

On Granting Asylum to Victims of Colonial Injustice:

An Argumentation built on Continuous Harm based upon Slow Violence



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Abstract

This work examines the moral responsibility of the European Union to expand its asylum program to allow the victims of colonial injustice. After considering first the moral dimension of the current system of asylum and refugee protection, the moral responsibility of communities towards themselves and outsiders is discussed. In this discussion four principles of moral responsibility are discussed: causality, morality, capacity, and community. In regular discussion, appeals to morality and capacity are identified as the common reasons for aiding refugees.

The main argument of this thesis is that victim of colonial injustice should be allowed asylum in Europe because their plight appeals to strongly towards causal responsibility, and to a lesser extent community. Beyond merely arguing that that this causality is based upon past injustices, the argument holds that colonial injustice (as discussed in this work) is a form of slow violence that continues till this day, which cannot be merely described as a past moral wrong. Through the lens of this continuous harm being inflicted, the case of offering asylum to these victims is defended.

1. Introduction

Around 1956, the Portuguese under the regime of Olivera Salazar began exploring the option for a potential hydroelectrical dam in the Zambezi River basin, situated in what is now the country of Mozambique. At this time, the territory under colonial rule and prone to its Portuguese planners and administrators' designs. Many Portuguese saw this dam, the Cahora Bassa, as a sign of modernity and progress for the colony, both 'culturally' and economically, as there was a promise of new agricultural development. The power generated could also be sold to the regime in South Africa. The construction of the Cahora Bassa caused thousands of villages in the Zambezi river delta to be abandoned, forcefully uprooting the lives of many to facilitate the future reservoir space of the dam. Ancestral shrines were abandoned, and the newly created lake drowned fertile farmland. Those who were forced to resettle did so on unfertile lands in unfamiliar territory.

More than 50 years after construction, this dam's adverse effects still plague the poor rural settlers. While an independent nation-state might have replaced the colonial government, the Cahora Bassa and its disastrous impact remain present in the new Mozambique. The rural communities most affected by the dam bear the most significant burdens and have gained the least. The farmland remains less fertile, and the changed water flow regime of the Zambesi river causes regular disastrous flooding. The ability for locals to fish and provide for their survival and prosperity has also been impacted severely. Poverty and malnutrition remain a constant reminder of these actions. Neither the government in Mozambique or Portugal have provided any compensation for the historical resettlement or the grievances still currently experienced by the displaced people.

The suffering experienced by the people in the previous example is not a solitary instance of colonial mismanagement from former European colonisers. The Cahora Basa construction could be called just one example of the broader debate of colonial injustice within modern literature. As such, this thesis can be regarded as falling within similar debates who considered the duty of asylum for past injustices as a form of reparation (Souter, 2013; Tan, 1007; Price, 2009). What this thesis aims to add to this debate is that it focusses on the responsibility of addressing persisting harm, which is not immediately addressed as violence. For example, I will not be considering something like violence caused by national political instability due to a power vacuum after decolonisation (Hall, 2011). The focus lays more on forms of harm that are stretched out: years of continued malnutrition, the effects of diseases of poverty, and other such harm that stays more out of sight than a bombing or a raid by armed militias.

Beyond merely examining the injustice perpetrated within the past, recent questions within the field of (post-)colonialism and the legacy of empires go further. A legacy with far-reaching influences within our contemporary world. From the borders that till this day exacerbate conflicts, to a global economic order that sustains an unequal distribution of wealth and resources. The previous case will serve as our red thread in considering the main problem faced within this work:

Suppose a person living in a former colony, born in an environment of extreme deprivation and poverty, were to request Asylum in Europe motivated by the abhorrent state of his current human condition. Should such a case be considered?

The research question I examine reads as follows:

'Does the European Union have a moral responsibility to provide asylum for contemporary victims of colonial injustice?'

In this thesis, I will provide my arguments for expanding the current framework in which certain people are both allowed and assisted in gaining the protection of affluent nations, and perhaps settling there as full-fledged members of the community.

In perhaps more apparent yet charged terms; I wish to argue for opening up the discussion why the asylum system in Europe heavily favours victims from direct violence or unjust (political) prosecution, but seems to deny the same measure of aid to other categories of applicants that undergo a different kind of harm. Considering especially those people who can be broadly categorised as victims of colonial injustice, as it can be argued that European nations are in part causally and morally responsible.

To answer my primary research question, I have formulated the following research questions with a short explanation into their inclusion.

Sub-question 1:

'Is there a sufficient moral framework for broadening the current definition of asylum?'

Through this question, I aim to examine why we would desire to have the practice of asylum be involved in our moral responsibility. If I cannot sufficiently defend this system, any argument that states that adhering to it is a moral responsibility can be regarded as unfounded.

Sub-question 2:

'What is the extent that a community should be morally responsible towards its own members, in relation compared to outsiders?'

After affirming whether or not a moral framework exists, I examine the relationship between the reasonable claim that a political community has a responsibility towards its own members, as well as a moral responsibility towards outsiders.

Sub Question 3:

'What are the moral wrongs committed during colonialism that still impose harm that influence contemporary responsibility?'

To understand current moral responsibility, I examine the moral wrongs of colonialism. There may exist moral wrongs committed in the past that are less persuasive than others to attach to a new sense of responsibility.

Outline and Research Method

To delineate my research certain concessions are required. First, I focus on European colonial empires and the territories colonised during the Partition of Africa into the 20th century. This choice is based on the reasonable assumption that these colonial territories were acquired and exploited to the extent that would require an extensive and thorough effort of an elaborate government apparatus to execute its moral wrongs (Michalopoulos & Papaioannou, 2011). Other examples of colonialism, both earlier time and in different geographical locations, might be held to a different standard of morality as they were of a different nature and scale. Furthermore, even though my research focuses on asylum, other forms of compensation and international aid remain an altogether essential element in improving many people's lives in need. Asylum should not be regarded as a solitary reason to address the moral responsibility of affluent nations practically.

My line of reasoning rests upon the main argument that, from a moral point of view, the current system of asylum in the European Union unjustly disregards a large section of applicants belonging to their previous colonial empire, and still suffer within our contemporary world as a result of colonial injustice as a result of political domination, cultural imposition, and economic exploitation.

First, I will provide a discussion on moral frameworks that underly asylum. I expand upon this discussion with a brief and sufficient outline of how the European Refugee system currently functions. While I do not wish to be too shackled to the detail of the current system in answering the research question, there must remain a sense that whatever is proposed remains plausible in our non-ideal world.

Building on the previous promise of an employable proposal, I will discuss moral responsibility next. I will consider the popular notion that community both has a duty towards its own members and a consideration for outsiders. I will provide a theory to differentiate between the moral responsibility of different moral agents based upon David Miller's writing.

Next, I will consider the moral wrongs that underly colonial empires during the Partition of Africa. To accomplish this effectively, I will be utilising the example in the introduction as a case study instead of focusing on multiple examples. Acknowledgement of this one case study's different facets provides a complete examination than pulling from varied examples might produce.

Within the last section, I introduce my argument to expand the Refugee system to include 'Victims of Slow Violence'. As will be explained, slow violence is a concept that can imply a lot of different kinds of harm. The full scope of which includes the citizenry of many nations and specific groups within countries themselves. I will distinguish those who suffer under slow violence, which is a broad definition, to a smaller that will be named the Victims of Slow Violence.

2. The Moral Framework of Asylum

Throughout history, asylum has taken on different forms and meanings. The word *Asylum* is the Latin rendering of the Greek *asylon*, meaning 'freedom from seizure' (Boed, 1994). Based on this definition, multiple historical and current practices can be discussed under the banner of asylum. As I define the European Union's responsibility to be moral in nature, this inquiry should not be fully bound by international law's current legal and ethical constraints. The possibility might exist that through an analysis of empirical phenomena, moral responsibility is brought to light which outweighs an existing international legal and moral precedent. As such, I examine if the current system to provide asylum suffices in the moral need to desire such a system.

2.1 The '1951 Convention' approach

The modern interpretation of asylum that is recognised by many political entities¹ is the *Convention Relating to the Status of Refugees*, or more summarily known as the *1951 Refugee Convention*. The definitions defined by this legislation on the nature and goal of asylum, and who should be able to request help through this system, have become the standard of geopolitical organisations, states, and within common perception. I define asylum envisioned within this system as '1951 Convention'.

The current international framework upon which asylum practises are based finds its origin after the second world war to address the issue of European refugees created by that conflict (Price, 2009, p. 4). Refugees were defined as the following category of people through article 1A(2) of the Convention of the 1951 convention² as a person who;

¹ Currently, 145 states have signed and adopted the accords as of April 2015, with the latest adopter being Montenegro in 2006 for the 1951 Convention, and Monaco adopting the 1967 Protocol in 2010.

<https://www.unhcr.org/protection/basic/3b73b0d63/states-parties-1951-convention-its-1967-protocol.html>

² For clarity's sake, this also includes the Protocol Relating to the Status of Refugees, that removed the geographical and temporal elements within the 1951 Convention. Before this amendment, it was possible to interpret the Convention as only relating to European affairs.

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 the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Philip Marfleet (2007, p. 138-139) argues that the Refugee Convention introduced the label of 'refugee' within the context of international law. Refugees became a separate class of people with recognised status. This status is connected in turn to the system of nation-states into countries which could offer protection and those who were unable or unwilling to do so. According to the argumentation of Marfleet, or Matthew Price, the ratification of the Convention proved to bring about contentious difficulties that remain till this day as flaws inherent within current asylum policy.

Firstly, it constructed and formalised a narrative that tied people to nation-states to the point that they become nearly synonymous in social thought (Marfleet, 2007, p. 139). The state alone should guarantee the formal protection of people. The protection offered by non-governmental institutions operating within (Western) member states, without the allowance of governments, became abnormal and prohibited (Wimmer & Schiller, 2002). A private citizen within a European nation, with adequate resources to provide every able amenity for refugees, would not be allowed the opportunity to offer such a contribution.³

Additionally, it codified a set of requirements that would forever differentiate the refugee from other categories of individuals needing protection. According to Price, the 1951 convention framework's adoption solidified focus upon protecting political refugees who had justifiably rebelled or fled autocratic rule (Price, 2009, p. 57). While this might be perfectly valid moral grounds to offer security, the question should be raised if there are other moral and political reasons to broaden our modern concept of asylum. By defining victims of persecution worthy

³ For an inquiry into this topic, see: Patti Tamara Lenard article titled *Resettling refugees: is private sponsorship a just way forward?* The question remains if such a system is warranted in the first place. Excluding the possibility of such a system outright restrains the options to only a state-run enterprise.

of protection, it excludes different potential categories of people who might be sufficiently in need of protection. I will turn towards such a conception now.

2.2 The 'Sanctuary' approach

From protection offered by ancient sanctuaries in Greece, to protection of criminals in medieval churches, to contemporary Canada offering protection for non-persecuted refugees when it is judged that they are for some other reason in need of protection (Price, 2009, p. 70). For this paper, I define this category of asylum as 'Sanctuary'.

This category poses that sanctuary, asylum, and refuge 'are as old as history', and that for our understanding of protecting displaced peoples we should look at a broader group of people who might require the protection of a willing entity (Marfleet, 2007, p. 138). It does not disregard the position that religious institutions possessed to offer sanctuary and how certain geographical areas safeguarded refugees in the past instead of nation-states. Within our modern world, countries have superseded this role from religious institutions or specific locations, varying examples of how to envision asylum per the Sanctuary definition exist.

During the Irish potato famine of 1845-1851, there was a subsequent mass exodus of more than 2 million Irish to America (Mulrooney, 2003 p. 11). Argued by David W. Haines (2015), this famine was in part the result of English colonialism and persecution of a religious group through an imposed famine⁴, and those who fled this horror should be counted as refugees. What is different about how this crisis was handled was not so much the reason for the refugees to flee, but how it was 'resolved'. These Irish were in large part left to eke out a living with mostly only receiving help of other Irish immigrants and catholic organisations in America. They were given entry but were otherwise left to their own devices. This approach was possible as there were no exclusionary laws prohibiting these refugees from entering the country before the passing of the Page act of 1875 (United States Congress, 1875).

⁴ The Irish who bore the famine's brunt were Irish Catholics, while the English possessed large protestant landholdings.

While perhaps such an exploration in such an option might be fruitful for the defence of an open border policy, that is not what I wish to divert my focus towards in this piece. Though perhaps flawed in execution, I hold that states should have a more active duty to safeguard and help integrate refugees into society. Within a modern context, a definition that aims to offer this broader defence is expressed by Matthew Price. Price argues that victims of serious harm, inflicted or condoned by official moral agents for illegitimate reasons, are potentially justified to receive asylum (2009, p. 136). Condoned violence is defined as being orchestrated by official moral agents, endorsed through private parties, or possibly through an unwillingness to protect citizens. Price argues that by the 1990s there are multiple cases in American, Canadian, British, and Australian courts have started to interpret persecution to mean serious harm against people, which a state was unable or unwilling to provide protection (Price, 2009, p. 104).

What differentiates this definition from the international standard is that it goes beyond a slim persecution-based asylum framework. If a moral responsibility to protect other from harm is more alike this broader definition, than I argue that we should reject the '1951 Convention' definition in favour of the 'Sanctuary' approach. When we regard the framework set in place inside of Europe next, we will encounter a system that tries to accommodate both the '1951 Convention' definition of asylum and offer room for a modest inclusion of a 'Sanctuary' approach.

2.3 The Common European Asylum System

According to *the European Qualification Directive*, the European Union's overall framework exclusively utilises the definition of the Refugee Convention (Dolezalek, 2018, p. 20). This means that the '1951 Convention' definition of persecution is considered the only legitimate reason why someone might gain the status of an asylum seeker or refugee. Adherence to this strict definition has proved to be a barrier for many refugees who needed evidence supporting their claim to belong within this category. While this thesis is an inquiry into expanding the framework on which asylum should be provided and not into how such a system should be

most effectively organised to accomplish this goal, this does not entirely excuse me not to offer some reflection on this matter.

The question could be raised if any asylum system remains an adequate tool to satisfy a moral responsibility to provide protection. If asylum is ultimately inadequate, spending time and resources into explorations into improving it might be better spent on developing and refining different avenues of delivering aid.

If I were to discuss and reflect upon the full extent of the practical failings, hypocrisies, inconsistencies, and moral failings of the Common European Asylum System, this section would encompass most of this thesis. According to some, the fundamental flaws inherent in the system that have been brought to light in recent events have proven to be numerous and perhaps serve as indicators of an inherently flawed system.⁵

Regardless of these legitimate criticism, I am not in favour of the notion that the concept of asylum is inherently morally flawed. Throughout the Cold War, the time in which this system was first envisioned, it proved to be a successful system in response to refugees from Hungary in 1956 and Czechoslovakia in 1968 (Price, 2009, p. 3). Even now, while it is a system that despite its many practical flaws, I cannot see a moral reason to a priori reject every and all outsider who appear at the border of a country. Still, I will reflect upon the nature as to how extensive this moral responsibility should be taken within the next chapter of this work. For now, I will address the E.U.'s solution to provide an additional layer of protection that goes beyond the Common European Asylum System.

⁵ For two sources I found insightful into this topic, see Heijer et al (2016), *Coercion, prohibition, and great expectations: The continuing failure of the Common European Asylum System*, or Velluti (2013) *Reforming the common European asylum system—Legislative developments and judicial activism of the European courts*.

2.4 On Subsidiary Protection

Despite this apparent rigid system set in place, it is not the only protection refugees enjoy through European law. There is already a secondary system to expand upon the 'basic' protections and guarantees of the Geneva convention. As a part of this system, there is the possibility that certain groups of people that would not be classified as refugees, may be provided with the means to get Asylum in Europe. Named the subsidiary protection system, it offers additional protection (Perchinig et al., 2017). The definition as states by the European parliament (2011, p. 13):

The protection given to a third-country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to their country of origin, or in the case of a stateless person to their country of former habitual residence, would face a real risk of suffering serious harm as defined in Art. 15 of Directive 2011/95/E.U. (Recast Qualification Directive), and to whom Art. 17(1) and (2) of this Directive do not apply, and is unable or, owing to such risk, unwilling to avail themselves of the protection of that country.

While potentially being able to satisfy the inclusion of a 'Sanctuary' approach to asylum, some elements need to be brought to light. According to Gil-Bazo, subsidiary protection has issues inherent that make it a flawed system. Currently, the conditions and extent of protection guaranteed by this system are left to the discretion of member states (Gil-Bazo, 2006, p. 26). A refugee might be offered subsidiary protection within Germany on the ground that a country like France might reject. While I understand the concern, I am not entirely convinced by Gil-Bazo's argument. I argue that nation-states should have a reasonable amount of leeway to specify humanitarian aid, as long as the amount is at least in proportion to their moral responsibility.

I do object that ideally, the Common European Asylum System could expand its definition of asylum to reflect a broader understanding of refugees. Clinging fervently to the existing 1951 convention as the standard of our understanding of the protection of refugees, stagnates our

progressive understanding concerning human protection as discussed within this thesis. However, while non-ideal, utilising the system of Subsidiary protection could provide either a steppingstone, or a necessary but unfortunate framework of existing practises to provide aid on a viable shorter term. However, all of these protections are in part beholden to the moral need to provide them.

3. On Moral Responsibility

The first topic that I address in this section is under what conditions a political community should accept the moral responsibility towards outsiders regarding their own society. Afterwards, I will discuss four principles to assign this moral responsibility between different moral agents able to provide aid.

When discussing moral responsibilities, asylum seekers need to be processed and provided during their initial entrance into a country. Regardless of how one sees further integration within a community, it seems both implausible and perhaps even unwanted to create a situation in which governmental oversight and assistance are completely absent. In whatever form you wish to provide, offering an adequate and sufficient asylum system requires a commitment and cost from a political community. Such a community can be seen as a nation-state or a regional power like the European Union.

3.1 The Moral responsibility of a Political Community

To address the moral duties of political communities, I first turn towards Matthew J. Gibney's work to address a common issue that underlies questions concerning the responsibility of nations to privilege the interests and wellbeing of its members. The central framework that Gibney utilises says that there are two conflicting moral claims of liberal-democratic thought.

First, there exists the moral claim that a political community has the right to guarantee specific necessities for its own members (Gibney, 2004, p. 194). One aspect of this claim is the classic

argument of Hobbes. Stating that citizens claim to self-preservation should be submitted to an independent and common political authority tasked with to defend citizens from outside invaders and to ensure internal security (Hobbes, 1968, p. 227). Building on top of this central guarantee of governments towards its citizens, Gibney identifies three other innovations that closely bond citizens within modern states.

These innovations are the occurrence of a national consciousness and identity which differentiate their community from outsiders; democratic rights combined with a level of autonomy given to citizens to decide their interests; and the promise of modern states to guarantee a certain standard of living combined with normally improving life chances for its citizenry (See Gibney, 2004, p. 204-211). Combined with the earlier notion of providing security, Western states base their continued existence from a moral point of view in large part of a combination of these guarantees that can be called *partialism*.

If, for example, Belgium's government would dissolve its democratic institutions, close all public services, and claim that French is no longer a recognised language, trust and adherence to this government would evaporate overnight. However, due to these guarantees of the state towards their own community, the question is inevitably raised how such a community should position itself against outsiders. Particularly, outsiders who are in a worse position.

Disregarding notions that communities should have no regard for the woes of outsiders⁶, I turn towards developing a notion as to why communities should offer assistance to outsiders.

Gibney identifies a second moral claim: all human beings have a right to equal concern and respect. Every person is entitled to have their basic security and welfare needs met and protected regardless of citizenship (Gibney, 2004, p. 82). Gross violations of human rights should be protected against, and states should protect outsiders through an asylum system if these rights could otherwise not be protected. In his work *On immigration and Refugees*, Michael Dummett claims that no Western state could pose sufficient moral or practical

⁶ One such option is provided by Opeskin (1996) in *The Moral Foundations of Foreign Aid*. The argument goes that giving foreign aid, as well as asylum, is a moral wrong. Distributing foreign aid would breed a culture of dependency and discourage self-reliance of people and nations. I refute that foreign aid is a moral wrong and that it would foster a culture of dependency if aid is imagined as encouraging self-reliance.

objections even to provide legitimate grounds for closed borders (2001, p, 72-73). Robert Goodin argues for a similar open-border policy, but from the starting point that a liberal democracy that supports the free global movement of goods and services should have a similar commitment not to restrict people's free movement (1992, p. 12).

This is as far as I will take this line of reasoning myself, as it is not entirely relevant towards the central claim of this thesis. Even without all of the technical and practical difficulties such a system would inevitably bring, open borders an sich seems to be an insufficient remedy for the injustices inflicted by colonialism. Likewise, Gibney has developed a system of asylum that attempts to rectify the opposite moral claims of a community and outsiders. To better exemplify this, I will quickly examine Gibney's definition (2004, p. 231 for guarantying asylum called *Humanitarianism* which is summarised as:

Humanitarianism can be simply stated: the principle holds that states have an obligation to assist refugees when the costs of doing so are low. This responsibility recognises, like impartial theories, the existence of duties that stem from membership in a single human community. However, it is less comprehensive in scope than most impartial theories – specifying obligations only to those in great need.

I reject this definition for two reasons. Firstly, the claim that an obligation to assist refugees is only present if the costs for doing so are low, is practically difficult and unwanted. Certain elements in virtually every society could reasonably disagree with what would constitute a low cost. When considering the survival and wellbeing of children, moral appeals can be levied towards their rescue and protection that is considered ahistorical and apolitical (McLaughlin, 2017, p. 1762).

The second objection that I raise is that I disagree with the notion that there exists a completely impartial theory of responsibility. While the appeal towards a human community might be admirable, I argue that it is not the most convincing, nor the most practical. What about cases of causality, in which we can connect a moral agent performing harm with a responsibility to alleviate that harm? I turn towards the writing of David Miller and his arguments for four separate principles to assign responsibilities to moral agents. While elements of Gibney's

definition will be included within the consideration, I argue that Miller provides a more balanced overview that does not assign duties based upon a singular claim to a shared human community.

3.2 Four principles to assign Moral Responsibility

Miller argues in *Distributing Responsibilities* that there are four main principles to decide who could be responsible for alleviating a wrong. There are those who are causally responsible, those who are morally responsible, those who have the capacity to alleviate a wrong, and lastly those who share a moral or political community with those who have suffered the wrong. I will briefly summarise all four principles.

The first principle calls a moral agent *causally responsible* for some state of affairs if there is an empirical causal role of the moral agent in creating that state of affairs (Miller, 2001, p. 455). Say for an example that someone is driving down a road at an average speed while being fully alert, and suddenly a dog would dash across the road so quickly and suddenly that you are not able to hit your breaks in time to prevent hitting it. You are causally responsible for the injury, but within your actions, there is no intent to cause the harm.

This is dissimilar to the second principle, called *moral responsibility*. This involves an appraisal of a moral agent's conduct and role in bringing about a state of affairs. To discern moral blame, it 'requires us to ask questions such as whether the moral agent intended the outcome, whether he foresaw it, whether his behaviour violated some standard of reasonable care, and so forth' (Miller, 2001, p. 456). To argue for moral responsibility, one would need to offer a sufficient argumentation to establish it. Say, for instance, that you take your son or daughter for a driving lesson yourself. When your child is driving, you fail to pay proper attention to their driving, and they hit a dog. While the driver might be causally responsible for the harm, you, for not paying attention and most likely for letting an inadequate driver behind the wheel in the first place, could be called morally responsible.

The third principle is one of *capacity*. If a bad situation has already happened, the responsibility could fall to those best placed to alleviate the problem (Miller, 2001, p. 461). Continuing with the previous example, say that you are driving behind another person who hit a dog. Instead of aiding the injured animal the driver speeds off. You, being the nearest person able to provide aid, might have some responsibility to either take the animal to a veterinarian nearby, or call an animal ambulance with your phone. To some the mere ability to render aid might not be sufficient in upon itself. Miller suggests that capacity might best serve to distinguish between a set of moral agents able to provide aid (Miller, 2001, p. 462).

Miller identifies several problematic aspects with this principle, of which I will examine the problem of *cost* and *historical consideration* (Miller, 2001, p. 461). The problem of *cost* refers to the given that the cost for one moral agent to alleviate a problem is hard to measure against a different set of costs for another moral agent. Utilising Gibney's previous definition of asylum, it states that states have an obligation to help refugees if the costs are low. A relatively rich nation but with little territories, like Luxembourg, might offer a high standard of housing and other amenities for refugees. The monetary cost would not burden the nation, because they would only be able to house a smaller number within its own territory. A large country like Poland could be able to accommodate a far larger number of refugees, but doing so with the same care and costs like Luxembourg would be a considerably larger burden. How would you adequately consider what is a fair cost for a nation to house refugees if your obligation to do so is based upon the lowness of costs? On top of these considerations of costs, arises the consideration that historically, there were and still are factors that explain why different countries have different capacities (Miller, 2001, p. 462). The wealth and prosperity of European nations, and with that its capacity to offer aid to refugees, is in part acquired through historical processes. Though not exclusively, past imperialism and colonial injustices are part of the modern income inequality of nations.⁷

⁷ It is debatable to what extent one could blame wealth inequality on European colonialism alone. One rough estimate calculated by Acemoglu et al. (2002) argued that around a third of income inequality could be related to varying impacts of European colonialism. While other sources (Angeles, 2005) might be more conservative and not provide an estimate, they provide empirical evidence that strongly advocates that the number of European settlers within the colonies had an economically substantial effect on inequality (Angeles, 2005).

The last principle for distributing moral responsibility according to Miller is called the *communitarian principle* (Miller, 2001, p. 462). Using a loose definition of community, Miller argues that there are special ties that 'exist within families, collegial groups of various kinds, nations, and so forth'.⁸ To finish out our set of examples of vehicular canine mistreatment, consider the situation in which you are looking out of your window at home. You see someone hitting your neighbour's dog and driving off. You know your neighbour well and consider each other as close friends. You also know how much the dog means to him, and you yourself have a fondness for the animal. While there might be other people in this street capable of providing the same aid, you decide to rush out the door and provide the necessary assistance.

The central claim for this principle is that people and communities are linked together by ties which arise shared activities, common identities, overlapping histories, or other sources. These connections justify the claim for a deeper responsibility that is greater than one towards humanity at large, and in particular towards any member of the relevant community who undergoes harm or is otherwise in need of assistance (Miller, 2001, p. 462).

Miller argues that a combined assessment of these responsibilities into a multi-principle theory offers more advantages than merely weighing different principles against each other and picking only one or provide a fixed order of application (Miller, 2001, p. 468). Called the *connection* theory, Miller argues that we should appeal to a sense of shared moral intuitions about which moral agents are connected to remedy a deprivation or suffering that concerns us (Miller, 2001, p. 471). Summarised as followed, Miller defends his usages of multiple criteria as:

By using multiple criteria, we ensure that there is always some moral agent who can be assigned responsibility for remedying P's condition. At the same time, it makes room for other moral considerations, such as the deeply held belief that where we can point the finger at a particular A as being morally responsible for the harm suffered by P, it is A himself who should remedy the harm wherever possible.

⁸ A different and potentially interesting definition is provided by MacQueen et al. (2002) for community-based upon an evidence-based approach. The analysis concluded that a community is *a group of people with diverse characteristics who are linked by social ties, share common perspectives, and engage in joint action in geographical locations or settings.*

I accept and will continue to utilise Miller's insights as the basic framework on which I will judge the moral responsibility of the European Union to provide asylum. Taken outside of historical consideration, one could argue that Europe's ability to offer asylum is largely based upon the principles of morality and capacity. Expressed poignantly by Selma Khalil (2018, p. 10): *"We have a positive duty to help those who are suffering, given that suffering is bad, and that affluent people within the international community have the capacity to mitigate it."*

Taking stock, within this chapter I have finished taking the preliminary steps required before considering Colonial injustice. I have developed the notion through the work of Gibney that while communities have a responsibility towards its own members, there also exists the notion that outsiders deserve a measure of moral consideration. To discern which moral agent should offer aid, we turn towards a multi-principle theory of responsibility developed by Miller that presents different options as to which moral agents might be pointed at to provide such aid.

When discussing the lasting negative effects of Colonial Injustice going forward, two connected inquiries are required. First, which moral agent should be responsible for providing aid to elevate these wrongs? Is Europe's responsibility based upon morality and capacity enough, or do we find a compelling argument for causality and community principles? Second, should such aid be envisioned as offering asylum towards refugees? To answer both these question, I turn towards an examination of the moral wrongs inflicted through colonialism during the Partition of Africa.

4. European Colonial Empires and Injustice

Turning our attention towards colonial empires and the unjust practises that took place there during European colonial rule, I provide a quick overview of three inherent wrong facets of colonialism that make the practice inherently unjust. With this account, I consider first only the wrongdoings of the past. After discussing these moral wrong, I will introduce the concept of Slow Violence provided by Rob Nixon to argue that there exists both an enduring continuity, as well as causality of moral wrongs which warrant the appeal to asylum. As previously addressed,

I will be using Portuguese Mozambique, and especially construction and resettlement program of the Cahora Bassa as a case study. The three wrongdoings of colonialism that I will focus on are brought forth by Margaret Moore (2016) in the following list: political domination; cultural imposition; and economic exploitation.

4.1 Political domination

Political domination is described by Moore as the central injustice that is fundamentally wrong with European colonialism, even compared to other injustices that she and other writers touch upon (Moore, 2016, p. 452). Her definition of political domination focusses on one group of people depriving another of their self-determination. A definition that builds upon the definition of Daniel Butt, who describes the term as the subjugation of a deprived group, who now finds itself within a hierarchical societal structure forced upon them (Butt, 2012 p. 228). The moral argument in favour of a people's self-determination is perhaps most aptly defend by John Rawls. He argues that it is the first familiar and traditional principle among a free and democratic people and decent peoples under appropriate conditions (Rawls, 2001, p. 37, 85). Such conditions are the disallowing of subjugating another community, as well as domestic institutions violating human rights, or limiting the rights of minorities (Rawls, 2001, p. 38). In which way did political domination play a part in our case study concerning the Cahora Bassa?

Primarily, one could point at the entire project being forced upon a native population, imposing massive, forced resettlement upon thousands of people who were driven off their land and into villages surrounded by barbed wire and armed guards (Isaacman & Isaacman, 2013, p. 97). The Land Law of 1918 divided the territory into state land, land under private tenure, and native reserves. Native reserves were under the control of chiefs and native clans, but this also restricted travel in and out of these reservations for natives (O'Laughlin, 2000, p. 12). For such a reason, the people living in the Zambezi River Delta could not simply leave their land and were forcefully resettled.

Furthermore, while looking at the colony as a whole, Portuguese Mozambique adopted the code of the *Indigenato* in 1928, formalising the legal distinction between the native population,

and the non-native Portuguese (O'Laughlin, 2000, p. 12). Native children would attend rudimentary schools and were barred from attending secondary education. Even though the Portuguese claimed that one of their primary duties was to civilise the native population through this resettlement and offer better housing and education, this promise rang hollow. During the resettlement, of the Zambezi basin's population of 93,933, only 1,863 were deemed by the Portuguese to be reclassified as "civilizada" and even had a claim to better education (Isaacman & Isaacman, 2013, p. 94).

4.2 Cultural Imposition

Accompanying the political domination and the hierarchical structure set in place through colonialism is another source of injustice that Moore labels as cultural imposition. The dominant group aims to replace key elements of the subordinate group with alien concepts, categories, and ways of thinking (Moore, 2016, p. 450). Within more contemporary debates, this phenomenon would be described negatively as cultural imperialism, or more flattering as a form of globalisation (Tomlinson, 1991, p. 174).

Taken within the setting of European colonialism and the partition of Africa, one could point at the imposition of a coloniser's language, or religion, as examples of this moral wrong (Jindadu, 2016, p. 610). Focusing again on the case of Mozambique, the forced resettlement was accompanied by a complete disregard of local religion and moral order, and how it was connected with the land and ancestor worship.

Historically within this region, local chiefs and spirit shamans derived authority and legitimacy in part through their ability to contact local ancestor spirits (Isaacman & Isaacman, 2013, p. 110). Colonial officials understood and recognised this practice, as they took spirit mediums to check out the sites for resettlement, though ignoring any objection they raised (Isaacman & Isaacman, 2013, p. 98). The shrines and sacred places where the remains of essential ancestor spirits were kept flooded in the construction of the dam. Chieftains lost their connection with these spirits, and with that, they lost a large part of their legitimacy, as well as shaking the religious and cosmological foundations of Mozambique's society. Now only regarded as the

enforcers of colonial policies, chieftains lost their role as guardians of community resources and traditions which frayed the social and cultural fabric of the local community (Isaacman & Isaacman, 2013, p. 100-112). This continued sense of abandonment persists after the end of colonial rule.

4.3 Economic exploitation

The final moral wrongdoing that was central in colonial practice is economic exploitation. Defined by Allen Buchanan as "to exploit a person involves the harmful, merely instrumental utilisation of him or his capacities, for one's own advantage or the sake of one's own ends" (Buchanan, 1985, p. 87). Jonathan Wolff provides a similar definition, arguing that "to exploit someone is to make use of their circumstances in a way which fails properly to acknowledge their standing as an end in themselves" (Wolff, 1999, p. 113). Both of these definitions touch upon the central core that an exploited person is someone who is taken advantage of by one person, for the unjust benefit of the exploiter.

Moore argues that while exploitative colonies did exist, and very well could have been an underlying motive for colonial ambitions of Europe, it is a stretch to call them the central wrong of imperialism, or intrinsic to all forms of colonialism (Moore, 2016, p. 450). Economic exploitation can be argued to be a facet of many different societies in one form or another, and in upon itself, it cannot be seen as an intrinsic. On this matter, I disagree. How economic exploitation happened during colonial rule, is arguably worsened as it didn't transpire within a vacuum without political domination and cultural imposition.

Returning towards the situation in the Portuguese colony. From 1899 and onward, all native men and women who were between 14 and 60 had a moral obligation to perform a service, which could be fulfilled by 'owning capital, practising a profession, farming or producing goods for export' (Newitt, 1995, p. 384) In 1928, an additional law extended satisfaction of this 'duty' through the obligatory cultivation of certain crops (O'Laughlin, 2000, p. 13). The production and sell hydraulic energy generated by the mega-dam could perhaps not be counted as exploitation if one disregarded the resettlement. The new farmland that the evicted people were promised

were imagined as partly cultivating cash crops. As stated by an eyewitness account (Isaacman & Isaacman, 2013, p. 62):

The matope soils at Chicoa Nova were not fertile. When the tractors came to clear the bush, the drivers failed to select the best farming areas. The matope soils had too many rocks and stones. They paid no attention and simply cut the trees and marked a plot for every family to occupy and farm. Most people received land that was hard and arid. These lands produced almost nothing.

Additionally, empirical evidence suggests that due to the impoundment of the river, the catch of freshwater fisheries had dropped by 25 to 50 per cent (Cunha, 1969). In 2000, less than 20 per cent of households in the commercial fishing centre of Marromeu remained engaged in this activity, leaving many delta fisheries abandoned (Isaacman & Isaacman, 2013, p. 135). Even till this day, more than 50 years later, more than half a million residents of the lower Zambezi valley remain in part impoverished by a devastated local ecosystem and wildlife (Isaacman & Isaacman, 2013, p. 156).

4. Slow Violence

Previously, I have addressed the shortcomings of the system based upon the 1951 Refugee Convention. By design, it focusses on the victims of a specific kind of persecution, namely of race, religion, nationality, membership of a particular social group, or political opinion. This definition has become exceedingly narrow. Regarding the full scope of modern migration, only a fraction of the people forced to flee their home have been adequately protected by this system, or in the most optimistic cases found resettlement in a safe and affluent state.

My argument going forward assumes that the problems of this system cannot be properly rectified if its primary criteria fail to address the proper scale of the reasons why people should be offered protection and asylum. My proposition to redefine this system is to include victims of a term called 'Slow Violence, introduced by Rob Nixon.

4.1 Rob Nixon on Slow Violence

Rob Nixon is a professor in Humanities and the Environment, with expertise on environmental concerns and social movements in the global South. In his book *Slow Violence and the Environmentalism of the Poor*, Nixon introduces the term 'Slow Violence'. The book introduces many examples of what encompasses slow violence, though it is not a traditional ethical treatise. The definition of the term reads as follows (Nixon, 2011, p. 2):

By slow violence I mean a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space, an attritional violence that is typically not viewed as violence at all.

Nixon addresses how violence is typically envisioned as events or actions that are immediate in time. Invade a country with weapons of mass destruction and an army, and one could quickly discern that the harm against citizens inflicted during this event can be classified as violence. Nixon argues that inflict harm over a long period should not be called anything less than violence. Think about decades of toxic accumulation in the soil, greenhouse gasses rising temperatures causing droughts and crop failure, and accelerated species loss due to environmental degradation (Nixon, 2011, p. 3).

The environmental and physical harm inflicted by a company like the petroleum giant B.P. should morally be comparable to more commonly regarded acts of violence that are condemned without an issue. How could one condemn the violent takeover of a village by a terrorist group, but have no moral quandaries with the many victims which are the results of decades of pollution and exploitation? The gradual casualties of a company like B.P. are spread across a protracted timeline in which the memory and the body count of slow violence are diffused by the passage of time and short memories (Nixon, 2011, p. 41). This does not make their actions less harmful, or according to Nixon, less violent.

Slow violence introduces an argument. If we can agree that slow violence exists, and is present within a specific situation, it can be argued there is a continuity of the moral wrongdoing. If inflicting violence is morally wrong and acknowledged that this act of violence continues temporally, communities and individuals could have a valid moral claim to receive aid. According to Miller's theory of responsibility, in such a case we might reasonably expect that a morally responsible party might be pointed at to remedy this harm. As this phenomenon transpired during the Partition of Africa, I argue that colonialism was the genesis of slow violence inflicted upon native communities by European nations.

Before accepting this concept, I expand upon something that Nixon does not address. What is violence, and how can we differentiate violence from similar concepts like harm, if at all? This specification is necessary as if we cannot conclude that slow violence is violence; a moral claim does not hold the same argumentative weight.

4.2 Defining 'Violence'

What is violence? A standard definition utilised (Rutherford, et al) to define violence is presented by the World Health Organisation (2002, p. 5) as "the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation."

Elaborating further on some more contentious parts of the definition. Power is further defined as 'threats and intimidation', as well as including acts of omission and neglect. Intentionality is addressed by two different points of attention (WHO, 2002, p. 5-6). The first is that an act is still violence if there exists the intent to use force for our power, even if there was no intent to cause damage, or actual damage resulting in the act. Secondly, there exist cultural practises that the user wouldn't be classified as violence by the user. While some cultures might not see hitting a spouse or their child as violent actions, this definition does not make such a distinction.

How does this definition reflect upon slow violence? I argue that for example, the actions of B.P. oil through the lens of slow violence also suffices to be defined as violence by the definition of the World Health Organisation. Slow violence is violence.

Returning to the case of colonial rule in Mozambique, would the acts committed there be regarded as violence with this definition? I argue that this would, or should, not be a contentious issue. Even if someone claims that colonialism is not inherently wrong, the actual way history played out provides the overwhelming evidence that violence, both in the form of 'physical force' and through 'threats and intimidation'. What is the more troubling argument that I will defend? I argue that through the nature of violence inflicted during colonial rule, it can be classified as a form of slow violence that still plays out today. This alone would be sufficient ground to acknowledge and examine colonial injustice with a new understanding. Utilising Miller's scheme of responsibility, I argue that former European colonial empires, now conjoint in responsibility for refugees for the European Union, should offer asylum for individual victims of colonial slow violence. I acknowledge that slow violence itself can be interpreted broadly and should not be treated equally without consideration. I introduce first a category of slow violence that does not require an appeal towards granting individuals asylum. I name this group Sufferers of Slow Violence to differentiate them from Victims of Slow Violence, the category of individuals who should be provided with the right to be protected through asylum.

4.3 Sufferers of Slow Violence

Though slow violence is present in nations in different forms, I wish to differentiate two categories within Nixon's work. The first category of people suffers from the effects of slow violence but are within a community or situation that can be given substantial aid to alleviate the harm. The question of granting asylum does not play a significant issue. Either because the slow violence occurs in affluent nations in which the burdens can be compensated by society, or are otherwise in a situation in which there is already some acceptable form of international aid to relieve the worst effects. I will now provide two examples of what I argue are 'Sufferers

of Slow Violence'. Individuals who experience slow violence, but for which the question of asylum isn't relevant.

Within the U.S. in 2014, the Radiation Exposure Compensation Act (RECA) approved 6,047 claims from uranium miners employed between 1942 and 1971 for compensation (Department of Justice, 2014). Nuclear weapon testing between 1945 and 1962 required uranium. As the United States failed to warn about the exposure of the miners at the time, despite this information being known, \$603,874,560 was approved to compensate these victims. Many of them suffer from lung cancer, fibrosis of the lung, or other forms of illness due to their previous employment. I do not think that anyone would claim that these miners are in need to request asylum. Though their life has been dramatically impacted by the deliberate neglect of information concerning the dangers, the miners have received compensation and recognition for this neglect.

Another example in which I argue that asylum isn't warranted would be the victims of the aftermath and clean-up performed by liquidators the 1986 Chernobyl explosion. Because of a mixture of scientific uncertainty and willful ignorance by political actors, compensation, and recognition of the full extent of the disaster remains grossly underestimated (Burlakova, 2006, p. 8). They struggle to retain recognition and compensation over a long period. This is removed from the questions of asylum provided by another state actor. The countries in which these people reside can provide the necessary aid. Then what category of people does require the protection of an asylum system?

4.3 Victims of (Colonial) Slow Violence

The first question that remains to be answered is if slow violence occurs within the former colonies situated within Africa. The violence that transpired decades ago cannot be said to be concluded and still affects individuals and communities until this day.

The displacement that transpired during the construction of the Cahora Bassa, along with similar mega-dam projects within Africa, resulted in the declining on living standards on all

fronts. Some of the long-lasting effects; nutrition, health, infant mortality, life expectancy, and environmental viability (Nixon, 2001, p. 152). Like so many colonial projects, regulations, and practices, this dam was forced upon a native population through the use of intentional use of physical force and power. The liberal right to self-determination, held so highly by liberal democracies and decent people, has been violated to such an extent that if they happened now, the moral and political outrage would be insurmountable. The moral wrongs of political domination, cultural imposition, and economic exploitation during colonialism still have a devastating impact upon the self-determination, cultural heritage, and economic prosperity of many individuals and communities.

From a moral point of view, this effect should not be regarded as a legacy of history alone. As an event that started by unjust colonial rule during the partition of Africa, transpired for a couple of years, and then ended with all moral blame and responsibility suddenly washed away. At the moment in time of colonial rule, there was the intent to use both physical violence and other forms of power. Through our modern understanding of morality, such actions would be regarded now as wrong, unlawful, and against the principles of liberal democratic states. What began all those years ago was not merely violence at the moment, but the beginning of slow violence. The disastrous policies and effects of colonialism still negatively impact people today. A continuous harm is being inflicted. With all of this evidence laid bare, utilising Miller's scheme of responsibility, what would be a fair distribution of moral responsibility to alleviate this harm?

5. Distributing moral responsibilities of Colonial Injustice

According to a general understanding of moral responsibility influenced by Miller's four principles, it seems warranted to assign a significant moral responsibility for slow violence on European Nations who participated in the Partition of Africa. They are causally and morally responsible if the claim for the existence of slow violence is adequately substantiated.

Causally, because while connecting past violence with a current situation of harm and impoverishment can be contested, slow violence is different. It does not differentiate

temporally. The inflicted harm began during the Partition of Africa, but it has not ended merely because the colonial soldiers left, or the countries gained independence from unjust rule. It is one continuous infliction of harm. On the matter of *moral* responsibility, the policies that caused political domination, cultural imposition, and economic exploitation, are either perpetrated with intent, or a disregard for the reasonable care one should have towards citizens or subjects.

On the matter of responsibility through *capacity*, one could point at various moral agents able to alleviate problems. Affluent nations and organisations, both inside and outside of the European Union, could offer a substantial amount of aid if adequately organised.⁹ A specific mention goes out towards the European Union, as its core members consist of countries who were among the most significant participants of the partition of Africa. The prosperity of this union as a whole is in part garnered through injustice action that inflicted slow violence.

The final responsibility outlined by Moore is based upon a communitarian principle. One could regard this principle through two different lenses. First, one could argue that through colonialism, a communitarian bond was forced in the past that still exists today, and cannot be discarded easily. The order imposed upon the colonial lands resulted in ties between the former oppressors and colonial lands. On the other hand, arguments can be raised that these bonds are overstated. That Europe and the formerly colonised communities need a measure of separation to be independent. I argue not to the extent that they should not receive aid if serious harms transpire, but that such aid should not solely rely on the colonial connection. If aid is required, doing so by a varied coalition of partners is preferable.

European nations meet certainly two, and at most all four of the principles outlined by Miller for moral responsibility for slow violence initiated through former policy and actions of colonialism. On the nature of how this responsibility should be taken, I argue that the right of asylum should be seriously considered to protect individuals.

⁹ I wish to name *Famine, Affluence, and Morality* of Peter Singer (1972) and *From Historical to Enduring Injustice* of Jeff Spinner-Halev (2007) into a further discussion on the matter of responsibility according to the capacity to provide aid.

5.1 The Moral Duty of Asylum for the Victims of Colonial Injustice

In this final section, I argue that there is a strong moral obligation for the European Union member states towards subjects of their former colonial empires to provide asylum, when it is established that they are the victim of slow violence.

Ideally, alterations to the Common European Asylum System could allow these refugees to be protected while the burden is distributed equally among member states. Non-ideally, individual nations offering subsidiary protection towards members of their former colonial empires could provide an intermediate step towards a unionwide alteration.

The victims of slow violence are in large former subjects of colonial empires. These empires either no longer exist as a political entity altogether, or are now transformed into different states. In some cases, as with the German empire, that political entity hasn't existed for over a hundred years and another country has taken its place. Then there are the British overseas territories, the France *d'outre-mer*, or the Dutch Koninkrijk der Nederlanden, which all exist as remnants of colonial empires that still exist today in a diminished form.

In addition to shifts in nations identity, many of these former empires are now member states of the European Union. The European Union has legislated asylum law through the Common European Asylum System. Within this entity, some nation-states were not colonial empires themselves. If victims of slow violence would be allowed to request asylum, these countries could potentially act as host countries for these people, or in other ways be required to offer financial compensation for the added costs.

Regardless of these facts, and despite whatever transformation a country or community underwent throughout the last century, there is a continuity called slow violence. Despite the decolonisation progress and reforms of European communities, the nature of the moral wrong never truly transformed with it. It was not alleviated through the process decolonisation, because we can still discern the effects today. Slow violence is also shown to be actual violence. As such, it could classify without any alteration within the system of Subsidiary Protection

already provided as an option for member states of the European Union. The appeal to moral responsibility rest primarily on causal and moral principles previously explained. Hiding behind the argument that the moral wrong happened in the past is insufficient, as the violence is still a continuous process from which modern European nations cannot claim either ignorance or innocence.

The argument that the European Union as a whole should amend their asylum policy to allow these refugees, rests upon an additional appeal to the principles of *capacity* and *community*. Both of these responsibilities are fundamental cornerstones for the continued existence of the Europe Union.¹⁰ An asylum program which shares the financial burden fairly among its member states is preferable over a system which provides unequal burdens.

The limits of this responsibility to provide asylum correspond with Gibney's *partialism*. As long as this asylum policy does not annul the consciousness and identity of the community, impede upon democratic rights and self-determination, and categorically reduce the standard of living, the moral objections for this shift in asylum are ungrounded. To respect these concerns, a change in policy and expanding upon the asylum system should acknowledge that these concerns exist and involved within the implementation.

I admit that this does pose a difficulty that I will not fully work out within this thesis. Developing this right to asylum only based on a Subsidiary Protection might prove to be more considerate towards the democratic self-determination of a country. Suppose the citizens of a European nation-state acknowledge their moral responsibility to aid the victims of colonial slow violence. In that case, they can more easily appeal to an alteration in their national policy through their democratic institutions. Still, the sentiment that a common asylum policy shares the burden among multiple member states remains tempting to address the full scope of moral responsibility. Not only towards refugees but also towards other member states of the European Union if the capacity to offer aid exists.

¹⁰ Though not expanded upon within this thesis, for an extended discussion into the nature of shared responsibility, and why it is currently distributed unequally within the European Union, see the article *The effectiveness of governments' attempts to control unwanted migration* from Eiko Thielemann (2006).

6. Conclusion

Within this thesis, I began with a discussion on the nature of asylum. I introduced it as one of the premier possibilities to safeguard individuals on a short term basis. Though there exists a narrow interpretation on the nature of asylum within the statutes of the 1951 Convention based upon a fixed set of reasons for persecution, a broader definition is adopted by me that protects individuals from unspecified serious harm inflicted or condoned by official moral agents for illegitimate reasons. I explored that there could exist a concern for the moral responsibility within a community towards its own members, but that there exists one towards outsiders in need of aid. I further identified these responsibilities into the four categories of *causality, morality, capacity, and community*.

I identified the three moral wrongs of European colonial empires: Political Domination, Culture Imposition, and Economic Exploitation. I argued that the harm inflicted by official moral agents for illegitimate reasons is not only contained as a past event but should be regarded as examples of slow violence, a concept introduced by Rob Nixon. I utilised the case study of Portuguese Mozambique and an initial innocent project of the Cahora Bassa to show how slow violence can be insidiously underexamined without proper acknowledgement and research.

Finally, I have connected a moral responsibility of asylum to this colonial injustice through this lens of slow violence. I argue that this concept strengthens claims of moral responsibility based upon causality and morality. The causal connection is strengthened because colonial injustice is not merely regarded as an injustice of the past, but one that continuously exists even to this day.

Answering the research question; European asylum, understood as the tool to protect individuals from outside its borders from harm, should protect the victims of colonial injustice. Colonial injustice has been identified as slow violence that continuously harms individuals and communities and to demark the violence as merely being situated in the past has been disregarded. The European Union especially should pursue this responsibility on the appeal that it is causally and morally responsible, as well as having the capacity to do so (according to the four responsibilities of Miller).

It has to be understood that currently, the admittance of more refugees within the current system might be undesirable if they cannot enjoy the protection such a system should guarantee. Regardless, one should always examine the full extent of persons who should morally be eligible to partake in such a system. A reform of the European Asylum system should consider the plight of these people. As well as reaffirm its commitment to offer the basic promises of protection till other solution for slow violence can be found, and in certain cases offer the full-fledged integration of people into the European community.

There are two opportunities for further research that I wish to address. First, there is the possibility to examine which other moral responsibilities should stem from colonial slow violence. While this thesis focused on the responsibility of asylum, a broader inquiry into the varied problems and legacies of these grave injustices might give further argument for other duties and policies. Certainly, cultural imposition seems a hard category of harm to properly repair or remedy. Even through returning stolen art, one cannot undo the loss of knowledge and faith lost in such objects and symbols. The destruction of graves, monuments, and other works of art in certain cases makes it even more difficult.

A second focus on further research could expand the research of slow violence away from the topic of colonialism, and discern which other moral duties and responsibilities could derive from it. For example, regarding climate change not only through the lens of an unfortunate by-product of our way of life, but as an acknowledged often imperceptive harm that is inflicted upon individuals and communities.

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