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International Economic and Political Studies

**The Ethical Obligations of Humanity towards
Refugees**

Master's Thesis

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Year of Defense: 2019

Declaration of Authorship

1. I hereby declare that I have compiled this thesis using the listed literature and resources only.
2. I hereby declare that my thesis has not been used to gain any other academic title.
3. I fully agree to my work being used for study and scientific purposes.

In Prague on July 22, 2019

Douglas Radcliff

References

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Abstract

The thesis examines, philosophically and practically, what duties humanity has towards refugees. As the foundation for the thesis, a philosophical background related to human development is provided. Next, a control group of countries in the European Union is used to investigate how refugees impact societies in reality in order to analyze whether countries have an ethical duty to protect their own domestic population, overriding obligations towards refugees. Continuing in this vein, certain political ideologies and religious doctrines are examined in order to determine if there is an underlying theme towards refugees. Stemming from this is an analysis of various international treaties in order to understand what the treaties require and permit countries to do legally. Finally, everything is combined, and the ethical and moral argument related to helping refugees is thoroughly explored.

The aim is to uncover the problematization of the current literature and to establish that everyone has ethical duties towards refugees. Refugees are shown not to be a group of people damaging society; not helping refugees in any way damages the human development of a refugee and the inherent moral duties of the person/state/community not providing assistance; all religious doctrines and political ideologies push for the help of refugees; moreover, there exists legal obligations to provide assistance to refugees. Therefore, on a basic level, whether this be through personal or public actions, each and every person *should* support helping refugees in some way due to the ethical obligations.

Keywords

Refugee, Ethical, Moral, Humanity, Obligations, Legal

Klíčová slova

Uprchlík, Etický, Morální, Lidskost, Závazky, Právní

Title

The Ethical Obligations of Humanity towards Refugees

Název práce

Etické Závazky Lidskosti k Uprchlíkům

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Master Thesis Proposal

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Proposed Topic:

The Ethical Obligations of Humanity: Refugees and the Stateless

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Topic Characteristics/Research Question(s):

My thesis will focus on the following research questions: What responsibility exists, if any, to assist in the migration of refugees? In what ways can refugees, if incorporated correctly into society, help the host country? What is the process by which refugees can be incorporated effectively into a country? In today's world, the refugee crisis seems to be ever growing; however, people and governments do not seem to be doing enough to help alleviate the crisis. The goal of this thesis is to illustrate not just the necessity but also the ethical obligations of those who have the ability to help, to act and assist in a meaningful way. Many authors have already briefly discussed the ethical obligations, but the intent of this research is to find new, previously unaddressed ethical obligations to help. This research will analyze empirical data regarding refugees as well as various religious and political ideologies in order to display a common theme of mandating assistance towards refugees. Moreover, there exists an underlying goal to display that refugees are not only law-abiding citizens but also add value to society if integrated properly.

Working hypotheses:

1. Refugees are not only law-abiding citizens but also add value to society if integrated properly.
2. In most cities that accept refugees, the fears of accepting them (economic, political and social) are greatly exaggerated when compared with factual evidence.
3. Security threats and loss of cultural identity due to acceptance of refugees does not have empirical backing.
4. For most cities, there exist benefits of accepting refugees (economic, political and social).
5. Most, if not all political ideologies, when examined at their core, state the necessity to help asylum seekers, refugees and the stateless persons.

6. There exists a legal obligation to help refugees due to treaties and conventions signed by the international community. Through this legal obligation, there also exists an ethical obligation to follow the international treaties and help assimilate refugees.
7. All the major religions state that one should help refugees/foreigners/those that need help.

Methodology:

My approach will be to review and analyze empirical data derived from a selection of various developed refugee-receiving countries – both those that accept a higher number of refugees such as Germany, Greece and France, as well as those accepting a lower number such as Poland, Hungary, the Netherlands and Belgium – to build the case that refugees are a net gain (or loss) in terms of their impact on society. In other words, it will be analyzed whether one can conclude refugees hurt or help society. Furthermore, the countries will then be analyzed to determine whether the refugees are placed in cities or in designated refugee sites. The empirical data will come from sources such as Pew Research Center, Eurostat, The World Bank and state departments. In order to accomplish this task I will analyze crime rates, education attainment, employment, etc. In addition, I will consult various treaties, theories and philosophies related to the proper management of refugees using a form of discourse analysis. By refining the ethical and legal underpinnings, I will argue that these frameworks suggest the world not just has a responsibility but also a moral and legal obligation to accept and assimilate refugees into their respective societies. These theories and philosophies will come from various political and religious doctrines and will be based upon the interpretation of the texts. When combined, the empirical data will falsify the arguments related to security and cultural threats, and the philosophies will further reinforce the idea that humanity has a responsibility to accept refugees.

Outline:

Chapter 1:

- Subchapter 1: Introduction
- Subchapter 2: Methodology
- Subchapter 3: Literature Review

Chapter 2: Empirical Data regarding benefits and costs

- Subchapter 1: Fears
 - A) Political/security
 - B) Economic
 - C) Social
- Subchapter 2: Benefits
 - A) Political
 - B) Economic
 - C) Social

Chapter 3: Ideologies

- Subchapter 1: Political
- Subchapter 2: Religious

Chapter 4: Moral/Legal debate

-Subchapter 1: Legal

-Subchapter 2: Moral

Chapter 5:

-Subchapter 1: Incorporation into Reality

-Subchapter 2: Conclusion

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List of Acronyms

Christian Democratic Union: CDU

Christian Social Union: CSU

Council of Europe: CoE

European Convention on Human Rights: ECHR

European Union: EU

National Crime Statistics: PKS

Responsibility to Protect: R2P

Universal Declaration of Human Rights: UDHR

United Nations: UN

United States: US

“Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!”—Emma Lazarus; Inscribed on the Statue of Liberty, United States of America¹

1. Introduction

“We will have to abandon decidedly, without reservation, the fundamental concepts through which we have so far represented the subjects of the political...and build our political philosophy anew starting from the one and only figure of the refugee.”—Giorgio Agamben¹

From 1940 to present, approximately 151 million people have been displaced in one form or another.² The crisis continues today with “nearly 25.4 million refugees, over half of whom are under the age of 18,”³ ten million stateless people, 3.1 million asylum seekers and forty million internally displaced people.⁴ The refugee crisis is worldwide, not discriminating based on one’s population, race, religion or ideology. Furthermore, every two seconds, someone becomes displaced and “nearly 1 in every 100 people worldwide are now displaced from their homes.”⁵ Although these numbers include all whom meet the definition of a displaced person such as certain refugees, asylum seekers, stateless people and those displaced for other reasons such as natural disasters, this ultimately does not matter as all displaced people, regardless of their reason for displacement, are in dire need of help. The plight of refugees, asylum seekers and the stateless has increased to unprecedented levels, developing into a crisis affecting not only the refugees but also those countries to where the refugees flee.

The distinguishing characteristics of refugees, asylum seekers and stateless persons are important to understand. A refugee has left their state of origin and is unable to return due to a fear of being punished and/or persecuted due to their religion, race, political opinion or nationality.⁶ An asylum seeker is a person seeking international protection; however, they are waiting on the decision of their claim.⁷ A stateless person

does not have a bound nationality to any State.⁸ Refugees are not always technically stateless. Many refugees, however, prefer the status to prevent them from being returned to their country of origin.⁹ Moreover, “Not every asylum seeker will ultimately be recognized as a refugee, but every refugee is initially an asylum seeker.”¹⁰ Furthermore, refugee status is meant to be a temporary condition, leading to repatriation or naturalization.¹¹

1.1: In-depth Introduction

The thesis examines many questions, including whether refugees increase crime in the hosting country or whether they improve the overall welfare of their host country. While the countries investigated have various levels of refugee acceptance, they are all located in the European Union (EU) and include Germany, Greece, France, Poland, Hungary and the Netherlands. The thesis also considers the political, religious and legal spheres of refugee acceptance. The categories explored complement the defense and provide a foundation for the ethical and moral obligations. The ethical and moral obligations constitute the overall core of the thesis due to the lack of previous research. What are the ethics of helping refugees? Should morals and ethics be involved when discussing refugees? Does there exist a minimum ethical responsibility humanity has towards refugees? Is there empirical evidence displaying the danger of refugees thus overriding the ethical responsibility? Ultimately, the thesis thoroughly investigates the ideology of helping refugees by examining not only the necessity but also the ethical and moral obligations of those who have the ability to help, act and assist in a meaningful way.

The aim of the thesis is not to offer a definitive statement as to *exact* ethical obligations towards refugees but instead to display the confusions and certain problems with the current dominant approaches and ideas related to refugees by displaying the contradictory information and approaches. In other words, the thesis displays the difficulties of answering the ethical question and uncovers the credulity of the current discussion of refugees, thereby problematizing the discussion. This is done through a comprehensive analysis of the contemporary discourse, discussing many answers offered by various scholars, philosophers and people to the overarching question.

The thesis contributes to the field in a variety of ways. It offers a new perspective and attempts to bring the philosophical ideal to the empirical reality. However, it does so through the standpoint of ethics and morals. Through chapter two, an attempt is made to find certain underlying characteristics needed in one's surrounding in order to allow certain inherent aspects of one's humanity to fully develop, including, but not limited to, education, a functioning society and culture. The first contribution made is displaying that while not offering help to refugees in any way does not equate to supporting or contributing to the crisis, it does, in a way, *permit* refugees to not fully realize their inner humanity by not helping them to live in a situation where they have access to the necessary surroundings. With chapter two as the foundation, it becomes indubitably important to have empirical evidence displaying that helping refugees damages a country's own domestic population.

Other contributions include the compilation of political ideologies and religious doctrines, with refugees in mind when analyzing them. Through the specified category of refugee, the thesis adds a new perspective to the study of documents. Additionally,

the thesis contributes to the topic with the further examination of treaties, although the treaties have been more deeply dissected in respect to refugees. Perhaps the most important contribution is the problematization of the existing literature on refugees. Through attempting to analyze both sides of the debate and numerous perspectives, it becomes clear that the existent literature and data does not offer either side the ability to un-controversially establish their claim, as the existent data and literature is contradictory or unsatisfactory in many areas. Ultimately, the thesis adds a new perspective stemming from ethics and morals combined with an empirical analysis to the field of refugees, in particularly those in the EU. It allows for future research and ideas to be investigated in a field with less than adequate research and statistics, offering the next step, as well as ways forward when analyzing the ethical obligations toward refugees.

The thesis is grounded on one main hypothesis, analyzed through the application of four sub-hypotheses:

1. Humanity has certain ethical obligations towards helping refugees based by the idea that they are human, examined through the liberal democratic framework of the EU. All religious doctrines, political ideologies and sectarian doctrines, such as certain philosophers, documents and treaties, prescribe helping refugees. Empirical evidence of refugees in reality does not match the social perception and therefore does not override the ethical obligations towards them.

1. Refugees are not only abiding by the law but also add value to society if integrated properly.

2. In most countries that accept refugees, the fears of accepting them are exaggerated when compared with factual evidence.¹²
3. Most if not all political ideologies and religious doctrines, when examined at their core, state the necessity to help refugees.
4. There exists a legal obligation to help refugees due to treaties and conventions signed by the international community. Through the legal obligation, there also exists an ethical obligation to follow the international treaties and help refugees.

What follows is a description of the methodology used. Next, in chapter two, the establishment of a philosophical framework regarding refugees and the characteristics of being human is laid out. Chapter three considers sub-hypotheses one and two and offers empirical data of the costs and benefits of refugees in society. The first subchapter discusses the societal perception while the second subchapter discusses the reality of the situation. Furthermore, a deeper examination of the security as well as economic and social welfare in areas related to the costs and benefits of accepting refugees is undertaken. The analysis is completed in order to address those who appease taking in refugees on the idea that their own population is being negatively impacted and, thus, have the ethical obligation to protect their own nationals. Therefore, a country must have reasonable evidence that refugees truly hurt their societies and nationals in order to navigate around the ethical obligations of helping.

Chapter four examines sub-hypothesis three through analyzing ideologies and doctrines related to the role of humanity and society in helping refugees. The first subchapter provides an overview of immigration. Subchapter two discusses various political ideologies and thinkers. The third subchapter explores the major religious doctrines and what the religious doctrines prescribe towards the treatment of refugees and helping outsiders. The goal is to distinguish if there exists a common thread between the religions and ideologies regarding their respective courses of action towards refugees. For those who claim to be a part of a religion or political ideology, the chapter addresses aspects of the ideologies, displaying what moral and ethical obligations the doctrines and ideologies prescribe for their followers in regard to refugees.

Chapter five then shifts into the legal debate and examines sub-hypothesis four through compiling various treaties and documents. Continuing after the conclusions of the legal debate and a compilation of the ideological doctrines and texts, chapter six proceeds to undertake the ethical and moral argument. Finally, chapter seven concludes with a discussion of the need for future research and the final conclusions.

1.2: Methodology

The first step in the methodology consisted of selecting appropriate countries in which to focus the research, therefore, consisting partly of a most similar systems design, choosing to focus strictly on countries in the EU in order to better evaluate the situation from the mindset of a similar grouping of countries. I chose three countries receiving a high number of refugees: Germany, Greece and France. I also focus on three countries

receiving a far lower number of refugees: Poland, Hungary and the Netherlands.¹³

Chapter three then compares empirical data derived from the pre-selected countries.

Continuing in this way, I attempt to build a case study using middle-range theory. The theory guides empirical research, typically in sociology. However, it does not represent a specific theory in itself but instead serves as an approach to the construction of theory. The theories derived from the data are not simply empirical generalizations; they comprise certain assumptions that lead to the empirical generalizations being derived.¹⁴ In other words, middle-range theory integrates empirical research and theory. It begins with an empirical situation (in this case, data on refugees), and it next analyzes and then abstracts from the situation in order to generate statements and theories verifiable by data. The statements include whether there is conclusive evidence regarding whether refugees hurt or help society and are inter-mixed with the analysis of the hypotheses.

The data is gathered to display whether refugees are a net gain or loss in terms of their impact on society. In other words, it is evaluated whether one can make an argument and contrive statements that refugees hurt or help society. The data gathered comes from various sources such as Pew Research Center, Eurostat, The World Bank and the United States (US) Department of State. In order to determine the net gain or loss, I inspect crime rates, education attainment, employment and the welfare system. Upon compilation of the empirical data, certain statements are derived, illuminating the impact refugees have on society in the examined areas and are applied to the various sub-hypotheses. The goal of this section is to address the issue when countries state

they have an ethical obligation to protect their own citizens first, displaying that refugees do not negatively impact the locals.

In order to make the moral and legal argument, I consult various treaties, documents, theories and philosophies (both political and religious) related to the proper management of refugees. An interpretative and comparative written discourse analysis of various political and religious writings and ideas as well as treaties and documents is undertaken. Discourse is defined as “communication in speech or writing.”¹⁵ A discourse analysis ultimately consists of inspecting various forms of written and vocal communication, or in other words, the study of language existing beyond the sentence.¹⁶ The religions examined include Christianity and Judaism, two of the predominant religions in the EU, as well as Islam, the religion of many of the refugees coming to the EU. The philosophies reviewed cross the spectrum of conservative to liberal, with a focus on the ideologies predominant in the EU. The philosophies derive from political ideologies and religious doctrines and are based upon an interpretation of the primary source texts as well as secondary sources. More specifically, this includes primary texts, interpretations of the primary texts (secondary texts) and personal interpretations of the primary and secondary texts. Following this, the various interpretations are compiled and compared with the derived statements. An overall goal of the interpretative and comparative written discourse analysis and the compilation of all documents is to display that the world not only has a responsibility to help but also a moral, ethical and legal obligation to help refugees.

Expectations include that the empirical data falsifies the arguments related to societal threats, while the philosophies further reinforce the idea that humanity has a

responsibility and a duty to help refugees. The literature falls into two main sections, the empirical section regarding the societal impact and the philosophical section. Through displaying that the societal perception of refugees does not have empirical backing and is ill founded to a large extent, the philosophical aspect should garner more importance. The following chapter examines what various philosophers feel are the foundations of human beings, with an attempt to display that not helping refugees is damaging their humanity.

2. Philosophical Background – What is a Human?

“I do not mean, of course, that people can be made responsible for the environment they are part of, but they can be made responsible for how they respond to this environment. One can choose to accept or not the wickedness of one’s environment.”— Anne L.C. Runehov¹

The definition of what it means to be a human represents a key philosophical debate. According to Robert B. Loudon, Immanuel Kant asserts, among other philosophers as well, “‘What is the human being?’ is the most fundamental question in Philosophy.”² Various definitions exist, some more similar in nature than others, but there is no widely accepted definition. Many of the definitions address the question of whether humans create their environment or are a product of their environment. The point of this chapter is to complete an overview and compilation of various philosophical thinkers and texts in order to identify a common theme. The major objective is to display that when a refugee is denied help, certain aspects of their humanity are not being *permitted* to develop, thus examining the main hypothesis: *humanity has certain ethical obligations towards helping refugees based by the idea that they are human, examined through the liberal democratic framework of the EU*. Furthermore, the chapter develops a moral basis towards assisting refugees and what the moral basis means for humanity. This is of particular importance for Europe and North America where liberal democracies rely on providing humans certain fundamental rights. Therefore, although certain governments may not emphasize these rights and obligations, in Europe, which is the basis of the case study for this thesis, the liberal democracies exert the ideas of fundamental rights.

Anne L.C. Runehov expresses the sentiment of the chapter in very direct terms: “The question about what it is to be a human being concerns not only the neurology, physiology, biology but also, and perhaps more importantly, how they live, understand others, themselves, God or ultimate reality.”³ Furthermore, a problem with exclusively defining humanness in a single quality is that it “has legitimized the oppression [and subordination] of individuals or groups assumed to lack that quality.”⁴ It has also established hierarchies and shaped relations among cultures.⁵ For example, this can serve as the underlying cause of many, if not most, genocides, such as the Holocaust, and similarly the slave trade in the US, or even as justification for colonialism and imperialism.

Therefore, the attempt to define what it means to be a human must be taken with extreme caution, as false or incorrect definitions can lead to detrimental results. Moreover, it is evident that the more exclusive the definition, the more dangerous its possible consequences. An example of the aforementioned fears of providing exclusive definitions of humanity in reality relates to Hitler and Nazi Germany: Hitler developed an exclusive definition of what he considered the Aryan race of humanity and regarded those who did not have the specified characteristics to be sub-human; the world’s worst genocide occurred as a result.

2.1: Human Nature – Inherited

Philosophers seem to be in conflict regarding certain human characteristics. When discussing human nature for example, the main debate first asks whether there exists an underlying human nature or, conversely, if humans have the ability to create human

nature. Tibor R. Machan writes that for those promulgating an underlying human nature, there is a “determinate or petrified [human nature], not capable of consisting of the capacity to develop on its own.”⁶ However, if we cannot create our human nature, do we then have free will?⁷ Continuing, if there is no freedom of will, is it possible to hold people responsible for their actions?⁸ Perhaps with an innate human nature, on a basic level, there exists no free will, i.e., the free will to create human nature or the free will to turn away from a common nature that is shared in a community. The idea proffered here could lead to harmful results, whereby humanity is not prosecuted for wrong doings due to them not having the ability to refrain from an action.

Furthermore, if there is only one inherited human nature, then that implies only one nature is correct and all others are wrong. This theory has led to domination, subordination and genocide as referenced previously in the case of Nazi Germany, but it has also served as a justification for imperialism at times in the past through the occasionally present motive of ethnocentrism.⁹ Although the theory of an inherited human nature can lead to bad consequences, it does not automatically mean it is wrong. Perhaps most evident of one going against an “inherited” human nature occurs, for example, when one goes against the nature of survival in order to make a political or social point, such as self-immolation, the most well-known version being to light oneself on fire.¹⁰

2.2: Human Nature – Created

Conversely, many philosophers in modern society believe in free will and the rationality of humans. The viewpoint proffered here gives way to the idea that humans

have at least a minimal degree of free will, meaning humans have at least a minimal impact on human nature. Jean-Paul Sartre writes, “Man is nothing other than what he makes of himself.”¹¹ Sartre believes in a “universal human condition,” which can be considered by some to be similar to a human nature. However, Christian J. Onof writes that for Sartre, this universal human condition is radical freedom.¹² According to Loudon, Sartre therefore essentially feels there is no universal human nature other than, perhaps, freedom.¹³ The concept that humans have free will has spawned the idea that humans have an impact on their nature. Humans have the ability to refrain from or perform certain actions at any time. Human beings make a conscious choice whether to do something or not.¹⁴ Additionally, libertarians are strong believers that humans have total control over their actions and that humans are always responsible for the ways they conduct themselves.¹⁵

According to Runehov, Kant feels that man must create himself morally into what he is to become.¹⁶ The morality presupposes that humans, through their free will, make things happen. Therefore, through the choices made, the morality of a human is constructed and hence “the moral quality of the will is completely self-acquired;”¹⁷ humans choose to will good or bad, which Kant refers to as “radical evil.”¹⁸ Kant writes, “Man's duty is to improve himself; to cultivate his mind; and, when he finds himself going astray, to bring the moral law to bear upon himself.”¹⁹ In other words, humans must proactively improve themselves within the realms of moral law. Furthermore, Loudon describes Kant as looking at humans as chameleons, creatures who can, through their free choice, be whatever they choose to be.²⁰

The concept of morality within humans is perhaps one of the most fundamental distinguishing characteristics of humanity. For example, many thinkers, such as Frederick A. Olafson, have related “the distinctive features of human nature...with their intellectual and moral powers.”²¹ In other words, one of the characteristics humans embody is the ability to adopt and operate within morals. However, the morals are not inherited; they are developed and created within the realms of socialization and education, which the following pages further examine. Therefore, if morals are developed but not practiced, or conversely if a human does not develop morals, they are not practicing one of the distinguishing characteristics of humans.

Furthermore, Kant feels a will dependent on moral laws and a free will are both the same: “It therefore appears as if in the idea of freedom we really only presupposed the moral law, namely the principle of the autonomy of the will itself.”²² This is the precise formula for *The Groundwork for the Metaphysics of Morals* where Kant establishes the categorical imperative, emphasizing an unconditional requirement demanded to be obeyed in every circumstance, and for Kant, this imperative stems from morals.²³ Therefore, although a free will exists, there are certain moralities that must, without question, be obeyed, and humans have the ability to create and adapt their free will to these moralities.²⁴ The following interpretation of the *Groundwork* lies heavily on the words of Michael Sandel.

2.2.1: The Groundwork for the Metaphysics of Morals

In the *Groundwork*, Kant addresses the supreme principle of morality, a concept in his view to which humanity must adhere. In the principle, he establishes three dualisms:

duty v. inclination, autonomous v. heteronomous and the hypothetical v. categorical imperative. For the first dualism, Kant writes humans have a duty consistent with morality, which is doing what is right simply because it is right. Furthermore, he feels other motives, or inclinations as he calls them, can and do exist, but the primary reason for doing an action must be because it is the right thing to do. In the second dualism, Kant states that humans are only free if they autonomously choose their will and that humans must act according to a law they give themselves derived from reason.²⁵

In the final contrast, Kant states a hypothetical imperative involves using something as a means or as a means to an end and not an end unto itself. However, humans must act according to the categorical imperative, which involves doing something because it is good in and of itself. In the categorical imperative, there are formulas to follow. First, the formula of the universal law states that the reasons for doing something should not take into account one's personal needs as having more importance than someone else's. Ultimately, this means that all needs, both personal needs as well the needs of those one does not know, are of equal importance.²⁶

The second formula, the formula of humanity as an end, deals with the ways in which humans are treated. Kant writes, "The human being, and in general every rational being, *exists* as end in itself, *not merely as means* to the discretionary use of this or that will."²⁷ As humans are rational beings, they have a relevant as well as an absolute value, meaning humans have and must be treated with dignity: "*Act so that you use humanity, as much in your person as in the person of every other, always at the same time as end and never merely as means.*"²⁸ Kant further writes that humanity can be used as a means, as it almost always is, provided it respects their dignity, which stems

from the formula of humanity as an end, meaning treating humans as a means is not given more importance than treating them as an end.²⁹ Kant concludes by connecting the three dualisms and stating the autonomous human should always, rationally and out of duty, act in respect to the categorical imperative.³⁰

2.2.2: Refugees and the Categorical Imperative

How does this relate to refugees? Humans, as rational creatures with an autonomously chosen will, are required to act according to the categorical imperative. Humanity can never be used as a means to an end, as a means over an end or simply as a means, but must always be used, primarily and perhaps solely, as an end. Hence, if refugees are denied help, it suggests that the refugee is bringing more cost than benefit. In other words, only refugees, or even immigrants for that matter, that bring benefit, or at least very minimal cost, are helped or accepted. Therefore, this is using humanity as a means and not an end, as the only ones being helped are those that serve as a means and bring a benefit. Hence, when a refugee is denied help, humans are acting against their own categorical imperative and not treating the refugees with their demanded dignity for the simple fact that they are humans.

It seems for Kant that it does not ultimately matter whether refugees offer a benefit but rather that by not helping refugees, negative consequences await the refugee. Therefore, seemingly from a Kantian perspective, if a lack of assistance harms a refugee, they should be helped even if they bring no benefit. Although the idea presented here is idealistic, the following chapters examine the empirical evidence to see if the reality of the situation overcomes the idealism. In other words, is it truly

idealistic? If it can be displayed that refugees negatively impact societies offering help, then yes, the argument could be made that it is idealistic. However, and perhaps more importantly, if it is displayed that refugees do not negatively impact the societies, then the modern world is creating a discourse pushing others to believe that the idea is idealistic and that harsher measures are needed than reality suggests.

Does helping refugees qualify as one of the categorical imperatives Kant mentions? Judging by his development of the definition of the categorical imperative, it seems the answer would be a resounding yes. Refugees, as well as all humans, fit into the category in the duty to humanness in the second formula. Essentially, the autonomous will, through reason, tells humanity that the “right” thing to do is to help refugees because of and through the second formula of the categorical imperative. However, if reason is currently not prevailing, humanity has the ability to change their morals and re-wire their reasoning through narratives, culture and education, which the following pages further explore. The categorical imperative established by Kant is a beneficial way of judging moral actions; however, Kant feels the moral ideas are transcendental and thus existing outside of human existence. Therefore, the following sections attempt to bring the idealism to the realm of reality, which can be done through socially constructed values, such as culture and education.

2.2.3: Narratives, Culture and the Social Life of Humans

Anna Peterson illustrates how humans, with their free will, create their own stories and morals through narratives.³¹ Alasdair MacIntyre writes, “The narrative of any one life is part of an interlocking set of narratives,”³² meaning, as Peterson explains, humans

are both authors and actors and the stories of individuals stem from the stories of their community.³³ In other words, humans write their own stories and are products of the stories of others. These stories come from the existence of the human in a community. It seems this idea is similar to the “blank paper” concept developed by Mary Midgley.³⁴ Peterson writes that this is “the claim that humans, unlike other animals, have no instincts or other internal forces shaping their behavior but instead are entirely determined by the circumstances in which they are born and develop.”³⁵ All of this means that humans have no inherent characteristics causing them to behave in a predetermined way, but instead their surroundings play into the development of the ways in which they act.

Furthermore, Midgley believes humans are entirely without instincts and a blank paper when born;³⁶ only through education and perhaps narratives, as Peterson feels, are they shaped.³⁷ Basically, through education and stories stemming from the community of the human, the human develops the instincts in which to conduct themselves. Due to the blank paper and the need of surroundings to shape development, humans tend to create societies that lead to the localized development of humanity. Ultimately, Midgley feels the blank paper concept implies humans are simply products of their culture,³⁸ and therefore, many who believe in the free will of humans feel that humans use this free will to enter into society and create culture due to the necessity of a good and secure environment for development. Peterson agrees with the aforementioned concept and writes that “humans...are first, foremost, and perhaps only products of culture.”³⁹ She means that culture creates human nature, insinuating that culture is needed to fully develop as a human. Furthermore, the absence of culture

would mean humans miss the most fundamental aspect of their development, possibly compromising their ability to fully develop as human beings.

Geert Hofstede defines culture as a “collective programming of the mind.”⁴⁰ If culture is viewed as a group activity,⁴¹ although practiced at an individual level, without the ability to experience culture and learn it from the group, culture can never truly develop in an individual. Viewed concurrently, this first implies culture is an important aspect for the development of humanity; second, culture creates human nature through development in a group; finally, culture is a group activity. Is the socialization of an individual without a culture or the absence of socialization due to not being in a culture or society detrimental to the development of the human? In other words, if refugees are denied help by a country, are they being inadvertently denied the ability to develop in a secure, group culture, thus missing a fundamental aspect in the ongoing development of humanity, resulting in the denial of the ability to practice this aspect of their humanity?

Returning to the argument of free will, many argue that in order to maintain free will, “Human behavior must be learned and...open to intentional change.”⁴² Humans, therefore, have the ability to create their surroundings. Through the act of free will, humans enter into culture and through actions impact their surroundings. Continuing the argumentation stream that free will has an impact on human nature, humans then enter society due to the fact they are social animals. Through this, humans create their own culture or society and are, in return, created by the culture and society.⁴³ As Hannah Arendt noted, “Man is a social animal and life is not easy for him when social ties are cut off.”⁴⁴ There exist certain criteria to be a social animal. The

criterion includes, but is not limited to, the ability to have a self and group identity, but perhaps more importantly, “A self-identity within a group;” therefore, this requires “self-recognition and self-recognition within a group.”⁴⁵ In other words, in order to maintain a self and group identity, one must have the ability to recognize oneself not only on a personal basis, but one must be able to recognize oneself as a member of group. Hence, to be a social animal in other terms, one must operate within a group possessing both an individual and group identity while maintaining the ability to differentiate between oneself and the group.

Additionally, Runehov feels this would mean one must possess the traits of (collective and individual) identity and intentionality within the group,⁴⁶ thus giving the ability to remain within the group or to leave it and join a new one. Furthermore, she explains that social lives are not only common features of life but also a feature that is needed.⁴⁷ For Thomas Luckmann and Peter Berger, the key human quality is the “social construction of reality.”⁴⁸ Due to the concept of humans being a social animal, “Man is biologically predestined to construct and to inhabit a world with others,”⁴⁹ suggesting that humans are born with the characteristic to live with others; they thus proceed to create culture and practice it together. Basically, for Peterson, Runehov, Luckmann and Berger, humans are born with a biological predestination to live in a society with others. Stemming from this, humans, due to the desire to live in a society, create culture and society in order to practice it together in a functioning society.

Why then do humans seem to be social, biologically speaking, yet many have lived outside of culture? Humans that have lived outside of culture, perhaps, did not choose the lifestyle, but instead, natural forces pushed it upon them. This would explain

why once humans enter into contact with one another, they choose to enter and create society through their free will. Perhaps humans enter society not simply for “comfortable, safe, and peaceable living one amongst another, in a secure enjoyment of properties, and a greater security against any, that are not of it,”⁵⁰ as John Locke states in his development of the social contract theory,⁵¹ but also, arguably, because of the simple desire to overcome differences and live with one another. Therefore, although the ability to enter into society is not a biological necessity, it seems evident, historically speaking, that it is a desire produced by the human condition.

The basic idea in this line of thinking is that humans are shaped by their surroundings, thus playing into the importance of culture and society, and the shaping of humanity through culture and their environment. Therefore, although some humans ultimately choose to live outside of society, they are nonetheless shaped by their surroundings and environment. If a human chooses to leave society, they have already been constructed by their surroundings and thus have developed important aspects of themselves. Another interesting situation involves those who, as infants, are abandoned and have survived in a group of animals. However, in these situations, the human tends to be “socialized” and “constructed” within the realm of the group and as a result has difficulty acclimating to human culture again.⁵²

The “Social Constructionist Framework” developed by Clifford Geertz;⁵³ which is the concept that humans produce their own reality and, due to this, produce themselves in turn, is similar to the previous idea. Geertz writes, “By submitting himself to governance...[and]...organizing social life, man determined...the culminating stages of his own biological destiny. Quite literally, though quite

inadvertently, he created himself.”⁵⁴ In other words, through creating government and social life, humans created a situation in which they would create themselves. Therefore, it could be argued that there is essentially no human nature but instead the desire to produce the reality of living with others. Furthermore, due to not having an embedded human nature, it is unfinished and requires culture and socialization to complete it so as to make a human fully human.⁵⁵ Without culture and socialization, the human does not develop certain necessary attributes to live in a functioning society, but more importantly, they do not develop certain rationalities and thinking within themselves that are illuminated through education in the society.

Thus, part of what allows one to fully develop as a human is the ability to create, practice and be a part of culture and society, and through this the human is created by culture and society. It seems humans have both the free will to interact with and influence others, while at the same time being influenced by their culture.⁵⁶ This continues the implication of the importance that humans have on their surroundings and the need of surroundings in the development of their humanity. This allows us to circle back to the overarching question; is excluding a refugee denying them this ability to live in a society and practice culture? The argument can be made that it is because in their countries of origin they do not have the security to be social animals and live in a functioning society.

2.2.4: Education

Another driving force in humanity is the necessity of humans to be educated. Kant is perhaps the most outspoken on this topic, stating in his *lectures on pedagogy*, “Man is

the only being who needs education,”⁵⁷ and, “Man can only become man by education.”⁵⁸ In other words, only through education does a human develop the capacities and knowledge to fully develop. Kant writes, “Education partly teaches man something and partly merely develops something within him.”⁵⁹ Basically, only through education can humans become fully human because they require extensive outside help in order to use their natural predispositions, and because certain inherent aspects within them do not get developed without education, as man “is merely what education makes of him.”⁶⁰

Furthermore, through education, the human develops the capacity to reason and establishes the morals and ethics of the community. This is what Kant calls moral education, which begins during childhood and leads to “the formation of character.”⁶¹ In other words, the character of a human is created through education. However, the education process is ongoing, and continues with practical education, which includes discretion, skill and morality.⁶² The process of education is overlapping with culture and the cultivation process, which occurs through instruction and teaching.⁶³ Kant feels this cultivation process includes forms of physical and cultural education, moral and practical education and finally, the “cultivation of the mind.”⁶⁴ Meaning, the process of education for Kant occurs through the process of socialization. Education includes more than simply practical (schooling) education, but includes the learning process of being in a culture, developing the morals of the culture and through the combination of all the various forms of education, the creation of the overall mental capacity of the human.

For the most part, human nature seems to be created, or at least impacted, through the drive to live in a society while maintaining an individual identity, as humans are social animals. Additionally, there exists the belief that at a very basic level, humans always exercise their free will. Therefore, from this free will and this drive to live in a society, humans create culture, which are the practices, morals, norms, etc. to which the society and community adhere, explaining why thousands of different cultures exist, leading to different forms of human nature.

Through this culture and society, the community develops its norms of education, which illuminate rational thinking (which already exists at a basic level as discussed earlier) and teaches the practitioners the morals and values of the culture.⁶⁵ In other words, a human instinctually has the drive to enter into a form of society and practice a culture. This implies that one must have the ability to enter into a group and community and receive the proper education, or they are being inadvertently denied the ability to practice their instinctual human characteristics and develop the full mental capacity of a human. The idea of education in the contemporary world is relatively new, and only in the past century have people advocated that everyone deserves a basic education. As education has evolved to become a modern era norm, the lack thereof can be construed as detrimental to one's human existence. Therefore, does not helping refugees also exclude them from receiving an education, a vital need of humanity, and thus certain aspects of their humanity?

2.2.5: Natural Rights

One final philosopher to be examined is John Locke, who expanded on the idea of natural rights. According to Locke, natural law is a universal law that must be practiced, and the law of nature dictates that the natural rights we have are not possible to be given up or taken from someone else.⁶⁶ Machan explains that for Locke, all humans, simply by being human, have fundamental, inalienable rights.⁶⁷ The natural rights are “life, liberty and property.”⁶⁸ The argument can be made that excluding refugees, although perhaps not taking the rights away, is in a way not allowing them the rights to be practiced in the first place due to the hindrance of their natural rights to life and liberty. The question then becomes, if human nature is constructed, how then do natural rights apply? They apply because the modern world has constructed a strong normative value in terms of rights, using natural rights as a bare minimum.

Hence, the natural rights of Locke and others evolved throughout history to their modern world existence. In many ways the application of natural rights in the contemporary world came to be through a process of constructivism. Although people today are born with the “accepted” natural rights, the rights have not always been viewed as inherently evident. In other words, many believe humans have always had the natural rights, but they only came to be viewed from a legal perspective through constructivism. This means that these natural rights are not viewed as biological rights in that it is a part of being human, but the rights have been constructed throughout history in the liberal democratic perspective as a necessary normative framework for which humanity must live by.

2.3: Practical Application and Refugees

When practically applying the concepts, it is important to begin here: Machan shows that because humans have free will and are rational, they make rational decisions, meaning they can weigh the costs and benefits associated with a particular idea, concept or law.⁶⁹ Although humans have the ability to think rationally, it does not mean they always in fact do so. Therefore, it is important to display the lack or absence of rationality when one acts irrationally. There can be many reasons for the absence of rationality, but the irrationalities lie in immoralities for Machan.⁷⁰

Machan continues by arguing that because humans have free will, the actions of humans are self-produced;⁷¹ however, their free will and rationality operate within the boundary of the desire produced by the human condition to live in a society as previously discussed. Therefore, humans have the rational ability to create their environment, which they do through culture. Louden writes, “Culture in Kant’s sense is not merely behavior that is transmitted via social mechanisms, but substantively rational and freely chosen activity that can be improved upon by later generations.”⁷² Therefore, humans ultimately have the ability to leave culture, although “the final aim of nature is...man’s culture, with its highest application to freedom.”⁷³ Hence, humans have freedom inside of culture, freedom to leave and freedom to change. In other words, humans have the ability to leave a culture when they feel it goes against their values or morals or conversely, the freedom to change the culture they are currently a part of.

Ronald Inglehart further agrees with the idea of cultural change, or cultural evolution as he calls it, particularly in his “Modernization Theory.”⁷⁴ Briefly, the theory argues that cultural, economic and political developments are all connected,⁷⁵ with all three impacting each other in different ways. Cultural change then occurs alongside generation succession and evolution.⁷⁶ In other words, humans have the ability to pick the values and narratives they feel most important and improve upon them in succeeding generations. In the end, this means that humans have the ability to create new cultures and narratives, and instill a new brainwave of thinking across future generations through the exercise of free will and rationality.

If culture is so important and stands at the root of being human due to the biological desire to live in society, can the argument be made that denying refugees entrance *permits* certain aspects of their humanity to not fully develop? Clearly the answer is not definitive; however, the question can be taken one step further: if a country does not present *help* to the refugee, with the ultimate goal of having the refugee being able to live in a society and flourish, it seems the answer, at least from the developed definition in the thesis of being a human, is yes. Although denying entrance does not automatically equate to denying aspects of the refugees’ humanity, if a country does not offer help, the country *permits* certain aspects of the refugees’ humanity to not fully develop as the refugee has the biological and rational desire to live in society (as well as the natural rights to life and liberty), practice culture and receive an education in order to practice their full humanity.

When practically applying the idea of the categorical imperative, one needs to take into account other pertinent issues, such as the fact that if a country let in all those

seeking asylum, it would become unsustainable and eventually uninhabitable, particularly if negative consequences await the country. Therefore, helping refugees would be a means of reaching a moral standard (the end). Hence, the categorical imperative would apply when there are no risks. Put differently, the country would have no justifiable reason for denying refugees because they would then be putting the means (rejecting refugees) of the end (economy and security) above human life. Therefore, if no inherent risks exist, rejecting refugees would be acting against the categorical imperative, perhaps causing one to ask whether there are implications from acting against the categorical imperative. Simply put, there are no direct consequences from acting against the morals developed here; however, as shown earlier, one would be acting against their own distinguished characteristic as a human. Once enough people consistently act in a similar manner, morality simply disappears through the cultural and ethical evolution, and one of the most fundamental attributes of humanity would no longer be practiced.

Therefore, due to not allowing the refugee the safety to live in a society and stemming from this, the ability to practice their free will (which the refugee is using by attempting to leave their non-functioning society and enter into a new one), participate in a culture (a group activity) and be educated through the culture, when a refugee is denied help, they are denied the full development of their humanity. Therefore, the information provides support for the main hypothesis in that *humanity has certain ethical obligations towards helping refugees based by the idea that they are human, examined through the liberal democratic framework of the EU*. Now that it has been established that denying refugees help qualifies as denying at least aspects of their

humanity (through denying the ability to develop their humanity), why then are they not helped? There seems to be a strong ethical and moral argument related to helping refugees. Is there empirical evidence that displays the dangers of refugees, thus overcoming the moral and ethical duty? The next chapter inspects six EU countries looking at the ways society perceives the impact of the refugees versus the ways refugees' impact the society in reality.

3. Statistical Data Analysis – Costs and Benefits of Accepting Refugees

“Breaking: Texas will not accept any Syrian refugees & I demand the U.S. act similarly. Security comes first.”—Greg Abbott¹

The following section of the thesis focuses on the social perception of refugees in six EU countries compared with the factual impact refugees have on the respective societies. The chapter uses middle-range theory and an empirical analysis to examine data and contrive statements from the three countries accepting the highest number of refugees (France, Germany and Greece) and three countries accepting a low number (Hungary, Poland, and the Netherlands). The data stems from a variety of resources including Pew Research Center, Eurostat and the US Department of State. To conclude, perception versus reality is compared in order to fully understand if the fears of accepting refugees are backed by empirical data. The hypotheses under examination in the chapter are as follows: *refugees are not only abiding by the law but also add value to society if integrated properly* (sub-hypothesis one), and *in most countries that accept refugees, the fears of accepting them are exaggerated when compared with factual evidence* (sub-hypothesis two).

3.1: Fears

The first step in analyzing the section is to review public opinion polls gauging citizen perceptions. Pew Research Center analyzed public support for accepting refugees throughout the EU. The following numbers represent the percentage of those asked in

the respective countries who support and oppose taking in refugees: Germany (82%, 16%), France (79%, 20%), Greece (69%, 27%), the Netherlands (83%, 15%), Poland (49%, 36%) and Hungary (32%, 54%).² The economically strong EU countries in the control group (Germany, France and the Netherlands) have strong support for taking in refugees, whereas the more developing EU countries (Greece, Poland and Hungary) have less support, with Hungary and Poland below 50%.³

When polling members of the German coalition parties, the Christian Democratic Union (CDU) and the Christian Social Union (CSU), their views on immigration vary greatly. Table 1 illustrates the percent in support of various questions asked.⁴ Table 1 makes it clear that among the two coalition parties, the most important aspect of immigration is the adoption of German customs and traditions.⁵

Table 1:⁶ CDU v. CSU

Question	CDU (Percent in support)	CSU (Percent in support)
Do immigrants need to adopt German customs and traditions?	76	81
Do immigrants increase the danger of terrorism in Germany?	47	68
Do immigrants hurt the economy due to them taking jobs?	13	27

Countrywide, the views throughout the EU vary slightly with regards to refugees. When asked in 2016 “if refugees will increase the likelihood of terrorism in [the] country,” Germany responded with 61% in support, France 46%, Greece 55%, the Netherlands 61%, Poland 71% and Hungary 76%.⁷ When asked if “refugees are a burden on [the] country because they take...jobs and social benefits,” Germany voted 31% in support, France 53%, Greece 72%, the Netherlands 44%, Hungary 82% and Poland 75%.⁸ Finally, when asked if “refugees in [the] country are more to blame for crime than other groups,” Germany voted 35% in support, France 24%, Greece 30%, Hungary 43% and Poland 26%.⁹

One of the more pressing societal attitudes in Europe regards cultural assimilation and Muslims, which is the predominant religion of current refugees coming to Europe. Throughout Southern Europe, views are more negative towards Muslims, and many feel Muslims want to be distinct, i.e., do not want to assimilate and want to have their own culture. Table 2 illustrates the percent with unfavorable views towards Muslims and whether the people polled feel Muslims want to be distinct. Table 2 displays that regarding societal views towards Muslims, negative views exist throughout Europe.

Table 2:¹⁰ Views towards Muslims

Country	Unfavorable views towards Muslims in society (Percent)	Do Muslims wish to be distinct? (Percent in agreement)
Germany	29	61
France	29	52
Greece	65	78
The Netherlands	35	53
Poland	66	45
Hungary	72	76

Finally, when asked what is the most important to national identity and associating with the country, 77% of Europeans polled felt “being able to speak [the] national language” is very important and 48% of Europeans polled felt “sharing national customs and traditions is very important.”¹¹ Another question consisted of whether they “approve of the way the European Union is dealing with the refugee crisis.”¹² The following numbers represent the percentage of those asked who support and oppose the way the EU is handling the crisis: Germany (27%, 66%), France (22%, 74%), Greece (7%, 92%), Hungary (15%, 80%), Poland (23%, 67%) and the Netherlands (37%, 58%). Of the countries listed, the highest support for the EU measured at 37% with most of the support falling under 25%.¹³ Much of the preceding data for the chapter has been re-organized into Table 3 for convenience.

Table 3: EU Refugee Questionnaire

Country	In support of accepting refugees (Percent) ¹⁴	Is the EU sufficiently handling the crisis? (Percent in support) ¹⁵	Do refugees increase terrorism? (Percent in support) ¹⁶	Do refugees hurt the economy by taking social benefits and jobs? (Percent in support) ¹⁷	Do Refugees commit more crime than others? (Percent in support) ¹⁸
Germany	82	27	61	31	35
France	79	22	46	53	24
Greece	69	7	55	72	30
The Netherlands	83	37	61	44	N/A
Poland	49	23	71	75	26
Hungary	32	15	76	82	43

With regard to refugees increasing security risks and terrorism, all countries other than France showed more than 50% support.¹⁹ Thus, displaying that the fear of terrorism and security risks are playing a major role in public opinion; however, most countries did not display a strong belief that refugees are more to blame for crime than

others.²⁰ Regarding whether refugees damage the economy, Germany responded relatively low and France in the middle. Conversely, Greece, the Netherlands and Poland scored in the higher range with Hungary displaying the strongest belief that refugees hurt the economy.²¹ Moreover, the highest level of support for the EU in handling the crisis existed in the Netherlands (37%).²² Upon compilation of the data, it is clear that most of the stronger EU countries under investigation support taking in refugees, while the more developing ones have varying levels of support. However, all EU countries under investigation do not support the way the EU is handling the crisis. Furthermore, it is clear that the two main driving forces behind the social viewpoints are the risk of terrorism and economic damage.²³

In conclusion, it seems that Europeans want to accept refugees but do not support how the EU is handling the crisis. The majority feels that refugees increase terrorism and hurt the economy, and a large degree of Islamophobia seems to exist throughout Europe. The next section of the chapter examines the social views in order to compare them with reality and how the refugees truly impact the society. However, if the reality is different than the societal and discursive perception, it does not necessarily equate to being bad; but the inability to reach the threshold of empirical truth does have significant consequences in terms of ignoring the ethical obligations.

3.2: Reality

The overarching goal of the subchapter is to consider how refugees are impacting society in reality and if countries have empirical backing when bypassing certain ethical obligations to refugees. Countries have argued they can disregard the ethical

obligations due to security and economic concerns tied to State sovereignty. However, if the concerns are unjustified, they have no excusable reason to bypass ethical obligations. Therefore, if the ethical obligations show it is morally necessary to help refugees, then they would have no formidable grounds for rejecting such measures.

Before examining the data, it must be made clear that many EU countries do not allow the specification of refugee in census data and social studies and therefore, many times, “migrants” is the most specific category available. Furthermore, upon completion of the research, it became evident that statistics in these categories, other than in Germany, range from scarce and inconsistent to non-existent. Therefore, attempts have been made to overcome the challenges and provide information that examines the issues in a different manner. For example, in order to investigate crime, crime levels of a large migrant city are compared with overall national crime. The final analysis is undertaken in the last part of the chapter with the compilation of all crime data; however, all countries, as well as the city to be analyzed, and other data available are briefly introduced beforehand. Additionally, as Germany is the only country with relevant data pertaining to other categories, data for Germany other than crime is reserved for the EU wide inquiry.

3.2.1: Germany

Germany has fulfilled 30% of its requested quota by the EU with 8,287/27,536 refugees being admitted as of September 1, 2017.²⁴ According to Leonid Bershidsky, referencing a study undertaken by Christian Pfeiffer et al., criminal statistics increased dramatically in the State of Lower Saxony, Germany.²⁵ The residents of the State

include eight million people without German citizenship and 170,000 asylum applicants. According to the findings, crime decreased by 21.9% in the years of 2007–2014 but increased by 10.4% by 2017. Of the 83% of cases solved, 92.1% involved immigrants.²⁶

However, according to Jorg Lyuken, citing the “National Crime Statistics (PKS),” although not stating the numbers are incorrect, he displays how the conclusions are incorrect. Lyuken does not argue with the empirical evidence presented but he illustrates how the evidence is misleading due to an intentional government policy. The policy consisted of monitoring all illegal border crossings (including many refugees entering the country) and including them in the PKS statistics. Yet, when the border crossing statistics are removed, overall crime actually dropped.²⁷ Additionally, the overall crime rate in Germany has decreased dramatically to its lowest rate since 1992, the lowest rate per capita in thirty years. For example, burglaries dropped by 10% in 2016.²⁸ As correlation does not equal causation, more immigrants do not simply equate to less crime, and it is therefore in need of further examination at the end of the chapter.

As of 2017, the overall crime dropped to a historic low of 5.76 million reported crimes per year. Of the number of suspects, a higher proportion had an immigrant background. However, according to Pfeiffer, “Foreigners are twice as likely to have charges pressed against them as Germans.”²⁹ Overall, it is clear that in recent years, crime in Germany has been dropping.³⁰ Examining this from another perspective, the US Department of State has placed the entire country at a “level two” crime level, with instructions to “exercise increased caution,” whereas Munich, a major migrant location,

has been labeled a “low-threat location.”³¹ Regarding street level crime, which accounts for less than 25% of German crimes, there is no correlation with increased migration. In regard to drug crime, in absolute terms, natives cause more drug-related crimes than migrants.³²

3.2.2: France

As of September 1, 2017, France has accepted 4,468 of its EU mandated quota of 19,714 refugees (23%).³³ The US Department of State has placed France at a “level two” crime level, instructing tourists to “exercise increased caution.” In addition, France has been labeled a “medium-threat location.”³⁴ One of Frances major fears regarding refugees is terrorism, with France being struck by multiple terrorist attacks, the most prominent one being in November of 2015.³⁵ Stemming from this, 64% of people polled by Ifop felt asylum seekers “are a ‘major source of crime.’”³⁶ There is a strong misconception, prominently led by Éric Zemmour that the terrorism troubles and problems of France stem from the migrant Maghrebian population,³⁷ which in reality constitutes only 2.4% of the population.³⁸

Another major issue in France is the problem of refugee integration, with many immigrant communities living in ghettos and specific, gentrified neighborhoods.³⁹ In Paris, a major migrant city, 20% of the population is a first generation immigrant and 40% of children in Paris have a parent who is “a first generation immigrant.”⁴⁰ Due to the extreme lack of information available for the remaining countries, the following countries are simply introduced but are not thoroughly explored. The chapter

culminates with an EU wide analysis of all refugee impacts and a self-created investigation of crime in order to overcome the difficulty of the lack of information.

3.2.3: Greece, Poland, the Netherlands and Hungary

Patras is a major port and migrant city in Greece. The US Department of State has labeled Greece as a “level one” crime level and a “low-threat location,” instructing tourists to “exercise normal precautions.”⁴¹ Continuing, Poland has admitted, as of September 1, 2017, zero out of its EU mandated 6,182 refugees to accept.⁴² Warsaw is one of the largest migrant cities in Poland.⁴³ The US Department of State has labeled Poland as a “level one” crime level, “exercise normal precautions,” with Warsaw increasing to a “medium-level threat” location.⁴⁴

The Netherlands has fulfilled 41% of the EU mandate and has accepted 2,442/5,947 requested.⁴⁵ A major migrant city in the Netherlands, with 4.3% of its population being a migrant, is Utrecht.⁴⁶ The US Department of State has labeled the Netherlands as a “level one” crime level, “exercise normal precautions” and as a “medium-threat location.”⁴⁷ Finally, Hungary has fulfilled zero percent of the EU request of accepting 1,294 refugees.⁴⁸ The migrant city chosen in Hungary is Pécs. Hungary has been labeled as a “level one” crime level, “exercise normal precautions” and a “medium-threat location.”⁴⁹

3.2.4: European Union

Due to the difficulties of finding refugee data for the individual countries other than Germany, an EU wide analysis of the education level and welfare assistance of migrants is undertaken.⁵⁰ Regarding Germany, according to Regina Konle-Seidl and a

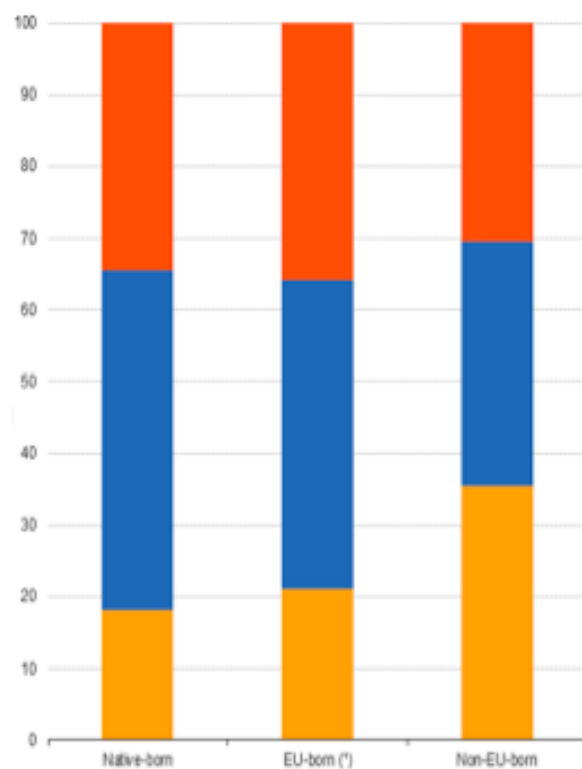
survey done by IAB-BAMF-SOEP, 35% of refugees have no schooling/primary school, 26% have a lower secondary education, 35% have an upper secondary education, 18% have a tertiary education and 9% have a vocational degree.⁵¹

In the past years, Gabriela Bloem, a chief planner for the German Rhine-Main region, stated they are receiving about half the refugees they originally expected. Currently, there are housing developments constructed, education programs and training for the refugees in the region. Furthermore, after the initial political thunder of the refugee crises, “The refugees have had no significant effect on crime rates or unemployment levels. As a result, they’ve all but ceased to be a political issue.”⁵²

Regarding unemployment in Germany, Markus Gehrsitz and Martin Ungerer conducted a study with the “Institute of Labor Economics.” They illustrated that increased migration and refugee inflow does not lead to higher unemployment and, furthermore, that there is not the feared “displacement effect,” or in other words, migrants and refugees replacing the native work force, occurring.⁵³ However, regarding job integration, studies are displaying mixed outcomes. Some show that refugees in Germany are having difficulty integrating into the job market and do so at a slower pace than other migrants,⁵⁴ while others discuss how refugees are in fact integrating into the job market, paying into the social system and contributing to society. According to a study conducted by the “Institute for Employment Research,” approximately 50,000 refugees discovered employment opportunities between 2015 and 2016. Of these, approximately 30,000 refugees earn enough income to be required to pay into the German social insurance system, while other refugees have become self-employed.⁵⁵

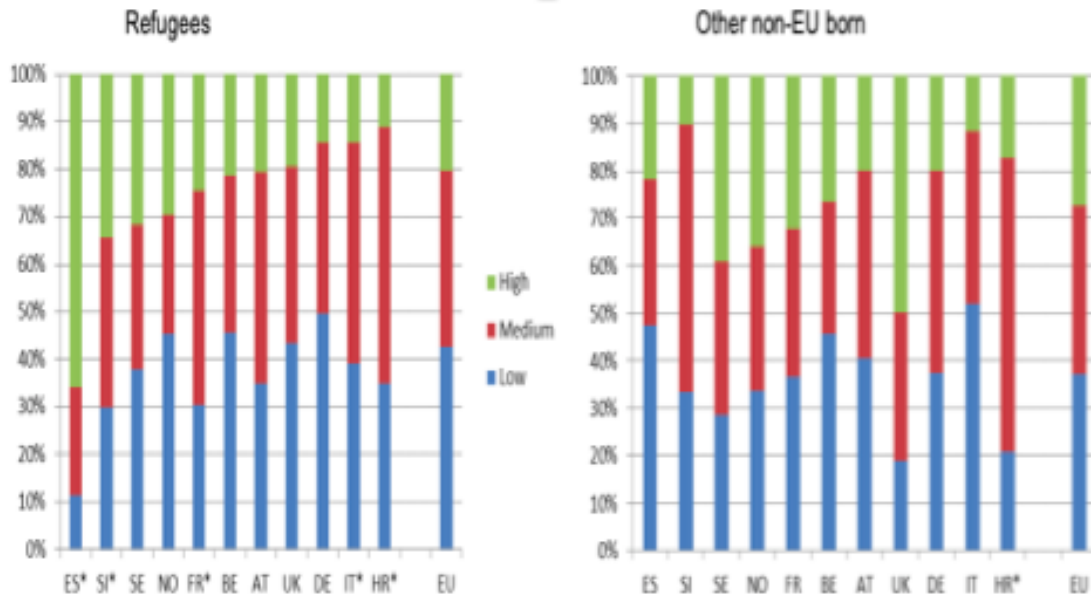
In the EU, for those aged 25–54, approximately 35.4% of non-EU migrants have, at most, a lower secondary education level. Conversely, 21.1% of EU born migrants have, at most, a lower secondary education level. In other words, the EU has a higher educational attainment level than the migrants coming to it.⁵⁶ Furthermore, 34.5% of EU citizens living in their member state have attained a tertiary education level, 35.9% of migrants born elsewhere in the EU have attained a tertiary education and 30.5% of migrants born outside the EU have attained a tertiary education.⁵⁷ Figure 1 displays the aforementioned information; the orange bar represents tertiary education, the blue bar represents upper secondary and post-secondary non-tertiary education and the yellow bar represents lower secondary education.

Figure 1: Country of Birth and Educational Attainment Level of EU-28 Population Aged 25–54⁵⁸



Another study from 2014 found that “one out of five refugees aged 15–64 in the European Union...had a tertiary level of education,” whereas “27% of other non-EU born migrants” had a tertiary education level.⁵⁹ Of additional interest when discussing education and the socio-economic impact is the finding that “refugees are much more likely to be overqualified than other migrants.”⁶⁰ Approximately 60% of employed refugees in the EU with a tertiary level of education are overqualified for their current jobs, more than double the amount of the native labor force.⁶¹ In other words, although there exists a higher education level within the EU than of those refugees coming to the EU, the refugees are being placed in job opportunities not fully realizing their potential. Figure 2 compares refugees and other non-EU migrants by their level of education; the green areas represent high levels of education, the red represents medium levels and the blue represents low levels of education. Figure 2 displays that refugees do typically have lower education levels than other non-EU migrants, but not significantly lower; there is an approximately six percent difference in the tertiary education levels.

Figure 2: Distribution of Refugees v. Other Migrants Born Outside the EU by Education Level, Aged 15–64⁶²



Regarding welfare and employment implications in the short run, some feel economic impacts typically are negative while others feel the opposite.⁶³ Yet, this largely depends on the type of acceptance and whether the refugee is allowed in the work force, as “the labor market integration of refugees is in general much slower compared to the other migrants.”⁶⁴ Others feel that the short-term impacts of refugees are positive; due to a boost in government spending, with fiscal transfers boosting domestic demand for certain services.⁶⁵ However, the long-term impact of refugees on a society is unknown due to a lack of research in this area as well as conditional situations, such as the average levels of education and the length of time spent in the host country. Furthermore, the long-term impacts rest largely on how various countries integrate the refugees into the economies of their societies.⁶⁶ The current evidence

displays that migrants and refugees have the ability to positively contribute both to the hosting society and their country of origin, but this “critically depends on the capacity of the hosting countries to...implement successful measures ensuring the socio-economic integration of migrants and asylum seekers in the local community.”⁶⁷

3.3: Examination of Hypotheses

Ultimately, although the numbers are not all-inclusive and sometimes quite difficult to obtain, it seems evident that the countries and cities where the refugees are migrating to in the EU, are not being met with violence, conflict or an increase in crime, and that refugees have the potential to be beneficial to their host societies. The hypotheses in need of examination are the following: *refugees are not only abiding by the law but also add value to society if integrated properly* (sub-hypothesis one), and *in most countries that accept refugees, the fears of accepting them are exaggerated when compared with factual evidence* (sub-hypothesis two). In order to examine the hypotheses, the aforementioned information is combined with Table 4. Table 4 displays the crime level, crime index and the safety index on the national level and of a major migrant city within the country.⁶⁸ The crime index, and more specifically the crime level, estimate overall crime in a city or country. On a scale of zero to 100, zero represents very low crime and 100 represents very high crime. Crime levels/index below twenty are considered “very low,” twenty to forty are “low,” forty to sixty are “moderate,” sixty to eighty are “high” and higher than eighty is “very high.” The safety index operates the opposite and estimates how safe a city or country is. On a scale of zero to 100, zero represents very unsafe and 100 represents very safe, with the different

incremental levels being the same as the crime level/index, just inversed. The level of crime nationwide is listed first and a major migrant city within the country is listed second. The asterisk represents the lower crime level.

Table 4: Level of Crime

Country/City	Crime Level	Crime Index	Safety Index
Germany ⁶⁹	34.19	34.43	65.57
Munich* ⁷⁰	10.76	16.68	83.32
France* ⁷¹	48.35	46.16	53.84
Paris ⁷²	55.57	51.75	48.25
Greece ⁷³	38.75	38.58	61.42
Patras* ⁷⁴	36.90	34.88	65.12
Poland ⁷⁵	26.91	29.71	70.29
Warsaw* ⁷⁶	21.19	26.80	73.82
Hungary ⁷⁷	36.50	35.37	64.63
Pécs* ⁷⁸	34.38	33.51	66.49
The Netherlands ⁷⁹	28.47	28.65	71.35
Utrecht* ⁸⁰	27.34	27.72	72.28

Table 4 supports the statement that migrants are not increasing crime; however, there is not enough data available to make a conclusive statement about refugees. In all the countries except France, the city with a large migrant population reported lower levels of crime. Overall, France also displayed the highest levels of crime, meaning it

has higher crime in general. Although this provides support for sub-hypotheses one and two, it is inconclusive. Although just one case, but the only available, certain studies in Germany showed that with proper integration refugees can be a benefit to the socio-economic sphere and do not increase crime. However, as other studies showed differently, although many were met with controversy, future research is needed for a more conclusive result. The EU wide analysis displayed that although refugees have lower education levels, they are not significantly lower nor damaging the welfare of the society. Therefore, based on the data obtained in the chapter, sub-hypotheses one and two are shown to be accurate, with a need of future research.

In conclusion, “As considerable numbers of people continue to cross into Europe...citizens and officials are coming to the realization those migrants are neither the threat they had feared, nor the opportunity they had hoped for.”⁸¹ It seems appropriate to replace the word “migrant” with “refugee” due to the findings of the chapter and the available data. Therefore, with the data currently available, if refugees have been shown not to be a threat to the society they are migrating to, should the next question be whether they provide an opportunity? In the life and death situation of a refugee, once it has been deemed they are not damaging society, they should not be expected to display their benefit. As the empirical data is not displaying dangers of refugees, why then are they not accepted? Do political ideologies or religious doctrines prescribe a different route.

4. Ideologies

“Hell is no longer a religious belief or a fantasy, but something as real as houses and stones and trees.”—Hannah Arendt¹

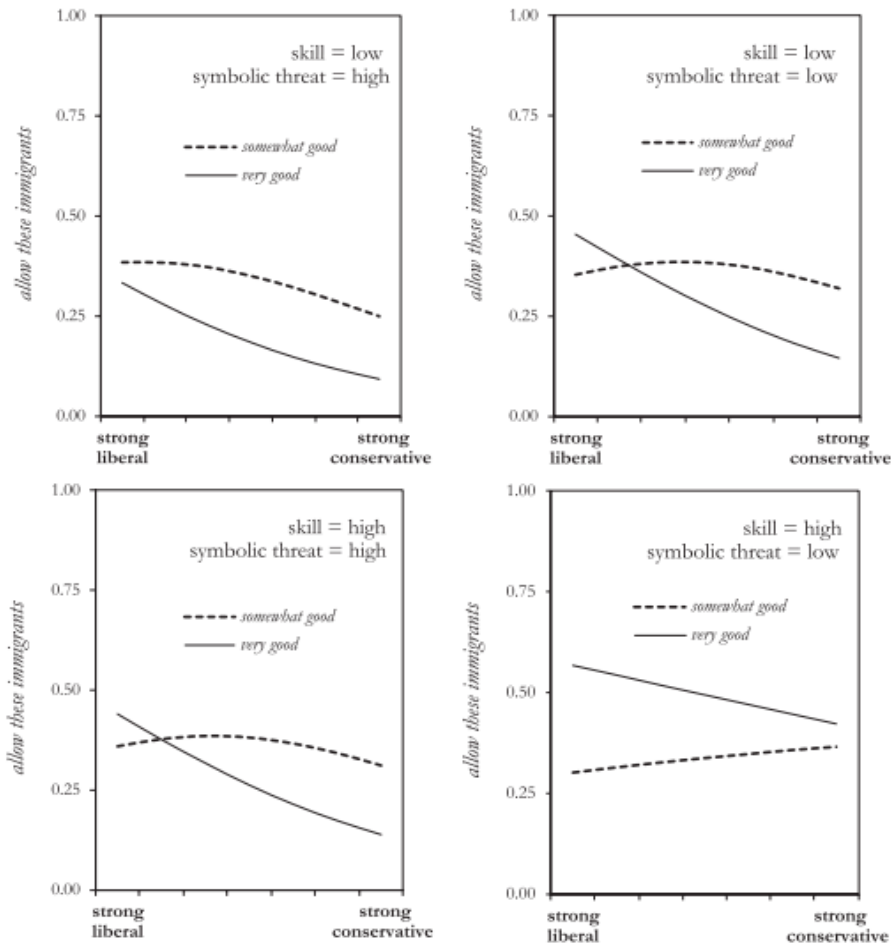
Chapter four investigates numerous ideologies and religious doctrines discussing the help and treatment of refugees through an interpretive and comparative written discourse analysis. A goal of the chapter is to display that not only is there not rational reasoning for denying refugees as determined in chapter three, but that the ideologies and doctrines people follow support assistance to refugees and furthermore, have similar attributes and a common moral grounding in helping others and those in need.² The sub-hypothesis examined is *most if not all political ideologies and religious doctrines, when examined at their core, state the necessity to help refugees* (sub-hypothesis three).³

In subchapter two various political ideologies are explored. However, as many do not explicitly state duties towards refugees, certain major individuals within the dominant EU ideologies are investigated. Subchapter three explores various prevalent EU religious doctrines in relation to refugees. After analyzing the texts, a comparison is conducted in an attempt to decipher what the ideologies and doctrines prescribe as an appropriate response, and if humanity has a minimum it should do for refugees.

4.1: Immigration

Clem Brooks et al. developed extensive research pertaining to “Political Ideology and Immigrant Acceptance,” which is examined in Figure 3. Their findings confirmed certain behaviors while also illuminating a few surprising results.

Figure 3:⁴ Strong Liberal v. Strong Conservative and Immigrant Acceptance



The ideologies examined include strong liberal v. strong conservative and viewpoints related to the acceptance of migrants in relation to whether the migrant is low or high skill and a low or high symbolic threat. Perhaps most expected is the fact that as one moves from “strong liberal” to “strong conservative,” with the exception of the bottom right graph, one becomes less accepting of immigrants.⁵

The top left graph shows viewpoints towards immigrants who have low skill and a high symbolic threat. Approximately 35–40% of strong liberals feel immigrants are somewhat or very good (the “somewhat good” is represented by the dashed line

and the “very good” is displayed by the full line) in this category, while less than 10% of strong conservatives feel they are very good and less than 25% feel they are somewhat good. The top right graph focuses on low skill immigrants with a low symbolic threat. Those who feel immigrants in this category are very good start near 50% for strong liberals and drop to approximately 10% for strong conservatives. Interestingly, the somewhat good category starts around 30% for strong liberals, increases as one moves towards a moderate position and ends around 30% again for strong conservatives. Therefore, in this category, there is a relatively equal belief that 30% of respondents, both liberal and conservative, feel immigrants with low skill and a low symbolic threat can be somewhat good.⁶

The bottom left graph focuses on immigrants with high skill and a high symbolic threat; both the very good and the somewhat good categories are approximately the same as the top right graph. The bottom right graph focuses on those with high skill and a low symbolic threat. The very good category starts around 60% for strong liberals and drops to around 40% for strong conservatives. However, the somewhat good category starts around 30% for strong liberals and increases to approximately 40% for strong conservatives. The bottom right graph is the only graph that increases in immigrant acceptance when moving from liberal to conservative. As one would expect, both sides of the spectrum prefer immigrants that are high skill and have a low symbolic threat, but interestingly, in the bottom right graph, conservatives appear to be more “open” to the idea of immigrants than liberals in certain specified areas.⁷ Furthermore, the shape of the curves in the graphs as well as their location are

relatively similar in each distinct graph; however, only the bottom right graph shows a strong variation, in that more are accepting of immigrants.

In the end, it seems that the respondents prefer immigrants that are highly skilled with a low symbolic threat; however, it seems that the symbolic threat category impacts viewpoints more so than the immigrants' skill level. This is due to the larger increase in acceptance of migrants when the symbolic threat category moves from high to low than when the skill level of the migrant moves from low to high. If it can be displayed that the immigrant is not a symbolic threat, many of the negative viewpoints toward the migrant are relaxed. Therefore, as displayed in chapter three, reality does not provide empirical backing for the societal perception towards refugees, which should mean that many of the viewpoints towards refugees are based on ill-founded, irrational beliefs.

Ultimately, as discrepancies among people and their view towards refugees vary drastically, forcing a country to accept refugees would be very polarizing and perhaps even damaging. However, this is due to the aforementioned symbolic threat of the migrants. In other words, after more research is undertaken in the area of cultural impact and due to the findings that society exaggerates the impact of refugees, if the public is made aware of the contradicting information in an appropriate manner, they rationally should have more of an accepting viewpoint towards refugees. Many people claim they have their viewpoints towards refugees stemming from their political ideologies, so what do the various political ideologies in the EU prescribe for the treatment of refugees?

4.2: Political Ideologies

Political ideologies cross a wide spectrum of viewpoints on immigration ranging from unilateral acceptance or help in other ways, to exclusion and protectionism. The subchapter explores part of sub-hypothesis three: *most if not all political ideologies, when examined at their core, state the necessity to help refugees*. As refugees are not negatively impacting society (in the specific areas examined in chapter three), which is in contrast to what the public believes, this means that empirical evidence does not meet the requirements or rational reasoning for denying refugees. Therefore, what do the ideologies people claim to follow state in regard to refugees?

4.2.1: Conservatism

Strong conservatives such as Garrett Hardin have a negative viewpoint towards refugees and immigrants in general. Perhaps best known for his “lifeboat metaphor,”⁸ Hardin develops the concept of a “carrying capacity.”⁹ In the metaphor a ship sinks and 50 people are in a lifeboat (rich nations). There is room on the lifeboat for ten more people and there are 100 people floating in the water (poor nations). Anyone who does not get on the lifeboat inevitably dies. Therefore, in Hardin’s eyes there exist three options.

Option one is to allow everyone on the lifeboat, the boat sinks and everyone dies. Option two is to allow only a few on the lifeboat. However, option two raises the question of whom to allow and how to justify it to the ones not admitted? Hardin further rejects option two in that he feels the boat must maintain a “safety factor” and not push their excess resources to the limit. The third option is to allow no one on the boat. The

people on the boat survive and the people in the water die. Hardin feels that option three is the best and that the lifeboat should save their resources for the future.¹⁰ Another question in need of being addressed is what moral obligations do those on the boat have towards those outside? In Hardin's view, it seems the answer would be simple: there is no moral obligation. However, in reality, if it can be displayed that there are more than these three options, in that those on the boat have the ability to help those outside without killing everyone, then there does exist a moral obligation. There exists a moral obligation, at a minimum, to help up to the point to where it can be empirically shown that the refugees are negatively impacting the boat, indubitably leading to the demise of those on the boat because, as shown in chapter two, not helping refugees is denying them the ability to practice aspects of their humanity. Until this point is reached, there exist certain moral obligations based on the fact that doing nothing kills all of those outside; however, doing something saves those outside without damaging those inside.

Ultimately, Hardin feels that States have the absolute right to decide upon both entrance and membership.¹¹ Although a more extreme protectionist view, a closed society is the best society in Hardin's view and, therefore, refugees would not be accepted. The metaphor has been met with extreme discrepancy as many feel there are other options than allowing those outside the boat to die. For example, those on the lifeboat could help create another lifeboat and educate those outside how to make their own. Furthermore, environmentalists are strongly against the metaphor in that they feel no person has the right to use more than a fair share of their resources.¹² If the boat saves and invests in the future while letting others die, this would be a textbook

example of using more than the fair share of resources because in the end, there is no guarantee the resources get used and ultimately could simply be wasted.

Another critique could include why someone on the boat has more of a right to survival than someone outside? A response of Hardin could include that even if those on the boat exchanged places with those outside, the situation would not be changed in that not all can survive. More importantly, Hardin would simply respond by saying all that matters is the here and now and that the past cannot be rebuilt; therefore, the journey towards tomorrow begins from the current point. Although many against this belief would agree with the statement, they believe that the journey forward (even if beginning at the current point with people on and off the lifeboat), does not mean that those on the lifeboat must venture forward at the expense of the others. In other words, the possibility of collaboration and mutual growth exists.

Other points include the fact that nations are not relatable to lifeboats because “humanity...has moved past natural quantities such as carrying-capacity, reasoning and scientific thought can prevail over any nature imposed limit.”¹³ Furthermore, using the positivistic approach,¹⁴ nations have no carrying-capacity; non-renewable resources, for example, have the ability to run out, but there is no scientific evidence showing that humanity cannot survive without some of these resources, or conversely, does not have the ability to adapt to the changing environment. Basically, if taken the other way, collaboration could lead to positive technological impacts in that new, more sustainable resources would be discovered.¹⁵

4.2.2: Libertarianism

According to Jan Narveson, libertarians believe, at their foundation, “No one is to interfere with any other person’s liberty, insofar as that liberty is compatible with the like liberty of everyone else.”¹⁶ On the one hand, libertarians make the argument that refugees are interfering with the liberty of the locals to lead a basic life. For example, refugees may come and buy land from the locals or violate private property rights.¹⁷ On the other hand, refugees also have what Narveson calls “welfare rights,” which “require some people, under some circumstances, to transfer some of their own resources to others on the basis of *need*.”¹⁸ However, this does not involve government spending or transfers; instead, it signifies refugees have the ability to look for opportunities of commerce with the local population.¹⁹ From this side, refugees would oftentimes be encouraged to be helped or at least allowed entrance. Hence, many feel that any exclusion of refugees cannot be done by the state since “closing the border is, by definition, an illegitimate use of force”²⁰ as long as there is not a violation of rights of those within the borders; therefore, any closure must be thoroughly justified, proving the violation of “the rights of others.”²¹

Libertarians believe states do not have the right to turn away refugees because crossing a border in itself does not violate any individual right.²² They also believe that all humans have a right to migrate and “engage freely in mutually consensual activity”²³ as a free market requires the ability of people to move freely.²⁴ Therefore, the inhabitants of a community have the right, for example, to decide if they want to hire a refugee worker and engage in commerce with them. However, it is unacceptable for a state to prevent this since they have no right “to infringe on people’s freedom

unless there are *strong* reasons to do so,”²⁵ i.e., to simply decide migrants are refused admission, due to the rights of the community to engage in commerce with the refugee if they so choose.²⁶ Therefore, from the libertarian perspective, no refugee would be denied entrance by a state, based on the idea that the individuals in the community hold the right to allow or deny immigration and they have the choice to interact with the refugees.

Moreover, many libertarians make the argument against accepting any state sponsored refugees. They feel the state should not sponsor refugees because the state would use resources that do not belong to them.²⁷ However, most importantly, this does not mean that libertarians do not feel something should be done about refugees because they believe in the basic obligation to not infringe on the freedoms of strangers.²⁸ Instead, they place the responsibility for the choice on the local communities through choosing to engage in commerce or private sponsorships, such as churches.²⁹ In other words, the libertarian ideology pushes people, local communities, companies, etc. to accept and help refugees using their own resources, but this should quite simply not be done publicly nor at the state level.

4.2.3: Communitarianism

Communitarianism is an ideology that considers individual communities and their fight for survival. The ideology suggests no obligation of one community to another. Inside of communitarianism, humans are no longer viewed as autonomous individuals, but as a social community and that the community constructs one’s identity.³⁰ Therefore, the individual communities must have the right of exclusion. Without the right of

exclusion, the private communities could not exist. Ultimately, the need for the right of exclusion seems to stem from the idea that the community constructs one's identity and character; if no right of exclusion existed, no community would be able to form its own identity. For example, Michael Walzer writes, "Admission and exclusion are at the core of communal independence...Without them, there could not be *communities of character*."³¹

However, and perhaps most importantly, Walzer believes in certain rights: the right to liberty (which is the foundation of self-respect and dignity), to life, to community and to preserve ones community.³² Glen Stassen explains how Walzer takes this a step further and believes humans have a right of membership: "The right not to be excluded or deprived of community."³³ The right of membership stems from the communitarian viewpoint that "selves are fundamentally *social* both in their metaphysical constitution and their psychology."³⁴ Although this does not mean refugees can or should be put via force into another community, it does illustrate that refugees who have been forced out of their community do in fact still have the basic right to be a part of a community. Furthermore, David Miller states, "The public culture of their country is something that people have an interest in controlling: they want to be able to shape the way that their nation develops."³⁵

Both Miller and Walzer ultimately feel that the needs of the national community take precedence over the needs of foreign individuals. However, they do feel certain ethical duties exist and feel that refugees override communal priority simply because they have nowhere else to go. For example, Joseph Carens discusses Walzer's idea of mutual aid, "Which is the obligation everyone has to help others in urgent need when

the cost to oneself is low.”³⁶ The idea, when applied to refugees, “Creates a basic obligation towards refugees.”³⁷ Particularly if the refugee is coming from a situation being promulgated by the country in which the refugee is seeking protection, the country has the ethical duty to accept them. In other words, if a refugee is coming from country A because of something country B is doing to country A, then country B has the ethical duty to accept the refugee from country A. Furthermore, they both feel that if the refugee is allowed in the community, then full membership rights should follow as a permanent class of non-citizens is unacceptable. Ultimately, there exist community rights of exclusion, but only when the exclusion does not lead to the death of the individual. If it is determined that exclusion leads to the death of the individual, they must be admitted.³⁸

4.2.4: Liberalism

John Rawls constructed the concept the “veil of ignorance.” The basic idea is that people imagine themselves sitting behind a veil of ignorance where they do not see what their life consists of on the other side. From the “original position,” people know nothing about themselves socially, biologically, economically, etc., thus allowing for the best and most just decision to be made for humanity.³⁹ Furthermore, from “behind the veil of ignorance, it can be imagined that most contractor would favor open borders.”⁴⁰ If one is not aware of the country they come from, one does not know if they need open borders for the reason of survival, political reasons, religious reasons, etc.⁴¹ However, exceptions are still made. From behind the veil of ignorance, people may not want terrorists or criminals to enter the country, meaning certain individuals

may still not be allowed. Returning to chapter three in which the empirical evidence of the reality of the situation involving refugees did not match the societal perception of them, even with the limitations, most refugees would still be accepted from behind the veil of ignorance.

Liberalism and the veil of ignorance subscribe to two principles: the difference principle “should guarantee...everyone an equal opportunity to prosper” while the liberty principle states that “the social contract should try to ensure that everyone enjoys the maximum liberty possible without intruding upon the freedom of others.”⁴² Furthermore, as many from the liberal tradition believe liberty includes the right of free movement (not free residency), people should have the right of free movement across borders and have the ability to seek help when they are in danger. Although this does not mean they are given residence in the country, they would be given help in some way, the extent of which varies by individual thinker. Richard Shapcott describes how Rawls believes in “‘natural’ duties that apply to all humans as ‘the duty to help another when he is in need or jeopardy provided one can do so without excessive risk or loss to oneself...[and] the duty not to inflict unnecessary suffering.’”⁴³ In the end, from the liberal perspective, “immigration could be restricted only if doing so would benefit the worst off.”⁴⁴

4.2.5: Cosmopolitanism

Another interesting ideology is cosmopolitanism, promoted by Immanuel Kant. “Cosmopolitanism refers to nations composed of people or elements from many different cultures or countries.”⁴⁵ Marguerite La Caze writes that Kant would strongly

feel that the crisis of refugees and those fleeing persecution is “among the most significant going on in [the] world today.”⁴⁶ As established in chapter two, the treatment of many refugees goes against the categorical imperative and duty of humanness because refugees have “lost the recognition of their moral status as ends in themselves...In order for them to be recognized as ends in themselves, they need...to have their human rights recognized by belonging to a republican State.”⁴⁷

In Kant’s idea of perpetual peace, he sums up his viewpoint towards helping refugees and outsiders. Kant believes in the concept of universal hospitality, which is “the claim of a stranger entering foreign territory to be treated by its owner without hostility. The latter may send him away again if this can be done without causing his death; but, so long as he conducts himself peacefully, he must not be treated as an enemy.”⁴⁸ Therefore, at the core of the idea rests the concepts that first, if those coming do not hurt those already present, they must be accepted, and second, if excluding the individual hurts the individual, they must be accepted; and refusing to help a refugee leads to their suffering.⁴⁹ Falling inside of this is that if exclusion would lead to the death of the individual they must be accepted. This ultimately means that people would be admitted as long as they do not hurt the local community, if they are in danger themselves and particularly if they are in a life and death situation.

Therefore, refugees, unless proven to be hurting the societies accepting them, must be accepted according to cosmopolitanism; from this perspective, there is a presumption for inclusion of refugees.⁵⁰ However, communities have the responsibility to exclude those hurting the society (terrorists and criminals), but as displayed in chapter three, refugees are not a group damaging society. Furthermore, Kant feels this

way because the earth does not belong to any particular person, group, community or State, but there is a “common right of possession of the surface of the earth.”⁵¹ Therefore, “For cosmopolitans, there is a corresponding duty for States to accept refugees...[and]...refugee admission policy should be driven by the needs of the refugee before the needs of the State receiving the refugees.”⁵² In other words, states have a duty to accept and help refugees and furthermore, the first questions they ask themselves should not be what does the state need, how will the refugee harm the state, etc., but instead should be what does the refugee need and how will admittance help the refugee?

4.2.6: Open Border

Perhaps the most fundamental statement is that “if there is a right of free movement then, strictly speaking, there would be no refugees.”⁵³ Nathan Smith establishes how countries should have open borders and freedom of migration in all situations other than when issues such as terrorism and the spread of rare disease is at stake.⁵⁴ The borders would still exist, “But as jurisdictional boundaries rather than as barriers to human movement.”⁵⁵ Through ending migration controls, advocates make the argument that open borders would increase liberty and human rights, result in a reduction of global poverty and further accelerate economic growth through “global increases in productivity, leading the world economy to nearly double in size,”⁵⁶ and, moreover, the gains would “amount to large fractions of world GDP.”⁵⁷ In the open border view, as similarly examined in chapter three, it is stressed that many fears of migration simply do not mirror reality. For example, one of the primary fears is that of

having jobs taken from domestic workers. However, in reality, migrants do not do this. Domestic workers have the ability to “shift into occupations that place a premium on [native] language skills, for which migrants represent limited competition.”⁵⁸

Furthermore, both migrants and refugees bring new methods and ideas, offering domestic workers the ability to learn new styles and adapt to a changing environment, ultimately causing the domestic workers to learn new skills and pursue higher education. Finally, when new low skilled migrant workers enter an economy, it is shown that many times the low skilled employment sector expands, with jobs returning to people instead of being completed by machines.⁵⁹ In the end, Sebastian Mallaby displays not only how refugees have similar benefits to migrants in the open door concept, but that the EU has the ability to host many more than they are and can reap benefits by doing so: “Not only could one million or so migrants be absorbed annually: given the EU’s graying population, an influx of relatively young foreigners could be a huge asset.”⁶⁰

In the end, the sub-chapter displayed part of sub-hypothesis three, *most if not all political ideologies, when examined at their core, state the necessity to help refugees*, to be accurate. With the notable exception of the extreme right fringes of conservative thinking, which has been shown to be inconclusive in that there exist other solutions than they present, all ideologies state the necessity to help refugees, although all have varying viewpoints on the length and amount of resources to be used.

4.3: Religious Doctrines⁶¹

Although only half of the people in the EU believe in God, 70.8% claim to a sect of Christianity, 0.4% claim to Judaism and 15.7% practice the Islamic faith along with the majority of incoming refugees.⁶² Globally, 84% of the world's population connects with a religion; 31.2% regard themselves as Christians and 24.1% Muslims.⁶³ Therefore, when discussing the moral obligations towards refugees, one must consider the religious side of the debate. The objective of the subchapter is to investigate the major religions existent in the EU and their respective doctrines in relation to refugees. Therefore, only three Western religions dominant in the EU are discussed, including Christianity, Judaism and Islam. Through an interpretive and comparative written discourse analysis the derived information from the aforementioned doctrines are compiled in an attempt to uncover an underlying theme of helping refugees. The discourse analysis consists of both primary and secondary source interpretations. The part of sub-hypothesis three under examination states, *most if not all religious doctrines, when examined at their core, state the necessity to help refugees*. In the end, it becomes clear that no matter what religion one claims to be part of, there is an underlying duty to help refugees and those in need.

4.3.1: Immigration and Forced Conversion

Throughout the religious doctrines of Christianity, Islam and Judaism, there exists an underlying narrative that humans are simply mere immigrants on Earth. Anna Peterson writes, "The world is a prison for the human soul" and humans are no more than lost travelers on Earth.⁶⁴ Christians are "strangers and pilgrims." They are constantly

moving throughout the world, but never truly at home because “their true home and destiny lie in the kingdom of God.”⁶⁵ Peterson writes that ultimately, “A pilgrim...is looking for something better.”⁶⁶ Refugees also fit the category of seeking something better. Finally, land is viewed as a gift from God, and belongs to God,⁶⁷ meaning humans ultimately have no ownership of Earth. The *Gaudium et Spes* of the Second Vatican Council reaffirmed this with the statement; “God intended the earth with everything contained in it for the use of all human beings and peoples.”⁶⁸

Zeki Saritoprak provides information on the religion of Islam and their view towards migration. One of the underlying aspects of the Islamic tradition is to consider “all human beings as immigrants,”⁶⁹ due to the belief that “Adam, the father of humanity, migrated from heaven to earth.”⁷⁰ Therefore, the earth is simply used for temporary relocation, or in other words, the earth represents a land of migration. The prophet of the Islamic faith, Muhammed, even describes himself as a traveler only staying in one place for a short time.⁷¹

As the religions push the idea that earth is a holding place of temporary migration, it is important to further specify the implications of the idea as it could lead to the thought that as earth is a holding place, one must convert non-followers into their religion, leading into the issue of forced conversion. However, the religious doctrines do not preach forced conversion but instead, conversion by choice and therefore, if adhering to the religious doctrines, one would not push for forced conversion. Rev. Matthew Newsome states, “A forced conversion is no conversion at all.” He continues by saying, “Should we ‘force’ our religion on others? No. But we should engage.”⁷² Similarly, Max Rodenbeck states, the “insinuation that the practice of forced

conversion is somehow embedded in the genes of Islam [is incorrect]. It is not...Most Muslim rulers have either not considered, avoided or sparingly inflicted forced conversion...This is not to say they...had no interest in expanding the faith.”⁷³

In other words, although the faiths do allow for and at times even call for the spreading of one’s faith, none of them calls for any form of forced conversion. This does not mean that certain cultural assimilation is not appropriate, but simply that forced religious conversion is not preached in the religious doctrines. Therefore, the mass influx of the Islamic religion, or in other words, the Islamic religion being introduced to a predominantly Christian continent, should not lead to forced religious conversion or the fear of religious repercussions for any of the religions coming into contact. Instead, for those who follow the religions, the religious repercussions would fall onto those who instead of welcoming the refugees, which the following pages further analyzes, do not fully welcome them and push for forced religious conversion.

4.3.2: Christianity

After completion of research and a discourse analysis, it is difficult to explicitly state how the Bible discusses refugees.⁷⁴ Many of the passages reviewed here discuss foreigners and strangers: “For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in, I needed clothes and you clothed me.”⁷⁵ Although the passage does not explicitly discuss refugees, it displays the importance of displaying love and kindness towards outsiders of a community. According to the Evangelical Lutheran Church in America, the passage states that those saved by God are the ones who have “ministered to Christ,

even if unaware of it, by feeding the hungry, welcoming the stranger,” etc.⁷⁶ Furthermore, it illustrates the message of helping others in need, no matter how much one connects with the other. Another area of focus is on loving your enemies, which is reviewed in great detail in the book of Matthew. Perhaps most importantly is the statement in Galatians: “Love your neighbor as yourself.”⁷⁷

The statement displays the importance of loving one another. It takes the assumption that one knows how they want to be treated, and one should treat and serve others in the same way.⁷⁸ Ultimately, “Those who have been loved by God are meant to respond by loving others.”⁷⁹ Perhaps most memorable and most relatable to the chapter is the story of the “Good Samaritan.” The Good Samaritan is a story of a lawyer who asks Jesus what to do to acquire eternal life. Jesus asks the man what the law prescribes. The man responds to love God with all one’s heart, soul, strength and mind and to love one’s neighbor as oneself. Jesus responded that this is the correct way to inherit eternal life. The man then continued and asked, who is my neighbor? Jesus proceeded to tell a story of a man who fell victim to thieves and whom left him half dead and wounded on the road. Three men came upon the man. The first and second man, a priest and a Levite, both passed by the injured man. The third man, a Good Samaritan, had compassion and helped the man. He helped with the man’s wounds and took the man to an inn. When the Good Samaritan departed the next day, he gave the innkeeper money and asked the innkeeper to take care of the injured man, and that future repayment would be given to the innkeeper when the Samaritan returned. Jesus then proceeded to explain to the lawyer that the neighbor to the injured man showed mercy upon him (the Good Samaritan), and then told the lawyer to do the same.⁸⁰

The story of the Good Samaritan, found in the Gospel of Luke, is arguably the most important passage and lesson of Jesus that could relate to refugees.⁸¹ It clearly states that a Christian not only has mercy on strangers who are in need but also goes above and beyond in their actions to help. In the story, the man who fell victim to thieves could be viewed as a refugee and the thieves as the persecution and threat he faces. The priest and the Levite could be related to various countries bypassing refugees and leaving the responsibility for others. The Samaritan, however, represents the country that helps; and in the context here would be the Christian. In other words, the Good Samaritan is one of the most illuminating passages of the Bible in regard to people in need and clearly establishes certain moral responsibilities for those who claim to be a Christian. First, a person in need, or in this situation a refugee, should be helped, which is shown when the Samaritan stopped and helped the man; second, not only should help be given, but also shelter and residence within the country, which is displayed when the man is given a room at the inn; and third, a Christian should go above and beyond in their help towards refugees, which is shown when the Samaritan left the innkeeper extra money to help with the future expenses of the man. A different interpretation, although similar in concept, is that of Dr. Amy-Jill Levine. She feels the parable “insights that enemies can prove to be neighbors [and] that compassion has no boundaries.”⁸²

Throughout the New Testament and the Bible there is a plethora of passages illustrating the need for humanity and more specifically, followers of God, to help the stranger and the foreigner. Although there is not specific commentary on refugees,

through compiling the texts of the New Testament stating the need to help others and through the writings referring to Jesus himself as a refugee,⁸³ one can make a plausible argument that a cornerstone of the Christian faith consists of helping refugees and more generally, those in need. Additionally, many more passages related to helping others are found in the Hebrew Bible, or the Tanakh, and in the religious doctrines of Judaism, such as the Talmud, which is reserved for future research.⁸⁴

4.3.3: Judaism

The Tanakh is the Jewish holy book. The Tanakh tells a story of the ancient Israelites and the trying times the people endured. Throughout the entire book there exists a much more visible underlying story of helping strangers, foreigners and those fleeing persecution, or in other words, refugees.⁸⁵ Some of the more outspoken passages of the Tanakh referring to foreigners are found throughout the books of Leviticus and Deuteronomy.⁸⁶ In Leviticus, it is written not to mistreat foreigners and that foreigners living among others in a society should be treated and loved as the local population.⁸⁷ The passage specifies the need to treat foreigners as native-born citizens of the land.⁸⁸ According to the *National Catholic Reporter*, Leviticus 19:33–34 is a frequently cited passage by migration theologians whom focus on how foreigners need help “and, according to the...tradition of hospitality, [followers of the religion] must respond.”⁸⁹

Furthermore, in Leviticus it is stated that one should not over-farm their land, taking all the goods and not leaving anything. Instead, one should leave all that is not needed for the poor and the stranger.⁹⁰ According to Rev. Adrian Dieleman, the passage states when one reaps benefits, to consider those who are not receiving the

benefits.⁹¹ The passage is seemingly stating that instead of taking more than is needed, to leave it for others in need. Although the passage does not particularly entail going above and beyond helping foreigners, it does specify the need to help them in a bare minimum of ways.⁹² Moreover, in Deuteronomy, it is written that, “He...loves the foreigner residing among you, giving him food and clothing.”⁹³ Again, the passage specifies loving foreigners.

In Ezekiel, the Tanakh goes so far as to write it is a sin to not help those in need. Discussed in the passage mentioning the sins of Sodom,⁹⁴ it is written that she had pride and abundance of bread but did not help the poor and needy.⁹⁵ For many, the sins refer to her pride, and although she had more than she needed, her pride would not let her help others.⁹⁶ Furthermore, in Exodus it is stated, “Do not oppress a foreigner, you yourselves know how it feels to be foreigners.”⁹⁷ Similarly, it is written, “Do not mistreat or oppress a foreigner, for you were foreigners in Egypt.”⁹⁸ The passages reiterate the harsh time the Jewish people spent in Egypt as foreigners, thus encouraging good treatment of foreigners. In 1 Kings, the sentiment is further reiterated, directly mentioning the foreigner. It is written that when the foreigner comes, one should do all they ask.⁹⁹ The passage further specifies loving the stranger and providing them with help. In the end, it is evident that there is not only an underlying duty to help foreigners throughout the entirety of the Tanakh, as it tells the story of a persecuted people forced to flee Egypt as refugees, but also that it is a sin not to help the foreigners in need. Both Judaism and Christianity hold compassion and helping others in need at the core of their faiths.

4.3.4: Islam

The religion of Islam and the holy book, the Qur'an, are quite clear in the need to help others, including foreigners and strangers. More specifically, regarding refugees, the Qur'an inadvertently states that followers of the religion should help refugees and more specifically, should at least allow them to migrate and flee their lands for safer areas. With regard to the oppressed and weak, the Qur'an and God "suggest that they could migrate from their oppressed positions to another land of God,"¹⁰⁰ which comes from the verse, "Was not the earth of Allah spacious [enough] for you to emigrate therein?"¹⁰¹ As God owns the lands according to the Islamic faith, Saritoprak illustrates how the verse further advocates for the worldly owners and those in authority to take care of refugees and feel closeness to those in need.¹⁰²

Furthermore, the Islamic faith views the Earth as the land of God. According to the Islamic prophet, "God has made the entire face of the earth as a Mosque for me and its soil as pure."¹⁰³ As a result, the earth belongs to no one in particular and refugees should have the absolute freedom of migration. Moreover, regarding disbelievers and those in need, the Qur'an states, "And if any one of the polytheists seeks your protection, then grant him protection."¹⁰⁴ The migration discussion again brings in the critique of the problem that various religions may feel different steps are needed in order to make the migration to heaven. However, as previously mentioned, the religions do not call for forced conversion, but do have specific passages stating the necessity to help foreigners.

Perhaps most specifically is the way that Islamic law feels refugees should be treated. According to the UN Refugee Agency, "Islam requires believers to assist and

protect vulnerable people.”¹⁰⁵ In Islamic migration law, or Hijrah, “Individuals have the right both to seek and to be granted asylum.”¹⁰⁶ Additionally, it is a duty of Muslims to protect and accept refugees “for as long as they seek protection.”¹⁰⁷ Furthermore, in Hijrah, the ability to determine asylum is given to individuals, not the state.¹⁰⁸

Although the contemporary world rarely uses the Islamic law of migration, it is evident that in the historical teachings of Muhammed and the Qur’an, there exists a duty to help refugees and asylum seekers. For example, host societies are required “to give asylum-seekers a generous reception.”¹⁰⁹ The host societies are then later rewarded. Additionally, asylum is “a right of anyone seeking protection.”¹¹⁰ Perhaps most importantly, “Asylum should be provided without discrimination between free persons and those who are enslaved, between rich and poor, men and women, or Muslims and non-Muslims.”¹¹¹ In the end, Islam calls for certain treatment of refugees by Muslims in that refugees are welcomed into the receiving society, treated in an un-hostile manner and allowed asylum rights.

Ultimately, a cornerstone of the Islamic faith consists of helping refugees. Saeid Rahaei writes that the Qur’an “provides a set of instructions in dealing with refugees and migrants, praising those who go to the assistance of people in distress and requiring the faithful to protect refugees.”¹¹² He offers some basic rules for accepting refugees derived from the Islamic faith:

- All people fleeing persecution are entitled to asylum and the rights associated with that status.
- Measures to meet the needs of these individuals are a public duty.

- Refugees should not be left vulnerable to persecution and injustice.
- The rights of the women and children of the host country are the same as the rights of women and children who are taking refuge there...
- Any decision with regard to refugee children should take account of their basic interests. They are entitled to a healthy upbringing and education...
- Children and women, according some interpretation of sharia...should be treated with affirmative action...
- If the guardian of a child is granted asylum, the child has to be offered the same status...
- The right of these individuals to be reunited with their families should be respected...
- The stage should be set for these refugees to return to their place of origin when such movement is deemed safe.
- They should be treated well at all times.¹¹³

When all the doctrines, writings and individuals related to the religions and political ideologies are compiled through an interpretative and comparative written discourse analysis, the sub-hypothesis for the chapter, *most if not all political ideologies and religious doctrines, when examined at their core, state the necessity to help refugees* (sub-hypothesis three), is shown to be accurate. Again, similar to the political ideologies, some religions are more outgoing than others, but all state the necessity to help.

5. Legal Debate

“Rights...are attributed to the human being only to the degree to which he or she is the immediately vanishing presupposition...of the citizen.”—Giorgio Agamben¹

Chapter five considers various international refugee related legal documents and treaties. Through an interpretive and comparative written discourse analysis and upon compilation of the documents, it becomes clear if the documents signed create a legally binding agreement and prescribe more of a response to refugees than the international community is committing. Major human rights treaties, many regarding the treatment of refugees, commenced adoption predominantly after WWII. The following treaties, although not an all-inclusive list due to length constraints, are examined in chronological order. The treaties, documents, doctrines, declarations and conferences analyzed represent some of those that best display the legal parameters of refugee law within the EU, stemming both from EU and United Nations (UN) law.² The documents chosen include some of the major agreements and reports in regard to the treatment of refugees, both globally as well as specifically within the EU. The next chapters inspect sub-hypothesis four; *there exists a legal obligation to help refugees due to treaties and conventions signed by the international community. Through the legal obligation, there also exists an ethical obligation to follow the international treaties and help refugees.*³

5.1: Universal Declaration of Human Rights (UDHR) (1948)

Of the forty-eight countries voting in favor of the UDHR, all under investigation in the thesis voted in favor except Germany, Poland and Hungary.⁴ The UDHR establishes the universal basic rights of all humans and endorses signees to uphold the rights.⁵

Article three of the UDHR states, “Everyone has the right to life, liberty and security of person.”⁶ Article five declares, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”⁷

Article thirteen establishes the freedom of movement within a state’s borders and that “everyone has the right to leave any country, including his own, and to return to his country.”⁸ Perhaps most importantly, Article fourteen of the Declaration declares the right to seek asylum from persecution and Article fifteen affirms “the rights to a nationality.”⁹ Finally, Article eighteen establishes the freedom to practice a religion and Article twenty-three declares the right to work.¹⁰ Although the Declaration remains a great starting point, its shortcomings are evident. First and foremost, there is no discussion of what occurs when human rights are not upheld. Moreover, it does not establish whether certain domestic law overpowers the welfare rights of humans and it only briefly mentions the rights attached to asylum. The UDHR does establish basic universal human rights endorsed by all states, but no authority is given to enforce the rights.

5.2: European Convention on Human Rights (ECHR) (1950)

The ECHR, led by the “Council of Europe (CoE),”¹¹ “considers” the commitments made in the UDHR reaffirming many of the rights, including the right to life, a prohibition on torture, the right to liberty, the right to a fair trial, the freedom of religion and expression and a prohibition on the abuse of rights, except on the regional, European level.¹² It pertains specifically to the forty-seven Member States of the CoE,¹³ which includes all states under investigation in the thesis.¹⁴

According to Nuala Mole, the Court of the CoE “has repeatedly stated that there is no right to asylum as such contained in the Convention.”¹⁵ Perhaps, this is due to the territorial limits constructed by the ECHR. In other words, the ECHR pertains to Europe and those who are nationals of Europe but does not specifically prescribe outreach towards non-Europeans. However, what about the cases where an asylum seeker is a national of the EU or is coming from a state with hopes of entering or in the process of entering the EU? Do they then receive preferential treatment stemming from the ECHR, or does it simply disregard the treatment of refugees’ altogether?

It ultimately seems that the Convention does not represent one of the major refugee documents outlining rights or treatment and throughout history it is possible to see various times where the Court of the CoE has ordered for extradition, deportation or the detainment of refugees. The following examples do not automatically refer to refugees but refer to situations where the person on trial is a non-EU national. For example, there are the cases of *Soering v. United Kingdom*,¹⁶ *Cruz Varas v. Sweden*,¹⁷ *Fadele v. the United Kingdom*,¹⁸ and *Ahmed v. Austria*,¹⁹ among many others.²⁰ All of the cases are met with the challenge of addressing how the Court responds to non-EU nationals and to various asylum-seekers, etc., and ultimately no common result exists, but depends case-by-case. The argument can be made that the ECHR establishes no rights and upholds minimal rights of those who are non-EU nationals. This does not mean that non-EU nationals are treated unfairly, but simply that the ECHR is not providing legal guidance for the treatment of non-EU nationals.

5.3: The Convention Relating to the Status of Refugees (1951 Refugee Convention) and the Protocol Relating to the Status of Refugees (1967 Refugee Protocol)²¹

Arguably the most important treaties signed regarding refugees are the “1951 Refugee Convention” and the “1967 Refugee Protocol;” the Convention focuses on Europe, refugees and events before 1951, whereas the Protocol discards the limitations and provides universal coverage.²² The Convention, “ratified by 145 State parties...defines the term ‘refugee’ and outlines the rights of the displaced, as well as the legal obligations of States to protect them.”²³ Among the 145 state parties exist all the countries under investigation in the thesis.²⁴ The Protocol, a much shorter and condensed document, opens by stating, “The State Parties to the present Protocol undertake to apply articles 2 to 34 inclusive of the Convention to refugees as hereinafter defined.”²⁵ Additionally, Article three discards the geographic limitations of the Convention.²⁶

The key aspects of the document include the doctrines of non-penalization, non-discrimination and non-refoulement,²⁷ “Which asserts that a refugee should not be returned to a country where they face serious threats to their life or freedom.”²⁸ Finally, the Convention establishes “basic minimum standards for the treatment of refugees... Such rights include access to the courts, to primary education, to work, and the provision for documentation.”²⁹ As is stated in the Introductory Note, a refugee “is someone who is unable or unwilling to return to their country of origin owing to a well-

founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.”³⁰

The Convention and Protocol call for certain criteria to be met including the “facilitation of refugee travels,” which urges governments to recognize travel documents and the “principle of unity of the family,” which instructs governments to take all possible measures to keep the refugee family united.³¹ Additionally, governments should sustain properly qualified welfare organizations and provide the same public relief treatment as to the nationals.³² Finally, governments should continue to admit refugees.³³

The Refugee Convention also establishes certain duties that the refugee must meet, established in Article two of the Convention. The duties include the requirement to conform to the laws and regulations of the host country.³⁴ Along with this, Article three maintains that states “shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin.”³⁵ Article four illustrates that refugees have the freedom to practice their religion.³⁶

Furthermore, the freedom of movement clause and the right of the refugee to “choose their place of residence” and “move freely within its territory” is established in Article twenty-six.³⁷ In the end, it seems the Convention and Protocol call for certain actions by all signees, including the acceptance of refugees into their societies, providing them with primary education, the right to practice their religion, the right to welfare services, the right to seek employment, the right of non-refoulement and the right of family unity.³⁸ Furthermore, regarding refugees who enter the country illegally, “The contracting States shall not impose penalties, on account of their illegal entry or

presence...provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.”³⁹ The Convention and Protocol focused specifically on the definition of a refugee and the rights of refugees; however, they do not establish penalties for those countries that do not uphold the rights.

5.4: UN Declaration on the Right of Peoples to Peace (1984)

The “UN Declaration on the Right of Peoples to Peace,” ratified in 1984 by the UN general assembly, encompasses all states under investigation in the thesis.⁴⁰ Although it does not establish punishment for not adhering to the declaration, it does establish certain rights of people expressed by the UN. The Declaration “proclaims that the peoples of our planet have a sacred right to peace [and] declares that the preservation of the right...and the promotion of its implementation constitute a fundamental obligation of each State.”⁴¹ More specifically, Article one of the Declaration states, “Everyone has the right to enjoy peace such that all human rights are promoted and protected.”⁴²

Moreover, Article two declares, “States should respect, implement and promote equality and non-discrimination, justice and the rule of law and guarantee freedom from fear.”⁴³ The Declaration further calls on states to take the appropriate measures to implement the Declaration.⁴⁴ Although the Declaration does not establish punishment, does not refer directly to refugees and does not prescribe specific responses, it is evident that refugees would fall into the category of people being referenced. Refugees, according to the Declaration, have the right to peace and to have peace being promoted and the declaration calls for an appropriate response from states.

5.5: UN Doctrine of the Responsibility to Protect (R2P) (2001)

The R2P, ratified by the UN general assembly and therefore including all states under investigation in the thesis, seeks to end violence and persecution and pursues ways of narrowing “the gap between Member States’ pre-existing obligations under international humanitarian and human rights law and the reality faced by populations at risk of genocide, war crimes, ethnic cleansing and crimes against humanity.”⁴⁵ More specifically, it calls for states to protect their own population against genocide, ethnic cleansing and war crimes, but also, at the same time, the responsibility to encourage others to act in the same way and to respond appropriately when the principles are violated. In paragraph 139, the Doctrine states, “The international community, through the UN, also has the responsibility to use diplomatic, humanitarian and other peaceful means...to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.”⁴⁶

The R2P not only establishes the responsibility to protect, but also the responsibility to prevent, react and rebuild.⁴⁷ Furthermore, it establishes the necessity of state intervention in certain situations. The R2P views sovereignty as a responsibility entailing the protection of the states’ citizens.⁴⁸ In the responsibility to prevent, the R2P establishes the need of international support at all levels of conflict prevention.⁴⁹ The responsibility to react comes to importance when the prevention fails and many times involves intervention.⁵⁰ Finally, the responsibility to rebuild occurs after state or military intervention.⁵¹ Ultimately, the R2P states that the right to sovereignty carries “with it the obligation of the State to protect its own people,” and the need of the

international community to override state sovereignty in specific situations where the state fails to protect its citizens and extreme violence is occurring.⁵²

5.6: Council Directive of the EU (2004)

More recently, the “Council Directive of the EU” passed legislation in 2004 addressing all EU countries, discussing the minimum standards for refugee protection. Regarding the type of protection granted to refugees, the detail of the benefits is determined by the law of the member states, but must cover “minimum income support, assistance in case of illness, pregnancy and parental assistance, in so far as they are granted to nationals.”⁵³ Moreover, the Council Directive calls for adherence to the non-refoulement principle, the right of the refugee to have access “to information, in a language likely to be understood by them, on the rights and obligations relating to that status” and maintaining family unity.⁵⁴

Finally, the Council Directive calls for those granted with refugee status to receive resident permits “valid for at least three years,” proper travel documents, access to employment, full access to education, the same social benefits and access to health care that the nationals of the host state receive, access to accommodation, the freedom of movement within the country and adequate access to integration facilities.⁵⁵ When assessing whether one is a refugee, member states should examine if the person is found to face persecution due to race, ethnicity, religion and social or political characteristics.⁵⁶

According to the Council Directive, in order to expostulate a refugee status, there must be evidence that “he or she has committed a crime against peace, a war

crime, or a crime against humanity.”⁵⁷ Furthermore, exclusion is permitted if the person in question “has committed a serious non-political crime outside the country of refuge prior to his or her admission as a refugee.”⁵⁸ Ultimately, the Council Directive establishes rights of refugees and guarantees certain freedoms, but yet again, no punishments are established for states that do not uphold the rights.

5.7: New York Declaration for Refugees and Migrants (2016) and Related Documents

Most recently, in “2016, the UN General Assembly unanimously adopted ‘the New York Declaration for Refugees and Migrants.’”⁵⁹ It “reaffirms the importance of the international refugee regime and contains a wide range of commitments by Member States to strengthen and enhance mechanisms to protect people on the move.”⁶⁰ There also exist a countless number of other documents outlining recommendations and prescriptions of appropriate responses to violence, such as the “Convention on the Prevention and Punishment of the Crime of Genocide” (1951). The Convention relates to refugees in that although entailing much more than specifically refugees, refugees are an outcome of genocide. Adopted by the UN general assembly, the Convention outlines the necessity of genocide prevention as well as the need of prosecution. The first few articles of the Convention state genocide is a crime under international law, define what genocide is, decide which actions are in need of prosecution, and states that those who act in the aforementioned ways will be met with prosecution.⁶¹ However, the prosecution remains unspecified. Article five states that the contracted parties “provide effective penalties for persons guilty of genocide,” but no explicit

punishment or response is given.⁶² Therefore, it seems that the Convention defined genocide, defined it as an international crime and stated that prosecution must be administered, but yet again failed to state the appropriate forms of prosecution or establish punishments for countries that fail to properly execute the Convention.

Another document, the “Brahimi Report” (2000), recommends certain types of peacekeeping and peace building operations, conflict prevention, “on call expertise” and ways of overcoming difficulties.⁶³ Another such document is the “UN Agenda for Peace” (1992). The document outlines forms of preventative diplomacy, peacekeeping and peacemaking.⁶⁴ Yet none of the aforementioned documents establish prosecution for not upholding the contents of the ratified treaties and documents.

Resulting from an interpretative and comparative written discourse analysis and the compilation of the various treaties and documents, ultimately ratified by all countries under investigation in the thesis, the definition of a refugee is clear and the help encouraged by the signees is evident, including access to employment, education, accommodation, social services, health care and freedom of movement and relocation. Essentially, the first part of sub-hypothesis four, *there exists a legal obligation to help refugees due to treaties and conventions signed by the international community*, has been shown to be accurate. Furthermore, the information obtained in the chapter serves as support for the main hypothesis, in that there are certain documents and treaties prescribing help to be given to refugees.

Why then is the issue of refugees such a debated topic? Perhaps it is due to the inconclusive language used in the various documents and treaties. Many of the treaties “reaffirm” previous treaties, some give recommendations for courses of action, others

provide legal assistance for refugees, but none of them address all the gaps in a clear and coherent manner. It seems a contemporary treaty needs to be drawn up, one where there does not exist “re-affirmations” or “endorsements” but instead a comprehensive treaty that defines a refugee, the assistance provided to those granted refugee status, the rights of refugees, the obligations of the states signing the treaty and, most importantly, punishments, along with the authority to enforce against those states that do not meet their obligations towards refugees. As the requirements and duties are so clear, establishing certain ethical responsibilities; moreover, there does not exist empirical data displaying the negative consequences of refugees, the question must then be asked of whether a moral obligation exists?

6. The Moral and Ethical Obligations

“Slamming the door in their faces would be a betrayal of our values.”—President Barack Obama¹

In order to see how the moral and ethical arguments coincide, the various ideas have to be addressed and re-addressed in different ways. The entirety of sub-hypothesis four is examined in that *there exists a legal obligation to help refugees due to treaties and conventions signed by the international community. Through the legal obligation, there also exists an ethical obligation to follow the international treaties and help refugees.*

Chapter two displayed that denying refugees help damages both the development of humanity of the refugee as well as the humanity of the person/peoples/states making the decisions. The chapter established that there exist certain ethical and moral responsibilities of humanity towards refugees based off the fact that the refugee is human. Next is further examination of the legal argument and sub-hypothesis four. As a result of the last chapter, it has become clear that there are legal documents defining a refugee, calling for countries to accept refugees and providing encouragement with what to provide the refugees. However, very rarely in any of the documents is any sort of action demanded but instead is “endorsed.” Furthermore, very few of the documents or treaties established any punishments or repercussions for not adhering to the treaty.

Therefore, it seems the treaties represent little more than guidelines or preferred regulations rather than sound international law. Hence, it is difficult to declare that a country is not following one of the treaties due to the fact that the treaties simply offer

endorsements. In the end, by not helping or excluding refugees, a country is not breaking international law and is operating within its legal rights. However, by doing so, the country acts against its ethical responsibility to follow the endorsements and statements in the treaties, regardless of the lack of punishment. Therefore, the questions must be asked, is this adequate? Is it morally and ethically acceptable to have a treaty, which is many times not followed? Robert B. Loudon explains how, in Kant's eyes, not adhering to the treaties would be going against inherent virtues of humanity, thus breaking the morals and ethics of humanity. The primary virtue in Kantian ethics is obedience to rules. The legal documents create rules and guidelines, so not following the documents would be acting against the Kantian virtue of obedience.²

From a humanitarian standpoint, the answer would also be no. The UN and many humanitarian organizations constantly press countries to accept more refugees, meaning there are too many refugees and too few being accepted. If the refugees meet the definition of being a refugee, is this morally right? Countries have signed legal documents stating the type of help offered, but many do not meet the requirements discussed in chapter five or the quota discussed in chapter three. Furthermore, when combining the legal treaties with the ways in which the various political ideologies and religious doctrines prescribe, it is clear that the treaties, law, ideologies and religions call for helping refugees.

Ultimately, from combining the legal treaties, it is evident that a definition of a refugee has been developed as well as the appropriate response of admittances or help and provisions to be given. Furthermore, certain fundamental rights of refugees are established. Therefore, there exists an inherent ethical obligation to follow the legal

treaties and documents that have been ratified, stemming from the fact that the countries have signed international documents stating the acceptance of and help given towards refugees. In other words, under law, they are “required” to follow the regulations, regardless of the lack of punishment. The documents specifying how and in what ways refugees should be helped have been ratified by all countries under examination in the thesis, yet they are not being fully followed in practice.

Therefore, it is evident that although not being fully followed in practice, there are clear legal guidelines for the treatment of refugees and, therefore, an ethical obligation to adhere to the documents and help refugees, thus displaying sub-hypothesis four to be accurate: *there exists a legal obligation to help refugees due to treaties and conventions signed by the international community. Through the legal obligation, there also exists an ethical obligation to follow the international treaties and help refugees.* Additionally, this serves as support for the main hypothesis, in that there are ethical obligations of humanity towards helping refugees stemming from the legal requirement to offer help. It is clear that through compiling all the previous information there exist certain ethical and moral obligations of humanity towards refugees, stemming from human dignity, religion, ideology and legal requirements.

Next to be examined is chapter four (ideologies), which displays how all the religious doctrines and political ideologies investigated – with the exception of the extreme right, in which other alternatives have been provided – call for certain levels of help to be given to those in need. Most do not prescribe specific treatment for refugees outright, but all the religions have the underlying theme of immigration and helping others in need, while some of them specifically mention refugees and the

appropriate ways to give help. Additionally, the political ideologies range from prescribing local small-scale communities to help, all the way to open borders, but all illustrate that help, in one way or another, should be given. Therefore, it seems evident that there is a strong ethical and moral argument to helping refugees stemming from one's political ideology.

When examining the religions, there is a clear moral responsibility to help others in need with many of the religions, going so far as to prescribe specific treatment of refugees. Therefore, there is a clear moral and ethical obligation to help refugees stemming both from religion and political ideology, thus displaying sub-hypothesis three to be accurate: *most if not all political ideologies and religious doctrines, when examined at their core, state the necessity to help refugees*. Furthermore, the information obtained, acts as support for the main hypothesis in that humanity has certain ethical obligations towards helping refugees, based off religious doctrines, political ideologies and sectarian texts, such as certain philosophers and international treaties.

The final part to be re-examined is chapter three. Ultimately, chapter three has the ability to override all ethical and moral obligations towards refugees. If, in reality and displayed empirically, admittance of refugees or offering help in another way hurts, damages or reduces the welfare of the domestic population of the state offering help, then the argument can be made that the ethical responsibilities towards the domestic population outweigh the ethical responsibilities towards refugees. However, as shown in chapter three, refugees are not damaging society thus displaying sub-hypotheses one and two to be accurate. Therefore, through compiling all previous data and sub-

hypotheses, the main hypothesis is shown to be accurate in that *humanity has certain ethical obligations towards helping refugees based by the idea that they are human, examined through the liberal democratic framework of the EU. All religious doctrines, political ideologies and sectarian doctrines such as certain philosophers, documents and treaties prescribe helping refugees. Empirical evidence of refugees in reality does not match the social perception and therefore does not override the ethical obligations towards them.*

7. Conclusion

“The Political solutions to the refugee crisis may be complex, but that does not mean we should abandon our humanity. We should not close our hearts, retreat behind walls, real or imagined, or ignore the pressing moral imperative to provide assistance and sanctuary for the some of the world’s most desperate people”—Katharine Viner¹

In order to fully understand the ways in which society responds to refugees and the empirical evidence regarding the impact of refugees on society as well as the ideologically prescribed responses and what legal protocol exists all previous information is compiled and briefly re-examined. As a result of the findings, a goal is to make clear how refugees impact a society, how countries have promised to respond to them and how they are responding in reality. Subchapter one discusses areas in need of future research in order to make more definitive statements and provide additional empirical backing. Subchapter two serves as the conclusion for the thesis.

7.1: Future Research

Due to the complexities of the topic, it is not possible to address every issue in every way. Therefore, many areas of research have been excluded, and those that have been included or excluded are provided with an explanation. Future research has the ability to provide a stronger empirical foundation and include more regions, making the overall argument more persuasive and powerful.

7.1.1: Cultural Assimilation and Integration

Certain questions must still be asked, such as what the proper ways to integrate a refugee into a society are. How can it be accomplished while balancing both the states’

and refugees' respective cultures? What are the best ways to support cultural assimilation? Does the integration of refugees damage the cultural identity of the domestic population? The thesis ignored this area of research due to length constraints; however, it remains of the utmost importance to fully understand the impact that refugees have on a culture and how to handle the impact.

Another topic in the area of integration is the provision of intensive language courses, as many Europeans feel it is the best way to associate with the country and culture. It also seems evident that refugee camps and ghettos or refugee neighborhoods are not helping to assimilate refugees, thus leading to further questions, such as what the best ways to integrate a refugee into the socio-economic atmosphere of a country are without offsetting the domestic population. What is the overall goal of helping refugees? Is it to integrate them, assimilate them into society and allow them to have a new life in the new country as a full-time resident, functioning in the welfare and social structure, or is to admit them until their home country is deemed safe to return? Depending on the answer to the question, vastly different approaches to assimilation would be undertaken.

7.1.2: Societal Perceptions

Further discussion of the societal perceptions of refugees would be beneficial. The thesis discussed interesting trends in that most feel something should be done and do not like the way the crisis is being handled but feel refugees hurt their society. Additionally, from the findings in the thesis, refugees are not negatively impacting their societies, so why does the negative perception exist? An interesting area of future

research would be the media frequency of refugees, perhaps using a database such as Factiva. How often do refugees appear in the media, on what formats, and how are they shown, positively or negatively?

7.1.3: Statistical Data Analysis

Perhaps the area most in need of future research is chapter three, due in large part to the lack of data currently existent in the areas researched. Other than Germany, where extensive data existed, the other countries have kept much fewer statistics in the area of refugees, and if statistics are available, they usually represent all migrants, which although including refugees does not adequately represent the refugee population. This is due to many reasons; for example, some countries simply do not differentiate refugees in their studies due to perceived discrimination. However, consistent, comparable data throughout the EU tracking various statistics outside and within the refugee community is needed in order to accurately gauge refugee impact, both the pros and the cons.

In order to properly investigate terrorism, some starting points could be the overall immigration in a given year and the probability and number of terrorist attacks. Furthermore, how many are killed in the terrorist attack v. the homicides per year? Are there crimes of the same nature that are not labeled terrorism? Is there a reason for the difference in labeling? What are the motivations for the attack? Finally, and perhaps most importantly, is the terrorist a legal immigrant or a refugee? However, most importantly, the first step is addressing a universally accepted definition of terrorism.

Another interesting area of research would be how well different types of migrants are integrating into their host societies. This could be analyzed by studying different categories, finding the ones that have best integrated culturally, linguistically and in socio-economic terms and seeing if there are similar techniques being used.

In areas such as education attainment, a great deal of data is missing, with many countries not keeping statistics within the category. Therefore, the thesis examined the refugee impact at the entire EU level, which provides a less exact representation of the refugees in individual countries. In addition, data for the impact on the social welfare system is almost inexistent. Therefore, it seems evident that future research must monitor the impacts of refugees as a specific sub-category of migrants, thus allowing for more exact findings, in the areas of crime rates, education attainment, impact on the socio-economic sphere and the overall impact on the social welfare system. However, in order for the analysis to be done currently, comparisons have to be constructed. Therefore, a crucial next step is the obtainment of more refugee specific data. States should begin keeping statistics specified to refugees in a confidential manner, i.e., not listing personal information.

7.1.4: Regional and Global Level

Another area that would be benefited from future research is to expand the countries under analysis. It would be interesting to expand the regions covered as well as a global level investigation. This would involve research into new countries and regions of the world. Furthermore, it would involve the study of additional religions as well as political ideologies. The religions could include, but are not limited to, Buddhism,

Hinduism and more Eastern political ideologies. Additionally, further exploration into the political ideologies and religious doctrines studied in the thesis would be beneficial as well. For example, the Talmud for Judaism as well as the study of the history of the Jewish people as refugees, including an analysis of their migration; a deeper examination of the writings of Jesus as a refugee as well as further examination of doctrines such as the Epistle to Diognetus or the history of influential theologians such as the Church Fathers. Finally, a deeper analysis of the history of the Arabic people before the Qur'an and the migratory nature of the early Islamic people as well doctrines such as the Hadiths. Other influential political thinkers that would be beneficial to study include Christopher Wellman and his idea of state sovereignty, among others.

7.1.5: Treaties and Documents

The list of documents, treaties, conventions, reports and declarations examined in the thesis is not all-inclusive. Therefore, examination of more documents related to refugees, the treatment of refugees, the rights of refugees and human rights in general would be beneficial. Such documents could include the "Geneva Convention," known as "a series of international diplomatic meetings that produced a number of agreements, in particular the Humanitarian Law of Armed Conflicts,"² and the "EU Charter of Fundamental Rights," which discusses the fundamental rights of people living in the EU,³ therefore, not entailing refugees who have not been given refugee status within the EU.

Additionally, it seems that from the compilation of the current treaties, loopholes exist, and a new treaty is in need of ratification. As such, future research

could probe the possible tenets. It seems a more comprehensive treaty should be ratified both regionally and internationally, with specific definitions for refugees, the rights of refugees and the obligations due to refugees, coupled with the legal ability and power to instill fines and punishments when countries do not follow the obligations. Moreover, rather than guidelines, the components should be comprised of mandates.

7.2: Conclusions

Chapter three displayed the first sub-hypothesis – *refugees are not only abiding by the law but also add value to society if integrated properly* – to be accurate with the information currently available. Countries other than Germany had scarce to inexistent statistics, but certain studies in Germany displayed the ability to beneficially integrate refugees into the socio-economic sphere of society. Additionally, Germany showed that refugees are not committing more crimes than the locals and do not increase the level of crime. Furthermore, the other countries examined (France, Greece, the Netherlands, Poland and Hungary) did not have specified refugee information available. However, there existed a lower level of crime in the city with a high number of migrants when compared with the national level in every case other than France. This means that large migrant cities do not have more crime than the nation as a whole, thus migrants do not seem to be increasing crime.⁴

Chapter three confirmed the premise of sub-hypothesis two – *in most countries that accept refugees, the fears of accepting them are exaggerated when compared with factual evidence* – to be accurate but in need of future research in order to be more conclusive. The chapter examined the societal perception of refugees in the areas of

crime and the economic impact, finding that the perception did not match the reality, although with minimal country specific information. However, Germany displayed conflicting information in their studies and therefore a definitive statement is not possible. Additionally, through displaying that refugees, in the case of Germany, or migrants in general in the other situations are not increasing crime, it is shown reality is not consistent with the perceived criminal threat. Although as discussed in the previous subchapter, more research in this area is needed, particularly as it relates to terrorism.

Chapter four tested sub-hypothesis three, showing it to be accurate: *most if not all political ideologies and religious doctrines, when examined at their core, state the necessity to help refugees*. Although chapter four did not consider every political ideology and religion, it did analyze those predominant in the EU and a major one of the refugees coming to the EU. The chapter displayed that all the religions specify a need and duty to help foreigners, strangers and those in need, and most political ideologies, with the exception of the extreme conservative thinking, in which alternative thinking has been attempted to be shown, specify a certain level of responsibility towards refugees. What the level is varies, but all specify help should be given in one way or another.

Chapters five and six explored the final sub-hypothesis; *there exists a legal obligation to help refugees due to treaties and conventions signed by the international community*. Through the legal obligation, there also exists an ethical obligation to follow the international treaties and help refugees, showing it to be accurate. Through examining the documents and treaties related to refugees it became evident that there

does in fact exist certain legal obligations to help refugees, ratified by all states under investigation in the thesis. Many of the documents lay out specific ways in which the refugees should be helped, but none of them establish punishment for when the treaties are not fully followed. Regardless, due to the legal obligation, there does exist an ethical obligation to follow the treaties.

The main hypothesis states that *humanity has certain ethical obligations towards helping refugees based by the idea that they are human, examined through the liberal democratic framework of the EU. All religious doctrines, political ideologies and sectarian doctrines such as certain philosophers, documents and treaties prescribe helping refugees. Empirical evidence of refugees in reality does not match the social perception and therefore does not override the ethical obligations towards them.*

To begin, chapter two showed that *humanity has certain ethical obligations towards helping refugees based by the idea that they are human, examined through the liberal democratic framework of the EU.* Through certain necessities in the human development, there exist ethical and moral obligations towards refugees. Through not offering any form of help, refugees are denied the ability to develop certain fundamental human characteristics in a safe society. Additionally, through this action, the person pursuing the action is denying certain inherent aspects of their own humanity. Second, chapters four and five displayed that *all religious doctrines, political ideologies and sectarian doctrines such as philosophers, documents and treaties prescribe helping refugees.* The comparison and compilation of the different thinkers, ideologies, religions and treaties, displayed this to be accurate. Finally, chapter three displayed that *empirical evidence of refugees in reality does not match*

the social perception and therefore does not override the ethical obligations towards them. Although more research is needed in this field, through the data obtained in the thesis related to crime, education and welfare, the reality of the situation does not match the societal perception.

It is evident that certain ethical obligations exist towards refugees; however, it is important to re-iterate that the aim of the thesis is not to define an *exact* ethical obligation towards refugees but is to display the vast amount of contradictory and unsatisfactory information. Ultimately, this thesis displays the overall difficulties in answering the ethical question and displays how no such definitive answer exists due to the lack of authoritative evidence and data. Through examining the various sides of the debate, it is evident that no side can validly claim their position to be true, and therefore, the public should not decide one side is correct based off what they hear in the public discourse. The ethical obligations have been put into law through various human rights treaties, documents, etc., but it is clear that they are not being fully proscribed to. Additionally, empirical evidence does not match the refugee “threat” as perceived by society. Why is it then that political ideologies, religious doctrines, philosophers, treaties, documents, conventions and conferences all prescribe support for refugee assistance, yet countries do not fulfill their quotas and many times attempt to navigate their way around the ethical obligations towards refugees?

In the end, returning to the overarching question, what ethical obligations does humanity have towards refugees produces a conceivable answer so simple that it is incredibly complex. The answer could be that humanity has every ethical obligation to help refugees while at the same time has no ethical obligation. Chapter two established

that morals are one of the key characteristics of human beings, but at the same time not a quality that is automatically followed instinctively. However, if acting against morals, human kind is acting against a key distinguishing feature of their species according to many philosophers. Combining this with the empirical reality that refugees are not damaging society, the ideologies and religions push to assist refugees and the ethical obligations have been put into treaties, it seems evident that ethical obligations exist. Yet, a narrative,⁵ as Anna Peterson would call them, has infiltrated the cultures of much of human kind that is simply incorrect. The narrative, or discourse, pushes the idea that refugees damage a person, society, state, etc.; although, in reality, the narrative should push for helping refugees in need as displayed through the thesis.

However, another distinguishing feature of human beings is their free will.⁶ Therefore, human beings have the ability, through their free will, to instill and generationally pass on a false narrative. Therefore, in this instance, no ethical obligation would exist, as the current mindset has been a process of free will, although based on a false narrative. However, according to Tibor R. Machan, “The idea that humans have free will means that their thinking is self-produced; they have the capacity to ignite the process of thinking, to start up the formation of ideas.”⁷ He further writes, “We can inspect our lives, we can detect where we are going, and we can, therefore, change course.”⁸ In other words, although a false narrative has infiltrated the everyday lives of humanity, it is not inevitable that it must continue. Why then is it so prevalent?

Notes

¹ Lazarus, “The New Colossus.”

1. Introduction

¹ Agamben, “Beyond Human Rights,” 16.

² DePillis, Saluja, and Lu, “Visual Guide.”

³ UNHCR, “Figures at a Glance.”

⁴ Ibid.

⁵ Connor and Krogstad, “Key Facts.”

⁶ Amnesty International Australia, “What’s the Difference.”

⁷ Ibid.

⁸ Ibid.

⁹ Agamben, “Beyond Human Rights,” 17.

¹⁰ Amnesty International Australia, “What’s the Difference.”

¹¹ Agamben, “Beyond Human Rights,” 20.

¹² Sub-hypothesis two examines the fears towards refugees, such as those related to education, economic impact and crime.

¹³ World Bank, “Refugee Population by Country.”

¹⁴ Merton, *Social Theory and Social Structure*, 60–61.

¹⁵ Cambridge Dictionary, “Discourse.”

¹⁶ Linguistic Society of America, “Discourse Analysis.”

2. Philosophical Background – What is a Human?

¹ Runehov, *Human Being, World, God*, 118.

² Louden, *Kant’s Human Being: Essays*, xvii.

³ Runehov, *Human Being, World, God*, 7.

⁴ Peterson, *Being Human*, 41.

⁵ Ibid., 42, 56.

⁶ Machan, *Classical Individualism*, 114.

⁷ Peterson, *Being Human*, 166.

⁸ Runehov, *Human Being, World, God*, 107.

⁹ Ethnocentrism is the idea that one’s culture and values are superior to others;

Cleary, “Motives for Imperialism”;

Endnote clarification: When a note has “source; explanation; source,” the first source cites the in-text information and the final source cites the explanatory endnote. When there is an “explanation; source,” the source cites the explanatory endnote.

¹⁰ Caryl, “Burning for the Cause.”

¹¹ Sartre, *Existentialism Is a Humanism*, 22; Louden, *Kant’s Human Being: Essays*, xix.

¹² Onof, “Jean Paul Sartre: Existentialism.”

¹³ Louden, *Kant’s Human Being: Essays*, xix.

¹⁴ Runehov, *Human Being, World, God*, 111.

¹⁵ Ibid., 112, 120.

- ¹⁶ Immanuel Kant does believe in certain characteristics of a universal human nature, but believes the characteristics can be constructed;
Louden, *Kant's Human Being: Essays*, xix.
- ¹⁷ Runehov, *Human Being, World, God*, 112; Johnson and Cureton, "Kant's Moral Philosophy."
- ¹⁸ Runehov, *Human Being, World, God*, 112–113.
- ¹⁹ Kant, *On Education*, 11.
- ²⁰ Louden, *Kant's Human Being: Essays*, xxii.
- ²¹ Olafson, *What Is a Human Being?*, 2.
- ²² Kant, *Groundwork for the Metaphysics*, 66.
- ²³ Kant, *Groundwork for the Metaphysics*.
- ²⁴ Sandel, "Lecture 12: Supreme Principle."
- ²⁵ *Ibid.*; Kant, *Groundwork for the Metaphysics*, 22–62.
- ²⁶ Sandel, "Lecture 12: Supreme Principle."
- ²⁷ Kant, *Groundwork for the Metaphysics*, 45.
- ²⁸ *Ibid.*, 46–47.
- ²⁹ *Ibid.*, 22–62; Sandel, "Lecture 12: Supreme Principle."
- ³⁰ Sandel, "Lecture 12: Supreme Principle."
- ³¹ Peterson, *Being Human*, 18.
- ³² *Ibid.*; MacIntyre, *After Virtue: A Study in Moral Theory*, 218.
- ³³ Peterson, *Being Human*, 18.
- ³⁴ *Ibid.*, 57.
- ³⁵ *Ibid.*
- ³⁶ Midgley, *Beast and Man: The Roots of Human Nature*, 37.
- ³⁷ *Ibid.*, 13; Peterson, *Being Human*, 10.
- ³⁸ Midgley, *Beast and Man: The Roots of Human Nature*, 37.
- ³⁹ Peterson, *Being Human*, 64.
- ⁴⁰ Hofstede, *Cultures and Organizations: Software of the Mind*, 6; Hofstede Insights, "National Culture."
- ⁴¹ Hofstede Insights, "National Culture."
- ⁴² Peterson, *Being Human*, 166.
- ⁴³ *Ibid.*, 56–57.
- ⁴⁴ Arendt, *Altogether Elsewhere*, 116.
- ⁴⁵ Runehov, *Human Being, World, God*, 44.
- ⁴⁶ *Ibid.*
- ⁴⁷ *Ibid.*, 45.
- ⁴⁸ Peterson, *Being Human*, 52; Berger and Luckmann, *Social Construction of Reality*.
- ⁴⁹ Berger and Luckmann, *Social Construction of Reality*, 204; Peterson, *Being Human*, 52.
- ⁵⁰ Locke, *Second Treatise of Government*, 52.
- ⁵¹ Tuckness, "Locke's Political Philosophy";
- It must be noted that John Locke is not the sole philosopher to discuss the social contract theory. Others who have discussed the theory in some way include, but are not limited to, Socrates, Thomas Hobbes, Jean-Jacques Rousseau, John Rawls and David Gauthier;

Friend, "Social Contract Theory."

⁵² Andrei, "Feral Children."

⁵³ Peterson, *Being Human*, 52–53.

⁵⁴ Geertz, *The Interpretation of Cultures*, 48.

⁵⁵ Peterson, *Being Human*, 52–53.

⁵⁶ Runehov, *Human Being, World, God*, 120.

⁵⁷ Kant, *On Education*, 1; Kant, "Lecture-Notes on Pedagogy," 101; Louden, *Kant's Human Being: Essays*, xviii.

⁵⁸ Kant, *On Education*, 6; Kant, "Lecture-Notes on Pedagogy," 107.

⁵⁹ Kant, "Lecture-Notes on Pedagogy," 108; Kant, *On Education*, 6.

⁶⁰ Kant, *On Education*, 6; Kant, "Lecture-Notes on Pedagogy," 107; Louden, *Kant's Human Being: Essays*, xviii, xxv.

⁶¹ Kant, *On Education*, 84.

⁶² *Ibid.*, 95.

⁶³ Louden, *Kant's Human Being: Essays*, xxv.

⁶⁴ Kant, *On Education*, 30, 58, 65, 83, 95.

⁶⁵ Louden, *Kant's Human Being: Essays*, 34.

⁶⁶ Sandel, "Lecture 7: This Land."

⁶⁷ Machan, *Classical Individualism*, 93.

⁶⁸ Sandel, "Lecture 7: This Land"; Locke, *Second Treatise of Government*, 33.

⁶⁹ Machan, *Classical Individualism*, 35; For the specific text Machan is referencing see Becker, *Economic Approach to Human*; Locke, *Second Treatise of Government*, 33.

⁷⁰ Machan, *Classical Individualism*, 47.

⁷¹ *Ibid.*, 43.

⁷² Louden, *Kant's Human Being: Essays*, xxiii.

⁷³ Buchner, "Introduction," 93.

⁷⁴ Ikenberry, "Cultural Evolution."

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

3. Statistical Data Analysis – Cost and Benefits of Accepting Refugees

¹ Associated Press, "Gov. Greg Abbott Says."

² Connor, "Europeans Support Taking."

³ *Ibid.*

⁴ It must be specified the study examines immigration in general and not specifically refugees.

⁵ Stokes, "Differing Views of Immigrants."

⁶ *Ibid.*

⁷ Wike, Stokes, and Simmons, "Europeans Fear Wave"; Poushter, "European Opinions."

⁸ Wike, Stokes, and Simmons, "Europeans Fear Wave."

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² Connor, "Europeans Support Taking."

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Wike, Stokes, and Simmons, “Europeans Fear Wave.”

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Connor, “Europeans Support Taking”; Wike, Stokes, and Simmons, “Europeans Fear Wave.”

²² Connor, “Europeans Support Taking”; Wike, Stokes, and Simmons, “Europeans Fear Wave.”

²³ Due to many reasons, terrorism is not empirically analyzed in the thesis but is reserved for future research. First, we lack a universally accepted definition of terrorism within terrorism studies, including the questions of what is terrorism and who is a terrorist. Second, there is a wide array of various perceptions of what the public perceives as terrorism. Third, there are a number of crimes that do not get reported as terrorism due to the lack of an accepted definition, but many times would fall within the category, and conversely, many crimes that get reported as terrorism, but with an accepted definition could fall outside the category. Finally, there are also the instances of planned terrorist attacks that get prevented beforehand, and due to the lack of an accepted definition, sometimes get placed within the categorization of terrorism while other times they do not. Therefore, until there exists an academically and publicly universally accepted definition of terrorism, the results will not reflect reality. However, the thesis examines the criminal fear of refugees through crime rates, as well as the security risks through the viewpoint of the US Department of State, educational attainment and the impact refugees have on the social welfare system and economy; Stampnitzky, “Emergence of terrorism studies,” 57; Spencer, “New versus old terrorism,” 270; Gentry and Sjoberg, “Female terrorism and militancy,” 316; Schmid, “Definition of Terrorism,” 42, 47, 50–51.

²⁴ Harris, “Fact Check: How Many.”

²⁵ Bershidsky, “Germany Must Come.”

²⁶ Ibid.

²⁷ Luyken, “What We Learned.”

²⁸ Ibid.

²⁹ Pieper, “Germany: Crime Rate Drops.”

³⁰ King, “Germany Records Lowest Crime.”

³¹ OSAC, “Germany 2018”; U.S. Department of State, “Germany Travel Advisory.”

³² Gehrsitz and Ungerer, “Jobs, Crime and Votes,” 16–18.

³³ Harris, “Fact Check: How Many.”

³⁴ OSAC, “France 2018.”

³⁵ Semotiuk, “France Struggles with Immigrants.”

³⁶ Reuters, “64% of French Say.”

³⁷ The Maghreb area consists of Algeria, Libya, Mauritania, Morocco and Tunisia; Statista, “Total Population Maghreb Countries.”

- ³⁸ Semotiuk, “France Struggles with Immigrants”;
Éric Zemmour is a supporter of the far-right political party the National Front, which holds strong anti-immigrant views;
Semotiuk, “France Struggles with Immigrants.”
- ³⁹ Semotiuk, “France Struggles with Immigrants.”
- ⁴⁰ World Population Review, “Paris Population 2019.”
- ⁴¹ OSAC, “Greece 2018.”
- ⁴² Harris, “Fact Check: How Many.”
- ⁴³ Zuzga, “Czy boimy się cudzoziemców w Warszawie?”
- ⁴⁴ OSAC, “Poland 2018.”
- ⁴⁵ Harris, “Fact Check: How Many.”
- ⁴⁶ Urbistat, “Demographic Statistics Province Utrecht.”
- ⁴⁷ OSAC, “Netherlands 2018.”
- ⁴⁸ Harris, “Fact Check: How Many.”
- ⁴⁹ OSAC, “Hungary 2018.”
- ⁵⁰ Whenever possible, the categorization focuses specifically on refugees and is stated when occurring, but as previously stated, refugee specific data is scarce in countries other than Germany.
- ⁵¹ Konle-Seidl, “Integration of Refugees,” 18;
The numbers add up to over 100% due to overlapping categories;
Tertiary education, or postsecondary education, is the academic pursuit after high school;
Learn, “What Is Tertiary Education?”
- ⁵² Saunders, “Where Are Germany’s Refugees?”
- ⁵³ Gehrsitz and Ungerer, “Jobs, Crime and Votes,” 2, 14–15.
- ⁵⁴ Ibid., 15–16; Konle-Seidl, “Integration of Refugees,” 19.
- ⁵⁵ Knight, “Refugees in Germany.”
- ⁵⁶ Eurostat, “Migration Integration Statistics.”
- ⁵⁷ Ibid.
- ⁵⁸ Ibid.
- ⁵⁹ OECD, “How Are Refugees Faring,” 5.
- ⁶⁰ Ibid., 6.
- ⁶¹ Ibid.
- ⁶² Ibid., 13.
- ⁶³ Lodovici, “Integration of Refugees,” 31; Reynolds, “Bounty or Burden?”
- ⁶⁴ Lodovici, “Integration of Refugees,” 31.
- ⁶⁵ Reynolds, “Bounty or Burden?”
- ⁶⁶ Ibid.
- ⁶⁷ Lodovici, “Integration of Refugees,” 70.
- ⁶⁸ For the statistics, the thesis used the website Numbeo. The website compiles responses from people (and continuously monitors for inaccurate or spam information) visiting the website. The findings are similar to government surveys, although sometimes considered more accurate due to the levels of unreported crimes to authorities in many cities and countries. The data used is, at most, no older than 36

months. Crime level, crime index and safety index are tools used to understand crime rates and have been turned into decimals, by Numbeo, for simplicity;

Numbeo, "About Crime Indices."

⁶⁹ Numbeo, "Crime in Germany."

⁷⁰ Numbeo, "Crime in Munich."

⁷¹ Numbeo, "Crime in France."

⁷² Numbeo, "Crime in Paris."

⁷³ Numbeo, "Crime in Greece."

⁷⁴ Numbeo, "Crime in Patras."

⁷⁵ Numbeo, "Crime in Poland."

⁷⁶ Numbeo, "Crime in Warsaw."

⁷⁷ Numbeo, "Crime in Hungary."

⁷⁸ Numbeo, "Crime in Pecs."

⁷⁹ Numbeo, "Crime in Netherlands."

⁸⁰ Numbeo, "Crime in Utrecht."

⁸¹ Saunders, "Where Are Germany's Refugees?"

4. Ideologies

¹ Arendt, *Altogether Elsewhere*, 111.

² It is of utmost importance to specify that helping does not automatically equate to acceptance of refugees. Although acceptance is arguably one of the more productive ways of helping, help can also include, but is not limited to, donations and funding, military, political, legal or social support and conflict resolution techniques.

³ It is important to specify that the ideologies and doctrines covered have many more aspects and considerations to take into account in future research, but due to length constraints could not be undertaken in this thesis. The doctrines, ideologies and people examined in the chapter represent the main, if not a major, religious doctrine for the respective religion or a prominent figure within the ideologies.

⁴ Brooks, Manza, and Cohen, "Political Ideology and Immigrant," 6.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Hardin, "Lifeboat Ethics."

⁹ Cairns Jr., "Tribute to Garrett Hardin."

¹⁰ Hardin, "Lifeboat Ethics."

¹¹ Ibid.

¹² Ibid.

¹³ Altland, "Critique of Lifeboat Ethics."

¹⁴ Using the positivistic approach, science has the ability to prevail and overcome difficulties of humanity;

Altland, "Critique of Lifeboat Ethics."

¹⁵ Altland, "Critique of Lifeboat Ethics."

¹⁶ Narveson, "Libertarianism and Refugees," 79.

¹⁷ Liberty Hangout, "Appropriate Libertarian Response."

¹⁸ Narveson, "Libertarianism and Refugees," 79.

- ¹⁹ Miller, “Libertarian Argument for Refugee.”
- ²⁰ Gabb, “Must Libertarians Believe.”
- ²¹ Open Borders, “Libertarian case for open.”
- ²² Gabb, “Must Libertarians Believe.”
- ²³ Open Borders, “Libertarian case for open.”
- ²⁴ Libertarian National Committee, “Immigration.”
- ²⁵ Open Borders, “Libertarian case for open.”
- ²⁶ Open Borders, “Libertarian case for open”; Miller, “Libertarian Argument for Refugee.”
- ²⁷ Miller, “Libertarian Argument for Refugee.”
- ²⁸ Open Borders, “Libertarian case for open.”
- ²⁹ Miller, “Libertarian Argument for Refugee”; Libertarian National Committee, “Immigration.”
- ³⁰ Christman, *Social and Political Philosophy*, 131.
- ³¹ As quoted in Crider, “Illusion of Self-Determination”; For direct reference see Walzer, *Spheres of Justice*, 62.
- ³² Stassen, “Michael Walzer’s Situated Justice,” 387.
- ³³ *Ibid.*, 384.
- ³⁴ Christman, *Social and Political Philosophy*, 131.
- ³⁵ As quoted in Crider, “Illusion of Self-Determination”; Stanford Encyclopedia of Philosophy, “Immigration”; For direct reference see Miller, “Immigration: The Case.”
- ³⁶ Carens, “Refugees and the Limits,” 31.
- ³⁷ *Ibid.*
- ³⁸ I owe this insight to Professor Dr. Janusz Salamon.
- ³⁹ Rawls, *Theory of Justice*, 118; Sandel, “Lecture 14: A Deal.”
- ⁴⁰ Shapcott, *International Ethics: Critical Introduction*, 94.
- ⁴¹ *Ibid.*, 94–95.
- ⁴² McCombs School of Business, “Veil of Ignorance”; Freeman, “Original Position.”
- ⁴³ Shapcott, *International Ethics: Critical Introduction*, 72; Rawls, *Theory of Justice*, 98–101.
- ⁴⁴ Shapcott, *International Ethics: Critical Introduction*, 95.
- ⁴⁵ La Caze, “Not Just Visitors,” 313.
- ⁴⁶ *Ibid.*
- ⁴⁷ Shapcott, *International Ethics: Critical Introduction*, 109.
- ⁴⁸ Kant, *Perpetual Peace*, 17–18.
- ⁴⁹ Shapcott, *International Ethics: Critical Introduction*, 108.
- ⁵⁰ *Ibid.*, 90, 111.
- ⁵¹ Kant, *Perpetual Peace*, 18.
- ⁵² Shapcott, *International Ethics: Critical Introduction*, 109–110.
- ⁵³ *Ibid.*, 109.
- ⁵⁴ Smith, “World Without Borders.”
- ⁵⁵ *Ibid.*
- ⁵⁶ *Ibid.*
- ⁵⁷ Mallaby, “Net Benefits.”
- ⁵⁸ *Ibid.*

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ It is important to specify that religious doctrines are complex and open to various interpretations. All statements given here include either the interpretations of various authors or personal interpretations of the texts.

⁶² Crabtree, "Religion in Europe."

⁶³ Pew Research Center, "Changing Global Religious Landscape."

⁶⁴ Peterson, *Being Human*, 30–31.

⁶⁵ Ibid., 30–31, 33–34, 40.

⁶⁶ Ibid., 34.

⁶⁷ Ibid., 217.

⁶⁸ Pope Paul VI, "Gaudium et Spes," 2:69; Peterson, *Being Human*, 217.

⁶⁹ Saritoprak, "Qur'anic Perspective on Immigrants."

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² Newsome, "'Forcing' Our Religion."

⁷³ Rodenbeck and Caldecott, "Forced Conversion to Islam?"

⁷⁴ Before examining the Bible, which is the main religious doctrine associated with Christianity, it is important to specify that religious doctrines are long, involved and appear in many platforms; therefore, by analyzing only the holy-scripture for each religion represents by no means an all-inclusive study of the religions. Hence, future research into the various books inside of each religion is needed as well as into the actual history of the followers of each religion; for example, the history of the Jewish people as well as the Arabic people, both before and after Muhammed and the migratory nature of all. Additionally, due to length constraints every verse relating to the topic in some way cannot be addressed. Therefore, after reading the selected doctrines, some of the verses selected are those that theologians consider the most important.

⁷⁵ n.a., Book of Matthew, 25:35–36.

⁷⁶ Evangelical Lutheran Church in America, "Book Faith Bible Study."

⁷⁷ n.a., Book of Galatians, 5:14.

⁷⁸ Bibleref, "What Does Galatians 5."

⁷⁹ Ibid.

⁸⁰ n.a., Book of Luke, 10:25–37.

⁸¹ It must be specified that the following is a personal interpretation of the parable in order to relate the story to refugees. There are numerous other interpretations, but all include the kindness towards people in need.

⁸² Biblical Archaeology Society Staff, "Understanding the Good Samaritan."

⁸³ The Gospel according to Matthew, most specifically, wrote about Jesus Christ, the Son of God in Christianity and a focal point of the religion, as a refugee. King Herod's edict to kill all baby boys forced Jesus to flee Bethlehem as a baby with his family in order to escape the persecution. However, as the Books of the Bible only briefly discuss the sentiment, it is not further analyzed in the thesis; Camille, "Was Jesus a Refugee?"; Taylor, "Jesus Was a Refugee."

⁸⁴ Due to length constraints all passages could not be listed. However, there exist numerous passages related to helping those in need and foreigners, such as in the books of Matthew, Romans, 1 Corinthians, and 1 Peter.

⁸⁵ The Jewish people themselves fled Egypt as refugees. The migration of the Israelites is discussed in detail in the Book of Exodus; Theology of Work, “Israel in Egypt.”

⁸⁶ It must be noted that Leviticus and Deuteronomy are often criticized for many of the ideas pertaining to women and sexual acts, eating unclean food such as shellfish, etc. However, many of the controversies were more prominent to the current lifetime. For example, one is not supposed to eat fish that does not have fins and scales as they were considered unclean, however, it was not sanitary then and many of the other controversies pertaining to health issues are no longer prominent. However, many of the laws established in the books are still followed today, but with varying extremity; sometimes quite literally, while conversely, many contemporary followers no longer follow these rules. However, in the examples listed, it is discussing moral action and therefore, has become more universally accepted, more relevant and contemporarily adhered to in the modern world;

n.a., Book of Leviticus; Newbell, “Biblical Womanhood.”

⁸⁷ n.a., Book of Leviticus, 19:33–34.

⁸⁸ This comes into most importance when discussing the length of provisions extended to an admitted refugee.

⁸⁹ Martinez, “Leviticus 19.”

⁹⁰ n.a., Book of Leviticus, 19:9–10.

⁹¹ Dieleman, “Sermon on Leviticus.”

⁹² Many view the passage as anti-capitalistic. However, the passage does not advise against growing and seeking more resources, it advises against harvesting and using more resources than needed, ultimately wasting resources. Therefore, it is not anti-capitalistic, but more so anti-wasteful and simply encourages those with more than they need to help the needy by leaving them un-needed resources. A similar idea is the concept of “Moral Capitalism”;

Friedman and Adler, “Moral Capitalism.”

⁹³ n.a., Book of Deuteronomy, 10:18.

⁹⁴ The passage is met with much controversy in that the sins being referred to are assumed to mean different things. For some, the sins refer to homosexuality, however there is much debate as to what sins are being referenced in Sodom. Regardless, the passage directly mentions the poor and needy and the necessity to offer assistance; Religious Tolerance, “Sodom and Gomorrah.”

⁹⁵ n.a., Book of Ezekiel, 16:49.

⁹⁶ Bible Study Tools, “Ezekiel 16.”

⁹⁷ n.a., Book of Exodus, 23:9.

⁹⁸ Ibid., 22:21.

⁹⁹ n.a., Book of 1 Kings, 8:41–43.

¹⁰⁰ Saritoprak, “Qur’anic Perspective on Immigrants.”

¹⁰¹ n.a., “The Women,” 4:97.

¹⁰² Saritoprak, “Qur’anic Perspective on Immigrants.”

¹⁰³ Ibid.

¹⁰⁴ n.a., “The Repentance,” 9:6.

¹⁰⁵ UNHCR, “Islam and Refugees,” 1.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Ibid., 1–2.

¹¹² Rahaei, “Rights of Refugee Women,” 4.

¹¹³ UNHCR, “Islam and Refugees,” 3–4; Rahaei, “Rights of Refugee Women,” 5.

5. Legal Debate

¹ Agamben, “Beyond Human Rights,” 21.

² It should be specified that the EU has not ratified any (other than the Council Directive) of the following treaties. Instead, they have been ratified by the individual member states. The EU does have treaties and declarations related to human rights, but they more so focus on the human rights of people living in Europe.

³ The treaties and documents are cited in the following way. If article numbers are inexistent in the document, then page numbers are listed. However, when the documents have article numbers, only the article numbers are listed (not page numbers) so as to have a common citation standard across all documents. When citing documents with articles, the article is listed first, or, if in a section of the document with no articles, then the name of the section of the document is listed first. If there are parentheses with letters following a document section, the letters refer to specific paragraphs within the section. If there is a decimal in the article, the number after the decimal is referring to the paragraph number inside of the article. Finally, if there are parentheses with letters inside after an article, they refer to clauses inside of the article.

⁴ Germany did not vote. Germany joined the UN in 1973. Poland abstained from voting. Hungary did not vote. Hungary joined the UN in 1955;

United Nations, “United Nations Digital Library”; United Nations, “Member States.”

⁵ OHCHR, “Universal Declaration of Human,” Preamble.

⁶ Ibid., art. 3.

⁷ Ibid., art. 5.

⁸ Ibid., art. 13.2.

⁹ Ibid., art. 14.1, art. 15.1.

¹⁰ Ibid., art. 18, art. 23.1.

¹¹ The Council of Europe is not a part of the EU.

¹² ECHR, *European Convention on Human*, Preamble, art. 2.1, art. 3, art. 5.1, art. 6.1, art. 9.1, art. 10.1, art. 17.

¹³ Ibid., Preamble.

¹⁴ Council of Europe, “Our Member States.”

¹⁵ Mole, *Asylum and European Convention*, 9.

¹⁶ Mr. Soering faced extradition charges from the United Kingdom to Virginia, US, for capital charges. At the time, in Virginia, prisoners many times remained on death row

for six to eight years. He plead that this constituted inhuman treatment and contradicted Article three of the Convention;

Mole, *Asylum and European Convention*, 10–11.

¹⁷ In *Cruz Varas v. Sweden*, the very first case concerning a refused asylum seeker, the court ruled that Article three applies to expulsion as well as extradition;

Mole, *Asylum and European Convention*, 11.

¹⁸ The *Fadele v. the United Kingdom* case deals with the issue of an asylum seeker being refused, but family members of the asylum seeker are nationals of the state refusing the asylum seeker;

Mole, *Asylum and European Convention*, 12.

¹⁹ The *Ahmed v. Austria* case decided the court has no jurisdiction to decide if the Somalian refugee had been stripped of his status according to the “Geneva Convention,” with his social, medical and welfare benefits resting upon his status in the “Geneva Convention”;

Mole, *Asylum and European Convention*, 50.

²⁰ Mole, *Asylum and European Convention*.

²¹ As the Convention and Protocol are very similar in content, and only vary with regard to whom the treaties are referring to, they are analyzed concurrently, focusing on the Convention as it is more thorough and expansive in the text. Additionally, the source used combines both the Convention and Protocol; therefore, the word Convention or Protocol is listed before the article or section in order to specify from which the information is coming.

²² UNHCR, “Convention and Protocol,” Protocol Preamble.

²³ UNHCR, “1951 Refugee Convention.”

²⁴ UNHCR, “State Parties,” 1–4.

²⁵ UNHCR, “Convention and Protocol,” Protocol art. 1.

²⁶ *Ibid.*, Protocol art. 3.

²⁷ *Ibid.*, Introductory Note, Convention art. 3, Convention art. 33.1.

²⁸ UNHCR, “1951 Refugee Convention.”

²⁹ UNHCR, “Convention and Protocol,” Introductory Note, Convention art. 16.1, Convention art. 17.1, Convention art. 18, Convention art. 22.1, Convention art. 27, Convention art. 28.1.

³⁰ *Ibid.*, Introductory Note.

³¹ *Ibid.*, Final Act (A, B).

³² *Ibid.*, Final Act (C), Convention art. 23.

³³ *Ibid.*, Final Act (D).

³⁴ *Ibid.*, Convention art. 2.

³⁵ *Ibid.*, Convention art. 3.

³⁶ *Ibid.*, Convention art. 4.

³⁷ *Ibid.*, Convention art. 26.

³⁸ *Ibid.*, Final Act (B, C, D), Convention art. 4, Convention art. 17.1, Convention art. 18, Convention art. 23, Convention art. 33.1.

³⁹ *Ibid.*, Convention art. 31.1.

⁴⁰ United Nations, “Right of Peoples”; OHCHR, “Declaration on the Right.”

⁴¹ OHCHR, “Declaration on the Right.”

- ⁴² United Nations, “Human Rights Council,” art. 1.
- ⁴³ *Ibid.*, art. 2.
- ⁴⁴ *Ibid.*, art. 3.
- ⁴⁵ United Nations, “United Nations Office.”
- ⁴⁶ *Ibid.*
- ⁴⁷ ICISS, *The Responsibility to Protect*, 11, 19, 29, 39.
- ⁴⁸ *Ibid.*, 13.
- ⁴⁹ *Ibid.*, 19.
- ⁵⁰ *Ibid.*, 29.
- ⁵¹ *Ibid.*, 39.
- ⁵² United Nations, “United Nations Office.”
- ⁵³ European Union, “COUNCIL DIRECTIVE 2004/83/EC,” art. 34.
- ⁵⁴ *Ibid.*, art. 21.1, art. 22, art. 23.1.
- ⁵⁵ *Ibid.*, art. 24.1, art. 25.1, art. 26.1, art. 27.1, art. 28.1, art. 29.1, art. 31, art. 32, art. 33.1.
- ⁵⁶ *Ibid.*, art. 10.1 (a–e).
- ⁵⁷ *Ibid.*, art. 12.2 (a).
- ⁵⁸ *Ibid.*, art. 12.2 (b).
- ⁵⁹ UNHCR, “New York Declaration.”
- ⁶⁰ *Ibid.*
- ⁶¹ OHCHR, “Prevention and Punishment,” art. 1, art. 2 (a–e), art. 3 (a–e), art. 4.
- ⁶² *Ibid.*, art. 5.
- ⁶³ Panel on United Nations Peace Operations, “Brahimi Report”; United Nations, “Brahimi Report Executive Summary,” 2, 4.
- ⁶⁴ United Nations, “Agenda for Peace.”

6. The Moral and Ethical Obligations

- ¹ Ma and Agrawal, “What World Leaders Said.”
- ² Loudon, *Kant’s Human Being: Essays*, 7.

7. Conclusion

- ¹ BrainyQuote, “Refugee Quotes.”
- ² History.com Editors, “Geneva Convention.”
- ³ Equality and Human Rights Commission, “EU Charter of Fundamental.”
- ⁴ It is important to reiterate that the study analyzed migrants in general, and not a specified refugee population.
- ⁵ Peterson, *Being Human*.
- ⁶ *Ibid.*; Machan, *Classical Individualism*; Runehov, *Human Being, World, God*; Kant, *Groundwork for the Metaphysics*.
- ⁷ Machan, *Classical Individualism*, 43.
- ⁸ *Ibid.* 25.

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