

The Refugee as Ideological Capital

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Abstract

How does modern society look at the figure of the refugee today? Can we say that the refugee represents the victimhood that requires a humanitarian answer? Or does it represent an otherness that portrays a desperate desire for happiness that capitalism embodies? And what of the figure of the refugee as a product of ideological capital? The present article approaches the topic of the refugee from its inception, how it is viewed, and how the refugee has impacted the citizen's image of itself via identity. It also looks at the use of modern policy, science, and psychology to dissect the anatomy of a typical refugee and also its use as an instrument to exclude. From the viewpoints of philosophy, psychoanalysis and cultural theory with authors such as Freud, Singer, and Baudrillard, this article attempts to grasp how the refugee inadvertently becomes part of the capitalist agenda for the happiness of all.

Keywords: Refugee; Capitalism; Identity; Psychoanalysis; Happiness.

İdeolojik Sermaye Olarak Mülteci

Özet

Bugün, modern toplum mülteci figürüne nasıl bakıyor? 'Mülteci'nin insani bir çözüm gerektiren mağduriyeti temsil ettiğini söyleyebilir miyiz? Yoksa kapitalizmin somutlaştırdığı mutluluk için umutsuz bir arzuyu resmeden bir ötekiliği mi temsil etmektedir? Ve bir ideolojik sermaye ürünü olarak mülteci tasviri nedir? Bu makale 'mülteci' konusunun, başlangıcından itibaren nasıl görüldüğünü ve kimlik aracılığıyla vatandaşın kendi imgesini nasıl etkilediğini ele almaktadır. Bu çalışma bir diğer yandan, tipik bir mültecinin anatomisini dikkatle incelemek için modern siyasetin, bilimin ve psikolojinin kullanımına ve ayrıca bir dışlama aracı olarak kullanımına bakmaktadır. Freud, Singer ve Baudrillard gibi yazarlarla birlikte felsefe, psikanaliz ve kültürel teorinin bakış açılarından, bu makale herkesin mutluluğu için mültecinin farkında olmayarak nasıl kapitalist gündemin parçası haline geldiğini kavramaya çalışmaktadır.

Anahtar Sözcükler: Mülteci; Kapitalizm; Kimlik, Psikoanaliz, Mutluluk

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According to the Office of the United Nations High Commissioner for Refugees (UN-HCR), the number of people forcibly displaced stands at 65,6 Million people (UNHCR, 2017). One would think that this statistic would forebode the end of the world. However, the world still turns and people will trade cash and credit in order to get to Europe which has become the object cause of desire - the desire for the new life. The Mediterranean Sea has become the new signifier for Hope. Perhaps this misery is being relished by the Europeans. The visual aspect of these reports seems to turn viewers into participants as though they are sailing in the boat themselves watching their neighbour float in the water. How should this be judged? We notice that most of the passengers on board are young males - where are the females? Why are they coming here? Immediately nimbyism becomes evident when our humanitarian side ought to be there. Maybe this is the result of living in an environment of utilitarian values. On the one hand, we should be thinking of the happiness of the greatest number. On the other for every asylum seeker who comes into my country, I have to pay for their welfare and support. Of course, my asylum-seeking fellow man did not realise this. Perhaps he has heard some news about Europe and its benefits but overall going to Europe has become the new salvation from tyrannical governments, war, and human disasters. What are the present issues pertaining to someone coming into the country today? This paper discusses the issues relating to the European Migrant Crisis by looking at the refugee from several perspectives by using the ideas of philosopher Jean Baudrillard to view how the Migrant Crisis has arrived at this point based on the interpretations of victimhood, racism, and the European Union's response towards the migrant.

The History of the 1951 Geneva Convention of the Refugee

The right to sanctuary and prohibition of refoulement has always been part of Judeo-Christian values within Europe. For instance, in 551 the Council of Orleans created the law in which anyone who had committed a crime could find refuge in a church or the home of a bishop. There had always been an influx of migrants into a country but this was not a huge concern. In fact, it was recognised that movement between countries was beneficial to nations in order to supply the labour force within a country. It was not until religious conflict occurred that there had been any sort of mass movement of people. The start of this was the expulsion of Jews

from Spain in 1492 during the Edict of Expulsion for fear that the Jewish community would aim to convert Christians to Judaism. Since then many other conflicts such as the Reformation and the Thirty Years' War had emerged in the name of religion and ideology. England was seen as a place of sanctuary for Protestants fleeing persecution from Spain and France during the Reformation years. The term 'refugie' was first used to denote the Huguenot population who fled to England after the Edict of Nantes was revoked in 1685 (Boswell, 2005, p. 22).

Due to the aftermath of World War I and the Bolshevik Revolution in Russia, the number of displaced persons increased significantly. This led to the development of the Office of the High Commissioner of Refugees in Russia. Its purpose was to develop a system of protection for Russians and Armenians fleeing Russia to other nations. In 1933 a High Commissioner for Refugees fleeing Germany was established for resettling the Jewish population escaping Germany during the rise of Nazism. By the end of World War II in 1945, close to 30 million people had been displaced. The United Nations created the International Refugee Organisation (IRO) to not only deal with protection but to look at "registration, status determination, repatriation, and resettlement" (Aiken, Carasco, Galloway, & Macklin, 2007, p. 468). It now established a bureaucracy involved in established which applicants deserved protection from the country of refuge. These essentially dealt with victims from Nazism or any other fascist regime which affiliated itself with the Nazi regime. The IRO was succeeded by the United Nations High Commissioner for Refugees. In 1951 the Refugee Convention was created from this. It included the signing up by 26 countries to the UN Convention Relating to the Status of Refugees. It was afforded the now mammoth task of dealing with the millions of displaced persons who had sought asylum mainly in developing countries in Europe and America. The idea behind it was to "fix" the problem of displaced persons once and for all due to the aftermath of World War II. Thus it was considered a temporary measure. The problem never got fixed and is still with us today. In fact, it was only in 1967 that the "Protocol Relating to the Status of Refugees eliminated the time and geographical constraints in the Refugee Convention and freed the UNHCR to deal with refugees from all over the world." (Aiken et al., p. 468). For the first time, a definition of a refugee could be established. Article (1)(a) defines a refugee as a person who;

"owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is

unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside of the country of his habitual residence as a result of such events is, unable or, owing to such fear, is unwilling to return to it” (UNHCR, 2011, p. 14).

The most important piece of protection from this is the prohibition of refoulement of the refugee by the country of refuge. There are other rights afforded such as the protection from punishment for entering the country illegally, prohibition of discrimination, freedom of movement and religion, access to education, employment and social protection.

The Body as the Nexus of Horror

For a long time, the justification for refugee status was based on the credibility of the evidence provided in their interview application for refugee status. In this interview, the refugee must retell the horror of how they fled their country of origin and the rationale in doing so. This deposition is dissected and analyzed - usually by a legal professional without an experience of living in the said country but who goes by the information they manage to gather about that country. The aim of this is to see if the applicant's claim of persecution is 'well-founded.' This takes into account the nexus of evidence in order to establish a motive that includes: race, nationality, religion, particular social group or political opinion. This dissection provides a judgement of the individual based on the evidence of other experts. These include doctors, psychiatrists, psychologists, and clergy.

When it comes to a medico-legal assessment, doctors have the role of examining the body and the mind which become the site of evidence. The aim is to look for maltreatment or torture as the nexus with mistreatment or torture. However, the problem here is that torture is not always in the domain of the visible. Nowadays what is termed white or clean torture refers to the kind of torture that does not leave visible marks. It is almost as if the torturer, in covering his tracks, is aware of accountability and the evidence left on the body. Therefore, the kinds of torture such as prolonged confinement, waterboarding, and pro-longed stress positions are viewed as new methods to hide torture and maltreatment.

But Europe is no stranger to torture. It itself is marked in history as the perpetrator of torture. Michel Foucault describes this concisely in his *Discipline and Punish: The Birth of the Prison*. Even the practice of investigation has moved on significantly from that of the middle

ages. On the discussion regarding the criminal act Foucault (1995) notes that the truth of the crime is no longer a simple matter of knowledge of the offence, the offender and the law:

“The question is no longer simply: ‘Has the act been established and is it punishable?’ But also: ‘What is this act, what is this act of violence or this murder? To what level or to what field of reality does this belong? Is it a phantasy, a psychotic reaction, a delusional episode, a perverse action?’ It is no longer simply: ‘Who committed it?’ But: ‘How can we assign the causal process that produced it? Where did it originate in the author himself? Instinct, unconscious, environment, heredity?’” (p. 19).

In the present day practice of investigation, the refugee is weighed up on the balance of probabilities. When it comes to the refugee as a victim of state failure, they themselves are investigated almost as if they are the perpetrator. The weight of evidence must come from them. They are guilty until proven innocent. It becomes the domain of human rights versus the laws of the country of origin.

Torture had represented a peculiar function in the history of civilization. For instance, we only have to recall the *amende honorable* in France as the mode of punishment. This was first abolished in 1791. Back then there were a number of reasons why torture was used. One was to link the crime with the punishment. An act of murder would, therefore, be reenacted in the location where the crime was committed. Another was to make an example by having the punishment for all to see. Quoting Beccaria from Foucault (1995), he writes “let the idea of torture and execution be ever present in the heart of the weak man and dominate the feeling that drives him to crime” (p. 35). Another was to establish power between the sovereign and the individual by having this moment of power open to view. “The tortured body is first inscribed in the legal ceremonial that must produce, open for all to see, the truth of the crime” (Foucault, 1995, p. 35). During the witch-hunt trials occurring in early modern Europe, torture was used to coerce a confession. Torture involved the attempt by the sovereign to master the atrocity of the crime afflicted by the criminal. In order to annul the atrocity, it needed to be met by an excessive act. This excess was seen as the pleasure in performing cruel punishments. Throughout the last 200 years in Europe, torture transitioned from open spectacle to hidden corporeal punishment to the non-corporeal punishment of the present day. For Europe, punishment is no longer aimed at the body. Instead, it aims at the soul. Europe’s transformation

from tyrannical rule to progressive democratic values serves as the beacon for many other countries aiming to be regarded in such high esteem.

But in some parts of the world, the body is still the site of punishment. Many middle-eastern countries still operate their penal system on some form of sharia law. For example, in Saudi Arabia, the sentence for unmarried adultery is 100 lashes. The sentence for married adultery is stoning. Apostasy is a beheading offence. Public beheadings are still commonly followed by a loudspeaker announcement of the persons who were sentenced and executed. Torture and Capital Punishment itself as recognised the apparent morality of the example not to be followed. However, within this example are revealed the inherent struggles between man and the state. In fact, the punishment of the condemned man only catapulted them to the status of the hero by the advertisement of the crimes. As a result, what was being struggled in a discrete but mundane level was highlighted in the gravity of the crime when handing down the punishment. Foucault (1995) notes that "If the condemned man was shown to be repentant, accepted the verdict, asking both God and man for forgiveness for his crimes, it was as if he had come through some process of purification: he died, in his own way, like a saint" (p. 35).

The question of torture or serious ill-treatment comes to the fore when it concerns our fellow human looking for refuge in a safe country. At the heart of every asylum application interview is the question 'is there the probability that you would suffer torture or serious ill-treatment if you were sent to your country of origin?' On the one hand, the systems set up for refugees are designed almost to discourage them from coming: segregated accommodation, low welfare payments, restrictions on work and education, long waiting lists, and rampant racism. But on the other, while this treatment in the host country goes on, the same host country uses the testimony of the refugee to criticize countries with human right abuses.

The Refugee as Object of Moral Capital

In order to understand the refugee migrant crisis of today, one would have to go much further back to the several wars that have happened so far. In addition, there is the emergence of the European Project as the new superstate - something which was like the United States of America with a different constitution. The refugee has always been around. It reflects the renunciation of the norms of one country over another. The refugee is a reflection of the pact between the individual and state. When the individual no longer finds security in its pact with

the state the renunciation is clear. The option is to look at the first state of migration. In interviewing asylum applicants, a typical question is asked by the state: why did you not seek asylum in a neighbouring country? The answers invariably are to do with what type of sanctuary the first country is offering and what type of constitution they represent. For instance, someone escaping Zimbabwe may most likely flee to South Africa on account of the likelihood that they might create a new and prosperous life in that country. They are less likely to head to Cameroon on account of the unrest happening in that country. In addition to this, language becomes a major factor in decision making. So this Zimbabwean may integrate better since they have the English to seek help, find accommodation, and eventually find employment if that is their motivation for leaving their country in the first place. There is another factor to take into account - the effect of increased asylum seekers. This is a right which South Africa recognises. Therefore this is an area which needs to be re-sourced.

Consequently, the more asylum seekers come into the country, the more resources it requires, and the more the demand for finances to resource the services needed to provide asylum seekers with accommodation, meals, supports for legal representation and integration. This financial burden becomes more noticeable on the taxpayer. The fact remains that this will fuel the right wing sentiment which wishes for asylum seekers to 'go back to their own country.' We have seen this emerge in the rise of populism within the prosperous continents of Europe and North America. But Europe creates a particular significance with its credo that everyone has the right to be happy. In America, it was based on the 'American Dream.' When Angela Merkel called for migrants to come to Germany and be welcomed there she created a precedent. Perhaps she knew what she was doing. She is aware of cause and effect as she is a doctor in Physics. What happens is that Germany was swamped by an influx of migrants, which have led the far right prime minister of Hungary, Victor Orban, to say that it is not a European problem - it is a German problem. When critics retorted that Hungarians once had to migrate in the 1950s, his reply was that it was different because they were Europeans migrating within Europe. This line of argument is in line with what the philosopher Michael Walzer writes in his book *Spheres of Justice* about in his idea of the refugee being something analogous to being an extension of part of the family line to justify any immigration policy. In this way, distinct communities can exist by having borders with those who are in no way ethnic relatives. The problem with this sort of rationale is that someone from the Middle East will not be part of the

family of Europe and cannot find the same sort of value and economic circumstances in a neighbouring Middle Eastern country as they would in Europe.

Peter Singer is correct in saying that the 1951 Convention has de-fined away the right for economic migrants to seek asylum in a more prosperous country (1993, p. 250). After all, they do go through the arduous journey and pay an exorbitant sum of money to someone in order that they might reach the shores of mainland America or Europe. Perhaps the 1951 Convention is the problem. Perhaps it does not recognise the need for someone coming from a country experiencing food shortages as there no evidence of torture or a well-founded fear of persecution. To quote James Hathaway's (1991) view on the 1951 Convention definition of a refugee:

“Even after the elimination of temporal and geographic limitations, only persons whose migration is prompted by a fear of persecution on the ground of civil or political status come within the scope of the Convention-based protection system. This means that most Third World refugees remain de facto excluded, as their flight is more often prompted by natural disaster, war, or broadly based political and economic turmoil than by “persecution” at least as that term is understood in the Western context. While these phenomena undoubtedly may give rise to genuine fear and hence to the need to seek safe haven away from one's home, refugees whose flight is not motivated by persecution rooted in civil and political status are excluded from the rights regime established by the Convention” (p. 471).

Another criticism by Hathaway is that: “The two main characteristics of the Convention refugee definition are its strategic conceptualisation and Eurocentric focus. The strategic dimension of the definition comes from successful efforts of Western states to give priority in protection matters to persons whose flight was motivated by pro-Western political values” (1991, p. 470). The Soviet Union were anxious to exclude political emigres from the Convention for fear of exposing their own weakness. However, Western states wanted to expose this throughout the community. Though they used a careful phrase by using a neutral and open-ended term such as a fear of ‘persecution,’ they still allowed Western states to facilitate the condemnation of the Soviet bloc. It allows the West to condemn other states who fail to bear any fruit from their own traditional ideology. As the perception of the West's political values of liberalism is more desirable it reveals the true capital of the refugee who flees. The refugee

that rejects the state for either a failure to protect or a well-founded fear of persecution becomes the stain on the country of origin. The extreme efforts to control the citizens only creates a space for citizens to resist such attempts in several ways such as the emergence of rights-based organizations. But at an individual subjective level, the mechanism of resistance is something more primal to the human condition. It becomes the necessary counter weight to repressive forces.

Freud's Refugee

One of the major contributions by Freud has been the theory of the renunciation of instinct. For Freud, the development of civilization requires that we renounce sexual and aggressive desires. Although these desires provide some degree of pleasure for savage man, civilization still remains to be the promise of safety and security at a cost of these primal instincts. Persecution and torture remain the vestige of the savage life we once had lived. Freud maintains that this renunciation of instinct in favour of civilized life remains to be the dead-lock of happiness since he maintains that the human animal is most happy when he or she is without the restriction that civilized life demands via its laws (2001a, p. 115).

Freud gives this example to explain the phenomenon of resistance: "Suppose that in a town like Vienna the experiment was made of treating a square such as the Hohe Markt, or a church like St. Stephen's, as places where no arrests were made, and suppose we then wanted to catch a criminal. We could be quite sure of finding him in the sanctuary" (2001b, p. 288). The point here being that for a psychoanalysis there is no right of asylum from this. In dealing with someone's neurosis an analyst demands no exceptions to the fundamental rule which is to say absolutely everything that makes itself conscious in the mind and that there are no exceptions to this. For Freud believed that the success of the treatment is determined by how faithfully someone could stick to this rule without being swayed by internal criticisms: "to relieve him of the symptoms of his illness, he meets us with a violent and tenacious resistance, which persists throughout the whole length of the treatment" (2001b, p. 286).

Freud also does not underestimate the strength of an analysand's resistance. He describes it as subtle, versatile, and hard to detect. In the context of this topic, the refugee represents a sort of resistance to a demand. Perhaps, it is an obscene demand from the perspective of the citizen. In leaving the country by escape the citizen makes the transformation into a refugee. The refugee represents an ideology at odds with the country of origin that has contributed to

his or her displacement. For the refugee, ideology is about living in a country they agree with. But if the state has intervened in a nefarious way or declares the citizen a criminal the only option is to look for sanctuary also. As a consequence of the struggle between the repressive state and the resistance of the citizen to submit, the ideology of the refugee is what represents as the ethical stain of the country of origin. When it comes to the host country establishing refugee status based on the asylum seeker's testimony and evidence, what is central to the argument is whether the state or the individual is the perpetrator of the moral crime which led the citizen to flee their country in the first place.

If one were to use Freud's example in the relationship between a government and the citizen, the criminal, in this case, would represent the symptom of the constitution. What does this mean? Repression in its popular term suggests subjugation by use of force of something dissident or disagreeable. The state in the form of a government is the establishment of a certain moral opinion on behalf of its citizens. A government may be endowed with the power to act on behalf of those citizens who vote them in so that they can fulfil a mandate. The problem with certain mandates depends on how divisive the change is. We have already seen this during the brief reign by dictatorships throughout the Middle East. Repression by force was widely used in order to keep control of uprisings. The term "repression" is typically applied to a regime or state which is against its citizens. In psychoanalysis, the term is no different other than to say that the individual's struggle is a private endogenous one. It is a repression of its own thought, feelings, and actions which the individual finds unfavourable. In a way, the refugee suggests a sort of repressed object on the part of the state.

In his written response to Albert Einstein on the question Why War? Freud explains that although right and violence appears as antitheses, it is in fact that one stems from the other (2001c, p. 204). In the original state of things violence served those with more might in the name of what is right. Within any given society communities are bonded together by two causes: one is the equal identification of interests, the other is through "coercive force" by a ruling class in the name of what is right for that group of people (2001c, p. 204). The distribution of power oscillates between the ruling class and the oppressed members of the group. The oppressed members attempt to obtain power by political and democratic means. If they are successful and the ruling class accommodates the change, then a cultural revolution can happen. If the ruling class refuses, or abuse their power, then rebellion is likely to erupt. The utopian ideal for any state is to satisfy their citizen with enough material needs so that force or

violence are not necessary methods to achieve such needs. Furthermore, states will also use fear, hatred, and racism in order to coerce their citizens to appreciate what they have and blame other nations and peoples for their domestic troubles as is the case in many conflicts today. But once a citizen leaves their country they then have to become the very same outsider that is being blamed for most domestic trouble – only in a different country.

Victimhood, Wretchedness, and Racism

In August 2015, Angela Merkel headed the humanitarian call to protect migrants with what the media called her ‘open door’ policy. She visited centres, partook in selfie photos, and criticised nations who were hesitant about letting migrants in. Her invitation to migrants led to a torrent of people from various countries, predominantly Syria, Iraq, and Afghanistan to seek asylum with the hope of starting again. Conversely, Victor Orban has become the head of the protectionist debate on the European Migrant Crisis. “The moral, human thing is to make clear: ‘Please don’t come. Why do you have to go from Turkey to Europe? Turkey is a safe country. Stay there. It’s risky to come,’” Orban said (Birnbaum & Witte, 2015). We now find that Turkey is becoming the main destination and politicians like Martin Schultz have had to swallow their words of the past about inviting the migrants. This is the evidence of the protectionists getting the upper hand in this debate.

We have recently come from elections on Brexit, The US Presidential Election, and the French Election. The rise of populism had come to an end at the election of Emmanuel Macron. Marine Le Pen had not won this time around but she is patient. France, the country which had more than enough reason to fuel right-wing sentiment opted for a centrist in the guise of Macron. His open call to Donald Trump to make the world great again followed by close-ups on their white-knuckle hand-shake explain a new phenomenon regarding sovereignty and borders. Perhaps, politicians are not competing anymore with local party rivals. They are competing with the globe. Boswell (2005) discusses the unfeasibility of the idea of a global social contract that was envisaged by Hobbes, Rousseau, and Kant (p. 19). The deadlock remains in having the universal incorporation of human rights with regarding to refugee law but at the same time establishing the boundaries which only serve to push migrants away from their shores like in the definition of the refugee.

Merkel really did lay down the utilitarian gauntlet when she invited everyone to Germany. What Orban did is make it more desirable by prohibiting entry into Europe. Now, because of

Orban and Merkel, Europe is the epicenter of freedom. Can this be so? One of the problems of utilitarianism is the subjective desire for happiness. This was John Stuart Mill's idea. It was about the higher and lower pleasures of the human condition. This was to explain that happiness could not be estimated by the number of utiles or units of happiness. However, the problem with Mill's argument is that it is not empirically valid and therefore difficult to calculate. People come to Europe with hopes and dreams only to find themselves in the same capitalist trap. The subjective desire for happiness is a capitalist one - whatever makes you happy!

The fact is that taking in so many migrants means that the citizens will have a sizeable burden in term of support for asylum seekers. What Merkel also did was to establish the prosperity of Germany by being able to take so many and still maintain itself as the most financially savvy country in Europe and perhaps the world. Perhaps because of this, it did not fuel the sentiment towards a rise of the right wing in the way it did in Britain and America. Britain did follow a utilitarian path also. It based it on racist attitudes towards migrants mainly focussing on the east European population. Christina Boswell (2005) explains in her example:

“A racist person's utility might be increased through the restriction of asylum. If duties to refugees are determined on the basis of equal consideration of individual preferences, then these racist attitudes would be factored in the equation of utility distribution. If the strength of racist feeling were sufficiently high, then the loss of utility resulting from taking in refugees might provide grounds for restricting influx. Yet most liberal theorists would not accept racist attitudes as a morally acceptable ground for limiting refugee influx” (p. 39).

Boswell also adds to that point that even if some countries with right racist values maintains itself as utilitarian in principle, it defeats the principles of what the classical utilitarians set out for in the first place.

The philosopher and critical thinker Jean Baudrillard wrote about this indifference to victimhood which is the position that we now occupy in his thesis *The Perfect Crime*. He explained that we are “doomed to our image” (1996, p. 131). What he means is that it is an image of our own suffering in the backdrop of an idealized society. We have grown indifferent to everything else as a result of it. We have become resentful of those with passion as they only highlight how indifferent we are to ourselves. Baudrillard says: “Anyone who, by his passion, unmasks how indifferent, pusillanimous or half-hearted you are, who, by the force of his

presence or his suffering, unmask how little reality you have, must be exterminated.” (1996, p. 132). In other words, my neurotic suffering is not as awful as someone who has experienced war, famine, or drought.

So where does this image lie? It is in the ideal of the European. The European is marked by a constitution with the signifiers of “human rights,” “liberation,” and “equality.” All of the tenets from the era of Enlightenment are now here to stay within Europe. Racism, in Baudrillard’s opinion, was something that “should have declined with the advance of Enlightenment and Democracy.” However, due to the increase in the hybridity of cultures within the world as well as the deterioration of the genetic bases of racism, it has become stronger. The advance of right-wing movements is evidence of this point. Racism is now a justification for protection of one’s own identity.

“This is a Christian country” as Orban once stated (Weymouth, 2012). In America during the US Presidential Election, Republican Frontrunner Donald Trump announced: “I think Islam hates us.” (Schleifer, 2016). Baudrillard states that it is because we are dealing with a mental object that is other: “so long as there is otherness, strangeness and the (possibly violent) dual relation – as we see in anthropological accounts up to the eighteenth century and into the colonial phase – there is no racism properly so-called” (1996, p. 132). But because we are now in a relationship with an ideal other, the relation with our non-native becomes a phobic one. We yearn for the other in this object relation that keeps the other at a distance. Baudrillard points out “(T)he same indifference can give rise to exactly opposite behaviour. Racism is desperately seeking the other in the form of evil to be combated. The humanitarian seeks the other just as desperately in the form of victims to aid. Idealization plays for better or for worse. The scapegoat is no longer the person you hound, but the one whose lot you lament. But he is still a scapegoat. And it is still the same person” (1996, p. 132).

The Irish comedian Dara O’Briain once told a gag about how the alphabet is described in children books. He describes how each of the objects described is something which is likely to be used or encountered upon in our lives. For instance, A is for apple, B is for a ball, and C is for a car. In his own attempt at word association O’Briain comments on how the alphabet, towards its end, uses objects which are rarely encountered, such as those starting with the letters x, y, and z. X is for xylophone. He goes on to exaggerate how nearly everyone in the present day will not need or encounter the use of a xylophone. When he asks the audience what other words they could use beginning with x, the audience member replies xeno-phobia. O’Briain (2004)

replies “xenophobia - of course” to indicate that he expected to hear this and then makes a jest of some parent describing xenophobia to their child as the alphabet is coming to its end – “they’re coming to take our jobs”. The point here is that the audience member’s answer is almost predictable in this situation, xenophobia being something that one will encounter and possibly use more frequently (even if unconsciously) than a xylophone.

Baudrillard also noticed that wretchedness was itself a kind of lucrative position as it allowed the migrant the freedom to disdain their perpetrators for putting them in this predicament: “The victims themselves do not complain since they get the benefit of confessing their misery. Foucault argued that a whole culture was at one time engaged in the confession of sex. It has now gone over to the confession of wretchedness” (1996, p. 138). Was the ability to speak about wretchedness so repressed as it was with sex? Perhaps his assertion is correct. It is now manifested in an atmosphere of hate – violence, terrorism, acid attacks, riots, flag burning, Donald Trump, & Brexit.

At the ground level there is a great monopoly to be discovered in this humanitarian era which the smuggling trade is cashing in. However, the European Parliament is missing one point about the smugglers. The smugglers are only supplying a demand for relocation based on the hotbed of conflict that is the Middle-East and Africa. It is understandable how, at pre-sent, the remaining stable Middle-Eastern countries have resorted to bringing back into law and increasing the number of capital punishments held within the country for what Europe would view as small infringements. The flight of citizens from their countries represents an impotence. This impotence must be supplemented by a necessary law-preserving violence such as capital punishment in the form of a threat similar to how Freud describes it.

Where will this deadlock between migrants’ demands and Europe’s sovereignty end? The ends are justified on the part of the migrants. There is no better life in Syria, Iraq, & Afghanistan and they want to have the chance to begin it elsewhere. This is why they need the smugglers. The laws of exploitation are evident here. The element of the crime is hidden in all business. We can look at the people smugglers in this case and say that this is wrong. But why is it wrong? The EU reply it is because they are jeopardising the lives of the people through inefficient transport: the use of old vessels and charging them exorbitant rates for crossing. We may now see the people smugglers adapt in the same way it is portrayed in Brecht’s *Threepenny Novel*. In fact, much of the novel surrounds the purchase of unsafe sailing vessels in the attempt to capitalise on the market’s demand for more vessels. But even the smugglers have improved

from large rickety fishing vessels sailing the Atlantic to small motorised boats which include life vests. What started off as a blatantly exploitative business has now been transforming into a more responsible ethical enterprise. The EU still believes that people smuggling is wrong. But are they saying that migration from deprivation is wrong also? While they are not explicitly saying it, all the actions they are taking suggest it.

And what of the new form of non-refoulement taking place in Turkey? According to Article 33,1 of the Convention Relation to the Status for Refugees: “No Contracting State shall expel or return (‘refouler’) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion” (UNHCR, 2011, p. 30). Francois Crepeau (2016), the UN Special Rapporteur on the human rights of migrants made an important comment on the new agreement between the EU and Turkey “European member states once responsible for drafting key legislation on human rights and humanitarian protection are about to abandon their obligations. In the midst of the greatest migration crisis in Europe since world war two, they are passing their responsibility off to a third country for political expediency”.

The closing of the borders has only resulted in more risky journeys to the destinations of choice. An example is what is happening in Australia where the government is explicitly advertising to migrants that they are not welcome in Australia. This affected many Tamils attempting to escape persecution in Sri Lanka. Europe has also gone in the same direction of advertising. The hope is that it will reach its target audience and they will abstain from looking for refuge. The implication of advertising suggests that migrants are also a type of unwanted consumer who decides how they might travel to Europe or Australia or wherever.

And the humiliation does not end there. Turkish President Erdogan made a threat to allow large numbers of refugees to make the journey to Europe if Europe does not succumb to its demands: “the EU will be confronted with more than a dead boy on the shores of Turkey. There will be 10,000 to 15,000 – How will you deal with that?” (Tugal, 2016). On top of this Turkey has been accused by Amnesty International of the illegal mass return of refugees back to Syria (Dalhuisen, 2016). A commentator within this report, John Dalhuisen, interestingly remarked how Turkey’s fortress-like structure is copying that of Europe only creates more humiliation for the Syrians who look for safety from their neighbours. In addition, it is worth noting that although Turkey is a signatory to the 1951 Convention on the Status of Refugees, it

will only recognise a refugee if they are from a European country, every other nationality would be only considered as a guest.

How does this define Europe? Baudrillard used the example of the European intervention with the Serbs as the construction of the basis for the New European Order. “While the Serbs were in the process of the ethnic cleansing of the non-Serbian population, Europe was watching as it unfolded and intervened only when the revolutionaries had gone too far and they became mass murderers. That is to say, it went to the point that the war got so out of hand that there was no one in charge” (1996, p. 136). When it is no-one’s problem then it’s everyone’s problem. It is only recently that former President of Serbia, Radovan Karadic, was convicted of war crimes including genocide by International Criminal Court otherwise known as The Hague. Baudrillard points out “it is as though Europe, irrespective of its national distinctions and political differences, had ‘taken out a contract’ with the Serbs, who have done the dirty deed for it, as the West once took out a contract on Iran with Saddam Hussein. Only, when the hired gun goes too far, he too may have to be bumped off” (1996, p. 136).

In the effort to create the New European Order, Europe has always had to avoid getting its hands dirty when it comes to reaffirming itself. In a BBC article by John Simpson (2015) on the 24th of December 2015, he quotes the Refugee Studies Centre at Oxford University by saying “What’s dramatic about today is that this is the first time Europe has faced people coming in from the outside in large numbers as refugees”. In other words, for the past 100 years, it has always been refugees from within Europe seeking asylum in other European countries.

Following on from the humanitarian disaster that was the Bosnian war, we now have what Freud called the return of the repressed in the form of the European Humanitarian Crisis. The responsibility which Europe imposes on the migrants only conceals its own irresponsibility with regard to acting in a humanitarian way because of their fear that by allowing the few will prompt the many to travel to Europe. Europe has repeated the out-sourcing model, which has always been its central tenet, to let Turkey do its dirty work. The problem is that this hired gun is now pointing its aim at Europe looking for more – not too different from what the migrant experiences when they outsource a smuggler. However, the real issue lies within the otherness of the migrant. This is usually named by Europeans as ‘Islam’ even though it is not about this.

David McWilliams, an economist, and author proposed that the problem possibly stemmed from the political ramifications of the Iranian Revolution. Here, McWilliams (2016) comments

“after the revolution in Iran in 1979, the West decided that Iran was the enemy and that our new best friend, Saudi Arabia, could do no wrong. Saudi Arabia was the strong counterbalance to Iran in the Middle East and, therefore, anything it did was sanctioned”. When he centralises his argument on why extreme movements are emerging, he puts it down to Saudi Arabia’s exporting of its most dominant form of Islam in the country – Wahhabism, not to mention its oil also. Wahhabism is the ideology in which movements such as ISIL are based on. It is the conflict of ideologies within Islam that is im-pacting and forming the world today. McWilliams adds that is it not unlike what occurred in reformation times within Christianity. Indeed I can say that because of this, we now have the values of liberty, freedom, and equality because of the necessary schism that was re-quired to create such values.

If we are to be ethically certain about the values of Europe we need to make the bold step not to repeat the mistakes of the past when it comes to the migrants. Yes, it will induce more Racism which needs to be combatted; yes, it will create a change in how we view di-verse religious backgrounds. However, we miss a huge opportunity to make one of the big-gest diplomatic changes in history. Every person who is refused and humiliated will only return to the open arms of their oppressors with the warm advice ‘see I told you those Eu-ropeans didn’t have values.’ It is yet to be seen whether we, as Europeans, live up to the idealization of fraternity, liberty, and equality.

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