Refugees and global justice: an intersectional approach on the vulnerability of citizenship[1]

Refugiados e justiça global: Uma abordagem interseccional sobre a vulnerabilidade da cidadania

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Introduction

This paper is a brief and humble mapping, a succinct cartography that aims to show the complexity of the analysis that should be developed in order to think about global justice. What follows is a proposal to embrace that complexity, an invitation to use intersectionality in Political Philosophy as a methodological tool to analyze differential vulnerability and precarity around transnational migrant movements. Intersectionality, as developed by Kimberle Crenshaw (1991), Elisabeth Spelman (1988) or Nira Yuval-Davis (2010), is a systematic study of the ways in which differences and similarities between human beings interrelate. Our diverse axes of difference situate each one of us in unique positions of exclusion, privilege, vulnerability or force; sometimes, these positions are intertwined, and they are always contextual. As to understand our social responsibilities towards each other, we should be aware of our diverse positions in a global world.

As Judith Butler highlights after her Levinasian turn, vulnerability is a universal anthropological condition (Butler, 2004): humans are all susceptible to being harmed. Butler introduces a conceptual distinction between two possibilities of vulnerability. 'Precariousness' is the common, anthropological vulnerability; 'precarity' is the culturally and socially produced vulnerability. This precarity is

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alarmingly increasing in Europe, and it is even more pronounced in the case of people seeking refuge.

The current refugee situation in Europe shows in an exemplary manner how moral blindness, indifference and loss of sensitivity (as conceptualized by Bauman & Donskis, 2015) are affecting migrant policies. The increasing vulnerability and global precarity are questioning the traditional western notions of justice and citizenship. This has nefarious consequences to the possibilities of human rights protection, that are even more pronounced for people seeking refuge in Europe. We need to develop an intersectional analysis of the causes of this so called refugee crisis, in order to unveil the eurocentric assumptions and posit them in wider geopolitical and historical frameworks that study the role of imperialist wars and the intervention of neoliberalism in local economies.

Nowadays, multiculturalism and cosmopolitanism are intersectional proposals that are being made by various authors in order to face inequalities and precarity in this context of global vulnerability. We would like to briefly point out to Will Kimlicka's multiculturalism and Homi Bhabha's vernacular cosmopolitanism.

We are facing a global injustice crisis caused by structural inequalities and wars between economical and political forces. The presence in the European borders of people seeking refuge, and the inhuman treatment that they are receiving, challenge Europe with the brutal reality of structural inequalities that are in the very roots of the already badly damaged European Welfare State.

Being aware of these problematics should invite us to elaborate a redefinition of justice and citizenship from the notions of empathy and the recognition of our constitutive vulnerability (Butler, 2008b). The study of vulnerability – how it is shared by every human being, and also how it is increased by socio-political factors– within an intersectional framework provides important normative and conceptual tools that lead toward the better understanding of the possibilities of cosmopolitan social justice and citizenship rights.

Loss of Sensitivity and Moral Blindness – Misplaced Alliances

As Seyla Benhabib claims (2007, p. 9), there is a preoccupying disconnection between the language of human rights and the reality of human rights. Universalist moral principles fail when trying to materialize in actual politics that could protect human rights and human life. As Benhabib highlights (2007, p. 9): "The spread of human rights, as well as their defense and institutionalization, have become the uncontested language, though not the reality, of global politics". Moral universalism – that, for instance in Europe, intended to provide equal rights to every European citizen and to be inclusive with foreigners and minorities within European soil–, is now failing to its objectives in this precarised global context. While the language of human rights is ubiquitous in Europe, the current situation of the people seeking refuge and the treatment that they are receiving should lead us to problematize those discourses and the so called universalism of human rights.

John Rawls (1971) and Jürgen Habermas (1973) outlined their theories of justice, which have become our contemporary tradition in Political Philosophy,

within the frame of social-democracy and the Keynesian liberal pact. In these theories, redistribution was fundamental to face inequalities. Nonetheless, several authors have highlighted that inequalities within capitalism cannot be erased only by redistribution. Benhabib (2006; 2007) has shown the androcentric bias of these theories, that take for granted a masculinist vision of the subject, and Nancy Fraser (2010; 2015) has analysed the patriarchal structure of the Welfare State. Thus, Iris Marion Young (2011) proposes the analysis of the structural injustices in order to be able to understand and erase inequalities. These intersectional, structural analysis of transnational and geopolitical power relations are fundamental to understand the world we live in. The approach has to be intersectional, and give an account on the different axis that configure our realities – gender, class, race, sexual orientation, and so on- in order to be able to fully apprehend the complexity of the struggle for social justice.

For Zygmund Bauman and Léonidas Donskis (2013), moral blindness, indifference and loss of sensitivity are nowadays one of the most important challenges to moral universalism and the possibilities of global justice. As Leonidas explains (2013, p. 109) we live in a world dominated by the sense that we are non-beings, fictions with no importance or significance. Meaninglessness and insensitivity rule our contemporary Western societies, leading to a preoccupying indifference of our surrounding world. This phenomenon has an obvious impact on the struggle for global justice, as it predisposes Western populations to turn their back on injustice and inequality.

We should add to this moral blindness what Peter Mayo (2016) calls "misplaced alliances" of the working class with hegemonic classes. The working classes do not recognise themselves as such, so their possible alliances of solidarity and mutual aid are distorted (as claimed by Owen Jones in *Chavs. The Demonization of the Working Class*, 2012). We should still add to all this a ferocious aporophobia (Morote Costa, 2016): nobody wants to be poor, to recognize themselves as poor, or even to have poor people close to them. The poor are violently expelled from our collective identities and become the abject, using a term coined by Julia Kristeva in *Powers of Horror* and later used by Judith Butler to refer to oppressed populations and identities (Kristeva, 1983). Nowadays, and connected to these phenomena, migration is seen as an attack towards economies and national values, to the point that it has been directly associated with crime in the term "crimmigration" (Stumpf, 2006).

As Yuval Davis claims, moral blindness and misplaced alliances are being materialised in Western territories as national identity movements and reinforcement of politics of belonging (Yuval-Davis, 2010; 2011). These politics create a climate of invulnerability of the States in a transnational context against what is considered an 'invasion' of people from other origins and backgrounds. Migration policies in Europe are opting to close the borders, even to militarise them. We are witnessing the increasing power of the Frontex, the construction of the wall in the port of Calais, or the more sofisticated methods and technologies of harm and population control in the south border of Spain with Morocco.

These technologies, that are based on, and at the same time reinforce politics of belinging, are situations of danger for migrants and refugees, and situa-

tions of racist and xebophobe tensions in European States (as we are witnessing after– and before, but specially after- the preference for the Brexit than for the Bremain). As Benhabib claims (2016), Europe has been incapable of confronting its own racism and islamophobia, and the consequences of this inability are creating a values crisis and, at the same time, a humanitarian catastrophe (VV. AA. 2016). Lack of empathy and care, moral blindness and insensitivity make urgent the need for a redefinition and a displacement of our current alliances, so that they align with a more positive ethics that could lead towards global justice.

Embracing vulnerability

In order to escape these identity politics of belonging and to be open towards a real cosmopolitanism, our moral and political responsibility should be re-activated (as proposed by Young, 2011). Theories of various authors, such as Butler, Alasdair McIntyre (1981), Richard Rorty (1988) and Martha Nussbaum (2006), are directed towards this activation of political and moral responsibility that can avoid moral indifference.

With this purpose, Robert Goodin (1985) proposes an ethics of care that is based on the principle of non-abandonment of the vulnerable. Goodin formulates the 'vulnerability principle', that states that moral agents acquire special responsibilities to protect the interests of others to the extent that those others are especially vulnerable or in some way dependent on their choices and actions. Goodin framed vulnerability within a Keynesian perspective and within Rawl's theory of justice; vulnerability was, thus, susceptible to be analysed within social policies and the welfare State. Nowadays, however, the Welfare State is being dismantled and, also, the economic system is massively producing precarity. The current phase of Capitalism is dis-protecting more and more people, and it is shifting from an inclusive form of capitalism into an expulsive and precarising form (Standing, 2013; Piketty, 2013; Stuckler & Basu, 2013; Sassen, 2014). That's why we need a more intersectional methodology in our analysis that situates vulnerability in the complex neoliberal globalised current politics. Intersectional analysis will provide us with tools to make broader and more radical proposals that can contribute to face inequalities and injustice.

In order to face moral blindness and political insensitivity, we would like to suggest to take seriously Rorty's simple invitation, consisting in "taking other human beings seriously". This proposal could be perceived as simplistic, but we should take some time to let it sink in. *Taking other human beings seriously*. It should be simple to enact, but the European treatment to the refugee's situation is now evidencing that Europe is not taking their lives seriously. We would like to embrace the possibility of a positive ethics and politics that truly and profoundly took other lives seriously.

Habermas considers that this empathic connection with the other cannot become the universal foundation of moral actions (Habermas, 1994). Nonetheless, recognizing the connection of our vulnerabilities, as proposed by Butler, can be promoted as a civilising value on the importance of human beings. As Butler claims, neoliberalism is nowadays a well-oiled machinery that produces

precarity: politically and economically produced precariousness (Butler, 2010). Precarizing processes, as Laurent Berlant (2011) claims, are structures of affection that cause feelings of dispensability of vast sector of humanity. Thus, which lives matter, which lives can be cried for are differentially produced (Butler: 2007; 2010). This rise on precarity leads us to forget our constitutive precariousness. The wild individualism of the neoliberal mindset impedes to realize the human communion in precariousness, and causes misplaced alliances.

Proposals against the Neoliberal logic

Although Angela Merkel has declared the utterly failure of multiculturalism (Weaver, 2010), Will Kymlicka (1995; 1999) proposes a multicultural point of view in order to understand how our cultures are overlapping and interactive. Kymlicka's multiculturalism intends to be a more inclusive theory of justice, so it can guarantee human rights to minorities.

Multiculturalism is commonly understood as parody that celebrates ethnocultural diversity through exercises of cultural appropriation that can have imperialist and colonial consequences. Kimlicka believes that we have to resignify this concept that has been demonised by xenophobe and racist parts of society. For this multiculturalism to have democratizing effects, it should take into account two main factors: desecurization and (something that sound very simple) the protection of human rights. When States feel insecure, they tend to control minority groups. We have seen it with Muslim population after the Nine Eleven. We see it today at the European borders with the securization of ethnic relationships, and we are witness to their anti-democratic effects. On the other hand, basic Human Rights protection is not being ensured. Kimlicka proposes a complete shift on our views on security: we must ensure the security of individuals, not only of States.

Kimlicka's multiculturalism is not neoliberal or naif: he warns against praising the benefits of intercultural exchange without carefully analizing its potential risks and economical and cultural complications. This multiculturalism advocates for an exercise of responsible cohabitation that respects vulnerability and minority identities.

Homi Bhabha's vernacular cosmopolitanism gathers in this oxymoron the tension between identity politics and the need for universal human rights, between local specificity and universalism. This tension serves as a tool to describe the experiences of people who have been traditionally marginalised – it is thus valuable to study nowadays refugee situations. There are various cosmopolitan practices that coexist: traveler elites, economic or forced migration, working travelers... In this context of global migration at different levels, it is necessary, within postcolonial theory, the analysis of marginal cosmopolitanisms. These marginal cosmopolitanisms challenge the naif notion of a cosmopolitan community without borders. This vision is inadequate to give an account on the situation of thousands of refugees that flee their countries due to poverty and violence, and the millions of forced migrants at a global level.

Bhabha's vernacular cosmopolitanism is based on an inclusive consciousness of the cultural otherness. In order to be inclusive with the other, this cosmopolitanism includes self-doubt and reflective self-distancing from our own identities: in order to recognize the same-level value of other cultures, values and habits, we must problematise ours first. Bhabha's vernacular cosmopolitanism is an invitation to be open to the otherness, that can be linked to Butler's invitation to the recognition of our interdependent relations, and our constitutive vulnerability. Bhabha and Butler invite us to establish interdependent, intercultural relations that are respectful to the other. It is exactly the opposite of what the King of the Spanish State claimed yesterday at a United Nations meeting about migration and refuge: that refugees should be helped BUT they should respect the values of the countries in which they find refuge[2]. They have not arrived yet, but the political classes are already expecting them to be disrespectful with the national identity; even more, their only presence, the presence of a different point of view, the announcement of their potential presence, is already challenging the fragile national identity of the Spanish State (in this case).

To fight the neoliberal logic of this national politics of belonging, these multicultural and cosmopolitan proposals are intersectional approaches that try to give an account on the actual situation of minorities. This situation is not successfully analysed from a Neoliberal point of view, which tries to give the illusion of transnationalism and does not take structural inequalities into consideration. Facing this Neoliberal logic, intersectionality provides a multidimensional framework that allows a better understanding of inequality in this global world. and a better understanding of our place in the world, our agency in this global world, outside neoliberal and identity-politics frameworks.

Final comments

Globalization, transnational projects and the current phase of capitalism as generators of precarity. Our constitutive vulnerability is conformed in various ways by material conditions and actual policies. Nowadays, globalization, capitalism and the current migrant movements are generating new ways of precarity that should be taking into account in order to see how this precarity is affecting our conception of citizenship.

Nation-States are currently facing paradoxes and tensions between moral universalism, cosmopolitanism and national identity movements. Anti-immigration discourses and policies effectively serve as smoke screen while Welfare States are being dismantled.

All this has serious effects on the current status of migrants, who find themselves in a situation of extreme precarisation. The militarization of the borders and the increasingly difficult entrance in Nation-States are creating situations that endanger the safety of migrants, and that are risking their access to their basic human rights. Migration policies and the militarization of borders, simul-

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[2]   http://www.eldiario.es/desalambre/Felipe-VI-refugiados-valores-acogida_0_560644664.html

taneously contribute to erode the rule of law, which is related to universalist guarantees and a human rights regime.

Kimlicka's and Bhabha's multicultural and cosmopolitan proposals are intersectional approaches that try to give an account on the actual situation of minorities. This situation is not successfully analysed from a Neoliberal point of view, which tries to give the illusion of European transnationalism and does not take structural inequalities into consideration.

Facing this Neoliberal logic, intersectionality provides a multidimensional framework that allows a better understanding of inequality in this global world. We will use these tool provided by intersectionality, multiculturalism and cosmopolitanism in order to analyse the transnational situation of refugees and migrants.

The recognition of our constitutive vulnerability with an intersectional approach will lead towards forms of ethics of care, and towards the reactivation of moral and critical thought, that are more suitable to face this situation than the traditional theories of justice.

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Abstract

The current refugee situation shows in an exemplary manner how moral blindness, indifference and loss of sensitivity (Bauman & Donskis, 2015) are affecting migrant policies. The challenges to the European conception of human rights, to the definition of refugee drafted in the Geneva Conference and to our very morality that this so-called 'refugee crisis' is posing should be analysed in order to reinforce global confidence in human rights guarantees.

This moral blindness is being materialised in Europe as national identity movements and reinforcement of politics of belonging (Yuval-Davis, 2010; 2011). In order to escape these identity politics of belonging and to be open towards a real cosmopolitanism, our moral and political responsibility should be re-activated (Young, 2011; McIntyre, 1981; Rorty, 1988; Nussbaum, 2006). As Judith Butler highlights after her Levinasian turn, vulnerability is an universal anthropological condition (Butler, 2004): humans are all susceptible to being harmed. Butler introduces a conceptual distinction between these two possibilities of vulnerability. 'Precariousness' is the common, anthropological vulnerability; 'precarity' is the culturally and socially produced vulnerability.

Nowadays, multiculturalism and cosmopolitanism are intersectional proposals that are being made by various authors in order to face inequalities and precarity in this context of global vulnerability. We would like to explore Will Kimlicka's multiculturalism, Bhabha's vernacular cosmopolitanism and Seyla Benhabib's cosmopolitanism without illusions.

These proposals are intersectional approaches that try to give an account on the actual situation of minorities. This situation is not successfully analysed from a Neoliberal point of view, which tries to give the illusion of European transnationalism and does not take structural inequalities into consideration. Facing this Neoliberal logic, intersectionality provides a multidimensional framework that allows a better understanding of inequality in this global world.

Resumo

A atual situação de refugiado mostra de forma exemplar como a cegueira moral, a indiferença e a perda de sensibilidade (Bauman & Donskis, 2015) estão afetando as políticas dos migrantes. Os desafios para a concepção europeia dos direitos humanos, a definição de refugiado redigida na Conferência de Genebra e a nossa própria moralidade que a chamada "crise de refugiados" está a ser apresentada devem ser analisados para reforçar a confiança global em garantias de direitos humanos.

Esta cegueira moral está sendo materializada na Europa como movimentos identitários nacionais e reforço da política de pertença (Yuval-Davis, 2010; 2011). Para escapar dessas políticas identitárias de pertença e para abrir-se a um cosmopolitismo real, nossa responsabilidade moral e política deve ser reativada (Young, 2011; McIntyre, 1981; Rorty, 1988; Nussbaum, 2006). Como

Judith Butler destaca após sua volta de Levinasian, a vulnerabilidade é uma condição antropológica universal (Butler, 2004): os seres humanos são suscetíveis de serem prejudicados. Butler introduz uma distinção conceitual entre essas duas possibilidades de vulnerabilidade. A "precariedade" é a vulgaridade antropológica comum; "Precariedade" é a vulnerabilidade cultural e socialmente produzida.

Hoje em dia, o multiculturalismo e o cosmopolitismo são propostas intersetoriais que estão sendo feitas por vários autores para enfrentar desigualdades e precaridades neste contexto de vulnerabilidade global. Gostaríamos de explorar o multiculturalismo de Will Kimlicka, o cosmopolitismo vernáculo de Bhabha e o cosmopolitismo de Seyla Benhabib sem ilusões.

Essas propostas são abordagens intersecionais que tentam dar conta da situação real das minorias. Esta situação não é analisada com sucesso do ponto de vista neoliberal, que tenta dar a ilusão do transnacionalismo europeu e não leva em consideração as desigualdades estruturais. Diante dessa lógica neoliberal, a interseccionalidade fornece uma estrutura multidimensional que permite uma melhor compreensão da desigualdade neste mundo global.