. Trump's strict authority, his use of simple language, deliberately breaking taboos, using fake news in order to support his made up arguments, all contributed to his success. He might be fully aware that breaking the rules of political correctness gives people the feeling of being "on the same level" as the leader. In Russia, similar nation-focused schools and camps are currently emerging. For example, the Historical War Camp in Borodino, which children from 11-17 attend in order to hear about the history of the Fatherland and the glorious ancestors who are celebrated like celebrities. There, children are, amongst other things, learning to assemble and load Kalashnikov assault rifles. It seems more than necessary to ask why these changes occurred and what consequences they have for nationals and non-nationals. In Europe, most populist leaders (such as Victor Orbán in Hungary, Marine Le Pens in France, Silvio Berlusconi in Italy, Geert Wilders in the Netherlands, etc.) are stepping up for nation-based decisions instead of strengthening the commitments among the European Union. Not to forget Brexit, the UK leaving the EU, a symbolic movement which makes increasingly visible the fact that nations are reconsidering their national identity and barricading and consolidating their borders. There are a few examples to the contrary, but the tendency seems to be what I would call "nationcentristic". The question is: why and what is "nationcentrism" good for (Time USA, 2019)?

Boswell would probably describe states as having a "nationcentristic" behaviour, if the support for refugees is mostly or solely provided in order to help for a better image of a welfare state.

"By articulating and acting on common values and beliefs the group both emphasises the characteristics that are common to its members, and seeks the affirmation of these characteristics from those outside of the group. In the case of nations, the desire for group affirmation will not necessarily generate benign behaviour – imperialism and ethnic conflict could both be said to be manifestations of a desire for group affirmation. Yet where the shared values and beliefs of the nation are shaped by a liberal commitment to universal human rights,

then the group may be affirmed through securing international recognition of its human rights policy, or its generous treatment of refugees [...] Again, this implies that extending duties to refugees may not conflict with the interests of the nation-state, but may positively contribute towards the well-being of its members.” (Boswell, 2005: 149)

What Boswell seemingly does not question enough is the fact that not all states have signed and agreed on human rights, and those who did, do not always follow the rule of law or find/invent another law to circumvent. Also, this law is not a natural given fact but was socially constructed by Western societies. This leads to an accusation of ethnocentrism, not taking into account other assumptions (like the Islamic approach, which is the Islamic sharia). There might be a benefit to ratifying the law beyond ‘good will’. For example, there could be international economic restrictions for nations that do not sign the law or if the law is violently offended. For Boswell, besides forming group identities with liberal values, encouraging the reporting of refugee issues (famine, ethnic conflicts, etc.) could also lead to a rise of sympathy to asylum seekers and refugees, as most people have a psychological disposition to extend some form of sympathy to others. Although this might be true, it could also lead into the other direction and make people afraid of ‘strangers’ coming from ‘brutal backgrounds’, especially when the media is focused on ‘negative’ information. What Boswell did not seem to address, is the fact that sometimes attempting to achieve one thing leads to the exact opposite outcome. Media itself cannot be seen as neutral. So, even if an author of an article had the intention to report in a positive way, readers might have a different connotation and interpret something completely different. In other words, the work of art is open for interpretation. If one has a look at reports on refugees since 2015, it could be stated that they are put in a negative light more so than a positive one (reports about crime, refusing integration, etc.). Another possibility is, slogans which used to be under a positive umbrella, are transformed or misused at a later point. One example is the German slogan “Wir sind das Volk”, saying “We are the people”, once used in the peaceful revolution of 1989 against the SDE-dictatorship. Today, although the slogan was protected from misuse by neo-Nazis in 2002, it is used by Pegida (Patriotic Europeans Against the Islamisation of the Occident) and by other nationalistic unions (Welt, 2019).

Besides media, Boswell is convinced that liberal political actions can raise awareness:

“In addition to the sorts of influence exerted by these communities, there may be scope for political leaders to help develop a sense of national identity that includes a liberal attitude towards refugees. Where a nation defines itself partly through adherence to certain values, then the realisation of these ethical goals can constitute a source of national pride.” (Boswell, 2005: 152).

Boswell talks about the late 1990s as an example, when the British Foreign Secretary Robin Cook called for an ethical dimension to foreign policy, which had a positive effect on British foreign policy. This showed that government's stated commitment to certain norms and values can create pressure to meet expectations, although the resulting changes in human rights policy might not have been radical. States which are keen to promote an image of themselves as more neutral and humanitarian members of the international community are, for example Canada, Sweden and Norway, which have relatively generous provisions for refugees (Boswell, 2005: 153f).

An opposite example is the one of Angela Merkel, who is concerned about becoming more unpopular through her political and social actions in order to support refugees (DW Made for minds, 2019). Again, the question here should be what facts lead to these outcomes and which effects are caused by that? Concerning this, one could claim that political actions can have an influence, but this influence is dependent on context. If inhabitants feel in danger of losing security, no matter what facts will be brought up to convince them that humanitarian help is morally the right thing to do and most likely they will often choose perceived security over morality. In a way one could say that it is "human" to run away from fear, to hide from it and look for personal protection first (thinking about America first, as an example). Right wing parties are well aware of that and use fear to garner support. The rise of nationalism is increasingly visible, in part due to this tactic. In Germany, for example, where AfD has become the biggest opposition party in the Bundestag, or Spain, where Vox became the third biggest force in the parliament. Spain is an interesting example, due to the push for Catalan independence. Separations are not only occurring within the EU but also within nations themselves. This is nothing new, even something very "natural", but it is increasingly visible. If one has a look at a map from 2002, where Yugoslavia once sat, there are now six internationally recognised countries (Bosnia and Herzegovina, Croatia, Montenegro, Northern Macedonia, Serbia and Bosnia). Coming back to the topic of right wing parties, they are using the fear of instability caused by these breaks in order to advertise themselves, in response to fears that other politicians are failing to defend the unity of the nation. In part, voters are frustrated with the current political establishment, but they also have concerns about globalisation, immigration, a dilution of national identity and the European Union. Stability is seen as safety, therefore seeking it and fighting for imagined homogeneity is one key function in order to maintain stability (BBC News, 2019).

In summary, Boswell explored the possibility of encouraging a more generous treatment of refugees through a re-conceptualisation of ethical assumptions concerning duties to refugees. She puts effort into achieving changes to refugee policy, which corresponds to the principle of humanism. Instead of the traditional liberal universalist approach, with a conflict between 'moral' and 'self-interested' actions, she suggests an alternative, so as to conceive these conflicts as a normal and predictable feature of the diversity of values, which are shaped through the evolution of particular traditions of political and moral thought.

EP / **OP** / MP / TP

Connected to the epistemological principle is the **ontological principle**, which describes how a scientist is considering his/her subject/object of matter. Boswell's ontology, so what she thinks is real or the reality, is referred to as **historical realism**:

"A reality is assumed to be apprehendable that was once plastic, but that was, over time, shaped by a congeries of social, political, cultural, economic, ethnic, and gender factors, and then crystallized (reified) into a series of structures that are now (inappropriately) taken as "real," that is, natural and immutable. For all practical purposes the structures *are* "real," a virtual or historical reality." (Guba & Lincoln, 1994: 110)

As already mentioned in the previous principle, Boswell views humans as consciously acting people in a society, which is actively changeable. In her historical analysis, she talks about certain events that happened in the past, which had and still have a bad influence on refugee policy. In her opinion, the quantitative dimension of the people who are fleeing or the situation of the receiving nation-state itself, are not central explanations for the introduction of certain mechanisms such as tightened passport controls. Rather, it has to do with the moral attitude of nations, coming from the wrong approach – the realist – which makes them prioritise their own nationals and neglect to help non-nationals when it is not profitable for themselves. Therefore, states are actors who deliberately decide to help their own nationals rather than non-nationals. They limit their access to their territory through visa requirements because of 'selfishness':

"Many liberals still accept these realist descriptive claims about the nature of national interest, whilst diverging from realists' practical prescriptions. On this account, the gap between "ideal theory" and the current state of international politics can be explained by the regrettable selfishness of states." (Boswell, 2001: 49-50)

Liberal states are acting against the idea of liberal universalist theory because they are functionally, not morally oriented and motivated. Therefore, they avoid what they perceive as

useless new-comers, mainly due to the absence of moral motivation, which is a psychological approach. The following quote reveals certain points which explain the methodological and theoretical principles, which I will refer to a little further down.

“The second point in need of clarification concerns the notion of the “self” and its relation to society. In attempting to construct a psychological theory of moral development, I am already committing myself to certain ontological assumptions about the self as in some sense separable from her social context. I am assuming that it is possible to conceive of a self apart from her socially defined needs, values and beliefs. While these social features of the individual’s identity are necessarily constituted by her interaction with the social matrix, the conception of the self developed in this chapter is more abstract and minimal. The “self” denotes the pre- or non-social elements of the subject, notably her affective and cognitive features, which enable and motivate her to interact with others and to develop the characteristics and capacities that are shaped through social intercourse. Thus while the individual’s identity is developed through interaction, one can nonetheless posit the existence of an entity that is in some sense prior to society.” (Boswell, 2001: 213 – 214)

Boswell sees the individual as something which can be theoretically separated from its social context, with their own needs, values and beliefs. Visible again is the humanist point of view of an existing mind, which every human has inside the ‘self’. This self she describes as pre-social, or non-social elements, naming the affective and cognitive features. From her point of view, it is not a determined caused behaviour due to a certain effect, how behaviourists describe it related to animals; rather these are unconscious emotional affects, like anger, joy, fear, etc. which make humans react. Concerning this, a human being is on the one hand unconsciously influenced by emotions, while on the other hand there are actions consciously set. But how can one talk about a conscious action, if one can never exclude unconscious emotions which originally triggered this effect? Then how can Boswell assert that states are acting consciously immorally against the will of refugees, if there might be unconscious emotions like fear or distress leading to their reaction? And if both are possible, how can one decide it is wrong or necessary to react in a certain way, in order to protect oneself? Trying to solve this discrepancy of the psychological approach, she refers to a communitarian conception of the individual, as this conception is in principle compatible with the conception of duties to all individuals, no matter which nationality.

“[...]one that gives equal weight to the interests or well-being of all human beings. Thus whatever the theory’s conception of the good or the conditions for human well-being, it will start from the premise that every individual has an equal moral claim to this good and/or the means for pursuing it. Universalist theories are based on an assumption of the moral equality of human beings.” (Boswell, 2005: 35)

Universal duties are therefore not universally valid but contingent on the particular context, which is actually a point of particularism. In order to maintain the liberal universalist theory, Boswell adds this particular point and claims it is not the universal validity which is important for its feasibility. “Thus the weight attached to universal duties will not be dependent on their universal validity, but is instead contingent on the particular historical social matrix.” (Boswell, 2001: 251)

EP / OP / **MP** / TP

The **methodological principle** is in Boswell’s case exciting because it is two-fold. As we have seen, Boswell’s frame of reference is the individual, so she is talking about the self and its mind acting consciously and on purpose. This is called **methodological individualism**, explaining subjects’ actions due to (the lack of) individual motivation, rather than class or group dynamics. On the other hand, Boswell is aware that the social context shapes the individual and has an influence on them. She wants to form groups with shared values, leading to a moral-driven motivation to help others, as mentioned above. This is **methodological holism**, as she is considering society as a whole as her reference. Social phenomena can therefore be explained by individuals’ actions, while referencing the intentional states that motivate the individual actors within a group. They influence each other on a macro and micro level.

“Defenders of methodological individualism generally claim that it is an innocent doctrine, devoid of any political or ideological content [...] Nevertheless, the doctrine of methodological individualism became embroiled in a number of highly politicized debates during the 20th century, largely because it was often invoked as a way of discrediting historical materialism.” (Heath, 2015)

Boswell is trying to make a political change, namely a more generous asylum policy. Emanating from moral rationality, in her opinion states have moral obligations concerning support to refugees. In trying to make the liberal universalist theory more feasible, she offers different solutions. There is no intention to solely gain scientific information which can be either falsified or verified, but there is the aim of actively working out solutions.

EP / OP / MP / **TP**

Depending on the **theoretical principle**, a phenomenon is explained through a **materialistic or idealistic** approach. The question is about the relationship of cause and effect, which Boswell is tackling from an idealistic position. The effect of states not wanting to provide support for

refugees, is due to the historical cause of a wrong or missing moral motivation. Therefore, causing a change in the liberal universalist theory, will cause a change in the treatment of refugees in the future, according to Boswell. If nationals can be convinced that acting morally in favour of refugees will have a good impact on all, there will be no distinction between duties to support nationals and non-nationals. What is not questioned at all, is if the liberal universalist theory was falsified why trying to save it, instead of finding another theory which will work better for explaining this social phenomenon. Instead of writing about facts, Boswell is writing about “what should be” while using a philosophical theory of motivation and the theory of the psychology of moral development.

“Indeed, the contention of this book is that we need a radical rethink of liberal ethics in order to construct a more ethically feasibly, and descriptively plausible, account of duties to refugees. In this sense, the book can be seen as both a critique of liberal political thought; and an attempt to develop an alternative ethical underpinning of duties to refugees.” (Boswell, 2005: 2)

Seeing the fulfilment of refugee rights concerning human rights as one of the moral duties of states, and their neglect as a failure to fulfil their obligations, is due to Boswell’s ideological point of view. Like Gibney, Boswell is considering states as agents or actors who are disadvantaging refugees on purpose due to a lack of morality. There is no question about resources or distribution of resources. There is no question about the stability of an organism, namely a society. The arguments circle around psychological ideas regarding a good and bad treatment of refugees solely, caused by historical events. Connected to the principles from above, Boswell is not doing a scientific analysis, finding a theory which can be falsified by testing it, but she is trying to change existing perceptions. It shows her idealistic point of view and in particular the moral rationalism behind it. Summing up, Boswell’s findings have the epistemological principle of humanism, as she tries to cause changes through changing some approaches of a theory. For her, reality is mentally constructed and can be changed actively, as humans have their own mind and a free will to change habits. The methodological principle is on the one hand methodological individualism meaning that each individual is considered separately and the methodological holism, as she is considering groups and group actions within a society. The ontological principle is historical realism, as human beings are shaped by historical events and as they are aware about these influences, they should be analysed differently than other natural phenomena. Last, Boswell explains the cause of states failing to

fulfil their duty to support refugees as being because of the missing moral motivation, which is coming from moral rationalism, a theoretical principle of idealism.

EP Humanism: - Free will & Human mind - Forming groups with shared values - Fighting for a more generous refugee policy through changing some assumptions of liberal universalist theory	OP Historical realism: - Historical events were leading to wrong assumption and realization of helping non-nationals - States as actors, morally obligated providing duties to all
MP Methodological Individualism: - Individual motivation	TP Idealism: - Psychologism - Moral rationalism - No universal validity, but a particular approach: acting morally, is good for all

The articles of Boswell are interesting for my thesis, as she is talking about the need to change asylum policy by changing theoretical approaches. She is also considering historical influences, which have led to the current unjust situation. These thoughts are not only focusing on changing the practical implementations of a theory, but also have the intention to change the theory per se. The task here was to philosophize about future possibilities for a more generous asylum policy, in order to cope with differences of nationalities.

PART III

From a Humanist to a Scientific Consideration

This part will give a short overview about the rules of science, explaining why it is necessary to question “reality” itself and describe what influence language has on the understanding of certain terminologies. The author tries to be explicit as possible, in order to make clear the paradigms behind her work.

Considering the examples in Part II, there is one nuclear point which both authors have in common. Gibney and Boswell see a lack of taking (moral) responsibility for refugees by states and require fulfilling their interests, as in their opinion it is a moral obligation to do so. They view the current refugee policies as unacceptable concerning the asylum procedure, referring to the concept of human rights, which define certain values about freedom, protected by the rule of law. Both authors tried to give solutions, which, in their opinion, would help the states to meet these targets but had to realize at one point that those are just not feasible. Instead of only blaming Europe’s current asylum procedure and suggesting unfeasible solutions, the author tries in this chapter to show on a macro-level the effect(s) of the (only temporary) rise of population within one of Europe’s receiving state, Greece. In other words, one tries to picture and understand from a scientific viewpoint why certain repulsion mechanisms, such as deportation or keeping refugees on so-called “hotspots” are used – unlike Gibney’s and Boswell’s strategy, those mechanisms will not be sentenced but rather the author tries to depict them analytically. Referring to Hollingsworth and Müller in the first part of this thesis, one could say that this last part is an “emphasize on describing complexity through an openness for different predictable next to unpredictable possibilities.” (Hollingsworth & Müller, 2008: 3) The scientific principle may so far be the paradigm, which can be seen as a ‘descriptive reality’. It is important to describe the current situation on a descriptive base, to realize certain mechanisms which play a specific role in a phenomenon. Even if this thesis is tackling the incorporation of refugees from this descriptive, scientific perspective, one should keep in mind that although talking about facts, there is still a reality outside of our knowledge, as our language is only a way of interpretation and not the reality itself. As Foucault describes it, the real world outside is nothing we could have knowledge about, this is just another illusion of humanism (Windschuttle, 1997: 135). This is due to the fact that our minds are bounded to the reality created by the use of language, which Nietzsche sees as a way of avoiding chaos when imposing constructions of meaning, while containing a certain form of power in it:

“We create these things and fashion these forms of order through language [...] From this perspective, those who are influential enough to define the concepts of an era consequently define the sense of reality held by their fellow human beings.” (Windschuttle, 1997: 135)

Connecting to the Part I of this thesis, when talking about financial support for scientific research, power also has an influence by enabling some to share their findings more widely (which might be manipulated into a certain direction) compared to those, who might not be heard⁹. When trying to describe reality, it is thereby also necessary to know who is conducting research, who commissioned it, who released it and which goal is being pursued. This power gap in science is something which had been mostly ignored in the past but is more and more discussed by different scientists.¹⁰ Anthropologists are referring to the times of colonialization and its impacts on freedom, blaming the “white culture” (and mostly men) to be the one deciding upon what is scientifically necessary and useful and what is not. Without going more into detail one can say that for this thesis it is necessary to mention that these power differences exist, which had and have an impact on our knowledge until today. Building on that thought one can say that even the “freedom of our knowledge” is embedded in the delivered (written or orally narrated) transcripts from the past, which means we are forced to work with terms and (historical) facts, which were passed on generations before. Born in a specific time and place, in a specific family within a community, human beings are being educated and socialized in order to fit into the system (White, 1959: 225). The knowledge of this family, and this society, will be passed on to us in “their” language. Of course, there is the possibility to learn other languages, some might be raised by parents with different cultural backgrounds and learn more languages at the same time, and so forth. Still, there will always be languages, and therefore knowledge, which will be out of our reach, out of our understanding. When having a look at evolutionary processes, languages, just like scientific knowledge and scientific rules (part I), also change over time, they are nothing static. The meaning of words might change, as society itself is transforming. One out of many examples is the word “nice”, which used to mean “silly”, “foolish”, “simple”, a meaning far from the positive connotation which it has today. In other words and to supplement the information from the first part, science is nothing static, nothing

⁹For example, Elon Musk having a huge impact and using it by recommending which books one has to read, in order to become successful like him: „10 Book Recommendations From Elon Musk That Will Advance Your Knowledge.“ (Irisreading, 2021)

¹⁰ Concerning medical treatment, Dr. Kate Young, a public health researcher at Monash University in Australia is stating that “For much of documented history, women have been excluded from medical and science knowledge production, so essentially we’ve ended up with a healthcare system, among other things in society, that has been made by men for men.” (The Guardian, 2021)

that does not change over time. As phrases, and the meaning of words change, also the consideration of scientific terms should be double checked – the context of information needs to be kept in mind (TED, 2014).

Saying it differently, there exist some words, which cannot be easily translated into other languages, as a specific (socio-cultural) background is necessary to understand the way of thinking. As new devices will be invented, new plants will be discovered, new diseases will be spread, and so on, also new words and the reflection of words will be necessary, in the purpose of letting us describe what we are dealing with. It is necessary to mention the context of a word and of a language, as there exist different ways of speaking and through different ways of using a language, different “realities” can be described. The same counts for the scientific principle, for which one needs to understand the words used in the analysis. For this reason, later in this part the author will explain the meaning of some words such as the word “state” before finally analysing the state Greece (Stefaner & Lässer, 2020). One could say, for being able to understand and describe the world, you first must understand and describe the words:

“Since at least the 17th century, science has struggled with words. Francis Bacon, visionary of a new, experimental natural philosophy, called language an “idol of the marketplace”: a counterfeit currency we trade in so habitually that we no longer notice the gap between words and the world.” (Stefaner & Lässer, 2020)

But not just the meanings of the words are important for being able to understand. Mentioned briefly earlier in chapter II, White would not just speak of language and words, but more precisely of using symbols, which in his opinion makes human beings to something special and is thereby the so-called “universe of humanity” (White, 1949: 22). White is describing a symbol as “[...] a thing the value or meaning of which is bestowed upon it by those who use it.” (White, 1949: 25). The physical form is thereby changeable, as a symbol may be a form of a material object, a colour or sound, a smell or taste or even a motion of an object.

“The meaning, or value, of a symbol is in no instance derived from or determined by properties intrinsic in its physical form: the color appropriate to mourning may be yellow, green, or any other color; purple need not be the color of royalty; among the Manchu rulers of China it was yellow [...] The meanings of symbols are derived from and determined by the organisms who use them; meaning is bestowed by human organisms upon physical things or events which thereupon become symbols.” (White, 1949: 25)

For demonstrating the difference between language and using symbols, White mentions the Spanish conquest of Mexico, when colonizers met natives and were not able to speak each

other's language. White gives the holy symbol of a cross as an example, which does not unfold its meaning by the word "cross", nor when it is just seen as two sticks crossed. It is the meaning of those sticks, for which it is necessary to understand it as a sign of Christianity, understand it as a part of a culture. White goes on with making a difference between a symbol and a sign, as a thing might be both in different contexts. "The word then functions as a sign, rather than a symbol. Its meaning is then grasped with the senses" (White, 1949: 27). As only humans can create meanings to signs, and therefore creating symbols with meanings, this is for White the difference of kind between animals and humans. A dog might be able to understand a sign, like blowing a whistle, which could be the sign for him to do a trick or maybe just to come to its owner. Therefore, a dog can understand a sign, once he learned it, but he cannot be the one to decide about the sign and its meaning. The dog plays a passive role, whilst the owner is determining actively the value the vocal stimulus should have (White, 1949: 29).

In other words, between animals and humans there is the difference of a kind, whilst between humans and other humans, one could say, there are differences of degree. Despite the various usage of signs and the varying meanings of symbols, individuals and/or groups, which can be seen as parts of a society, have a common core of how to communicate, partly serving as an internal organization within a society, in the purpose of being able to function as a whole. Concerning this internal organization, Carneiro states in chapter nine of the book *The muse of history and the science of culture*:

"Bands and villages require a certain degree of internal organization to be able to function. And as societies grow larger, it stands to reason that their internal structure will have to be further elaborated in order to accommodate and integrate the greater number of people they now contain." (Carneiro 2000: 242)

In the following, we are not only talking about bands and villages, we are talking about Greece as a receiving state, which is usually much larger and is thereby much more complex. In the interest of describing reality the definition of words is important and as the focus is on the state itself. Instead of Gibney, who saw states as "agents" or "actors in an increasingly interconnected global environment" with its "territory", or the "earth's habitable surface" (Gibney, 2004: 36) described as a "power-container" (Gibney, 1999: 169), the state will be considered as a social organism. Thereby, this part will contain a short theoretical introduction about the consideration of a state as a social organism, which is (re-)acting on specific triggers. Also, the society will be explained as a social system with a self-regulating system of human relationships, in this

matter between nationals and non-nationals. There will be concerns about internal as well as external impacts, having an influence on the cohesion of the state and its society. In other words, the EU member state Greece – being in a special situation due to, amongst other things, its geographical situation - will be put into spotlight, in order to analyse how a strongly affected state (or social organism) is dealing with the increased influx of refugees since 2016, with a special focus on the year 2020, which brought unprecedented hurdles. Before coming to specific national actions there will be a discussion about international relationships within the EU concerning the treatment of refugees based on the law of asylum.

Thoughts about the 'reality' of society and state

In the following part there will be a short discussion about how to picture a state as a social organism, giving examples coming from different scientific fields. In other words, there will be an explanation of the terms “state” and “society”, through which one can understand from which point of view the author is tackling the question of this thesis, which is the question of how interstate inequality in the distribution of responsibility can lead to the need for (inter-)national actions and what those actions look like.

At the beginning of the 20th century, the theory of the social organism used to be a common approach. Especially in sociology and economics, but also in anthropology theories were circling around the idea of the society being a social organism on its own, as “A society is more than a mere aggregation of individuals; it is an organization, a system. It is a complete and autonomous whole, rather than a part of a system.” (White 1959: 205). There exist different forms of viewing a social organism and its inner parts. For example, Descartes saw the machine as the dominant metaphor for the natural world, which eventually became more and more generalized and finally worked as a view about the entire world itself, of how it operates and how it should be studied. Through this mechanistic view, a simplification of the world (through grouping things together and to separate it from others) helped in order to be able to find theories with a high probability to apply for most parts. The relations of parts to wholes within this machinery, as well as causes and effects of these relations play an important role, as their interchange somehow shapes the whole. They can be defined differently, depending on the scientific discipline (for example there is a difference in the way of looking at things in physics, biology and chemistry), concerning the personal background (person who is conducting fieldwork, how much and which knowledge is available), the level of perspective (macro, meso, micro), and most importantly concerning time and context (Hollingsworth & Müller, 2008:3).

In order to better understand, here is the following viewpoint of Rudolf Steiner, an Austrian publicist and speaker, who defines the entire world economy as a social organism and the individual countries as cells. It must be stated that Steiner was a representative of the microcosm-macrocosm theory, which itself, just like Steiner's theory of the social organism, is separating into three different parts: the microcosm (the world of the tiny, like cells and atoms), the mesocosm (the earth, our environment) and the world of the gigantic, the macrocosm (Karambelll, 2011). Steiner separates the human organism into three main parts: the brain (being the most important part) next to breathing and blood circulation (as part two) and the

metabolism as the third part. If this social organism would like to be “healthy”, it should work with a similar independently existing tripartite division, consisting of the economic, legal and intellectual life, which he calls “Wirtschaftsleben”, “Rechtsleben” und “Geistesleben” (Lechner, 2017: 3). The first, being the head system, represents a triad consisting out of production of goods, the circulation of goods and the consumption of goods. The head itself cannot independently regulate the breathing but on the other hand, in the social organism must not be regulated solely by the forces which are effective in the economy. As Steiner has emphasized the importance of mind and the legal side for the society and economy, he sees the emotional and spiritual needs of the human as the basis for the economic life. Within the economic life, forms of cooperatives or associations are developed, as people with the same profession and consumer interests will come together. Involved within these associations are producers, traders, who identify the needs of the people and take care of the planning, as well as consumers, which all together determine the respective prices (offer and demand). The legal basis for the associations come from the second part, the legal life or in practice the politics, which according to Steiner should be completely separated from the economic life, which forms its own legislative and administrative bodies. The reason for the separation is that without it, the interests from economic life would be too strongly carried into legal life. Likewise, the intellectual life, which is formed through individual achievements, should exist separately, meaning the entire education and science sector should exist independently of the state. Furthermore, the media and press, the entire health system and administration of justice in civil and criminal matters should no longer be organized by the state. For him, this is especially important because otherwise people’s free receptivity is influenced. In the period he was living in, he saw the politics having too great influence on for example science, arts and education. How far this changed until today is another question, but one can say that Steiner’s ideological thoughts are about how to make each part work better with one another (Lechner, 2017: 1-4).

After a short digression of this economic consideration, here some comparisons with “natural” considerations, described by Hollingsworth and Müller in the following quote:

“Since 1992, the study of complex networks has emerged as a significant framework for facilitating the collaboration of social, biological and physical scientists in studying problems of a complementary nature. In complex networks— whether in the natural or the social world—one finds a growing assembly of elements (nodes) linked to one another whereby the formation of new links is not subject to a random process, but to the rule of preferential attachment.” (Hollingsworth & Müller, 2008: 24)

In the chapter *Integration, Regulation and Control of Social Systems* White is making comparison between the study of societies, and the study of biological, physical or chemical units, such as atoms and molecules:

“Turning to biology, a cell is a material, physicochemical, system. What holds it together? A cell is a tiny droplet of fluid encased by “jelled” membrane. Its integrity and its existence depend “largely on the different proportions of ions inside and without the cell.”(White 1959: 206)

He is showing similarities in the disciplines’ scientific questions, such as, how can a system be stable and orderly, if there are different units with different interests to be connected, as „[...] scholars in the physical, biological and social sciences are increasingly addressing common problems, borrowing insights from and interacting with each other.” (Hollingsworth & Müller, 2008: 2).

Chemistry deals with the study of atoms, and even though these elements are not even visible, similarities can be determined. In the atomic research there exists something which is called the “island of stability“. Already in the 60s, this phrase was coined by Glenn T. Seaborg, who was using the nuclear shell model in order to fill its energy levels with the optimal number of protons and neutrons, in order to maximise binding energy per nucleon. This way a particular isotope was permitted to have a longer half-life than other isotopes without filled shells. There was found something like a “magic number” of protons and neutrons, which have an influence on the stability of the atom. Although knowing about this fact, until today there is not the technology to form new stable isotopes of unknown elements. (Helmenstine 2020)

What is the cell of biology and the atom of Chemistry, is the human of anthropology, therefore a broad definition of society by White, is thus not just describing human societies as social systems but any living beings:

“Societies may be human or subhuman, large or small, loosely or highly integrated. They may be homogenous or highly differentiated structurally, specialized or unspecialized functionally. The concept of society embraces, therefore, the whole realm of living beings, plants as well as animals, and all social systems, from the simplest, such as a colony of single celled organisms, to the most complex civilization in the world today—or tomorrow.” (White, 1959: 205)

For White, “Any system is characterized by order and regulation” (White, 1959: 210), depending on the system which one may have a look at, the principles and bases of order can vary.

“Now, however, we wish to discover how any given social system, particularly one within the human species, regulates itself, functions in an orderly and effective manner by controlling the behaviour of its component parts. In order to discover these things for a particular social system we shall have to formulate generalizations valid for all social systems”. (White, 1959: 209f).

The cohesion of a society includes both, organised and un-organised groups of people consisting of vast networks of all human relationships (Ghai, 2021) usually defined as the sum of social relations among people living within the borders but also outside of a state. The social system is usually interested in ‘keeping the balance’ of the social organisation, which in the modern state is regulation on a political and organisational level, influencing the societies’ everyday life:

“In short, social organization is merely the interorganismal aspect of nutritive, protective, and reproductive behaviour. To say, therefore, that a living species can live only if it does certain things is to say that it will form societies. Social organization is not merely a means of sustaining life; it is a *form* of life: of the life process itself [...] It is a way of sustaining and perpetuating life.” (White, 1959: 208f)

While the number of neutrons, protons and electrons are decisive in chemistry, the “magic number” of how many humans could live within a society in order to have a stability is not clear (and might never be). It does make a difference, if a society exists out of a few hundred or a few million people, changing the relationships in between and the habits, as a higher complexity is transforming the way of working together. Compared to an egalitarian way of living back then in communities of about 60-250 people, hunters and gatherers had other forms of social and cultural organisation. Those forms were changing over time, and new social practices have emerged over the last century in former hunter-gatherer societies: “Colonisation and rapid industrialisation have connected remote places to global centres, and new relations – in a broad variety of forms – between local communities, corporations and the state have emerged.” (Saxinger & Seidl & Hakami 2016).

While a human society can be described as a self-regulating system of relationships, the structure-giving state acts through its government, which exercises its sovereignty, being the most essential hallmark. The state is thus the law and order-maintaining institution of a human society, which by this law binds its members (Ghai, 2021).

“State is the organised political community of the people of a society [...] Hence, both State and Society are closely related and yet quite different from each other.” (Ghai, 2021)

While the state's law nowadays lay down rules, which are trying to regulate the behaviour of the people (containing such a high number of inhabitants, that it cannot be controlled in any other form so far) through a given fear of punishment in case the laws are violated, the relationships within societies are regulated by a special mechanism White calls "custom":

"Custom is the name we give to uniformities, regularities, continuities, etc., in cultural social systems [...] It means economy and efficiency, to begin with. To continue a technique once acquired is easier than to devise a new one. It saves both time and effort [...] Custom is therefore a powerful and effective means of social integration and regulation [...] Each part of the system is given its identity, and each part is geared to other parts and to the whole." (White, 1959: 214f)

He goes on saying that custom is a way to promote social solidarity and expresses group loyalty and allegiance, working as a mechanism of social control. Therefore, it serves as a social bandage, identifying societies or classes within one social system. It creates a feeling of "we-ness" and excludes in that manner "others" with different customs. It helps a society to hold together the different classes and groups or let's say parts. White is referring to these as etiquettes, which he distinguishes from ethics:

"We define ethics as a set of rules designed to regulate the behaviour of individuals so as to promote the general welfare, the welfare of the group. Etiquette is a set of rules which recognizes *classes* within society, defines them in terms of behaviour, and so regulates the behaviour of individuals as to keep them in their proper classes." (White 1959: 216)

White sees ethics as a code of rules, regulating the behaviour of individuals in order to achieve welfare, which he defines "in terms of subsistence, health, protection from the elements, defense against enemies" or in short, the feeling of security and the continuation of life itself (White, 1959: 216f). A human society, according to White, is thus trying to maintain itself to maximum advantage by regulating the behaviour of each individual. Etiquettes meanwhile only apply to certain group members and can differ a lot. This implies that not all interests of groups or individuals will be targeted equally but only on an adjustable, feasible regulatory basis. Both together serve to integrate and regulate human social systems by determining the relationships between part and part, as well as, part and whole (White, 1959: 210).

"But in a *system*, [...] a *part* and is therefore subordinated to the whole. Its behavior [...] is determined not only by its own composition and structure, but by its relationship to other parts of the system, by its place in the total context or configuration [...] The behavior of the parts is thus a function of the configuration of the whole." (White, 1959: 210)

White explains three factors, which determine the behaviour of any system. Those are the kinds of parts, which can be explained in terms of mass, magnitude and structure, next to the number of kinds or the number of units in each kind and last the configuration in which the kinds and numbers are organized. He used the simple formula “ $S = K \times N \times C$ ”, explaining any system as the following:

“A system, *S*, in its structure and function, as a whole and in its several parts, is a function of *kinds* of things, *K*, *number* of things and categories, *N*, and *configuration* of organization, *C*. The system will vary as any of these factors varies.” (White, 1959: 211)

Imagining that a system would have a chaotic configuration, the system would have to find other mechanisms in order to achieve the integration of refugees in a certain manner. Rather than adding numbers of new kinds into the whole, such as non-nationals into the existing social system, there might come up certain repulsion mechanisms, such as deportations or temporary stays on so-called “hotspots”, which will be outlined in the following part¹¹. The point is that an increase in size alone can already account for much of a society’s structural elaboration (Carneiro 2000: 242), as Carneiro states in the following:

“The fact that chiefdoms arose in so many widely separated parts of the world argues strongly for the fact that some common, general, and almost irresistible process was at work, a process strong enough to override all manner of local differences in climate, customs, ideology, and minor environmental variations to produce everywhere the same result. At the heart of this process was population pressure” (Carneiro 2000: 248).

If a society is forced but not able, for example, to integrate external influences such as receiving refugees, pressure might get too high and the structure of a system might break down and a new one would evolve. This breakdown could lead to several different outcomes, such as warfare, making nationals to refugees or forming a new society, which is incorporating those refugees as another group within, having own etiquettes. Considering this, the state’s government as well as the society’s customs can play important roles concerning the incorporation of refugees (White, 1959: 215f)

“After all, we would now have *two* kinds of structure with which to contend: that *within* communities, serving to keep each of them integrated; and that *overlying* all communities, placed over them by a higher authority to give this larger political aggregate coherence enough to remain a viable and functioning unit.” (Carneiro 2000: 243)

¹¹These so-called hotspots will be explained in the next chapter.

It is necessary to put the study of social organization into the right context including a political and economic environment a Member State is living in. Hollingsworth and Müller assert that,

“Whether in the social or the natural world, entities at each level have their own logic (i.e., rules which constrain their behaviour). No level exists out of relationship with other levels. Thus in the social sciences, analysts cannot understand human behaviour out of its context any more than the cell biologist can understand the behaviour of a cell totally abstracted from its environment.” (Hollingsworth & Müller, 2008: 21)

Additionally to the thoughts about the state as a social organism and the society as a social system, it is also necessary to explain Greece’s international partnerships and context within the European Union. Having a look on specific international regulations, which have an impact on Greece and its internal organization will be necessary to include also the impact of this higher level. Next to national actions, international mechanisms are used, in order to meet interstate inequality in the distribution of responsibility for refugees, which could lead to a temporary or even longer collapse of a member state, which in turn can have an impact on the other members. Therefore it is not just Greece, who has to try to incorporate the refugees within their society, but also the European Union as a whole. The implementation of new national laws for the integration (or rejection) of refugees can therefore be seen as a way to react to external influences in a way to maintain the inner structure. Those implementations thereby have an organizational character, the stability of the society as its aim. Not only the influx of non-nationals is a challenge to keep the stability¹² within a society, or within the Member States, a lot of changes on different levels actually have an influence on the social organism, evolving its structure to a more complex one. From this point of view, what Boswell in the second part represents as “selfishness of states” (Boswell, 2001: 49) rather is a natural process, which “[...] is a means, of effecting regularity, uniformity, order, and continuity in social systems.” (White, 1959: 215)

Concerning Boswell’s claim of states’ lack of moral motivation, White describes that:

“Discrepancies between moral codes as enunciated by a people and its behaviour with reference to them are due no doubt to dislocations of its sociocultural systems, caused by changes in habitat, technology, or relations with other peoples. In a highly integrated and stable culture we would expect to find a close correspondence between profession and practice in the field of morals, i.e., a high degree of morality. In poorly integrated and unstable

¹²Stability does not mean that there is no change at all, but that these changes can be integrated in such a way, that the current system does not completely collapse but evolve to another, higher complex system.

systems, on the other hand, we may expect to find a low degree of correspondence, or *immorality*.” (White 1959: 223)

Considering Greece and its crisis of 2010, one might not consider it as a stable system, but rather within a transformation. E.R. Service, who was the student of L. White, had the following thoughts about the “Law of Evolutionary Potential”:

“It expresses a distinct and recurring regularity in history—one society passing on the torch of cultural advance to another when it cannot itself take the next major step. But it cannot readily specify when one “continuum of progressive change” will play itself out and be replaced by another.” (Carneiro 2000: 237)

Societies, being able to grow in size and elaborating their structure, along with an increase in population can establish larger and more complex societies in the future, like Carneiro stated. This change clearly cannot take place within a few years. It takes time for a cause to produce its effect, which makes the study of social phenomenon even harder to do. The cause may recede into the background or may even disappear, and the anthropologists are not aware of it at all (Carneiro 2000: 234-240).

Compared to the population as a whole, few immigrants (refugees, migrants) are easy to integrate, especially in modern industrialized countries, in which ownership is of secondary importance. The law of converting quantity into quality, or more precisely, the principle according to which changes in quantity sooner or later result in changes in quality, also applies to larger movements of migration. For example, between 1905 and 1911 the Dutch colonial government resettled 4.818 Javanese to the province of Lampung (South Sumatra). Another 25.000 were resettled between 1911 and 1929. In 1941 there were already more than 31.000 transmigrants in Lampung. Even after the end of the colonial era, the rapid population growth of Lampung was almost 100% due to the immigration of Javanese transmigrants. In 1971 the province of Lampung had 2.8 million inhabitants; in 1976 there were already 3.6 million. In 1961 the majority of the population of Lampung (over 70%) considered of Javanese, while the locals had become a minority. Until the 1920s, the Lampungers were still able to practice their shifting cultivation (which is typical for Java) due to the rapidly increasing population density. It is therefore not surprising that there were bloody clashes between the locals and the transmigrants in Lampung. In this context, the Indonesian anthropologist Masri Singarimbun differentiates between (1) the agro-ecological absorption capacity and (2) the social and cultural

absorption capacity. In Lampung, both types of reception capacity were exceeded, and conflicts arose (Heeren, 1979: 319).

As White continues the thought of transforming systems, he states that,

“[...]one ethical system *as a means* may be better than other, i.e., promotes the welfare of its own group more effectively? And if this is so, could we not speak of the evolution of ethical systems, a course of development in which ethical systems—like axes or plows—are improved and become more effective as means of promoting group welfare as culture advances?”

Even more so, it is necessary to find out about some past occurrences, in order to realize similarities in the present and through that aiming to find scientific laws, which could describe this progressive change on a descriptive basis. Therefore, scientific research requires some knowledge about past and present events – in this case, about historical and current events concerning migration flows into and out of the EU with a special focus on border regime in Greece. Like Carneiro says: “It is one of the attributes of scientific laws to specify the conditions under which certain events that have occurred in the past will recur in the future.” (Carneiro 2000: 243).

European Union's Migration and Asylum History

As already mentioned in the first part, in the history of Europe, migration has always played an important role. Since the beginning of the 1960s, there was a higher number of immigration into Europe than emigration from Europe. Some member states, some of which (like Italy and Greece) had been for decades countries of emigration, have become destinations of refugees and migrants. While, for instance, Italy and Greece had been transit countries in the past, through new (inter)national regulations, they were transformed into 'persevere-countries', where refugees do not fully arrive in their new host-country on the one hand and are not deported back to their home country on the other hand (Fassmann & Dahlvik 2012: 7f).

Related to the matter of the organization of the asylum procedure within the EU, several conventions have been held and laws have been enforced. The most cited and well-known one is the 1951 Geneva Refugee Convention, which is an international legal norm for distributing responsibility and organizing the asylum procedure within the 27 Member States (Hellenic Republic (1) 2018). As South-North cross-Mediterranean migration extended to new Southern European destinations and in this period organisations specialised in facilitating irregular entry and non-authorised stay in the European territory began to emerge. New challenges were arising from changing migratory context, which made it necessary that the European migratory regime had to be developed. In the early 1980s, new political projects were of strategic significance. The first one being of an economic nature, the 'Schengen Project' was put through in order to have a 'borderless' area between its member states (from the five founding to the 27 current members). Systematic controls of goods and people on the move were set up at internal borders (Pastore & Henry 2016: 48).

“As a matter of fact, from the mid-1980s, European governments began to realise that, inside that dense core of the common market made up of the Franco-German and Benelux space, an easing of routine border checks could yield huge economic savings while boosting trade and tourism.”(Pastore & Henry 2016: 48).

Concerns about security made measures necessary in order to prevent an overall lowering of security levels. External border controls and surveillance was deemed necessary. In the 1990s the economic liberalisation was next to a process of securitisation, which first and foremost meant the fight against irregular migration. A wide array of policy tools such as visa restrictions and border controls were set up within the European migration regime. Especially after the war of Former Yugoslavia, Germany and other destination countries of a large numbers of war

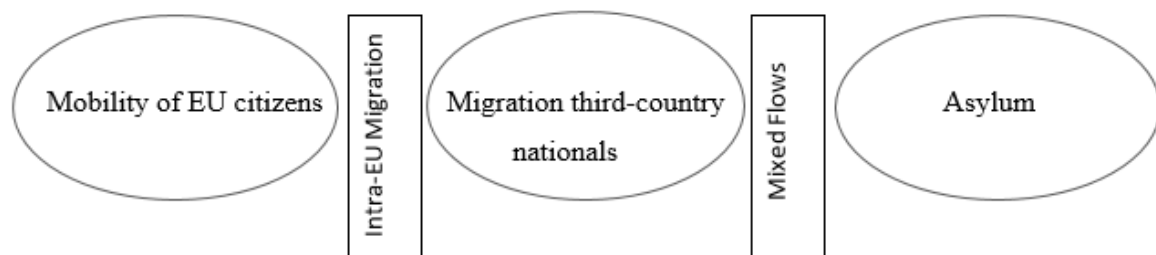
refugees set up different strategies. Restrictive reforms on a national level were accompanied by a harmonisation of EU member states' asylum systems (Pastore & Henry 2016: 48f).

“This second strand had the objective of sharing more equally what was being perceived as a burden (the expression ‘burden sharing’ to refer to asylum seeker redistribution was affirmed in the European political and bureaucratic jargon during those years), pushing peripheral counties, southern and later on central-eastern ones, to reinforce their national asylum systems in order to rebalance perceived asymmetries among member states.” (Pastore & Henry 2016: 49).

Within the European migration policy, or the regulation and management of movement of people into the territory of the EU and across member state's internal borders, there can be identified three different fields, with different categories of migrants and distinct institutional and legislative frameworks. The first one considers the mobility of EU citizens within the territory of the EU, which was founded as European Economic Community, for workers being able to move freely. The second field regards third-country nationals, and finally the third area of forced movements, in search for international protection from persecution, conflicts, violence of human rights in the countries of origin. To grant asylum, there encounter strict limitations concerning, for instance, the admission phase, the treatment of the return of foreign citizens. Those are deriving from binding constitutional and international principles, such as the Geneva Convention to the EU Charter of Fundamental Rights having since 2009 the same legal value as European Union Treaties (Pastore & Henry 2016: 45f).

“In the EU context, the three spheres identified above – EU citizens' mobility, third-country nationals' migration and asylum policy – are therefore framed as distinct issues dealt with in different institutional and administrative contexts and in different policymaking environments.” (Pastore & Henry 2016: 46)

In the following graphic, the official fields of the European Migration Policy are shown in figure in ovals, while the overlapping situations and interdependencies are in rectangles. On a political level, as well as on an operational level, those three fields are not clearly distinguishable (Pastore & Henry 2016: 46).



Although between 1999 and 2005 a European Refugee Fund was established, the degree of concrete harmonisation remained limited. European governments therefore aimed at establishing a Common European Asylum System (CEAS). A major step in this direction was the adoption of a ‘package’ during summer 2013. New regulations and directives covering all aspects of an integrated protection policy were established. This was about the criteria for identifying the state responsible for examining the asylum claims to the procedures regulating use of the Eurodac database to prevent frauds. Also, the criteria for qualifying as a person in need of protection to the asylum procedures and reception conditions were appointed. The major burden of these reforms was placed on peripheral countries such as Greece, who became thereby a destination country for massive migration flows (Pastore & Henry 2016: 49).

“Not only has the European migration regime required asymmetrical efforts from the different member states from its origins, but it is still characterized by persistent imbalances. These can be defined as structural as they derive from two regulatory and binding principles which systematically penalize the more peripheral member states (meaning those on whose territories significant parts of the EU’s external land and sea borders are situated).” (Pastore & Henry 2016: 50).

One of these principles are the ‘Schengen principle’, which leaves the responsibility to control the external European borders up to the border member states, mainly at its own expense. Exceptions are specific economic support, such as the European Border Fund (operating 2007-2013) or the International Security Fund (2014-2020). Within the scope of national powers and national law, the borders shall be secured in interest of all parties. In the ‘Dublin Principle’, core principles of the European asylum system were affirmed for the first time. As an applicant from a third country “having irregularly crossed the border into a member state by land, sea or air, the member state thus entered shall be responsible for examining its application (Article 6, Dublin Convention)”, this placed the greatest burden of management and first reception of asylum-seekers on the more peripheral countries (Pastore & Henry 2016: 50).

The European migration regime was thus born as intrinsically asymmetrical, with its structure reflecting the strategic priorities of some founding member states and unequally distributing functioning costs among EU countries (Pastore & Henry 2016: 50).

From the end of 2014 until 2016, there was the largest increase of refugees into the EU since World War II, which resulted in changes to Europe's asylum procedure on international and national level. The largest group of immigrants entering the EU came from war-torn countries, such as Syria, Afghanistan, and Iraq. Syria alone, with over 5 million displaced people has led to a strong increase of migratory movements into neighbouring countries and into the EU, particularly into Greece. "Along with gradually increasing arrivals of migrants in Europe, there has been a dramatic rise of shipwrecks and deaths in crossing the Mediterranean." (Pastore & Henry 2016: 52f).

Since 2013 in particular, the European migration and asylum regime entered a critical phase, which revealed a deep interdependency between the different components and the unbalanced nature of its normative foundations.

"This original structural fragility had not fundamentally compromised the overall functioning of the regime until two major exogenous factors (the economic crisis, with its asymmetrical impact on the eurozone, and the wave of political instability and conflicts on the southern shore of the Mediterranean) brought its intrinsic limits to the point of rupture. The ongoing, highly contentious process of reform of the European migration and asylum regime is an unprecedented and crucially important test of the capacity of one the European Union's key sectors to evolve under pressure and to adapt to a rapidly and deeply changing geopolitical, economic and demographic environment." (Pastore & Henry 2016: 44).

The special circumstances led to a decision taken in August 2015 in Germany to suspend the Dublin regulation for Syrian nationals and thereby admitting them into the asylum system, regardless of the first entrance into another member state. In September 2015 measures for the relocation of 120,000 asylum seekers from Italy and Greece to other member states, which on a larger scale could not be considered as a definitive solution in the ongoing crisis of the European migration and its asylum regime. Thereby the responsibility for search and rescue operations, border controls and international protection remains to a handful of states of first entry, namely Italy, Greece and Hungary. This uneven distribution of burden will make more radical changes hard to avoid in the future (Pastore & Henry 2016: 53f).

Because of the events of 2014 until 2016, the huge increase of refugees coming into the EU made new deals necessary, in order to avoid even more chaotic scenarios arising within member states. Therefore, Europe's asylum procedure adopted some new strategies on the international

and national levels in response to the massively increasing numbers of refugees arriving in the EU. In 2016, the EU agreed to a deal with Ankara to seal the sea route and to improve conditions for Syrians staying in Turkey. According to this, all new irregular migrants crossing from Turkey to the Greek islands after March 20th, 2016 were returned to Turkey. The second anniversary of the Common Statement between the EU and Turkey came in March 2018, despite the fact that it was initially described as a temporary and extraordinary measure (Hellenic Republic (1) 2018). This deal was seen as a statement of cooperation between the European Union and the Turkish government, in order to provide financial support for Turkey in exchange for Turkish authorities curbing the flow of migrants into Europe. Turkey has repeatedly stated that this is not a balanced burden sharing, since around four million mostly Syrian refugees live in Turkey. As the EU did not provide enough money until 2020, next to not having provided a common solution for visa regulations between Turkey and the EU, Turkey's president Recep Tayyip Erdoğan opened the gates at the border to Greece in March 2020, in order to make a statement. This led to the reaction of the Greek National Security Council declining to suspend the registration of asylum applications for one month, stating it as an emergency and leaving thousands of refugees being in a state of uncertainty and confusion (Aljazeera 2020; France24 2020; Help Refugees Limited 2018). The EU Commission President Ursula von der Leyen described Greece in this matter as a “protective shield” against migration, which would be supported financially by the EU (Fallon & Perriguer & Grillmeier & Deleja-Hotko, 2021).

Five years after the EU-Turkey statement, the non-profit organization called European Council on Refugees and Exiles (ECRE) maintains its position that the deal was unethical, illegal and unnecessary. ECRE presented alternatives in which the focus would have been on making asylum work within Europe through investments, rather than investments into Turkey. Instead of denying access to protection in the EU, rather, so ECRE, a temporary protection regime could have been built (Woollard 2021).

“In the meantime, the predicted and inevitable negative consequences of the Deal for refugees have been well-documented, at least in Greece, but are seen as a price worth paying. The impact on Turkey, now the country that hosts more refugees than any other, and twice as many as the rest of Europe combined, are sometimes overlooked in an attempt at collective wilful blindness, as are the effects on Turkey's actions at its border and in Syria, as well as on EU-Turkey relations, which have been fundamentally distorted by the EU's dependence on Turkey that derives from the Deal.” (Woollard 2021)

Although the EU was trying to help the external borders, in particular Greece with this deal, the outcome was not as successful as expected. Greece therefore had to find other strategies, like illegal pushbacks ordered by the Greek government. Those pushbacks and general information on the situation of refugees on the Greek islands, are published weekly, monthly and annually. According to its annual report from 2020, the arrival of refugees has decreased by 84,1% compared to the year before. About 300 boats carrying 9617 people arrived on the Greek island compared to 1812 boats carrying 60.609 in 2019. As the report says, the decrease is due to political changes within Europe, as well as because of the pandemic and not to forget because of illegal pushbacks. 778 boats carrying 25.158 people were reported to have been stopped on their way to Greece, arrested by the Turkish Coast guard and police. Next to that another 324 pushback cases in the Aegean Sea have been reported (Aegeanboatreport 2021)

“It is the legal right of men, women or children to enter a country with or without paperwork, if they intend to apply for asylum. Pushbacks are the illegal practice of a state preventing them from doing so by stopping them entering its territory, or forcing them back across a border or into the waters of another state. The Greek government has hugely increased illegal pushbacks of refugees since January 2020, with some victims stating they have been beaten by Greek officials before being forced back across borders, or into the sea.” (Aegean, 2021)

About a third (of in total about 10.000) had already arrived on the Greek islands and were arrested and forced back to the sea by the Greek police. Almost half of the registered pushbacks happened around Lesbos. On orders from the Greek government, they are left drifting in life rafts in the sea or directly deported by the Hellenic Coast Guard (HCG)¹³. So far, there has been no reaction from the EU on these illegal actions (Aegeanboatreport, 2021).

To come to a point, the year 2015 made it particularly obvious that the Dublin Agreement is considered to be in need of reform. The consequences of the agreement are an uneven distribution of costs concerning refugee protection, borne by only some of the EU member states, leading to negative consequences for the rights for refugees. This unequal distribution of burdens remains institutionalized in the border regime. In public discussions about the crisis year 2015, the focus was mostly on the failure of the EU border regime, which on the whole was left to Greece and Italy. As those two countries were affected the most and overwhelmed by the massive influx of refugees, functions of the European border and migration policy, such as the control of cross-border movements, as well as the execution of asylum procedures were

¹³In Figures & Attachments a photography shows that the author witnessed one of these pushbacks, most probably by the HCG on 27th of July, 2020.

not met comprehensively and in accordance with EU requirements. The fundamental freedoms and engines of integration guaranteed in the EU treaty were restricted, as temporary border controls in the Schengen area occurred. As Christof Roos, expert on European Studies, describes it, the extent of refugee migration is only an intensifying factor, leading to the destabilization of an already dysfunctional EU border regime. On top of that is that even if it is well known that the Dublin regulation has to be renewed, there are enormous difficulties with consensually restructuring the complex and politically sensitive international regime. A first step into this direction is to understand the situation of Europeans border regime and to adapt it to the new circumstances (Roos 2018: 19f).

And not just the EU is in need to adapt to those upcoming challenges. Having a look at the United Nations (UN) a rather recent declaration is the New York Declaration of 2016, which represents together with the Global Compact on refugees¹⁴ a remarkable commitment to international cooperation for sharing responsibilities more equitably in the face of large movements of refugees (UNHCR May 2017: 7). In order to address large movements of refugees and migrants, the UN General Assembly hosted an all day summit on the 19th of September 2016 at the UNHQ (Headquarters of the United Nations) in New York. The aim was to bring countries together to strengthen governance of international migration by moving them toward a more humane and coordinated approach. This goal is an ideological one, desirable, but difficult to implement. It was the first time that the General Assembly had called for such a summit at the Heads of State on a governmental level. It was a historic opportunity for a better international response to large movements of refugees and migrants. The result was The New York Declaration for Refugees and Migrants, which expresses the political will of world leaders to save lives, protect rights and share responsibility on a global scale (which is again an ideological dream). In adopting the New York Declaration for Refugees and Migrants, the 193 UN Member States recognized the need for a comprehensive approach to human mobility and enhanced cooperation at the global level. This sent a powerful political message that migration and refugee matters had become major issues squarely in the international agenda (United Nations 2020).

¹⁴ The Global Compact 2018 proposed by the High Commissioner for Refugees in the annual report. It comprises two parts: the discussion of the New York Declaration and a program of action that sets out future actions (UNHCR May 2017: 1).

In December 2019, a first Global Refugee Forum (GRF) took place, arranged by the Global Compact on Refugees (GCR). From then on, every four years states and other actors should come together in order to share “good” practices (similar to Boswell), in order to reach the goals of the Global Compact. The GCR is stated as a

“[...] framework for more predictable and equitable responsibility-sharing, recognizing that a sustainable solution to refugee situations cannot be achieved without international cooperation. It provides a blueprint for governments, international organizations, and other stakeholders to ensure that host communities get the support they need and that refugees can lead productive lives.” (UNHCR, 2021)

The four key objectives are firstly to erase the pressure on host countries, next to enhancing refugees self-reliance, expanding access to third-country solutions, as well as supporting conditions in countries of origin for refugees being able to return in safety and dignity. The GCR thereby provides a reference framework, which critically assesses the EU’s policies in relation with two issues. The first one being the role and contribution of the EU and its member states towards the implementation of the GCR in ways which are loyal to the Compact and EU Treaties guiding principles. Other than that, the [...] the main gaps and contested issues of existing resettlement and complementary admission instruments for refugees and would-be refugees implemented at the EU and Member State levels.” (Carrera & Cortinovia, 2019)

Carrera and Cortinovia describe in their paper that,

“[...] EU policies in the field of asylum and migration have been driven by a ‘contained mobility’ approach, which has been recently operationalised in the scope of EU third country arrangements like the 2016 EU-Turkey Statement. Under this approach, restrictive and selective mobility/admission arrangements for refugees have been progressively consolidated and used in exchange of, or as incentives for, third country commitments to EU readmission and expulsions policy. The paper concludes by recommending that the EU moves from an approach focused on ‘contained mobility’ towards one that places refugee’s rights and agency at the centre through facilitated resettlement and other complementary pathways driven by a fundamental rights and international protection rationale.” (Carrera & Cortinovia, 2019)

Optimism coming from the first GRF created an atmosphere of anticipation for the future. The resulting expectations were to mobilize actions towards the four objectives, as well as the fulfilment of the over one thousand pledges, set at the Forum. Due to the situation with COVID-19 one year later, the context in which these pledges were made had changed dramatically and tested international standards of refugee protection on another level. Through the pandemic issues have been intensified, reducing access to education or livelihoods, and increasing the

vulnerabilities of people forced to flee. Other initiatives which were launched at the Forum showed signs of progress, such as regional support platforms have continued working collaboratively in order to innovate regional responses to forced displacement (Triggs, 2020).

“Support from the European Union has significantly contributed to advancing these regional solutions – an example of how co-operation with development partners is already catalyzing the implementation of the GCR by broadening the base of support. Germany, through BMZ, has facilitated efforts to strengthen the humanitarian-development-peace nexus in situations of forced displacement, and UNHCR is working with multilateral development banks to find new opportunities for support at the global, regional, and country levels.” (Triggs, 2020)

After this brief insight at the highest level, namely the global one, and the EU-level, now comes the core of this work: to shed light on the situation of one of the European member states, namely Greece, in order to find out how the incorporation of refugees is working on a national level.

Greece and the History of its Refugee Policy

The asylum matters in Greece used to pertain exclusively to the Ministry for Public Order and Citizen Protection. It was the last European Member State in which the asylum procedure was handled for and only by police authorities, without intervention by an independent body. Nonetheless, in 2011 at the Ministry of Citizen Protection one independent service called “Asylum Service” was established, which has a local jurisdiction extending across the entire Greek territory. This Service has since been responsible for implementing the legislation on asylum and any other forms of international protection of foreign nationals and stateless persons, as well as for contributing to the planning and formulation of the national asylum policy (Hellenic Republic 2011).

Greece had been a late entrant into the field of asylum, as it used to be a transit country. Although the Geneva Convention was ratified in 1959, the establishment for a procedure for refugee recognition started only in the late 1970s. The first specific asylum legislation was enacted in 1977 and since then asylum became part of the Ministry for Public Order. Greece revised its asylum legislation and adopted specific refugee recognition procedures in the early 1990s and also later during that decade. An attempt was made through this to meet the obligations of the Geneva Convention and other EU relevant legislations. For instance, doing a personal interview for all applicants, giving them a right to work, no more deadlines for lodging asylum applications and so on. In the late 1990s on to the 2000s, the number of official registrations of asylum applications grew gradually in Greece. The Greek authorities discovered that they were unable to accelerate their processing and about at the same period, the first European efforts to coordinate asylum were undertaken. This way, the treatment of certain aspects of asylum between Member States of the European Community started and intensified with the Maastricht Treaty. Asylum then became part of the third pillar – Justice and Home Affairs – of the Union’s competencies. The Dublin Convention signed on 15 June in 1990 and entering into force on 1st September 1997 had laid emphasis on deterring abuses in asylum procedures. For example, asylum applications should no longer be lodged in more than one EU Member State. This way, one of the states had to take the responsibility for taking care of the asylum procedure. The Dublin Convention was an international law instrument and not part of the Community legal order. In the Amsterdam Treaty and following the Extraordinary Summit held in Finland in 1999, the Member States decided to adopt a number of specific legislative measures on asylum. This way, a common European system for granting refugee status was to

be established. What came out of that is known as the Dublin II Regulation, with which mechanisms were set up to determine which of the Member States is responsible for examining an asylum application. Therefore, the territory of countries played a significant role, regarding the entry or residence of the applicants. With this, Greece being geographically on the periphery of the EU, it led to the country having to bear a higher number of asylum applications. As Greece was being not able to cope with this burden any longer, new regulations and mechanisms on national, as well as international level were put into force (Papadimitriou & Papageorgiou 2005: 300ff).

“Since early 2004, the Greek authorities have been interrupting the examination of asylum applications by persons who return to Greece on the grounds of European Council (EC) Regulation 343/2003 ‘establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national’, commonly known as the ‘Dublin-II’ Regulation. They use, for this purpose, a specific provision of Greek legislation that allows the authorities to interrupt the examination of an asylum claim when the applicant arbitrarily leaves his stated place of residence. As a result of this practice, asylum applicants who are returned to Greece by other Member States on the grounds of the said Regulation may not have their asylum claim examined in substance and fully processed in any of the EU Member States.” (Papadimitriou & Papageorgiou 2005: 299).

In September 2015, the already mentioned relocation scheme was set up by Council Decisions (EU), for a target of 120,000 asylum seekers, which constituted a partial derogation to the Dublin Regulation rules. It was designed as an emergency measure to alleviate pressure on Greece and Italy. Out of 66,400 asylum seekers to be relocated from Greece, until 25th March 2018 the Asylum Service registered 21,994 persons being transferred (Asylum Information Database 2017; Hellenic Republic (2) 2018).

While reducing the number of refugees within Greece through relocating them within the EU is one way to help the country dealing with the situation, the EU Commission also supports the country by providing money, which was back then in total around 1,5 million Euros (Zeit Online 2018). In summary, there have been international measures, like the relocation scheme and the EU-Turkey deal, which show that Member States under certain conditions would need help on international basis. As the UNHCR states:

“The principle of burden- and responsibility-sharing reflects an understanding that refugees are of concern to the international community as a whole and that the countries and communities that host large numbers of refugees should be supported in doing so by the international community.” (UNHCR July 2017: 2)

In 2017, 29,718 persons arrived in Greece by sea, compared to 173,450 in 2016. About 5650 persons were arrested at the Greek-Turkish land borders in 2017, compared to 3,300 in 2016. Of the arrivals, 42% were originated from Syria, 20% from Iraq and 12% from Afghanistan. While there were 22% women and 37% children, less than the half (41%) were adult men. In total, the Asylum Service registered 58,661 asylum applications in 2017, which is 8.5 % of the total number of applications submitted in the EU. This means, Greece has had the highest number of registered first-time applicants relative to the population, which was 5.295 first-time applicants per million population (Eurostat 2018; Asylum Information Database 2017).

A high proportion of these applications are made on five islands, the so-called “refugee hotspots” of Greece, which are Lesbos, Chios, Samos, Leros and Kos. Over 800.000 people passed through Greece in 2015 until early 2016, of which a substantial number entered through Lesbos. On these islands, the asylum applications comprised 36.2 % of the total applications submitted in all Asylum Offices in the country. In 2017 and 2018 this percentage increased to 44.8 % and 50.2 %. Data dating to 28th March, 2018 shows that 45.5 % are on Lesbos, followed by 23.5 % on Chios, 19.4 % on Samos and only about 5-6 % on Leros and Kos. In total there have been since then more than 20,000 asylum-seekers, which is double amount of the islands’ capacities. Due to that fact, the conditions for refugees in the camps are low-standard, which is internationally known and criticized and which will be discussed in more detail, when talking about the biggest refugee camp in Europe, Mória (Hellenic Republic (1) 2018).

Asylum-seekers have been prohibited from leaving the islands since March 2016, which has resulted in severely overcrowded camps, and protests¹⁵. In April 2018, the Council of State annulled the decision and new refugee and migrant arrivals in Greece are therefore able to move around the country freely, whereas the movement on the hotspot-islands become more restricted (World News 2018).

“In practice, the imposition of a restriction on freedom of movement is particularly applied to persons subject to the EU-Turkey statement and the Fast-Track Border Procedure, whose movement is systematically restricted within the island where they have arrived, under a “geographical restriction”. As mentioned in Reception and Identification Procedure, the

¹⁵On 23rd April, 2018 the protest in Lesbos, with desperate migrants asking for better conditions and ultra-nationalists holding counter-protests. Smaller protests happened since then (Express 2018).

geographical restriction on the given island is imposed both by the Police Authorities and the Asylum Service.” (Asylum Information Database, 2021)

The so-called “hotspot approach” was introduced by The European Agenda on Migration, which should serve as a model of operational support to Member States faced with disproportionate migratory pressure:

“The 'hotspots' – first reception facilities – aim to better coordinate EU agencies' and national authorities' efforts at the external borders of the EU, on initial reception, identification, registration and fingerprinting of asylum-seekers and migrants. Currently, only Greece and Italy host hotspots.” (Mentzelopoulou & Luyten, 2018: 1)

In particular Frontex and Europol should support frontline Member States as in the case of Greece, to handle incoming migrants. Those who are claiming asylum will be put into the asylum procedure where the European Asylum Support Office (EASO) is sending teams in order to help process asylum cases, while Frontex should help by coordinating the returns. Next to that, Europol and Eurojust should assist the host Member State with investigations to dismantle the smuggling and trafficking networks. This approach has been endorsed by the European Council in June 2015. Details about the function and modalities of the hotspots were presented in an unofficial “Explanatory Note” (Papadopoulou, 2016: 10).

“According to the Explanatory Note and the Annex, the hotspot approach should be the provision of operational support to Member States for the registration, identification and fingerprinting at points of arrival, in order to avoid irregular secondary movements; it would also aim to support the implementation of the relocation scheme under article 78(3), enhance law enforcement analysis on the ground and more effective implementation of returns policy. The Regulation establishing the European Border and Coast Guard (EBCG) of 13 September 2016 adds the definition of hotspot as ‘an area in which the host Member State, the Commission, relevant union agencies and participating Member State cooperate with the aim of managing an existing or potential disproportionate migratory challenge characterised by a significant increase in the number of migrants arriving at the external border.’” (Papadopoulou, 2016: 10)

Between the EU Agencies there is no hierarchy, as each Agency has a specific role in its implementation, such as Frontex, currently operating under the command of the Greek state in the Aegean Sea near Turkey. They stepped up their operations after Turkey opened their borders in the beginning of 2020, which led to geo-political tensions and Greece being challenged with thousands of new arrivals. They are providing assistance with registration, nationality screening, fingerprinting and the Eurodac registration. The Eurodac is enabling Member States to compare fingerprints of asylum applicants in order to regulate irregular entrances. Through this process, it is easier to determine responsibility for examining an asylum application. Next

to these tasks, Frontex conducts interviews in order to gather information about smuggling routes. Besides that it also supports the organisation of returns (Papadopoulou, 2016: 10).

In late 2020, Frontex has been accused of violating human rights, as they would carry out illegal pushbacks. The executive-director of Frontex, Fabrice Leggeri, had followed procedures over internal reports of possible violations. He sent letters to Greek authorities, with explanations and investigations into the allegations. The Greeks denied any wrongdoing by the Hellenic Coast Guard, claiming that in some cases the migrants on boats turned back to Turkey of their own free will (Nielsen, 2021).

“The results seek to spare the European Union reputational damage, at a time when Frontex's powers continue to expand. But in reality, they end up reinforcing a system of impunity of state institutions, whose political masters are largely supported by the EU. For its part, the European Parliament declined to set up a more powerful inquiry committee into the agency.” (Nielsen, 2021)

It seems like authorities want to look away in order to protect Frontex, as it is serving as a protection against asylum seekers, that are trying to reach the islands, and maybe later on trying to get farther into the north of Europe. And for those who are reaching the islands, they are kept in the hotspots. Those hotspots were designed in order to identify, register and process migrants.

“As migration continues to be one of the EU's main challenges, the hotspots are a key element of EU support for Greece and Italy to help them face the challenges of the humanitarian and border management crisis. However, reception conditions remain a concern. The majority of the hotspots suffer from overcrowding, and concerns have been raised by stakeholders with regards to camp facilities and living conditions, in particular for vulnerable migrants and asylum-seekers. The European Parliament has repeatedly called for action to ensure that the hotspot approach does not endanger the fundamental rights of asylum-seekers and migrants.” ((Mentzelopoulou & Luyten, 2018: 1)

While in Italy migrants spend a few days in such hotspots before being transferred to reception or detention centres, in Greece the situation is different, as the hotspots serve as reception/detention centres themselves. Refugees arriving on the Greek islands therefore often spend months or years in such camps, living in inhumane conditions and being forced to wait until a decision about their asylum has been made by the Greek authorities (Papadopoulou, 2016: 11).

“Hotspots were conceived as a tool directly related to the emergency relocation mechanism, in order to identify and channel asylum seekers in clear need of international protection. According to the ‘Explanatory Note’ sent by Commissioner Avramopoulos to JHA Ministers, the hotspot approach should contribute to the effective implementation of the relocation schemes established by the EU Decisions of 14 and 22 September 2015.¹⁰ With regards to

Greece, however, the EU Turkey deal shifted the hotspots' objective and functioning towards a filtering between the regular asylum procedure in Greece, or return to Turkey.” (Papadopoulou, 2016: 12)

While executive powers rest with the Member States, and EASO and Frontex increasingly interfere with national procedures through their operations on the ground, which through its involvement in individual decision-making processes generates greater accountability and liability for human rights violations (Papadopoulou, 2016: 12).

“In particular, when operating in the framework of migration management support teams in the hotspots, the technical and operational assistance that can be provided ranges from screening (including registration, identification and, where requested by Member States, fingerprinting), the provision of information on asylum procedures, the registration of asylum applications, and “where requested by Member States, the examination of such applications” (Article 21 (2). As ECRE has noted, while the responsibility rests with the national authorities, this is clearly stretching the competences of the Agency's staff and Member States' experts from other Member States and raises questions of accountability. It also raises questions of quality and efficiency, in particular where they lack any practical experience in assessing and examining asylum applications.” (Papadopoulou, 2016: 12)

For example in the case of Greece, the Law of April 2016 foresees a supporting role for EASO in the inadmissibility interviews, while not specifying certain responsibilities. This and other facts led some observers to come up with the idea that the EU should issue an additional legislative proposal covering the specifics of hotspots and the ways in which compliance with European asylum law and the EU Charter are to be guaranteed. In the next part, there will be a short digression about the most famous hotspot of Greece: the Greek island Lesbós (Papadopoulou, 2016: 13).

Camp Mória, Camp PIKPA and the “new” Mória on Samos

This section will provide a closer look into one of the European Union’s hotspot islands, including the author’s experiences on the Greek island Lesvós, which is why this last part will be written in the first person. Mória Reception and Identification Centre, which was located close to the city Mytilene, is stated by some NGOs as the worst refugee camp worldwide, described as an ‘open prison’. It used to be Europe’s biggest refugee camp until it was burned down in September 2020. It was built for about 3.000 people, while at its peak around 20.000 refugees lived there, among whom 6.000-8.000 were children. Most of them coming from Afghanistan, Syria, Iraq, Somalia, and Congo among other places. As the camp got overcrowded fast, it expanded into the surrounding, while estimated 5.000 olive trees were cut down and used for the structures or as firewood. The Greeks living in the village Mória were complaining about vandalism and rising criminality, as people were breaking in their gardens or houses. People arriving on the island had to register at EASO, who usually handed a tent out at the beginning. If the new arrivals found someone to live with and to make a structure together, and if they had enough money – because the wood for your structure one has to pay for him- or herself – then they would start building their homes out of whatever was available to them. When I walked through the so-called “Moria jungle”, which is the area all of the structures were built around the original container camp of UNHCR (the one originally for 3.000 people) I saw all kinds of houses, some built out of plastic bottles or leaves, others with wood. Some had dug a hole in front of their structure which was used as a stove. I have visited one structure, where they had a small bathroom, the hole being their private toilet, which to them was luxury. Everybody else had to use the facilities of the camp, which were rare and dirty. People had to stay in lines in Mória not only for going to the toilet but also for taking a shower, getting food or water, picking up money (there used to be one cash-machine installed sometime in 2020 for around 18.000 people back then), going to the health centre, going to the city Mytilene by bus and so forth. In a state of standstill, there is not much more to do for those refugees, than to wait for the interview, after that to wait for the decision and in general waiting for a better future. Seeing it like that, this camp could also be called “waiting-camp” (Wikipedia, 2021).

In the beginning of the so-called refugee crisis, there used to be a lot of volunteers coming to the island and working in the camps. There used to be a system, separating new arrivals into vulnerable and non-vulnerable refugees. Throughout a first interview this decision had to be made by some authorities, which had a huge impact on their asylum procedure. If you were put

into the vulnerable group (mostly women, children, injured people) then it was more likely that the whole process was faster, and it was easier to get help for special needs. In the beginning of 2015, the situation was also very different to the situation in 2020, as there were mostly richer people arriving, actually those who could afford to leave. The Greeks were using this opportunity, selling supplies for a higher price than later on. There was, for example, the possibility to charge your phone, which would cost 10 Euros, as I was informed by a Greek resident. Over the years, the camp grew in size as more and more people were arriving compared to a small amount who were leaving the island. Around the container camp, which was run by the UNHCR, a little village made out of tents and structures started to grow. At its peak, camp Mória had 20.000 occupants at the same time. Facilities were lacking and if existent, in a bad shape. The conditions were tough, as in summer there was nowhere to hide from the heat and in winter there was no heater to warm up the tents, the refugees themselves started to put life into this camp. There was a little market, run by those refugees who could afford to build up little shops. There were also tents built for barber shops or structures which had sewing machines. Even schools had been formed inside the camp, some with the help of volunteers and some run by refugees only. There took place language courses but also art courses or dance classes. Conditions further deteriorated throughout 2020. The threat of having COVID-19 spread in the camp easily and quickly was apparent, as keeping distance was impossible and the hygiene-level very low. Because of COVID-19 the people were also put under lockdown, which meant they could not leave the camp in order to go to Mytilene. Only with a special permission from the police they could move around (for example in case of a doctor's appointment or for the interview). Also, because of the virus, most if not even all of the courses that were run by NGO's had to stop operating during the first lockdown. Help was hard to provide and only the schools run by refugees themselves could find a way to continue. Next to this worldwide pandemic, as I already mentioned earlier, in the beginning of March the Turkish borders were opened and a massive influx of refugees came to the Greek islands. This led to riots by right-wing extremists who flew from Germany and Austria to Lesbos, trying to attack refugees and volunteers. Some people I knew for my work as a volunteer were telling me about being attacked when they were sitting in the car on the way to the camp. Those extremists were throwing stones at cars but they were also attacking people. Next to that, the Greek state suspended the asylum law for one month, which made the new arrivals of refugees illegal. Some of them were not even documented and were sent straight back to Turkey instead (while later claiming not to have received any refugees, although Greek people from the village were

witnessing it). On 8th of September when the camp burned down, the refugees lost their homes once again. They were forced to live in the streets, not able to enter the city called Mytilene. They were not even allowed to rent rooms in hotels, as the hotels in Mytilene had decided not to accept any of the refugees, which was a scandal. Some volunteers tried to find a place to stay for a man sitting in a wheel-chair. He used to be in the old camp Mória, not being able to move and therefore always dependent on another friend, also refugee to help him out. In the new camp, which was built on a former military shooting range, for the man in the wheel-chair his mobility was even more limited than before. While the volunteers tried to find a place for him, they had to fight in order for the man staying not more than one night in one of the hotels. Until now, the tents of the new camp are only for a temporary stay, hosting around 7000 refugees, including children under the age of eighteen. Around 5000 refugees have been moved from the island to the mainland. After Mória burned down in 2020, the EU decided that something had to change. Therefore, the EU decided to give Greece 276 million euros for building a new reception centre on the five hotspots Chios, Kos, Leros, Lesvos and Samos. The design of those reception centres should be conform to the „EU standards“, while the Greek government alone is responsible for the implementation and planning of all camps. The procedure should be overseen by the newly so-called Task Force Migration Management, which was established in September 2020 (Fallon & Perriguer & Grillmeier & Deleja-Hotko, 2021).

“[...] the Task Force Migration Management works with the Greek authorities and EU agencies to improve conditions for migrants arriving to Greece. The Task Force was established based on an agreement between Greece and the European Commission. It is also supported by a group of Member States.“ (Europäische Kommission, 2021)

The first centre was opened on Samos one year after the fire in September of 2021. Four journalists have accompanied the construction of the new camps, although those camps are increasingly developing into places to which journalists, human rights watchers and lawyers are only allowed to enter with permission and accompanied by the Greek authorities. Their research shows, that the EU not only finances camps which are built and used very similar to prisons, it is also turning into a pilot project for the reception of asylum seekers. The EU Human Rights Agency, called the Fundamental Rights Agency (FRA) which is an independent body of the EU and established to „provide assistance and expertise to the European Union and its Member States [...] when they are implementing Community law, on fundamental rights matters“ (refworld, 2021), warned that barbed wire, surveillance and restrictions on freedom can re-traumatize people who have experienced violence and persecution. The reality in the

camp on Samos looks different: There has been built a three-meter-high chain link fence, on top of which are barbed wires, there are also watchtowers and uniformed security personnel who patrol inside and outside of the camp for 24 hours per day. Also, against the warning of the FRA to not build a center which does not allow asylum applicants to move freely inside the camp and to come and go as they want, the Greek implementation again does differ in reality, as the camp can only be left with a chip card between eight o'clock in the morning until 8 o'clock in the evening. And even if they could leave the camp, as there is nothing around the residents would have to walk for one hour in order to get to the next village or take a bus for a price, which they hardly can afford. Similar to Mória, this again shows the EU's try to keep immigrants concentrated in one spot, in order to have a better overview and to be able to better control them. A last point which is stated by the FRA is the best interest of the child and children's rights, which says that children should not be exposed to prison-like fencing and should not witness violence. It does not seem like there has been changed a lot, the "new Mória" on Samos and the following camps on the other islands do not promise to take a step forward in that regard. As 112 cameras in the terrain, as well as 94 cameras for the entrances and exits broadcast live from a command centre what is going on in the camp, there is no privacy for its residents. Additional 20 cameras are equipped with artificial intelligence, which are analysing movements and sound alarms if, for example, people gather in groups. Also, faces are scanned and drones are used, all financed by the EU and more precisely through a "Recovery and Resilience Facility", which is a fund that was originally intended to stimulate the economy of EU member states in a sustainable and digital way after the corona pandemic. Greece applied for costs of around 37 million euros for the surveillance systems, which has already been approved. A first deposit has been transferred (Fallon & Perriguer & Grillmeier & Deleja-Hotko, 2021).

Compared to those new camps and along with the overcrowded Mória in Lesbos, there existed a smaller camp called PIKPA, founded by Lesbos Solidarity Network in 2012. This place called then "The Village of Altogether" was a space, built on the principles of solidarity, empowerment and active participation, hosting around 120 of the most vulnerable refugees, living in small huts made out of wood. There were built sixteen wooden houses, three rooms in the main building and six emergency shelters. This camp used to be independent of the Greek government and was fully run by volunteers working in different work-groups, such as the construction team, the kindergarden, the kitchen-team, the social workers and so on. The place

where it was situated used to be a summer camp, which was transformed into a refugee camp over the years. From 2012 to 2020, this camp had hosted over 30.000 refugees, all of them living in Mória before. Because of their special needs, they were transferred into this smaller camp, which focuses on humanitarian aid giving access to doctors, psychologists and other aid, providing for the various needs of refugees. That also includes food, medical assistance, clothing and psychological support (Lesvossolidarity, 2021). The refugees are there waiting for the decision concerning their asylum, trying to live a normal life, doing language courses, art courses, theatre and whatever is taking place in PIKPA organized by volunteers. Some of them have to care for their children but they might still find some time for some activities, while the children are going to kindergarden or to some lessons. Only people with special needs were moved from Moria into this small camp, such as injured persons, pregnant women, and so forth. UNHCR used to decide who was allowed to move from the big camp Mória into the smaller camp PIKPA. As I experienced it myself in July and August 2020, this used to be a safe space for people who have disabilities, for those who have a trauma (although I am sure that almost all of the 20 000 people in Moria and those who left it might have that) and for unaccompanied children. The minors and the families/single men and women are separated into two groups. There are volunteers responsible for the minors and others for the families and singles. Some of the unaccompanied children have family in their home country or somewhere else in the world. Only a few do not know about their family or have lost all their family members. The children there were from very small to about fourteen years old, which made organizing a program for all of them quite difficult. During my stay there was a lack of volunteers, which meant that the whole group with these big age gaps had to be taken care of. Even harder was the fact, that those children have actually gone through a lot and some of them were fighting with traumas. For example, when the Turkish airforce was flying above the camp, the loud sound made the children usually put their hands on their ears, as those sounds were reminding them of a stressful time in their home-countries. Originally PIKPA was a camp for people who are on the way to other places. Since 2016 some of the residents did not spend two to three months there but up to four years. It is a very mixed camp, all different kinds of cultures and ages. They had a house for music, one for a beauty salon, one just for the children, a playground and so on. This open camp seemed very well structured and was run without the help of the government. I worked there for one and a half months and after seeing both, Mória and PIKPA it was even more obscure that this camp was shut down by the Greek police on 30th of October

2020, especially considering that a fire had destroyed the former camp Mória, resulting in many difficulties (Lesvossolidarity, 2021).

“On 30th October 2020, and during a year of unprecedented attack to solidarity from the Greek government, Pikpa was evicted, after 8 years of operation. The residents of the camp were illegally moved by police forces to the municipal camp of Kara Tepe.” (Lesvossolidarity, 2021)

The seventy-four residents, including thirty-two children were moved to the “old” Kara Tepe camp (the new camp, which was built up for the thousands of refugees being homeless after the fire was called Kara Tepe 2.0). At the same time, there was the first case of COVID-19 found in the old Kara Tepe camp, which was actually exposing PIKPA’s residents to unavoidable risk. Lesvos Solidarity stated that:

“Residents were woken up in their houses by police. No official written order was presented at any point, despite lawyers’ repeated requests for individualised decisions for transfer to a new place, in respect of national, European and international law. The public prosecutor, who was on site during the eviction, repeated she was only present to monitor the situation[...] The few team members of Lesvos Solidarity who were present in the camp were not allowed to move around to observe the situation or support the residents, and were kept under supervision of police. Even when the vulnerabilities of the residents were flagged again, nobody else was allowed in. Police forces surrounded the camp denying access to the residents’ lawyers, psychosocial and medical workers, volunteers, Lesvos Solidarity staff members. Press was also denied access to the premises.” (Lesvossolidarity, 2021)

Before coming to a conclusion with those findings, one can see the examples of Mória and PIKPA should make visible, that Greece is not capable and willing to integrate those refugees into their system. Neither is the EU willing to help Greece in this situation in a proper manner, through which an orderly and humane interaction can be secured.

Conclusion

The topic discussed within part I of this thesis is the history of science. In particular, the so-called Descartes-Newtonian paradigm, which shaped the Western way of thinking, is considered. Years of exchange, and often forced influence by the powerful West consequently affected the rest of the world. Speaking of an evolution of scientific knowledge, four theories concerning its long-term development are presented, leading to a combination of all perspectives, showing a scientific drift from Science I to Science III, which takes into account the increasing complexity over time. Although the situation continues to become more complex, one way to understand it is through making comparison to the past, as historical events might be recognizable in the present. In other words and considering social phenomena, similarities might be hard to find but they exist, and it can help to learn from the past in order to better understand the present. The aim is to find law-like statements, expressing significant cultural regularities, which hold for a large number of cases. The discovery of certain patterns can help thereby to understand and model human systems. More than twenty years ago Leonard Krishtalka introduced a list of ten grand challenges of the 21st society, in order to respond to societal needs and global challenges. While the first can be classified under the field of physics, from three through to eight are challenges researched in the field of life sciences, while the ninth and tenth belong to cognitive sciences. Other than that, an educational approach by the 21st Century Lab is introducing ten intertwined and non-hierarchical challenges, of which three (“Living in a global society”, “Conflict and war” and “Migration and mobility”) are described in more detail. Summing up the first part, there are described different future challenges in different fields, bringing up new forms of science.

The second part of this thesis is a scientific analysis of the paradigms behind books and articles published by Matthew J. Gibney, who has an international reputation as a leading scholar of the political and ethical issues raised by refugees, citizenship, and migration control. His research interests are normative and explanatory political theory relating to refugees, migration, citizenship, and statelessness. Regarding that, he questions the fundamental rights of refugees concerning contemporary citizenship and which measures, like visa controls or carrier sanctions, are morally reasonable. Recent topics of Gibney include denationalization, duties of refugees and states, and the ethics of international responsibility sharing. He therefore questions how much protection a state should provide to citizens as well as non-nationals and what rights refugees in different countries have. In this thesis it is presented why his thoughts and

approaches are written from a humanistic point of view, with the aim of opening up new discussions about an arising situation, a situation in which some countries are placed under more pressure than others. A second analysis in part II deals with Christina Boswell's work, whose interests are centred on political philosophy and refugee policy in combination with ideas on liberalism and international relations. More precisely she is interested in the relationship between knowledge and public policy, with a special focus on the production of the use of knowledge concerning immigration and asylum policy. Theories she refers to are, for example, liberal political universalism and organisational sociology, as well as moral motivation. Boswell is convinced that the so-called "refugee crisis" has other explanations than financial and political burden on receiving states. She sees a lack of moral motivation and thereby having the wrong approach for helping refugees as the main problem. Boswell assumes the failure of liberal democratic states to provide support to refugees is partly due to the false political conception of universal liberal ethics and the resulting tendency to pretend to act primarily in the best interest of nationals. Through her work, she tries to change the way of political thinking, through giving unfeasible solutions for a reconceptualization of the relationship between national interests and refugee rights. Boswell's ideological paradigm, and therefore also the principles are very similar to those of Gibney when talking about his concerns about a fair distribution of refugees between liberal democratic nation-states.

In the last part of this thesis, the interstate inequality in the distribution of responsibility is tackled from a scientific perspective: The state itself is discussed and presented as a social organism, which exists out of different parts and functions as a whole system, having its own ways of reacting to, like in this example, the incorporation of refugees. The EU and in particular one of its member states, Greece, are discussed as examples. After having a closer look, one can say that if a system would have a chaotic configuration, the integration of refugees causes the need of new kinds of mechanisms: rather than adding numbers of new kinds into the whole, such as non-nationals into the existing social system, there can be observed certain repulsion mechanisms, such as deportations or temporary stays on so-called "hotspots", described by its residents and experts of the field as open-air prisons. The fact that the EU is installing these hotspots at the EU's borders, in which refugees have to wait for months or even years in camps under unsanitary and crowded conditions, is making obvious that there is no more "welcoming" into the EU, as after 2015 the whole refugee procedure has become more restricted and complicated for refugees when trying to get asylum in a European country. Self-proclaimed

values of the EU, such as “inclusion, tolerance, justice, solidarity and non-discrimination prevail” may be misrepresented in practice or rather only apply to its own citizens – or not even that (European Union, 2021). The goals and values of the EU (as well as of the UN) are ideological, as they have theoretically agreed on human rights but in practice it has been shown that depending on the situation, it is difficult to comply. Even though the EU Human Rights Agency is pointing at violations of human rights concerning the newly built camps on Samos, this does not seem to be relevant for the EU or its member states. On the contrary, the other member states seem to be grateful not being forced to take care for those immigrants and entrust Greece with this task alone. Although FRA has warned about the re-traumatizing of people who have experienced violence and persecution, the new camps look like and are used in similar manners as prisons, just as it has been the case in Mória.

Working with EU’s ideologies on a scientific view is thereby difficult or rather illogical. Even more so it makes sense to picture and not morally value the asylum procedure within the EU, giving examples and trying to understand why states are reacting in those ways. What can be stated and shown is that there seems to be an effort to hold the people into one place, using “space” in a way in order to register and process the new incoming refugees, waiting for decisions on a higher level to be made, to either send those refugees into other European countries, back to Turkey or somewhere on the mainland of Greece. It seems like spaces like Mória should serve as a deterrent example, which should make refugees afraid of trying to come to Europe. There is an attempt to scare them off with the knowledge that the EU does not care much about human rights within those camps, not even if a high percentage of the residents are children. It also seems like international help like the EU-Turkey deal or the redistribution of some refugees within the EU could not help preventing the construction of a camp like that, unless it is wanted.

Therefore, it does not seem strange that some politicians, like Kyriakos Mitsotakis are trying to protect Frontex – who are involved in illegal pushbacks – from any charges, wanting them to operate in order to prevent people from arriving into European territory, where the European law would force the EU to take care for those who arrive. Considering the law this is one useful strategy, in order to avoid being in the position of being forced to care for refugees. Even if some could make it, it seems like. Current and past political actions (or non-actions) call for and deserve greater explanation. This whole situation is complex to the point that it will take years to be able to find solutions at a sufficient level to all the problems that are being attempted

to be negated by keeping people in these hotspots. This thesis is just a little drop in the ocean, which is trying to show a difference compared to humanistic viewpoints of Boswell and Gibney. It indicates that due to higher mobility, caused by a wide variety of causes, such as climate change, warfare and so forth, also the incorporation of refugees within the EU get more complex. This evolvement of complexity concerning the topic of migration into and within the EU shows even better the need for law-like definitions, proposed by Anthropologists, who are experts in the field. Also, the need for further elaboration on (inter-)national actions such as the EU-Turkey deal and relocation schemes within the EU are necessary. As through those movements, not just a part of the EU is affected, as for example Greece, but also other member states and the EU itself on a higher stage is interested to find ways in order to prevent a chaotic status such as in the years of 2015 and 2016 – and morality does not seem to play a role.

As the state (and on a higher level the EU), is the law and order-maintaining institution of a human society, binding its members by law, the author is concerned to rethink and change some laws concerning granting asylum on a national base and within the EU (like the Dublin Regulation), with a special focus on the EUs external borders, such as Greece, Italy and Hungary. The EU has to find common solutions for its member states especially if, like as it was presented in the case of Greece, the state cannot solve a problem by itself. However, one should bear in mind that some laws might not work on a higher level, but must be initiated on a national level. This might be more complex to achieve but could prevent placing some states in positions of higher responsibility than others. Different needs, interests and so forth, will make it extremely hard to find certain patterns in order to understand this form of human systems better. As mentioned in the beginning, in social phenomena similarities are harder to find, but still exist. This is why the author would claim, that for example Greece and Italy, concerning the incorporation of refugees since the end of 2014 are in similar situations and might be more comparable than, for example, Austria and Greece. Although the author cannot make a law-like statement, there are possibilities to invest further work into the topic in order to find mathematical ways that one may understand the phenomenon also in numbers. There could be measures of certainty or uncertainty of an event happening or not happening, such as in which certainty illegal and/or legal ways are put through by the EU and its nations, in order not to have to take in refugees. The purpose of this thesis is to raise awareness of areas in need of further investigation, with the aim of making future human systems more predictable and understandable. Although findings on a moral basis like those of Boswell and Gibney are

important to consider, there is a need to separate it from scientific research. The outcomes are different and also the aim itself. Both are important, but cannot be used in the same manner. In contrast to giving unfeasible solutions, this thesis tended to give an overview and impetus for further scientific investigations concerning the topic of the incorporation of refugees within European nation-states.

Literature

ADAMS, Bert N. & SYDIE, R. A. (2003) Sociology of Emile Durkheim. In: *Sociology 250 Winter 2003. Introduction to Social Theory*, January 13-17. University of Regina. Department of Sociology and Social Studies. Online available: <http://uregina.ca/~gingrich/250j1503.htm> (accessed on 23.02.2021).

AEGEANBOATREPORT (2021) Annual Reports. Online available: <https://aegeanboatreport.com/annual-reports/> (accessed on 14.10.2021).

ALJAZEERA (2020) *Turkey, EU and the imperilled refugee deal*. Online available: <https://www.aljazeera.com/news/2020/03/turkey-eu-imperilled-refugee-deal-200302085719576.html> (accessed on 24.04.2020).

ARTIFACTS (2019) *What is Life Science?* Online available: <https://artifacts.ai/what-is-life-science/> (accessed on 22.02.2021).

ASYLUM INFORMATION DATABASE (2017) *Overview of the main changes since the previous report*. Online available: <http://www.asylumineurope.org/reports/country/greece/overview-main-changes-previous-report-update> (accessed on 12.05.2018).

BAIN, William (2014) Rival Traditions of Natural Law: Martin Wight and the Theory of International Society. In: *The International History Review*, 36:5, pp. 943-960.

BBC NEWS (2015) *Migrant crisis: Greece, Croatia and Italy face EU legal action*. Online available: <https://www.bbc.com/news/world-europe-35064599> (accessed on 22.02.2021).

BBC NEWS (2019) *Europe and right-wing nationalism: A country-by-country guide*. Online available: <https://www.bbc.com/news/world-europe-36130006> (accessed on 11.11.2019).

BEGEMANN, Bernhard (2016) '...when survival is at stake, set ideology aside.' *A Scientific Inquiry into Europe and the 'Refugee Crisis'*. MT in DDP CREOLE – Cultural Differences and Transnational Processes.

BOSWELL, Christina (2001) *Refugee Policy and the Limits of Liberal Universalism*. Ph.D in London School of Economics and Political Science. Department of International Relations: ProQuest LLC.

BOSWELL, Christina (2005) *The Ethics of Refugee Policy*. Hampshire: Ashgate Publishing Limited.

BRITANNICA (2021) *Neocolonialism*. Online available: <https://www.britannica.com/topic/neocolonialism> (accessed on 26.02.2021).

CARNEIRO, Robert L. (2000) Chapter 9. Proposed Laws of Culture. In: *The muse of history and the science of culture*. New York, NY: Kluwer Academic/Plenum Publ. p. 233-255.

CARRERA, Sergio/ CORTINOVIS, Roberto (2019) *The EU's Role in Implementing the UN Global Compact on Refugees. Contained Mobility vs. International Protection*. Online available: <https://www.ceps.eu/ceps-publications/eus-role-implementing-un-global-compact-refugees/> (accessed on 17.10.2021).

COCKS, Joan (1996) On Commonality, Nationalism, and Violence: Hannah Arendt, Rosa Luxemburg, and Frantz Fanon. In: *Women in German Yearbook: Feminist Studies in German Literature & Culture*. Vol. 12, pp. 39-51.

CONNOR, Walker (1994) The Nation as Power-Container. In: HUTCHINSON, John & SMITH, Anthony D. [ed.] *Nationalism*. Oxford: Oxford University Press. pp. 36-46.

DW MADE FOR MINDS (2019) *Bundesregierung so unbeliebt wie selten*. Online available: <https://www.dw.com/de/bundesregierung-so-unbeliebt-wie-selten/a-44546511> (accessed on 13.11.2019).

MENTZELOPOULÓU, Margarita Mentzelopoulou / LUYTEN, Katrien (2018) *Hotspots at EU external borders. State of play*. Online available: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/623563/EPRS_BRI\(2018\)623563_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/623563/EPRS_BRI(2018)623563_EN.pdf) (accessed on 14.10.2021).

ER SERVICES (2021) *History of Western Civilization II. Natural Rights*. Online available: [https://courses.lumenlearning.com/suny-hccc-worldhistory2/chapter/natural-rights/#:~:text=by%20human%20laws\).-,%20rights%20are%20those%20that%20are%20not%20dependent%20on%20the,natural%20law%20\(or%20laws\)](https://courses.lumenlearning.com/suny-hccc-worldhistory2/chapter/natural-rights/#:~:text=by%20human%20laws).-,%20rights%20are%20those%20that%20are%20not%20dependent%20on%20the,natural%20law%20(or%20laws)) (accessed on 05.03.2021).

EUROPÄISCHE KOMMISSION (2021) *Migration and Home Affairs. Task Force Migration Management*. Online available: https://ec.europa.eu/home-affairs/pages/page/task-force-migration-management_de (accessed on 23.10.2021).

EUROPEAN UNION (2016) *Research on Migration: Facing Realities and Maximising Opportunities. A Policy Review*. Brussels: Research and Innovation.

EUROPEAN UNION (2021) *The EU in brief*. Online available: https://europa.eu/european-union/about-eu/eu-in-brief_en (accessed on 18.10.2021).

EUROSTAT (2018) *Newsrelease. Asylum in the EU Member States*. Online available: <http://asylo.gov.gr/en/wp-content/uploads/2018/03/EUROSTAT-MARCH-2018.pdf> (accessed on 12.05.2018).

EXPRESS (2018) *Greece in FLAMES: Migrant protests in Lesbos SPIRAL out of control – riot police deployed*. Online available: <https://www.express.co.uk/news/world/950253/greece-migrant-protests-migrants-lesbos-Patriotic-Movement> (accessed on 15.05.2018).

FALLON, Katy; PERRIGUER, Elisa; GRILLMEIER, Franziska; DELEJA-HOTKO, Vera (2021) *Das neue Moria*. Online available: <https://dasneuemoria.eu/> (accessed on 23.10.2021).

FASSMANN, Heinz/ DAHLVIK, Julia [Hg.] (2012) *Überblick Migrations- und Integrationsforschung - multidisziplinäre Perspektiven. Ein Reader*. 2 Auflage. Göttingen: V&R unipress. Vorwort, pp. 7-9.

FRIEND, Celeste (2021) Social Contract Theory. In: Internet Encyclopedia of Philosophy. Online available: <https://iep.utm.edu/soc-cont/> (accessed on 05.03.2021).

FERGUSON, R. Brian (1999) A Paradigm for the Study of War and Society. In: RAAFLAUB, Kurt & ROSENSTEIN, Nathan [ed.] *War and Society in the Ancient and*

Medieval Worlds. Asia, The Mediterranean, Europe, and Mesoamerica. Washington, D.C.: Center for Hellenic Studies Trustees for Harvard University. pp. 389-437.

FRANCE24 (2020) 'Open the gates' to migrants, Erdogan tells Greece before EU talks. Online available: <https://www.france24.com/en/20200308-open-the-gates-to-migrants-erdogan-tells-greece-before-eu-talks> (accessed on 24.04.2020).

GABACCIA, Donna (2015) Time and Temporality in Migration Studies. In: Bretell, Caroline B. & Hollifield, F. James (Hrsg.) *Migration Theory. Talking Across Disciplines*. 3. Ausgabe. New York: Taylor & Francis. p. 37-55.

GABLER WIRTSCHAFTSLEXIKON (2020) *America-First-Politik*. Online available: <https://wirtschaftslexikon.gabler.de/definition/america-first-politik-100609> (accessed on 27.01.2020).

GALLAGHER, James (2020) *Oxford vaccine: How did they make it so quickly?* Online available: <https://www.bbc.com/news/health-55041371> (accessed on 20.02.2021).

GEERTZ, Clifford James (1994) Primordial Loyalties and Standing Entities: Anthropological Reflections on the Politics of Identity [Public Lectures No. 7] Budapest: Collegium Budapest.

GHAJ (2021) *8 Main Differences between State and Society*. Online available: <https://www.yourarticlelibrary.com/essay/politics-essay/8-main-differences-between-state-and-society/40324> (accessed on 15.03.2021).

GIBNEY, Matthew J. (1999) Liberal Democratic States and Responsibilities to Refugees. In: *American Political Science Review*, Vol. 93, No. 1. University of Oxford: American Political Science Association. pp. 169-181.

GIBNEY, Matthew J. (2001) New Issues in Refugee Research: The state of asylum: democratization, judicialization and evolution of refugee policy in Europe. In: *New Issues in Refugee Research*. Working Paper No. 50. University of Oxford: Refugee Studies Centre.

GIBNEY, Matthew J. (2004) Liberal democratic states and ethically defensible asylum practices. In: *The Ethics and Politics of Asylum*. Cambridge: Cambridge University Press. pp. 229-260.

GIBNEY, Matthew J. (2013) 'A Very Transcendental Power': Denaturalisation and the Liberalisation of Citizenship in the United Kingdom. In: *Political Studies*. Vol 61. University of Oxford: Political Studies Association. pp. 637-655.

GIBNEY, Matthew J. (2015) Refugees and Justice between states. In: *European Journal of Political Theory*, Vol. 14(4). University of Oxford: Sagepub. pp. 448-463.

GIDDENS, Anthony (1994) The Nation as Power-Container. In: HUTCHINSON, John & SMITH, Anthony D. [ed.] *Nationalism*. Oxford: Oxford University Press. pp. 34-35.

GUBA, Egon G. & LINCOLN, Yvonna S. (1994) Competing paradigms in qualitative research. In: DENZIN, Norman K. & LINCOLN, Yvonna S. Lincoln [ed.] *Handbook of qualitative research*. Thousand Oaks, CA: Sage. pp. 105-117.

HEATH, Joseph (2015) *Methodological Individualism*. Stanford Encyclopedia of Philosophy. Online available: <https://plato.stanford.edu/entries/methodological-individualism/> (accessed on 03.02.2020).

HEEREN, H.J. (1979) *Transmigration in Indonesia. Beziehung zwischen Transmigranten und Einheimischen, mit besonderer Berücksichtigung Süd- und Zentralsumatras*. Vorwort: Masri Singarimbun. Jakarta.

HELP REFUGEES LIMITED (2018) *The EU-Turkey Deal: Explained*. Online available: https://helprefugees.org/news/eu-turkey-deal-explained/?gclid=CjwKCAjwnIr1BRAWEiwA6GpwNf7naa8lpkHgrBYbdPrxyhXMKR7Fh_2mY0ltCYKjjDEqCbv0r2otRRoCjkEQAvD_BwE (accessed on 24.04.2020).

HELLENIC REPUBLIC (2011) *Ministry of Foreign Affairs. Establishment of an Asylum Service and a First Reception Service, adaptation of the Greek legislation to the provisions of Directive 2008/115/EC «with regard to the common rules and procedures in Member States for the return of illegally staying third-country nationals» and other provisions*. Online available: <http://www.yptp.gr/images/stories/2011/law%203907.pdf.pdf> (accessed on 12.05.18).

HELLENIC REPUBLIC 1 (2018) *Ministry of Migration Policy (2018) 2-years since the common statement between European Union and Turkey*. Online available: http://asylo.gov.gr/en/wp-content/uploads/2018/03/EU-Turkey-Common-Statement-2-years_EN.pdf (accessed on 12.05.2018).

HELLENIC REPUBLIC 2 (2018) *Ministry of Migration Policy (2018) Statistical Data of the Greek Asylum Service*. Online verfügbar unter: http://asylo.gov.gr/en/wp-content/uploads/2018/03/Relocation-procedures-up-to-25-3-2018_en.pdf (accessed on 22.05.2018).

HELMENSTINE, Anne Maria (2020) *In ThoughtCo. Island of Stability – Discovering New Superheavy Elements. Understanding the Island of Stability in Chemistry*. Online available: <https://www.thoughtco.com/island-stability-discovering-new-superheavy-elements-4018746> (accessed on 30.04.2021).

HOLLINGSWORTH, Rogers & MÜLLER, Karl (2008) *Transforming Socio-Economics with a New Epistemology*. Socio-Economic Review. Oxford University Press and the Society for the Advancement of Socio-Economics. pp. 1-32.

HOYER, Constanze (2011) *Integration von Asylberechtigten. Eine kultur- und sozialanthropologische Analyse über die Abteilung „Startbegleitung für Asylberechtigte und subsidiär Schutzberechtigte“, der Gemeinnützigen Interface Wien GmbH*. Universität Wien: Diplomarbeit.

HUEMER, Michael (2005) Subjectivism. In *Ethical Intuitionism*. Palgrave Macmillan, London, pp. 48-65.

HUMAN RIGHTS WATCH (2020) *Greece: Grant Asylum Access to New Arrivals. Authorities Prevent Access to Services, Plan Transfers to Mainland Detention*. Online available: <https://www.hrw.org/news/2020/03/20/greece-grant-asylum-access-new-arrivals> (accessed on 01.03.2021).

- INFO MIGRANTS (2020) *Greece: Far-right activists in violent clashes to 'defend Europe' against migrants*. Online available: <https://www.infomigrants.net/en/post/23294/greece-far-right-activists-in-violent-clashes-to-defend-europe-against-migrants> (accessed on 24.04.2020).
- IRISREADING (2021) *10 Book Recommendations From Elon Musk That Will Advance Your Knowledge*. Online available: <https://irisreading.com/10-book-recommendations-from-elon-musk-that-will-advance-your-knowledge/> (accessed on 14.10.2021).
- JUHASZ, Antonia (2013) *Why the war in Iraq was fought for Big Oil*. Special to CNN. Online available: <https://edition.cnn.com/2013/03/19/opinion/iraq-war-oil-juhasz/index.html> (accessed on 26.02.2021).
- KARAMBELL (2011) *Was sind die Unterschiede zwischen Makro- und Mikrokosmos?* Online available: <https://www.phyx.at/mikrokosmos/> (accessed on 15.02.2021).
- KOLLUOĞLU, Biray (2013) Excesses of nationalism: Greco-Turkish population exchange. In: *Nations and Nationalism* vol.19, no. 3, pp. 532-550.
- LECHNER, Gerhard (2017) *Der soziale Organismus bei Rudolf Steiner und Rudolf Stolzmann*. Research on Rudolf Steiner Education. pp.1-12.
- LETT, James W. (1997) *Science, reason, and anthropology: the principles of rational inquiry*. Lanham, Md.: Rowman & Littlefield.
- LESVOSSOLIDARITY (2021) *About PIKPA Camp*. Online available: <https://www.lesvossolidarity.org/en/what-we-do/pikpa-camp> (accessed on 22.04.2021).
- LINK, Sharon (2008) *Essentialism & Perennialism*. Research starters academic topic overviews: EBSCO Publishing Inc. pp. 1-6.
- LINKLATER, Andrew (2017) *Violence and Civilization in the Western States-Systems*. Cambridge: Cambridge University Press.
- LUKAS, Helmut (2011) *Ungleichheit und Egalität. Die Sozialstruktur der vorkolonialen Toba-Batak von Samosir (Sumatra) im Vergleich zu Gesellschaften am Festland Südostasiens*. Wien: Verlag der Österreichischen Akademie der Wissenschaften.
- McCRUDDEN, Christopher (2015) Human Rights in Histories. In: *Oxford Journal of Legal Studies*, Vol. 35(1). Oxford: Oxford University Press. pp. 179-212.
- MÜLLER Karl H. & TOŠ, Niko (2012) *Towards a New Kind of Social Science. Social Research in the Context of Science II and RISC-Societies*. Vienna: Austrian Ministry of Science and Research, and Blaha Office Furniture Ges.m.b.H.
- NIELSEN, Nikolaj (2021) *Frontex scrutiny of rights violations is a PR stunt*. Online available: <https://euobserver.com/migration/151269> (accessed on 22.04.2021).
- OFFICE OF THE HISTORIAN (2021) *American Isolationism in the 1930s*. Online available: <https://history.state.gov/milestones/1937-1945/american-isolationism#:~:text=Isolationists%20advocated%20non%2Dinvolvement%20in,its%20interests%20in%20Latin%20America> (accessed on 07.03.2021).

OHCHR (2020) *Greece: Rights violations against asylum seekers at Turkey-Greece border must stop – UN Special Rapporteur*. Online available: <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25736&LangID=E> (accessed on 10.05.2020).

OXFORD BIBLIOGRAPHIES (2020) *State Formation*. Online available: <https://www.oxfordbibliographies.com/view/document/obo-9780199756223/obo-9780199756223-0123.xml> (accessed on 19.02.2021).

PAPADIMITRIOU, Panayiotis N. & PAPAGEORGIOU, Ioannis F. (2005) The New 'Dubliners': Implementation of European Council Regulation 343/2003 (Dublin-II) by the Greek Authorities. In: *Journal of Refugee Studies* Vol. 18, No. 3. University of Aegean: Oxford University Press. pp. 299-318.

PAPADOPOULOU, Aspasia (2016) *The implementation of the hotspots in Italy and Greece. A study*. European Council for Refugees and Exiles (ECRE).

PASTORE, Ferruccio, & Henry, Giulia (2016) Explaining the Crisis of the European Migration and Asylum Regime. *The International Spectator*, 51(1), pp. 44–57.

POPPER, Karl R. (1988) Die Logik der Sozialwissenschaften. In: ADORNO, Theodor W.; DRAHENDORF, Ralf; PILOT, Harald; ALBERT, Hand; HABERMAS, Jürgen & POPPER, Karl R. (1988) *Der Positivismusstreit in der deutschen Soziologie*. Darmstadt: Luchterhand-Literaturverlag, pp.103-124.

PORTER, Brian (2007) The International Political Thought of Martin Wight. *International Affairs (Royal Institute of International Affairs 1944-)* 83.4 (2007), pp. 783-90.

PRIES, Ludger (2015) Teilhabe in der Migrationsgesellschaft: Zwischen Assimilation und Abschaffung des Integrationsbegriffs. In: *IMIS-BEITRÄGE* Issue 47/2015, pp. 7-37.

RAMBOA. Terry; GILLOGLY Kathleen; HUTTERER Karl Leopold (1988) *Ethnic Diversity and the Control of Natural Resources in Southeast Asia* (Michigan Papers on South and Southeast Asia, No. 32), Ann Arbor: Center for South and Southeast Asian Studies, Univ. of Michigan.

REFUGEE STUDIES CENTRE (2018) *Matthew J. Gibney*. Online available: <https://www.rsc.ox.ac.uk/people/matthew-gibney> (accessed on 22.20.2018).

REFWORLD (2021) *European Union: European Agency for Fundamental Rights*. Online available: <https://www.refworld.org/publisher,EUFRA,,,50ffbce5eb,,0.html> (accessed on 23.10.2021).

RENAN, Ernest (1994) Qu'est-ce qu'une nation? In: HUTCHINSON, John & SMITH, Anthony D. [ed.] *Nationalism*. Oxford: Oxford University Press. pp. 17-18.

Roos, Christof (2018) Souveränität oder Solidarität? Die Reformbemühungen um das krisenhafte EU Grenzregime. In GOEBEL, Simon et al. (ed) *Flucht Migration und gesellschaftliche Transformationsprozesse*. Wiesbaden: Springer, pp. 19-4.

SAXINGER, Gertrude; SEIDL, Gregor; HAKAMI, Khaled (2016) *Hunters and Gatherers in the Industrialised World*. Volume XXXII, Issue 4. Online available:

<https://www.mattersburgerkreis.at/site/de/publikationen/jep/alleausgabenartikel/article/285.html> (accessed on 30.04.2021).

SCOTT, James C. (2009) *The art of not being governed: an anarchist history of upland Southeast Asia*. New Haven, CT: Yale University.

SE SCHOLAR (2019) *Who said "The whole is greater than the sum of the parts"?* Online available: <https://se-scholar.com/se-blog/2017/6/23/who-said-the-whole-is-greater-than-the-sum-of-the-parts> (accessed on 23.02.2021).

SHACKNOVE, Andrew E. (1985) Who is a refugee? In: *Ethics*, Vol. 95(2) University of Chicago Press: JSTOR. pp. 274–284.

SMITH, Cynthia (2021) *The Great Game and Afghanistan*. Online available: <https://www.loc.gov/ghe/cascade/index.html?appid=a0930b1f4e424987ba68c28880f088ea&bookmark=3rd%20Anglo-Afghan%20War> (accessed on 26.02.2021).

STEFANER, Moritz & LÄSSER, Christian (2020) *The Language of Science. How the words we use have evolved over the past 175 years*. Online available: <https://www.scientificamerican.com/article/the-language-of-science/> (accessed on 16.03.2021).

STEINER, Hillel Isaac (1996) Impartiality, Freedom and Natural Rights. In: *Political Studies XLIV*, pp. 311-313.

STRASSER, Sabine (2012) Über Grenzen verbinden: Migrationsforschung in der Sozial- und Kulturanthropologie. . In: Heinz Fassmann/ Julia Dahlvik [Hg.] *Überblick Migrations- und Integrationsforschung - multidisziplinäre Perspektiven. Ein Reader*. 2 Auflage. Göttingen: V&R unipress. pp. 35-59.

TED (2014) *20 words that once meant something very different*. Online available: <https://ideas.ted.com/20-words-that-once-meant-something-very-different/> (accessed on 15.03.2021).

THEBALANCE (2020) *Greek Debt Crisis Explained. Understand the Greek Debt Crisis in 5 Minutes*. Online available: <https://www.thebalance.com/what-is-the-greece-debt-crisis-3305525#:~:text=Since%20the%20debt%20crisis%20began,scheduled%20debt%20payments%20beyond%202060> (accessed on 22.02.2021).

THE GUARDIAN (2021) *The female problem: how male bias in medical trials ruined women's health*. Online available: <https://www.theguardian.com/lifeandstyle/2019/nov/13/the-female-problem-male-bias-in-medical-trials> (accessed on 14.10.2021).

THE UNIVERSITY OF EDINBURGH (2018) *Edinburgh Research Explorer*. Online available: [https://www.research.ed.ac.uk/portal/en/persons/christina-boswell\(e4755b94-591f-419c-9220-84188b4836ac\).html](https://www.research.ed.ac.uk/portal/en/persons/christina-boswell(e4755b94-591f-419c-9220-84188b4836ac).html) (accessed on 08.05.2019).

THE UNIVERSITY OF KANSAS (2018) *Biodiversity Institute & Natural History Museum. Leonard Krishtalka*. Online available: <https://biodiversity.ku.edu/people/leonard-krishtalka> (accessed on 24.02.2021).

THE NEW YORK TIMES (2020) *Coronavirus Hits Migrant Hostel as Greece Plans to Ease Lockdown*. Online available:

<https://www.nytimes.com/reuters/2020/04/21/world/europe/21reuters-health-coronavirus-greece.html> (accessed on 24.04.2020).

TIME USA (2019) *Inside Russia's Military Training Schools for Teens*. Online available: <https://time.com/4516808/inside-russias-military-training-schools-for-teens/> (accessed on 11.11.2019).

TREVINO, A. Javier (2011) *Talcott Parsons Today: His Theory and Legacy in Contemporary Sociology*. Oxford: Rowman & Littlefield Publishers, Inc.

TRIGGS, Gillian (2020) *Solidarity in action: One year on from the Global Refugee Forum*. Online available: <https://globalcompactrefugees.org/article/solidarity-in-action-grf-anniversary> (accessed on 17.10.2021).

UNESCO (2019) *Science for Society*. Online available: <https://en.unesco.org/themes/science-society> (accessed on 23.02.2021).

UNHCR May (2017) *Towards a global compact on refugees: a roadmap*. Online available: <http://www.unhcr.org/58e625aa7> (accessed on 15.05.2018).

UNHCR July (2017) *"Towards a global compact on refugees". Thematic discussion I Past and current burden- and responsibility-sharing arrangements*. Online available: <http://www.unhcr.org/5971d1b17> (accessed on 15.05.2018).

UNCHR (2021) *The Global Compact on Refugees*. Online available: <https://globalcompactrefugees.org/article/global-compact-refugees> (accessed on 17.10.2021).

UNITED NATIONS (2020) *Refugees and Migrants*. Online available: <https://refugeesmigrants.un.org/summit> (accessed on 11.04.2020).

WEBER, Max (1994) *The Nation*. In: HUTCHINSON, John & SMITH, Anthony D. [ed.] *Nationalism*. Oxford: Oxford University Press. pp. 21-26.

WELT (2019) *Wem gehört der Slogan von 1989?* Online available: https://www.welt.de/newsticker/dpa_nt/infoline_nt/thema_nt/article152504793/Wem-gehoert-der-Slogan-von-1989.html (accessed on 13.11.2019).

WHITE, Leslie A. (1949) *The Symbol*. In: *The science of culture*. New York: Farrar, Straus and Co. pp. 22-39.

WHITE, Leslie A. (1959) *Integration, Regulation and Control of Social Systems*. In: *The Evolution of Culture – The Development of Civilization to the Fall of Rome*. New York, NY: McGraw-Hill. pp. 205-236.

WIKIPEDIA (2021) *Flüchtlingslager Moria*. Online available: https://de.wikipedia.org/wiki/Fl%C3%BChtlingslager_Moria (accessed on 22.04.21).

WINDSCHUTTLE, Keith (1997) *The Discourses of Michel Foucault. Poststructuralism and Anti-Humanism*. In: *The killing of history – How literary critics and social theorists are murdering our past*. New York, NY: Free Press. pp. 131-171.

WOOLLARD, Catherine (2021) ECRE. *Editorial: EU-Turkey Deal 5 Years on: Fundamentals Remain Unchanged*. Online available:

<https://translate.google.com/translate?hl=de&sl=en&tl=de&u=https%3A%2F%2Fwww.ecre.org%2Feditorial-eu-turkey-deal-5-years-on-fundamentals-remain-unchanged%2F&anno=2&prev=search> (accessed on 11.05.2021).

WORLD NEWS (2018) *New asylum-seekers free to travel from Greek islands, court rules*. Online available: <https://www.reuters.com/article/us-europe-migrants-greece/new-asylum-seekers-free-to-travel-from-greek-islands-court-rules-idUSKBN1HP1VD> (accessed on 15.05.2018).

ZEIT ONLINE (2018) *EU zahlt Griechenland 180 Millionen Euro Soforthilfe*. Online verfügbar unter: <https://www.zeit.de/politik/ausland/2018-04/fluechtlinge-europaeische-kommission-soforthilfe-griechenland> (accessed on 30.05.2018).

Figures & Attachments

Figure 1.1 Müller & Toš (2012) p. 26

Figure 1.2 Müller & Toš (2012) p. 39

Figure 1.3 Müller & Toš (2012) p. 29

Photography by the author on 27th of July, 2020. A boat by the coast guard was pushing back refugees, carrying them with a rope attached to their rubber boat.

