Refugees: Human mobility between past and present (part 1)

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This is not the first time in history that we speak of a "crisis of migrants" and that as in Europe, Turkey, Malaysia, the US, Kenya and Thailand, that is to say all around the world, we're trying to expel or return them to their countries of origin, or to ship them to other countries. In the 19th century, between 1832 and 1851, France, who generously hosted political exiles, began to speak of a "refugee problem" and in 1852, it ended the long French tradition of hospitality by closing borders, and deporting immigrants to the United States, Britain, Belgium, and Switzerland.

It is not the first time in Europe that we consider expelling less fortunate immigrants: England, the most open countries to immigration and asylum until the twentieth century, although less by humanitarianism than by economical interest, issued in 1905 the Alien Act to prevent the entry of proletarian masses, who were often Jewish.

Yet all that was nothing compared to the million of refugees in the 20th century, who took to the roads and seas following the intervention of states, during and after the two World Wars, after decolonization, and after the fall of the « Iron Curtain ». Understandably, some have called it a "century of refugees"[1].

It is why, upon the arrival of thousands of refugees who now cross the Mediterranean —in 2015, over one million have passed through Greece and they are again at the gates of Europe— one is struck by the apparent amnesia of our contemporaries,

unless this is a kind of repression of the traumatic experiences of the second World war: the deportations, the concentration camps, and the many ships that were refused asylum like the Saint Louis in 1939, which left Hamburg for Cuba, then for Florida, and was refused entrance in these countries, and had to return to Europe, where 900 Jews ended mostly in refugee camps in Belgium and the Netherlands; or the Struma which in December 1941 left Costanza in Romania for Palestine and, arriving in Istanbul, was sent back to the Black Sea where it was sunk; only one of the 800 Jews on it survived.

But, who among today's analysts refers to the past to better analyze the present, to make sure the mistakes of the past are not repeated? Those hostile to migrants tend to forget that modern nations were formed by massive migrations, while others forget the negative aspects of communitarianism[2]. However, since the 1990s, the image of the "Great barbarian Invasions" of the Roman Empire, and the "hordes" of the Middle Ages, is a regular feature of speeches of those fearing the flood of Eastern Europeans and Turks, Syrians, Afghans or sub-Saharans. In fact, the European Union closed its borders and adopted many discriminatory measures, returning the refugees to their country of entry in Europe (according to the Dublin Regulation III) or asked other countries to filter them.

In our world which is deemed to be increasingly mobile and interconnected, globalization has made the circulation of capital and goods more fluid than ever. However, borders are closed with barbed wire. Such measures increase the anxiety and concern about the movement of people, regular or irregular. In a world that has enshrined freedom of movement in the Universal Declaration of 1948, a tension exists between the recognition of this right, and practices that deny it in effect.

It must be said that the concept of freedom of movement is elastic: it was deployed in the history of both goods and

people, capital and knowledge; and it was used to justify slavery as well as the abolition of slavery; trade or cosmopolitanism as well colonization and the appropriation of space by the dominant States. As the German sociologist Alfred Schutz put it: Freedom of movement is, "the figure of all mobilities" ; and its ambiguity explains why it has become today one of the factors of inequality in the world.

In order to think about these tensions and paradoxes, it is important to have a long-term perspective. This is not necessarily to look for past models but rather to understand changes and ruptures and avoid the fantasies, while remaining aware of the absolute specificity of our time and of the big reversal we have been witnessing since the second part of the twentieth century.

In 1945, in fact, after the great Catastrophe, women and men of all countries wanted to build a new world based on humanistic values, respect for others, and protection of the individual. The Universal declaration of rights, which was the basis for the expansion of international institutions placed the human being at the heart of all their concerns. This was a major break from previous periods. Never before in the history of mankind was such an «institutionalization» of the defense of human beings experienced or even thought. Yet, these statements have been ignored in fact and the opposite became the norm. As Miguel Abensour said, the idea of emancipation, a 19th century idea revived after the Second World War, has turned into the harshest exploitation of men. Today, what we could call the "great reversal" is clearly visible, illustrated by the growing number of persecuted people in the world: over 51 million according to UNHCR figures. Who can forget the permanent camps of refugees, such as those of the Palestinians in Jordan, or the Somalis in Kenya or the great number of new camps created in the last few years? We fear these confined migrants so much that we do not even consider the majority of them as "manpower." Neoliberalism, which

imagines everything, including human beings, as "capital", which feeds on crisis, and conceives competition as a value and the firm as a model, is not for nothing in the degradation of the human person.

This is why the past is more necessary than ever to any reflection on the current situation because we might find in it, as Castoriadis would say, a « germ » capable of inspiring new forms of coexistence. In order to trace a few strands of a long history of human mobility, I begin with a few comments about mobility in general, then I examine past mass migrations. After that, it becomes possible to contextualize the precariousness and insecurity of migrants and explore the notions of hospitality and coexistence. I will conclude by raising a question that is central to these discussions: has Europe changed?

Migration and Human Mobility between past and present

It is now recognized that mobility is a constant in human history. Since prehistoric times, mankind has moved, and it is in motion that it has diversified and progressed. Sedentarianism appears late in the Neolithic agricultural revolution between 15,000 and 5,000 BCE. Since then, there was a constant tension between the ideal of sedentarianism and that of mobility, between xenophobia and openness. But even if the idea of "the people" has most often referred back to a homogeneous and stable whole, which is the foundation of the legitimacy of the state, as opposed to the mobile and disorganized multitude, mobility and sedentarianism have coexisted in practice, including in territorial states that have tried to settle mobile groups.

Mobility in all its forms has thus structured pre-modern societies. It can be defined as a social process that begins with the fact of leaving one's family and ends in a transnational process[3], as a factor of transformation of societies (through knowledge, culture, or wealth transfers)

but also of identity: migrants forge links between different parts of the world, accumulating multiple identities, or just switching cultures[4]. The figure of « the man in motion » has even expressed the human condition itself and, in ancient legends, the legislator, the one who gave stability and identity to a country, was always described as a man coming from elsewhere[5] 5 . Moreover, apart from a few people who claimed to be autochthonous, the myths of foundations tell stories of immigration or of mixture of peoples (for example synoecisms), thus reflecting the experience of ethnic diversity found all around the Mediterranean. The distance is huge between these conceptions and practices, and our world, where the Other, as a whole, as a mass, is considered as a danger.

Migration, a sociological or demographic analytical category, is a particular form of mobility. It refers to the fact of leaving the place where one lives with the intention of settling elsewhere. The term originally contains no specific connotation, except the idea of an uprooting experience, nor does it correspond to any specific status. In fact, in antiquity, the Middle Ages, and in early modern times, the concept does not exist. Rather, there were many terms that applied to situations of mobility. This shows that pacific population flows were not an object of consideration, or of norms[6].

Today, the terms mobility and migration are too weak to account for the violence of our world. The existing word is somewhat more eloquent: "migrant", a recent term, refers to people who probably are too undesirable to even be called "immigrants", too persecuted to deserve the status of "emigrants"; as for "refugee" it is a legal status recognized only half a century ago, by the Geneva Convention of 1951 (we will return to this text later).

If mobility was a structural phenomenon of pre-modern societies, were people free to move? Although fluid, these

societies were actually very regulated. But what characterized them is first that they did not seek to control their territory as such, or the flow of people, but only certain categories of persons, according to various logics (fiscal control, military issues, health problems)[7]. Second, they were more concerned by emigration than by immigration, since the demographic wealth was at the heart of their conception of power (this was the case in ancient societies, in the France of Louis XIV or in England of the 18th century for example).

Since the formation of Nation-States, primarily in Europe after the Treaty of Westphalia in 1648, constraints on mobility got higher and its modalities changed. In the legal world of modern States in which sovereignty is circumscribed by the territory and is exercised through it, one receives the right to move freely within the state territory of which he is a national, while the state cannot in principle forbid him from remaining there, leaving or returning there. However, the state may prohibit its territory to a foreigner, who is uniquely defined as "non-national". And it is clear that European integration with the Shengen Agreements has only pushed to the limits of Europe the same logic and the same constraints. In this context, while the right to emigrate has been recognized by the Universal Declaration of 1948, the right to immigrate which is under the sovereignty of states is not; or at least not for everyone. Today, in fact, the wealthy, the businessmen have no borders. And the difference across the world grows between them and all those who are denied this right, so that one could speak of *global apartheid*. A very different situation from the past.

Following the same logic, Nations-States imposed passports, border controls, and sophisticated identification techniques. They also sought to suppress minorities, absorb or expell them, initiating in the twentieth century a process of 'unmixing of peoples'[8] and of ethnicization of citizenship, which put on the roads millions of people: more than 1 Million

Greeks came from Turkey and around 500 000 Turkish Muslims left Greece after the breakup of the Ottoman empire! To which must be added the return of thousands of settlers to the mainland after decolonization (1 million French from Algeria after the end of the war in 1962) and the departure of many minorities from their country as a result of the transformation of previous colonies into Nation-States: the Ghanaians leaving Nigeria, Senegalese leaving Ghana, or the Indians East Africa, etc.

Mass migrations

These kinds of mass migrations that are so characteristic of the twentieth century, are not a recent phenomenon, however. They are found in all periods of history and in all forms of mobility: in home-community migrations like rural exoduses and internal deportations; in colonization movements; and in cross-community migrations, forced —or volontary[9]. Think of the millions of captives and slaves deported all along the centuries or of European expansion into the new world, which caused what Aristide Zolberg called "the revolution of departures."[10]

Forced mass migrations, like those we see today, that is to say movements of hundreds or thousands of people, including both men, women and children, fleeing or displaced under threats whether political, military, economic, or climatic, also existed in ancient times. The Gothic tribes fled the Huns in the fourth century CE and sought asylum from the Romans. Jews and Moors were forced to flee Spain from the end of the fifteenth century; Huguenots fled France during the sixteenth and seventeenth centuries (and especially after the revocation of the Edict of Nantes in 1685); in 1830-32, Algerian Kabyles (and others) fled French colonialism to Syria then under Ottoman rule; and in the 20th century, million people deported to be killed — among which the Armenians by the Turks or the Jews and Gypsies by the Nazis and their collaborators in Europe. In the twentieth century, only the Iron Curtain during

the Cold War limited migration, while removing a fundamental right, the right to emigrate.

The idea and image of a mass dehumanizes migrants; we must instead individualize them to understand the extent of the phenomenon and reveal the human experience beyond the mass. We must realize that each of them, whether poor or wealthy, is primarily a man who cannot go home without putting his life in danger. Migration, which probably carries with it hope for change, is in this sense first of all precarious and insecure.

Precariousness of the migrant: from safety to security

Precariousness and insecurity have always characterized the life of the migrant on the roads and seas, in host countries, or even in the place of origin.

Precariousness is primarily the risk of losing one's liberty and property and, for example, being imprisoned or interned if one belongs to a country at war against the place where one resides. This practice, in use since ancient times was officially abolished at the beginning of the early modern times, but regularly practiced by all the following periods, for example in the USA in 1941 against the Japanese who were detained while their property was confiscated[11]; in France, at the beginning of the Second World War against the Germans refugees, mainly Jews, as reported by Lion Feuchtwanger in his narration: *The devil in France. My Encounter with him in the summer 1940* (published in 1941).

Precariousness comes also from not speaking the language of the host country, not knowing the local laws, not knowing one's fate; risking to be arbitrarily expelled, or being under the power of smugglers. Over the 16th-17th centuries in the Dutch, French and English Caribbean or in the southern colonies in North America, European migrants pledged to perform labor to a ship captain or a trader traveling with them. These contracts, and thus the migrants themselves,

called *indentured servants*, were at their arrival auctioned off to the highest bidding employers for a period that could vary from three to ten years — a kind of temporary servitude that is well known in the world today. Another kind of smugglers, who made migrants into commodities, was the *redemptioners* who, from the seventeenth to the nineteenth century, offered migrants to finance their trip by working for them once arrived[12]. Today, smugglers are more explicit: Muslims expelled from Thailand to Burma were captured at the border by traffickers who made them pay dearly for their passage to predominantly Muslim Malaysia; Syrians leaving Turkey enrich in the same way smugglers who sell at a very high price the improbable crossing, while so many female migrants are enrolled involuntarily in prostitution.

To combat this insecurity, two responses have been provided across history: ensuring the *safety* of migrants, or ensuring the *security* of the host societies. *Safety* was ensured through preferential agreements between states, through judicial protection, through forms of public hospitality, and sometimes more pragmatically through bilateral agreements on labor exchange (for mercenaries or workers). Efforts to protect migrants were also the expression of moral values or social ties: associations indeed played a role in the reception of migrants, in information sharing, judicial protection. But what underlines these practices is an ethics of hospitality —which resolved the question of trust, perhaps the most fundamental issue for all migrants and host societies.

When the security of the state is privileged, which occurs mainly in centralized and territorialised states (the late Roman Empire, the French absolute monarchy, for example), there is no question of trust and no question of hospitality. Suspicion prevails because migrants are seen as intruders, who disturb the community, who can take over the work of others and disrupt the social order. Asylum seekers arouse suspicion because their claims could be fraudulent. As a result,

discriminatory measures multiply and the definition of asylum rights gets restricted, as it has been the case since the 80s. In this context, camps and walls also multiply even if they are expensive to build and maintain (over 15 million Euros given by Europe to Bulgaria according to an article in *Le Monde*). Let's notice their absence in pre-modern times, except during wars or crises (epidemics for example gave birth to sanitary cordons in early modern times).

This logic, and this distrust, ultimately create more than suspicion. They lead to the criminalization of migrants (whether they are accused of being swindlers, drug traffickers or terrorists). Again, the past provides us with examples, but this phenomenon is primarily a feature of our time. Not only are migrants sidelined but they are confined in camps. Following the haggling between the EU and Turkey, migrants arriving in Greece, including children, were arrested and interned because they infringed on the agreement. Recently, the UN general rapporteur on the human rights of migrants, François Crépeau, denounced this agreement and this detention, declaring them illegal.

The effect of policies privileging security is threefold: within states, hyper security has an impact on the freedoms of citizens; outside and inside. they promote the parallel economy, and finally produce among migrants a defiance against and non-compliance to the laws and authorities of the host country. Distrust of societies towards migrants produces distrust and violence among migrants who feel that the law is not fair, that the host country is dysfunctional, and that hiding, being a clandestine, is the best choice. There is in the security centered policies a tendency towards escalation that is simply difficult to control.

The status of "refugee" itself illustrates this hesitation throughout history between trust and distrust, between safety and security. In pre-modern times, asylum was primarily a place where a fugitive found an absolute protection (a temple,

later a church). It was also a privilege given to foreigners by a city that accepted to protect them from seizure of their goods or of their bodies. The same idea lies in the notion of *hospitium*, in latin, which refers to private or public hospitality and protection. In the most ancient periods, also, exile was considered not as a punishment, but as a refuge from civil or physical threat, including from a judicial punishment (this is what was offered to Socrates by his followers before his judgment but he refused, preferring to die in his city). In these two notions of exile and asylum, the logic was primary based on the point of view of the fugitive and the goal was his protection, his safety.

In opposition, the modern concept of refugee is defined from the perspective of the state, the place of origin (which no longer protects its citizens) and the host country … The UN Refugee Agency defines "an asylum-seeker as someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated". The history of this status must be placed again in the context of the development of the nation-state[13]: it starts after the First World War in 1922 when the Nansen passport was created for all stateless persons.

Followed the Geneva Convention of 28 July 1951 which defined asylum for the Eastern European refugees; and then, the Protocol of 1967, which broadened the protection to "those persecuted for reasons of race, religion, nationality, membership of a social group or political opinion ". "Those persecuted": the notion of persecution unifies refugee status although it did not integrate the victims of civil wars and dictatorships[14], but in practice, each person, individually, has to prove that he is being persecuted —refugees have a legal status, but they do not form a social group capable of acting collectively, they can only be the objects of decision and speech ; second, only national states are responsible for the interpretation of texts and individual situations[15]. From the 1970-80s, while the line between the different types

of migrants (economic migrants and political refugees) was being blurred, the interpretation of texts became narrower, showing that states sought to protect themselves from refugees, especially when they came from the Third World. While Europeans opened the doors of their countries when they needed manpower, now that migrants want to come in, they do not accept them anymore. This evolution does not only concern Europe. In fact, in this regard, the difference between the South and the North is vanishing[16].

NOTES:

[1] C.D Wingenroth, « Das Jahrhundert der Flüchtlinge », *Aussenpolitik*, 10, n.8, S: 409-499, quoted by K. Bade. *Europa in Bewegung: Migration vom späten 18. Jahrhundert bis zur Gegenwart,* Munchen, 2000.

[2] H.M. Enzenberger, *Die Grosse Wanderung*, Francfort, 1992.

[3] Dick Hoerder, *Cultures in Contact*. *World Migrations in the Second Millenium*, London 2002, p.8 ff.

[4] This is an important point : when does a stranger stop being a stranger ? According to Alfred Schultz (The Stranger: An Essay in Social Psychology, *American Journal of Sociology*, Volume 49, Issue 6 (May, 1944), 499-507), the stranger is always a stranger in an host country until he is normalized ; on the contrary, for Georg Simmel, the stranger remains always a potential wanderer (*Bridge and Door. Theory, Culture and Society*, 1994).

[5] Bonnie Honig, *Democracy and the Foreigner,* Princeton, 2001.

[6] For example, Claudia Moatti, 'Immigration and cosmopolitanization', in P. Erdkamp (ed). *The Cambridge Companion to Ancient Rome.* Cambridge, 2013, 77-92.

[7] On these issues, see Claudia Moatti and Wolfgang Kaiser, "Mobilità umana e circolazione culturale nel Méditerraneo dall'età classica all'età moderna", Introduction to *Migrazioni*, a cura di P.Corti et M.Sanfilippo, Einaudi, Torino, 2009, p. 5-20.

[8] Rogers Brubaker,"Aftermaths of Empire and the **Unmixing of Peoples**: Historical and Comparative Perspectives", *Nationalism reframed. Nationhood and the National Question in the New Europe*, Cambridge, 1996, 148-178

[9] On these three kinds of migrations, see Patrick Manning, *Migration in World History*, London, 2nd ed. 2013, p.4-6.

[10] Aristide Zolberg, "La révolution des départs", in N. Green and F. Weil, *Citoyenneté et émigration*, Paris, 2006, p.37 ff.

[11] According to the *Alien Ennemis Act* voted in 1798 and still in use*,* the President had the right to detain or deport male citizens of a hostile nation, above the age of 14, during the time of war. On this episode

[12] On these historical kinds of smugglers, see Karl Bade, *Europa in Bewegung: Migration vom späten 18. Jahrhundert bis zur Gegenwart,* Munchen, 2000, part II., chapter 2.

[13] Catherine Wihtol de Wenden, *Le droit d'émigrer,* 2016.

[14] As noticed by Dick Hoerder, *Cultural in Contact. World Migrations in the Second Millenium,* Duke University Press, 2002, p. 515.

[15] On these issues, see Gérard Noiriel, *Etat, nation et immigration. Vers une histoire du pouvoir,* Paris, 2001, p.278 287.

[16] Catherine Wihtol de Wenden, *Le droit d'émigrer,* 2016, p.32.

The text is transcribed version of Claudia Moatti's speech during B-fest 5 in Athens, Greece.

Part 2 available here.

Video from the same speech: