

Expanding the Sphere of Moral Concern: How *City of Sanctuary* Seeks to Create Solidarity and Protection for Refugees and Asylum Seekers

By Debora Gonzalez Tejero

Abstract

Refugees and asylum seekers seeking protection in Western states often find themselves confronted by hostile attitudes and increasingly restrictive asylum policies. Despite the codification of refugee entitlements in international law, finding places where asylum can be enjoyed remains a challenge. This article explores the moral underpinnings of asylum-giving in the West and evaluates how people's solidarity with refugees and asylum seekers can be expanded. To this end, the article draws on two philosophical approaches for eliciting greater understanding and sympathy for the claims of refugees and asylum seekers from the public. The *Kantian* approach emphasises rights and obligations, whereas the *Rortian* approach highlights the importance of sympathy. The article considers how these approaches are visible in the work of the UK's *City of Sanctuary* movement. My analysis suggests that the two approaches are complementary and mutually reinforcing; each is necessary for the creation of true sanctuaries for refugees and asylum seekers.

Introduction

[O]ne could be forgiven for thinking that, at least in Western states, there are no refugees left to claim anything. Everywhere it seems they have been replaced by 'asylum seekers' – mere pretenders to the title of refugee. (Gibney 2006: 140)

In the aftermath of World War II, Western nations drafted and signed the 1951 Convention Relating to the Status of Refugees (hereafter the 1951 Convention), which sets down clear entitlements for individuals with a well-founded fear of persecution on the grounds of nationality, race, political opinion, religion, or membership of a particular social group. Yet, despite the development of a strong legal infrastructure, refugees find it increasingly difficult to find sanctuary in Western states, where 'compassion fatigue', the notion that 'We have done so much and now we need a break' (Steiner 2009: 76) is spreading. There is little talk about refugees and much talk about asylum seekers, who are frequently (and often incorrectly) portrayed as welfare cheats, competitors for jobs, security threats, or abusers of state generosity (Gibney 2006: 141; *cf.* EIN 2012). Refugees merit our attention and welcome particularly because they lack protection in their countries of origin. Yet, societal antagonism and apathy create a harsh environment where refugees' claims to protection are obstructed on various fronts. A restrictionist trend has become apparent in many Western states where visa regimes, carrier sanctions, and other non-arrival measures have been put in place to keep out migrants. Public scepticism or hostility towards asylum seekers is widespread and reinforced by negative media discourse. In this context, this article evaluates the moral underpinnings of asylum-giving in the West and asks how people's solidarity with refugees can be expanded.

The codification of refugee entitlements in international law is certainly impressive and its importance should not be discounted. First established to deal with European refugees in the aftermath of World War II, the refugee regime was subsequently expanded to cover refugees from around the world. In Article 33 of the 1951 Convention, signatory states commit to abide by the principle of *non-refoulement*, i.e. to not expel or return a refugee to the frontiers of territories where his or her life or freedom would be threatened. Claims to protection have been further strengthened through provisions in human rights law and humanitarian law (*cf.* Durieux & Cantor 2013). However, Western states sometimes tacitly circumvent potential protection obligations through the employment of non-arrival measures. This reveals the paradoxical attitude these states display towards refugees. They acknowledge the rights of refugees but simultaneously criminalise the search for asylum (Gibney 2006). In a political climate which is not receptive to refugees and asylum seekers, little is done to engage the public in an informed debate about why refugees seek and require protection. Misinformation and anti-immigrant hostility make life difficult not only for asylum seekers, but also for those who are recognised as refugees. The legal infrastructure in place entitles the refugee to protection, but it seems to do little to create a welcoming political and social environment where asylum can be enjoyed.

Hostilities towards asylum seekers are not resolved simply by stating a legal right to protection – restrictionism will find other ways of manifesting itself if it remains unaddressed. It is hard to disagree with Gibney (2003: 45) that what seems to be ‘required is a more inclusive politics of asylum, one that goes beyond the law to elicit from the public of Western states greater identification with and respect for the claims of refugees and asylum seekers’. But just how does one create such respect and identification? How can connections between host societies and refugees be established? And what are the ethical implications of different approaches?

To answer these questions, I firstly introduce two philosophical approaches for framing possible modes of connection between host societies and refugees. The *Kantian* approach emphasises rights, duty and obligation, whereas the *Rortian* approach calls for sympathy and the creation of solidarity through ‘imaginative identification’ (Rorty, 1989: 93) with others. Secondly, I investigate how the UK’s *City of Sanctuary* (CoS) seeks to create empathy and solidarity with refugees and asylum seekers. I consider how the movement’s strategy is implicitly underpinned by the Kantian and Rortian approaches. My argument concludes that the two approaches, whilst conventionally interpreted as contrasting, are actually complementary and mutually reinforcing; each is necessary for the creation of true sanctuaries.

Moral underpinnings of asylum giving in the West

In this section, I discuss a Kantian and a Rortian approach to establishing connections with and respect for asylum seekers and refugees. These two approaches provide distinct heuristic frameworks for explaining mechanisms that expand the sphere of moral concern. They help us to situate empirical findings about the methods employed by CoS to create solidarity with

refugees. CoS is a grassroots movement dedicated to developing opportunities for personal encounters and dialogue between local people, asylum seekers, and refugees. It emerged in Sheffield in 2005 and has since spread to other UK cities. I do not claim that CoS's work is explicitly shaped by reflections on philosophical theories, but rather, that its methods for expanding the sphere of moral concern can be better understood and situated in terms of the Kantian and Rortian approaches.

The Kantian approach

The Kantian approach emphasises the *rights* claim of a refugee towards the host society. A moral connection is established on the basis of obligation and duty. Upon entering the host society, the refugee may say 'I am a fellow rational being whose life is in danger, thus you have to give me shelter.' This claim could be made on the basis of Kant's theory of public right as developed in *Toward Perpetual Peace*. Cosmopolitan right, which forms part of this theory, is concerned with the rights and duties of states towards foreign individuals – and vice versa. Under cosmopolitan right, all humans have equal status. The core of Kant's cosmopolitan right is what he calls a right to hospitality – which is not a right to be treated as a guest, but rather a right not to be treated with hostility and not to be expelled if this would cause one's demise. Thus, Kant in effect anticipates the principle of *non-refoulement*.

Kant grounds his cosmopolitan right in the 'original community of the land', seeing the earth as a common possession prior to any particular acquisition of property (Kant 1996). Kant considers the right to hospitality a necessity because he assumes that all humans have a right to freedom and this freedom requires existence, which in turn requires not to be sent away if this would lead to one's death. The Kantian approach emphasises law and principle, duty and obligation. It appeals to people's rational capacities in determining which obligations they have and acting accordingly. Yet without means of coercion, cosmopolitan right is in danger of remaining a mere aspiration. This begs the question whether the right can be enforced. In fact, many of the requirements of cosmopolitan right have been explicitly adopted in international legal documents and institutions, such as the 1951 Convention and 1967 Protocol. Human rights law in particular has strengthened the status of individuals 'as persons' rather than just as state subjects (Kleingeld 2012). Kant holds that such legal institutions also play a crucial role in the development of cosmopolitan moral attitudes (*ibid.*). By setting a new status quo and new norms, laws can influence moral consciousness.

The Rortian approach

In contrast to Kant's rationalist model, the Rortian conceptualisation of modes of connection emphasises the importance of *sympathy*. It appeals to people's emotional rather than rational capacities, encouraging us to engage in 'imaginative identification' with others, based on shared traits of suffering and pain. Upon entering the society, the refugee may say 'I am not so much unlike you, regard our similarities and have sympathy with me.' In *Contingency, Irony and Solidarity* Rorty claims that it is not philosophical deliberation, but the reading of certain forms of literature, for example novels, which enables us to make connections with

those who are unlike us (Rorty 1989). Thus, the task of the intellectual, with respect to social justice, is to sensitise us to the suffering of others; to refine, deepen and expand our ability to identify with others and to think of others as like ourselves (Ramberg 2009). Moral progress is manifested in a movement to greater human solidarity, which Rorty understands as the ability to see traditional differences between human beings as negligible.

Rorty (1989: 94) puts forward the ideal of an ‘ironist liberal culture’ where the ‘metaphysician’s association of theory with social hope and of literature with private perfection is ... reversed’. A ‘general turn against theory and toward narrative’ becomes manifested as the novel, the movie, and the TV programme gradually but steadily replace the sermon and the treatise as the principle vehicles of moral change and progress (ibid.: xvi). The ability of narrative to elicit compassion or action has been observed for example in the field of humanitarian assistance (Laqueur 1989). The novel has been praised as ‘a much more appropriate vehicle than the political pamphlet or theoretical treatise for communicating and sharing lived experience’ (Horton & Baumeister 1996: 24), and authors such as Alisdair MacIntyre, Charles Taylor, and Martha Nussbaum have supported a “turn to narrative” (Whitebrook 1996: 32). Literature can awaken people to the humiliation and cruelty of particular social practices and individual attitudes and can thus promote a sense of human solidarity. It can allow us to notice suffering through the skill of ‘imaginative identification’ (Rorty, 1989: 93), the ‘ability to see strange people as fellow sufferers’ (ibid.: xvi).

In Rorty’s (1989: 94) account ‘[s]olidarity has to be constructed out of little pieces, rather than found already waiting’. Unlike Kant, Rorty rejects the traditional philosophical understanding of an ‘essential humanity’ which is within each of us and ‘resonates to the presence of this same thing in other human beings’ (ibid.: 189). Human solidarity is not a fact to be recognised by clearing away prejudice, but is a goal to be achieved. Connections with refugees need to be established through ‘sentimental education’, which changes the discourse on refugees and asylum to expand our sense of solidarity (Parker & Brassett 2005: 247).

City of Sanctuary

In this section, I analyse which strategies CoS employs in its efforts to establish connections between host societies and refugees, and how these are linked to the philosophical approaches outlined above. CoS is dedicated to developing opportunities for local people, asylum seekers, and refugees to engage with one another and build ‘mutual relationships of support, learning and friendship’ (Barnett & Bhogal 2009: 11). It seeks to help local people to ‘come to understand the injustices refugees face, and become motivated to support and defend them’ (ibid.: 9). CoS emerged in Sheffield in 2005 and has since spread to 23 additional cities and towns throughout the UK, with 15 more groups currently forming in other cities and seeking official CoS status (City of Sanctuary 2012). CoS avoids explicit political lobbying or campaigning in favour of a more subtle process of transforming culture.

A ‘city of sanctuary’ is understood as ‘a place of safety and welcome for people whose lives are in danger in their own countries’ (Barnett & Bhogal 2009: 9). The key criteria for

achieving CoS status include obtaining resolutions of support from a significant and representative proportion of local groups and organisations, as well as the support and involvement of local refugee communities. Furthermore, a resolution of support from the City Council and an agreed strategy for how the city is continuing to work towards greater inclusion are required. CoS claims to be doing something quite different from existing refugee organisations. It aims to encourage groups and organisations, which do not have a specific focus on refugees, to help with welcoming and including them. Its work is ‘based on the assumption that meaningful political change depends upon a shift in the public discussion about people seeking sanctuary in the UK’ (Barnett & Bhogal 2009: 70).

CoS uses the term ‘people seeking sanctuary’ (Barnett & Boghal 2009:10) when referring to asylum seekers, as the latter term frequently carries a negative connotation. The movement distinguishes between four different target audiences and adapts communication strategies accordingly. The first target audience is termed ‘survivors’ (ibid.: 43-44) people who feel anxiety about the scarcity of resources and potential competition for housing, jobs, and the like with refugees. In conversation with this audience, one strategy is to provide examples, which emphasise that refugees can be good for communities. The second target audience is termed ‘traditionalists’ (ibid.) those concerned with upholding traditional values. With this audience, emphasising that offering sanctuary is an important, century-old tradition can be helpful. Furthermore, one may appeal to considerations of fairness, emphasising many refugees’ motivation to work hard to provide a safe future for their families and emphasise the positive contributions made to society by refugees. The third target audience is termed ‘winners’ (ibid.) people focused on personal success. With this audience it can be advantageous to highlight the cultural assets brought by refugees: music, food, fashion, etc. Finally, there are the ‘strivers’ (ibid.), people who want to live ethically and make the world a better place. With this audience, which is already inclined to engage with refugees and asylum seekers, the most important task is to convince them why a collaborative approach is necessary (ibid.).

CoS encourages faith communities to become engaged in welcoming refugees and asylum seekers. The CoS handbook features a whole chapter on how concepts of refuge, sanctuary, and hospitality are underpinned by the customs and traditions of various world faiths. Beyond appeals to religious duty and obligation, CoS also draws on narratives in faiths as diverse as Islam, Sikhism, and Hinduism, which all inspire welcoming and assisting strangers. One story told in Hinduism about Zoroastrians fleeing to India from Iran is particularly striking. The Zoroastrian leader, so the story tells, requested permission from King Rana of Gujarat to settle in his part of the country. The king answered the request with a full glass of milk, suggesting that the country could not accommodate more people. The leader replied by adding sugar to the glass of milk and requesting the king to taste it. The Zoroastrians settled in the country, merging with the local population without doing harm, and helping progress in the country (Barnett & Bhogal 2009: 35).

Examples of CoS initiatives

The work undertaken by different CoS groups is extremely varied and cannot be covered here in its entirety. To name just a few examples, initiatives range from conversation clubs, to gardening projects, ceilidh dances, theatre productions, speaker events, and hosting projects. Organisations throughout each CoS are encouraged to contribute in varied ways, for example by displaying a 'We welcome asylum seekers and refugees' sign, or running food collections for refugee charities. Religious institutions are encouraged to participate in interfaith events promoting sanctuary and hospitality. All CoS initiatives contribute to the goal of creating an environment where sanctuary seekers and local communities can connect and benefit from one another. Some put a stronger focus on transferring skills and others on furthering the host society's understanding of refugee issues.

The bridging of gaps and a desire to emphasise how connections between refugees and host societies can be mutually beneficial are at the heart of all CoS initiatives. Asylum seekers and refugees are offered places of sanctuary and an opportunity to improve their skills. At the same time, locals are given a chance to have their lives enriched by the cultural diversity, skills, and experiences refugees and asylum seekers bring to the community. They gain a better understanding of the issues facing these sanctuary seekers thereby challenging misinformation and negative stereotypes (Bradford CoS 2012).

The sanctuary label is not restricted to cities and towns alone. Since 2011, the concept has been expanded to schools and more recently it has been suggested that the West Yorkshire Playhouse could become the first 'Theatre of Sanctuary'. 'Schools of Sanctuary' (SoS) encourages schools to be places which are proud to provide a place of safety and inclusion for all. SoS seeks to help staff and students understand what it means to be seeking sanctuary and to extend a welcome to everyone as equal, valued members of the school community (Schools of Sanctuary 2012). This goal is pursued by sharing the experiences of asylum seeking children, clarifying facts about refugees, creating displays which celebrate diversity, setting up conversation clubs, and organising projects and plays around the themes of journeys and sanctuary.

SoS encourages teachers to embed asylum and refugee issues into different areas of the curriculum. It offers a resource pack listing a wide range of materials available online to assist and inspire teachers with this task. Furthermore, the resource pack lists children's books, which talk about issues of sanctuary, refuge and asylum. Zephaniah's (2001) *Refugee Boy* is one example, which has been adapted for the stage by Lemn Sissay (2013) and performed at the West Yorkshire Playhouse in Leeds in March 2013. City of Sanctuary used this as an opportunity to engage schools and teachers in learning more about how to promote welcoming and inclusive schools of sanctuary (WYP 2013).

Expanding the sphere of moral concern

As the examples above show, CoS employs a range of measures to create opportunities for connection between refugees and host societies. Many of these focus on direct contact, but art, theatre, and novels are also utilised to broaden the host society's understanding of refugees and asylum seekers. Below I highlight some of the strengths and weaknesses of the Kantian and Rortian approaches. I consider how each is present in CoS's work and suggest that, though conventionally interpreted as contrasting, the two approaches are cumulative.

The Kantian and Rortian approaches revisited

One drawback of the Kantian approach is its reliance on a universal conception of ethics. People who consider the appeal to rights as generally 'little more than an appeal to the moral intuitions of the author dressed up in the language of rights so as to carry more weight' (Singer & Singer 1988: 121) or who like Jeremy Bentham regard a belief in natural rights as 'nonsense upon stilts' might not be convinced by Kant's right to hospitality. By avoiding essentialism and an appeal to a common humanity, the Rortian approach avoids this pitfall. It overcomes the distinction between oneself and the other by creating a sense of identification with the refugee or asylum seeker, thus giving space to emotion and particularity. CoS's approach makes no explicit appeal to duty and obligation, but strives to foster sympathy and understanding. Yet a closer look reveals that CoS's work is not simply 'Rortian'. Rather, it features a Rortian approach within a Kantian framework. CoS operates in a setting where basic rights for refugees are already guaranteed under the 1951 Convention. With the Kantian right to hospitality being enshrined in law, new tasks can be prioritised, such as the creation of contact and mutual understanding between refugees and host society

Another weakness of the Kantian approach is that its enforcement, in the absence of a sovereign in international society, depends on the interest of states (Kleingeld 2012). This could be problematic where developments in international law are contrary to the – perceived or real – interest of the state's citizenry. As I have argued above, asylum seekers and refugees often struggle to find true sanctuaries, despite the legal infrastructure in place. Waldron (1987: 178) argues that one 'cannot preclude the need for firm and explicit constraints and requirements *somewhere* in one's system of moral thought'. Yet he cautions against a reliance on a theory of rights alone: 'A theory of rights...needs to be complemented by a general theory of virtue or moral action' (1987: 194). Geras (1995:93) makes a similar point, emphasising that 'no amount of argument from principle, no effort of purely rationalist inference from general norms to particular courses of action, will make up for the lack in anyone of elementary feeling'. Hence a Rortian approach has much to add to the Kantian approach. By reducing apathy and antagonism, it changes the host environment so that rights can be effectively put into practice. This is also what CoS strives to. By changing the perceptions of host societies, the movement seeks to create places of true sanctuary where refugee rights can be operationalised. By uniting people around the theme of providing sanctuary, CoS creates communities where being hospitable is the norm, rather than the

exception. The movement strives to create a welcoming environment where paper norms can be translated into rights that are actually enjoyed.

The Rortian approach nonetheless has its weaknesses. It may, for example, lead to the privileged treatment of some refugees and asylum seekers, if identification works better with those who share physical or cultural traits. The example of refugees from Kosovo, who were received with a striking openness in Western European countries, indicates that this may be the case. Host societies could possibly better relate to their plight as fellow white Europeans (Gibney 1999). Furthermore, 'imaginative identification' with those who commit crimes, or else differ from the ideals and expectations of the host society, may be rather limited. Thus an approach appealing to sympathy and understanding is no panacea. At least in some situations it needs to be underpinned by a legal protection framework. By providing a universal protection standard which applies independent of individual attributes, the Kantian approach safeguards against such discrimination. As Horton points out, 'the morally odious are as entitled to the protection of their rights and the impartial application of the law as those with whom we sympathise or those whom we admire' (1996: 88). In this regard, Waldron (1993: 374) maintains that a structure of rights offers a valuable 'position of fallback and security'. Consider for example the treatment of children. Whilst one would hope that parental love rather than legal obligations leads to their being treated appropriately, the legal structure enshrining the rights of the child is nevertheless indispensable as a safety mechanism to protect a child from potential abuse and to punish mistreatment. Likewise, the right to hospitality constitutes a duty, which the international community can enforce on itself, whereas 'imaginative identification' remains a voluntary act (*cf.* Carens 1992). Hence CoS relies in its strategy on there being a framework of refugee rights in place, whilst seeking to enhance these rights through the creation of sympathy and mutual understanding.

Rights can strengthen the claim of the refugee by emphasising autonomy and positing the individual not just as an object of sympathy, but as a rights-bearing subject. However, a sense of duty may not always be an adequate substitute for sympathy, solidarity, affection, and love. There may be situations where motive and action are inseparable, where the right thing needs to be done for the right reason (Arblaster 1996: 140). Literature and personal contact can foster sympathy and imagination. They can elicit a response to the protection claim of refugees based on more than a sense of duty and obligation. Yet, the use of literature as a compass for moral behaviour can be problematic. As Mendus (1996) notes, novels simplify and are not independent of ideology. Horton (1996) warns that in reading a novel, the reader brings his own opinions and prejudices and might be in danger of interpreting the story in a way convenient to him. It has been argued that narratives, far from inciting action, 'merely milk sentiment and defer revolutionary action. Moral indignation is spent on fictional suffering, while real suffering is left in peace' (Laqueur 1989: 202). SoS and CoS are cautious to avoid these drawbacks. By framing the use of books and stories through discussions and personal encounters, they increase knowledge and highlight how the audience can take action.

The above analysis highlights that the Kantian and Rortian approaches for establishing connections with and respect for asylum seekers and refugees each have a set of limitations. Interestingly though, the weaknesses of one tend to be balanced by the strengths of the other. Hence, the two approaches complement and reinforce each other.

Creating true sanctuaries

The case study suggests that the creation of true sanctuaries depends on a Rortian as well as Kantian approach. The two approaches are distinct, but they complement and reinforce each other. Indeed, laws can sometimes be a starting point for a change in attitudes; they can offer ‘a basis on which people can initiate *new* relations with other people even from a position of alienation’ (Waldron 1993: 376). By setting a new status quo, they can change behaviour over time. For example, the extension of women rights in twentieth century Europe preceded a widespread change in societal attitudes towards women as full rights bearers. Thus, strengthening the rights of refugees and asylum seekers, and framing their claims in terms of obligation and justice, can go some way in creating respect and solidarity. Law can shape consciousness and lead to a change in attitude towards those claiming protection.

There are indicators that, vice versa, consciousness can also shape the development of law. The abolition of slavery, which was preceded by a change in people’s attitudes towards slavery and the rise of anti-slavery movements, offers a positive historic example of how public awareness can result in the creation of better laws and protection standards. However, a weak public consciousness, or apathy, can also result in a weak application of the law. Australia is a case in point. With political rhetoric fomenting anti-immigration sentiment within the public, an arena is created in which restrictive policies towards asylum seekers can be implemented with limited opposition (*cf.* Burnside 2013). In the absence of a strong national commitment to protect refugees, the enforcement of international protection standards is significantly weakened and undermined.

Currently an interesting case of how public consciousness might positively influence refugee protection standards is underway in the German city of Hamburg. Some asylum seekers who fled the uprising against the Gaddafi regime in Libya and initially spent time in Italian refugee camps have found refuge in some of the cities’ churches. The churches, in cooperation with local communities, are now hosting the sanctuary seekers, but their activities put them at odds with local authorities. The latter intend to send the asylum seekers back to Italy as soon as their three-month tourist visa expires. Pointing towards the Dublin II Regulation,¹ which prescribes that the country in which an asylum seeker first enters the EU is responsible for handling the asylum claim, the German authorities are unwilling to assume responsibility for the refugees who have travelled from Italy (Erath 2013). By providing

¹ The Council Regulation (EC) No 343/2003 Establishing the Criteria and Mechanisms for Determining the Member State Responsible for Examining an Asylum Application Lodged in One of the Member States by a Third-Country National OJ L 50/1, 25.02.2003 (The Dublin II Regulation) has since been recast and is now known as the Dublin III Regulation.

sanctuary, the host communities put important issues into the spotlight and political debate. They highlight the shortcomings of the Dublin II Regulation and the plight of refugees. By providing protection beyond what is required by law, they push the boundaries and make a case for better refugee protection in Europe. It remains to be seen whether the churches and local communities will be successful in their campaign to grant these asylum seekers a special status so they can remain in Hamburg. Maybe in the long term, however, initiatives like these can indeed result in legal changes.

What this example and the success of CoS in spreading to cities throughout the UK suggest, is that bringing host societies into contact with refugees and asylum seekers can contribute much to establishing respect and understanding for their plight. True sanctuaries can be created where strong legal protection standards go hand in hand with a public commitment to identify with refugees and show solidarity.

Conclusion

“[T]he best moral theory has to ... harmonize justice and care” (Baier 1994: 31).

In this article, I started out by depicting how refugees’ claims to protection are obstructed on various fronts. Despite the legal framework which has been developed to protect individuals with a well-founded fear of persecution on the grounds of nationality, race, political opinion, religion, or membership of a particular social group, refugees and asylum seekers find it increasingly difficult to find sanctuary in Western states. They often encounter a hostile environment and are regarded as outsiders not worthy of moral concern. I introduced two heuristic frameworks for understanding mechanisms that expand the sphere of moral concern, one concerned primarily with duty and obligation, the other with sympathy. In my analysis, I have come to the conclusion that a rights-based approach is indispensable as a position of fallback and security, but is insufficient on its own. Indeed, the Kantian and Rortian approaches are compatible and complementary, law and consciousness can reinforce one another. My findings suggest that both thought and imagination, rationality and emotion, justice and sympathy are necessary for eliciting solidarity from the public of Western states. Just as legal institutions have the potential to contribute to the development of cosmopolitan attitudes, transformations of consciousness can lead to the enshrinement of social change in law.

This suggests that host societies need to do more than commit to a legal framework protecting the basic rights of refugees. The importance of the principle of *non-refoulement* – the embodiment of Kant’s right to hospitality – is certainly not to be neglected. Increasing public awareness of the rights of refugees and asylum seekers is extremely important. If such awareness is created, the legal framework in place may go some way towards strengthening the public’s solidarity with refugees and asylum seekers by setting a new status quo where their claims are acknowledged as legitimate. Yet the public realm also needs to engage with a Rortian approach of ‘imaginative identification’ and sympathy. Thus work like that of the UK’s CoS movement, which seeks to broaden the public’s understanding of refugees and

asylum seekers through personal encounters, narrative, movies, theatre, etc., carries great potential for creating solidarity and improving the operationalisation of refugee rights.

Steiner (2009: 121) argues that we ‘cling too much to the view that there are citizens or foreigners, that people are either in or out, that there is us and there is them’. Maybe these binaries can be overcome when a combination of approaches and strategies are used to elicit respect for those who seek sanctuary. The search for ways of creating a welcoming political and social environment where asylum can be enjoyed is about more than creating connections between host societies and refugees. It is about strengthening the host societies themselves, making them places where people feel safe and able to expand their concern beyond their immediate community to those entering from outside. This is certainly not an easy endeavour, and it might be a good idea to begin on a small scale, on the level of the *polis*, in cities and towns which can find individual paths to creating solidarity, but are united by an overall goal: to make sure that there are places of sanctuary available for those who need them.

Debora Gonzalez Tejero is currently a CCCM intern at the International Organisation for Migration, Geneva. She holds an MA in Refugee and Forced Migration Studies from the University of Oxford, and a BA in Politics and International Business from the University of Liverpool. Her interest in refugee and migration issues arose through volunteer work with Amnesty International UK and Student Action for Refugees. Thoughts and comments are welcome: dgonzaleztejero@gmail.com.

References cited

ARBLASTER, A. (1996) ‘Literature and Moral Choice’ pp. 129-144 in Horton, J. and Baumeister, A.T., (ed.) *Literature and the Political Imagination*. London, Routledge.

BAIER, A. (1994) *Moral Prejudices: Essays on Ethics*. Cambridge, Harvard University Press.

BARNETT, C. and BHOGAL, I. (2009) *Becoming a City of Sanctuary: A Practical Handbook with Inspiring Examples*. Ripon, North Yorkshire, Plug and Tap.

BRADFORD COS (2012) Bradford City of Sanctuary (online) Available from: <<http://www.cityofsanctuary.org/bradford>> (accessed 30 April 2013).

BURNSIDE, J. (2013) ‘Australia and the UN: Report Card 2013 – Refugees and Asylum Seekers’, *UNAA Report Card 2013* (online) Available from: <http://www.unaa.org.au/release-of-australia-and-the-un-report-card-2013.html> (accessed 11 October 2013).

CARENS, J. (1992) ‘Refugees and the Limits of Obligations’, *Public Affairs Quarterly* **6**(1), 31–44.

- CITY OF SANCTUARY** (2012) Groups and Movements (online) Available from: <<http://www.cityofsanctuary.org/about/groups>> (accessed 30 April 2013).
- DURIEUX, J-F.** and **CANTOR, D.** (2013) 'Refuge from Inhumanity: Enriching Refugee Protection by Recourse to International Humanitarian Law.' Conference Report, International conference held at All Souls College, Oxford, 11th-12th February 2013 (online) Available from: <<http://www.rsc.ox.ac.uk/publications/rsc-reports/cr-refuge-from-inhumanity-150413.pdf>> (accessed 28 April 2013).
- EIN** (2012) 'Leveson Report Finds Sensational or Unbalanced Reporting in Relation to Immigrants and Asylum Seekers is Concerning', *Electron Immigration Network* (online) Available from: <<http://www.ein.org.uk/news/leveson-report-finds-sensational-or-unbalanced-reporting-relation-immigrants-and-asylum-seekers>> (accessed 02 May 2013).
- ERATH, M** (2013) 'Shelter or Deportation? Refugees in Hamburg' *Deutsche Welle English* (online) Available from: http://www.youtube.com/watch?v=tc1QPC_2r5Q (accessed 11 October 2013).
- GERAS, N.** (1995) *Solidarity in the Conversation of Humankind: The Ungroundable Liberalism of Richard Rorty*. London, Verso.
- GIBNEY, M. J.** (1999) 'Kosovo and Beyond: Popular and Unpopular Refugees', *Forced Migration Review* 5: 28–30.
- GIBNEY, M. J.** (2003) 'The State of Asylum: Democratisation, Judicialisation and Evolution of Refugee Policy', 19–46 in Kneebone, S., (ed.) *The Refugees Convention 50 Years On: Globalisation and International Law*. Aldershot, Ashgate.
- GIBNEY, M. J.** (2006) 'A Thousand Little Guantánamos: Western States and Measures to Prevent the Arrival of Refugees' in Tunstall, K.E. (ed) *Displacement, Asylum, Migration : the Oxford Amnesty Lectures 2004*. Oxford, Oxford University Press.
- HORTON, J.** (1996) 'Life, Literature and Ethical Theory: Martha Nussbaum on the Role of the Literary Imagination in Ethical Thought', 70–97 in Horton, J. and Baumeister, A.T., (ed.) *Literature and the Political Imagination*. London, Routledge.
- HORTON, J.** and **BAUMEISTER, A.T.** (1996) *Literature and the Political Imagination*. London, Routledge.
- KANT, I.** (1996) *The Metaphysics of Morals*. Cambridge, Cambridge University Press.

- KANT, I.** (2006) 'Toward Perpetual Peace: A Philosophical Sketch', in Kleingeld, P., (ed.) *Toward Perpetual Peace and Other Writings on Politics, Peace, and History*. London, Yale University Press.
- KLEINGELD, P.** (2012) *Kant and Cosmopolitanism: the Philosophical Ideal of World Citizenship*. Cambridge, Cambridge University Press.
- LAQUEUR, T.W.** (1989) 'Bodies, Details, and the Humanitarian Narrative', pp. 176-204 in Hunt, L.A. (ed) *The new cultural history*, Berkeley, University of California Press.
- MENDUS, S.** (1996) 'What of Soul was Left, I Wonder? The Narrative Self in Political Philosophy', pp. 53-69 in Horton, J. and Baumeister, A.T. (ed.) *Literature and the Political Imagination*. London, Routledge.
- PARKER, O. & BRASSETT, J.** (2005) 'Contingent Borders, Ambiguous Ethics: Migrants in (International) Political Theory', *International Studies Quarterly* **49**(2): 233-253.
- RAMBERG, B.** (2009) 'Richard Rorty', *The Stanford Encyclopedia of Philosophy* (Spring 2009 Edition) (online) Available from: <<http://plato.stanford.edu/cgi-bin/encyclopedia/archinfo.cgi?entry=rorty>> (Edited January 2009, accessed 1 May 2013).
- RORTY, R.** (1989) *Contingency, Irony, and Solidarity*. Cambridge, Cambridge University Press.
- SCHOOLS OF SANCTUARY** (2012) Schools of Sanctuary (online) Available from: <<http://www.cityofsanctuary.org/schools>> (accessed 21 May 2013).
- SISSAY, L.** (2013) *Refugee Boy*, London, Methuen Drama.
- SINGER, P. and SINGER, R.** (1988) 'The Ethics of Refugee Policy', pp. 111-129 in Gibney, M. (ed) *Open Borders, Closed Societies: The Ethical and Political Issues*. New York, Greenwood Press.
- STEINER, N.** (2009) *International Migration and Citizenship Today*. New York, Routledge.
- WALDRON, J.** (1987) *'Nonsense Upon Stilts' : Bentham, Burke and Marx on the Rights of Man*. London, Methuen.
- WALDRON, J.** (1993) *Liberal Rights : Collected Papers, 1981-1991*. Cambridge, Cambridge University Press.
- WHITEBROOK, M.** (1996) 'Taking the Narrative Turn: What the Novel has to Offer Political Theory', 32-52 in Horton, J. and Baumeister, A.T., (ed.) *Literature and the political imagination*. London, Routledge.

WYP (2013) West Yorkshire Playhouse: What's on: Refugee Boy: Education (online)
Available from: <<http://wyp.org.uk/what%27s-on/2013/refugee-boy/>> (accessed 10
May 2013).

ZEPHANIAH, B. (2001) *Refugee Boy*. London, Bloomsbury.

Legal instruments

Convention Relating to the Status of Refugees, opened for signature 28 July 1951, 189 UNTS
150 (entered into force 22 April 1954) as amended by the *1967 Protocol Relating to the
Status of Refugees*.

The Council Regulation (EC) No 343/2003 Establishing the Criteria and Mechanisms for
Determining the Member State Responsible for Examining an Asylum Application
Lodged in One of the Member States by a Third-Country National OJ L 50/1, 25.02.200