The Contradictions of Social Justice:
The limits and potentials of refugee rights movements
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With more than sixty-five million people displaced globally, the United Nations has repeatedly announced that we are witnessing unprecedented levels of forced migration. The refugee crisis, a term now in common parlance, pushed the experiences of displaced peoples firmly into the popular consciousness, and brought a renewed focus to the countless campaigns that work toward expanding the rights of migrants. The contemporary campaigns organized around ideals of welcoming refugees or creating solidarity cities, did not emerge as a result of the most recent accounts of impoverished living conditions in refugee camps or the long and unsafe journeys that migrants undergo. Rather, contemporary migrant justice campaigns have deeper roots that need to be excavated if we are to understand why the struggle for the human rights of precarious migrants is fraught with tensions and contradictions.

The purpose of the following discussion is to take a step back and consider the broader relationship between the state and the call to protect the human rights of precarious migrants. Organized into three sections this paper emphasizes the internal contradictions of migrant justice activism to argue against idealist formulations of rights. The first section lays the conceptual foundation for the analysis by situating the praxis of migrant/refugee justice within a broader theorization of rights. Turning attention to the practices, discourses, and forces constituting national borders, the second section delineates the socio-historical relations that illegalize precarious forms of migration. My purpose here is to situate the relations constituting state borders within the social and historical relations of imperialism. More than a process or theory of state expansion, the social relations of imperialism underpin both the chaos of global displacement and the imposition of a particular kind of social order, which social movements then struggle against. Centring the praxis of human rights articulated through the ideals of welcome, in Australia, and solidarity, in Canada, the final section demonstrates the manner in which the ideologies underpinning border practices orient the praxis of migrant/refugee movements. Although rights-based praxis has been effective in making injustice visible, it has done so by relying upon a fractured articulation of the social terrain. Fractured along lines of community, city, or nation the terrain of rights has been confined to the local despite the transnational nature of precarious migration. The overarching analysis, thus, argues for a materially and historically situated theory of migrant/refugee justice that both grounds and expands the terrain of social struggle.

Framing Rights-based Praxis

Before turning to the struggle between border practices and migrant/refugee justice movements it is worth briefly expounding the dialectical ontology that guides my analysis. I understand migrant/refugee justice movements as expressions of collective consciousness and praxis that attempt to alter the social relations constituting citizenship, legal status (or non-status) and border practices. Rather than imbuing social movements with an inherently critical or transformative quality, I understand collective consciousness and praxis as imbricated in a given social moment (Allman, 2001). Thus, social movements can be simultaneously critical of their material context and oriented by powerful and mystifying ideologies.
More than simply a politicized discourse or the ideas of the ruling class, ideology performs an epistemological trick that separates ideas from their producers, thereby severing ontology from epistemology and positioning ideas as the prime movers of history. Empty of material social relations ideological concepts are highly movable and can be abstractly universal, while simultaneously empowered to describe and coordinate concrete human experience. Ideological explanations of reality may become generalized and objectified through legal, juridical, administrative, and cultural practices, and as such ideology is manifested through the discourses and practices of governing (Marx & Engels, 1981; Smith, 1999). In this sense, ideology both conceals the material roots of concepts and attempts to naturalize the social relations that inform and organize conscious embodied human praxis. Correspondingly, the ideological practices of the state, and in particular the liberal democratic state, enter into social consciousness and social movements often mobilize in response to a fractured articulation of the social moment. Hence, the key tensions within social movement praxis are exposed through an analysis of ideology. To put this differently, social movement praxis is ignited by the friction between classes, shedding light on the fissures within liberal democratic practice, yet the ideological complex constituting liberal democracy constructs a fractured articulation of the social whole thereby orienting praxis away from a critical/revolutionary form.

Drawing attention to the atomized ontology that underpins liberal rights, Himani Bannerji (2015b) argues that the non-reflexive empiricism of liberal thought prevents a coherent conceptualization of the social whole. Viewed as discrete issues or contained spheres, the social is carved up into atomized units for analysis denying the concreteness of socio-historical formations. Liberal theorists are then charged with the responsibility of positing relationships, or idealist formations, to reconstitute the social whole. Ideology is the “glue” holding together fragmented and decontextualized slivers of human experience. The task for anti-ideological knowledge, therefore, is to reverse the abstraction or to re-root concepts in the history of human praxis. Within Banneji’s theorization I find an important epistemological task. Her analysis challenges us to ask how liberal democratic concepts, such as rights or citizenship, become the glue holding abstract notions of national borders firmly in place?

Re-rooting Rights

At the centre of migrant/refugee justice campaigns is a general call for formal rights set within the legal framing of the particular location. Abstract notions of citizenship and rights are given shape and operationalized through local categories formulated by the nation-state and then contested by social movement praxis. For example, refugee rights campaigns in Australia have challenged the general criminalization of precarious migration through a critique of the legal categories “illegal maritime arrival” and “unauthorized air arrival.” The status of illegal migrant is applied to any person travelling without a visa and is utilized to justify indefinite incarceration and the denial of a Permanent Protection Visa (Mansouri & Leach, 2009). Galvanized by the call to welcome asylum seekers, the refugee rights movement aims to challenge the incarceration of precarious migrants and the subsequent exclusion of asylum seekers from the nation. Similarly, campaigns for non-status people living in Canada focus on expanding access to services regardless of legal status, thereby challenging citizenship as the basis of inclusion in the nation. Migrant/refugee justice movements, unwavering in their demands for access to rights, receive growing popular support and momentum globally, and yet pathways to legal status are increasingly restricted and national borders continue to be militarized (Jones, 2015; Sharma, 2006). The ideal of universal human rights is observably at odds with the material realities of liberal nation-states and the lived experiences of non-status migrants. As such, the struggle between the state and
migrant/refugee rights movements illustrates the core contradiction within the praxis of human rights. More specifically, the ideal of universal human rights can only ever be realized through the state and incorporation into the nation. Thus, to have liberal human rights is to be acknowledged by the state (Arendt, 1951).

Exposing the fragility of human rights, Hannah Arendt (1951) made the astute statement that the only human right is the right to have rights. Arendt’s observation finds a renewed salience in contemporary struggles for the rights of migrants. Indeed, the very foundation of migrant/refugee justice movements is the fragile balancing act of restricting and granting rights. At this point in the discussion it is worth emphasizing the fact that there are two differing yet complementary articulations of human rights across migrant/refugee justice campaigns. One articulation is often characterised as post-nationalism and, at one point in time, was referred to as the no borders movement. Post-nationalism, as it is deployed by activists, locates rights in personhood and attempts to use local communities to meet basic needs while circumventing immigration laws. This form of praxis, however, must also appeal to the state as the guarantor of rights in order to prevent the detention and deportation of non-citizens (Abji, 2013, p.232). Post-nationalism, therefore, both refutes and confirms Arendt’s observation. In subtle contrast state-centred approaches to gaining rights for asylum seekers argue that particular laws are at odds with international standards. Authors such as Abji (2013) and Sharma (2006) conceptualize post-nationalism as fundamentally dissimilar to state-centred approaches; however, neither approach confronts the mutually constitutive relationship between rights and the state in general. Instead both forms of rights-based praxis access the fragile relationship between expanding and restricting rights through the particularities of the local milieu.

The local context is, of course, where the fissures of liberal democracy are experienced and people are mobilized to challenge injustice. The visibility of the local terrain, however, can also obscure the trans-local forces and histories that organize a local configuration. Mark Purcell (2006) describes the privileging of the local by activists and researchers as the “local trap”. The local trap often constructs locally accessible sites as inherently more democratic, while also positioning the global relations of capitalism as non-contestable. Expanding upon Purcell’s analysis, Sara Carpenter (2015) finds the more stirring question to be how the local scale comes to represent the preferred site of democracy. For Carpenter, the disarticulation of the local from the extra-local represents an inversion of consciousness reflecting the broader segmentation of social relations. As Carpenter argues the immediately available local terrain comes apart from and appears in opposition to the extra-local, rendering the former inescapable and the latter inaccessible (2015, p.138). Carpenter’s dialectical approach sees the local not simply as a preferred physical space but also as a form of consciousness, and thus her analysis draws our attention to the manner in which a particular social relation can be experienced as separate parts or separated by time and space. Localized praxis, thus, reproduces the disarticulation of local and extra-local forces by positioning a particular local practice or process as the determinant of experience.

The local trap sheds light on the contradiction of human rights from an instructive vantage point. Rights are empowered to resolve particular forms of social exclusion in a highly contextual and isolated manner, and in doing so they also deny the extra-local forces (and histories) that engendered the very injustice they aim to resolve. Marx (1978), of course, understood this contradiction when he argued, in “On the Jewish Question”, that bourgeois democracy would not create the conditions for equality. As he observed, the bourgeois state reflects its own making back onto society, and thus formal equality before the law simply re-inscribes and cements inequality. Centring praxis, we can also note that the historical struggle to access rights has been selective, uneven, and incomplete, leaving racialized and migrant populations at the margins of society (Carpenter, 2015; Mies, 1986). The
struggle for rights has played out across countless localized terrains, winning important gains in areas of civil rights, but never able to resolve the core contradiction of liberal rights. How, then, do we escape the trap of localized praxis?

In the disjuncture between the primacy of human rights globally, and the increasing militarization of national borders, I find an important epistemological entanglement that must be teased out if we are to grapple with the contradictions of migrant/refugee justice. More concretely, we must question how the ideal of right can coexist with practices of state violence. Situating the contradiction of human rights within the relationship between ontology and epistemology, rather than the institutions of the nation-state per se, creates the conceptual space to query not only why human rights have not be realized, but also how rights-based praxis orients consciousness and knowledge away from a substantive articulation of equality or liberation. The remainder of the discussion attempts to reunite the local terrain of social struggle with the trans-local forces coordinating contemporary border practices, and in doing so I aim to sketch out a materially and historically situated foundation for conceptualizing migrant justice.

National Borders: A Trans-local Logic

The past year and half (2016-2017) has seen more than 8 000 people lose their lives as they make precarious journeys across national borders, while countless more people remain incarcerated in immigration detention centres (IOM, 2017). The violence of crossings borders in an irregular manner is often articulated as an unfortunate consequence of the need to create systematic order in the chaos of people smuggling, and undocumented cross-border migrations. As Jones (2016) argues the violence experienced by racialized migrants is often erased by powerful ideologies that paint poor nations as inevitably disorderly and violent. The corollary of this picture is the need to militarize the borders separating the liberal democratic Western world from the chaos that ostensibly characterises the rest of the world. The vast deployment of policing and military technologies, from armed border agents to chemical restraints and tear gas, is depicted as part of the process of maintaining national sovereignty, protecting the livelihood of citizens, and creating social order (Brunside, 2008; Jones, 2016). The immense disparity between deploying military technologies to confine civilians within a national territory, and in some instances to prevent individual border crossings, is elided as ideologies of national security normalize the encroachment of military technology into all corners of life.

The question of securing national borders is often identified as a consequence of the attack on the World Trade Centre in 2001. The fortification of national borders, however, was already well underway during the 1990s. Safe Third Country Agreements were being discussed in Canada and the United States, while Turkey was identified by the European Union as the physical borderlands separating Europe from the Middle East and Africa. Australia excised the islands off its coast and began laying the groundwork for offshore immigration detention centres. Furthermore, by requiring that identity and visa documentation were processed prior to travel, the Australian state effectively legalized the practice of seeking asylum (Arbel, 2013; James, 2014). The general logic that undergirds all of these agreements and policies can be understood as the outsourcing of immigration, which is to say that border points for racialized and poor migrants have been pushed as far back from Western nations as possible, while underdeveloped nations and private companies are financially compensated for the processing and warehousing of migrants (Menz, 2009). It is important to emphasize, moreover, that the outsourcing of borders creates a common system of border control through which underdeveloped nations are tethered to Western states and their economies.
The outsourcing of national border points has been accompanied by domestic policies that restricted access to rights and citizenship status. The reworking of visa categories and immigration procedures allowed governments to scale back access to services and legal status. At the very same time, identity and welfare fraud emerged as criminal acts and served to support more general claims that non-status migrants are undeserving criminals fraudulently seeking welfare benefits (Mansouri & Leach 2008; Pashang, 2011). In Australia the political rhetoric accompanying such policy shifts took a particularly vitriolic tone, as racialized migrants were described as beholden to pre-modern “blood feuds”, and had their legal status tied to a “Code of Behaviour” contract (Morrison, 2013). Pashang’s (2011) research with non-status women in Canada noted that there are observable points of convergence between the rise of neoliberal ideologies and the tightening of border controls, which also correspond with the post-Fordist period of economic contraction. She argues: “[T]he change in the political climate shifted the discourse of humanitarianism to one of neoliberalism, giving rise to the dichotomies of ‘good’ versus ‘bad’ immigrants and ‘cooperative’ versus ‘radical’ organizations and workers” (Pashang, 2011, p.8). Pashang is correct in noting that government debates and policies have been deployed to drive a wedge between radical and conciliatory forms of advocacy. However, I would like to put a finer point on Pashang’s analysis by emphasizing the fact that the ideological constructed good/deserving or bad/criminal migrant did not emerge with neoliberalism. The confluence of heightened national security and dismantled social assistance did indeed engendered a neoliberal political climate that emphasized notions of migrant criminality and built the laws and infrastructure to intimidate, detain, and criminalize migrants and activists. The ideological relations mutually constituting the deserving refugee and the criminal migrant, however, reflect the broader class relations embodied in the history of the bourgeois state. As such, understanding the web of social and historical relations that co-constitute migrant criminality and the rights of citizenship requires a vantage point that includes not only the contemporary cycles of dispossession, but also the historical formation of national borders, thereby bringing the question of imperialism firmly into view.

While critical analyses of imperialism often emphasize inter-state rivalries or the technical mechanisms that create the conditions for financialization, the question of precarious migration centres class struggle on a global scale. Without diving into the global history of colonization, it is worth simply emphasizing the fact that the carving up of land and sea for private ownership and national territory created the conditions for the private accumulation of capital, the colonial extraction of resources, and the international system of sovereign states. Colonization also produced local configurations of power articulated through relations of race, ethnicity, or patriarchy (Jones, 2016; Marx, 1977; Mies, 1986). Shifting vantage point from colonial to imperial capitalism, we can note that contemporary configurations of power, rooted in the history of colonial extraction, make racialized populations more vulnerable to ongoing rounds of dispossession, particularly in underdeveloped regions (Sassen, 2014; Whitehead, 2016). Saskia Sassen (2014) has described the contemporary mode of global accumulation, through financialization, dispossession, and ongoing enclosures, as a particularly brutal form of social expulsion. Sassen draws our attention to the fact that the financial circuit of capital has little appetite for labour-power, and thus unprecedented numbers of peasants and workers are being expelled from local and national economies with little hope of reabsorption into the global proletariat. At the very same time, illiberal political formations revamp demographic logics of colonial power to target and expel racialized (or ethnicized) populations (Whitehead, 2016). The bearing down of the state through outsourced border points, militarized border practices, and the illegalization of precarious migration means that not only are racialized population being pauperized, they are also territorial contained, or warehoused in detention centers or refugee camps.
Focusing on Western economies, Saccarelli and Varadarajan (2015) analysis of imperialism argues that as social inequalities deepen and bump up against economic stability, liberal democratic rights are scaled back allowing violence against a state’s own citizens in the name of national security. Saccarelli and Varadarajan’s analysis draws our attention to the fact that the predatory character of capitalist accumulation is mirrored and reproduced by the state. In other words, the predatory configuration of capitalism is simultaneously a political configuration subjugating and integrating all aspect of human life into its uneven and chaotic system of accumulation, while seeking market stability through mechanisms such as authoritarianism, demographic systems of governance, and monopolist alliances. For Saccarelli and Varadarajan the break down of rights within the context of imperialism can be understood as the brutality of class struggle, and the domination of life by a narrow yet parasitic capitalist class. Read in concert with Sassen’s analysis, we can observe that developed and underdeveloped regions display distinctive yet interconnected forms of social expulsion. The question that needs to be brought forward into the following section is the extent to which rights-based praxis makes the socio-historical relations of imperialism visible? Does the vantage point of rights allow us to better understand the global chaos of social expulsion?

**Rights-based Praxis: A Local Struggle**

The final section takes a closer look at social movement praxis, and is particularly focused on forms of praxis that are influenced by the sanctuary movement. There is some debate as to where and when the praxis of sanctuary first emerged as a form of resistance (see Bauder, 2016). Moreover, various local expressions of praxis operationalize sanctuary differently. For example, whereas social movements in the United States and Canada emphasize cities as sites of sanctuary, movements in the United Kingdom and Australia focus on notions of hospitality and welcoming (Bauder, 2016; Freeland, 2010). For my purpose here it is suffice to say that contemporary forms of praxis, organized by ideals of sanctuary or welcome, respond to the illegalization of migration under neoliberal policy shifts, work at the urban scale to create access to or delivery of services, and envisage a future ideal of justice for migrants. It is on the last point, conceptualizing justice, that the disparities between social movements in Melbourne, Australia and Toronto, Canada are most pronounced. The state-centred approach in Melbourne has articulated refugee rights through inclusion in the nation. In contrast, Toronto’s movement for a solidarity city rejects the national scale for an ideal of empowered local communities. By teasing out some of the ideological entanglements that orient these two forms of praxis, the following section emphasizes the ways in which social movements can be oriented by an ideal of rights yet ultimately reproduce the existing social relations.

**The Praxis of Welcome**

Every time you welcome an asylum seeker in your community, every time you make a new friend, or help someone settle into their empty house, or write a postcard to a child in detention or help someone learn English, you’re defying the vision and instruction of our leaders. You’re saying ‘welcome’ to those they wish to reject - and you’re combating the insidious invasion of heartlessness into our character and communities. (Combined Refugee Action Group, personal communication, June 24, 2014).

In the latter part of 2016 the Australian government announced that it would close the offshore immigration detention centres on Nauru and Manus Island, and that the detainees would be relocated to a so-called safe third country, such as the United States. Although the Australian government has not been clear about the details of relocating the population of detainees, it has been clear about the fact
that they will not be resettled in Australia, and that the illegalization of seeking asylum will not be reversed (Pearson, 2016). Often referred to as the deterrence regime, successive Liberal and Labour governments, built the infrastructure and legal framework to incarcerate, deport, and dispossess non-status migrants. The announcement that offshore detention centres will be closed comes after almost twenty years of work by activists and advocate who fought against the illegalization of migration, and the warehousing of people in detention centres operated by private security companies.

Galvanized by notions of welcoming asylum seekers activists and advocates challenged the state by calling upon the norms of international human rights. At the local level the praxis of welcome included the charitable provision of services, campaigns to prevent individual deportations, and extending offers of church-based sanctuary to those who faced forced removal. Undergirding the refugee rights movement as a whole, is the argument that the state is out of step with the Australian public, and thus a primary strategy has been to mobilize public pressure against the federal government (Gosden, 2006). An early project, for example, was a report titled The Untold Story. The report collected and publicized the responses of Australian residents to demonstrate that, not only is mandatory indefinite detention a human rights violation, it is at odds with so-called Australian values. What is striking about the testimonies is that they draw an implicit connection between justice, liberal democracy and consciousness of the nation. Liberal democratic values are then set against the violence and disorder of the Third World (Reynolds, 2004). Indeed, the general deservingness of refugees is often articulated through experiences of illiberalism and violence, while the bestowal of justice for racialized migrants is articulated as a national ethic (Reynolds, 2004; CRAG, 2014). In other words, consciousness of justice and injustice mirrors the ideologically constructed binary of the liberal democratic Western world and the violent Third World, while reducing the violence perpetrated by the Australian state (and private security firms) to an aberration.

Discussing the militarization of the Australian state, Bronwyn Winter (2007) argues that a false binary has been constructed, which separates paternal or protective forms of governing from aggressively militarized state practices. As Winter argues, notions of liberal Western rights buttress the expansion of military technologies and arguments for “safeguarding Australia” against terrorism, while simultaneously eliding the fact that anti-violence against women programs were defunded to ramp up military spending. Hence, paternal and militarized state practices are mutually reinforcing, rather than opposing. Winter’s analysis points to an ideological entanglement that also orients the refugee rights movement. By defining justice for migrants through the ideal of a protective (paternal) state and nation, the praxis of welcome disarticulates militarization from liberal democracy. Emptied of violent practices and histories, the ideal of the protective nation-state then orients concrete campaigns for refugee rights. In this sense, local consciousness of rights erases concrete trans-local formations of militarized violence, thereby holding the ideal of Australia’s liberal democratic nation-state firmly in place.

From Access without Fear to a Solidarity City

My vision of a sanctuary city is ideally a city under community-control, where access to services and issues of justice are decided on the community level between coworkers, neighbours, led by those most marginalized. It’s a city where immigration enforcement is impossible (or outlawed) because community members believe and enact the view that no one is illegal. (Anonymous, personal communication, May 28, 2012)

On February 12th 2013 Toronto City Council voted in favour of declaring Toronto a sanctuary city. The declaration affirms the position, long-held by activists and advocates, that social services should be accessible to non-status people without fear of deportation. Far from a spontaneous win for the movement, the notion of access without fear emerged in the early 2000s as the Canadian state
scaled back regularization programs, and activists became conscious of the fact that such programs were also utilized by the state to target particular migrants. It was during this same time period that an elementary school and women’s shelters were targeted by immigration enforcement officers with deportation orders. In response to the escalation of community level violence against migrants, activist campaigns centred the daily lives of non-status people as a way to make local level violence visible, thereby developing the argument that militarized borders reach far beyond national boundaries right down to the local community (McDonald, 2009; Ritchie, 2013).

The campaign that launched the community level focus was the Don’t Ask Don’t Tell (DADT) campaign, which successfully fought for the rights of non-status children to attend public schools in Toronto. During 2007 section 49.1 of The Education Act was amended to state that school officials did not have to report a lack of immigration documentation to local immigration officers. Furthermore, a child could not be refused admission to a public school because their family lacked the government documents associated with legal status (such as a health card or a social insurance number). However, Uprooted Education, an audit of Ontario’s schools conducted by non-status youth, found that school administrators often obstructed access to education, and that public schools do not have effective anti-discrimination policies in place. The limits of the DADT policy become visible through Uprooted Education as young people describe the numerous barriers that delayed or prevented their access to education in Canada (FJC Refugee Centre, 2016; Ritchie, 2013). Inadequate access to education, moreover, does not begin when migrants arrive in Canada, but rather is a continuation of life interrupted by war, poverty, living in camps, or multiple relocations (NRC, 2016). The relations constituting non-status must be understood as interwoven with the social relations of imperialism, which constitute war, pauperization, refugee camps, and precarious migration. In other words, extra-local social relations are manifested through the local and seemingly discrete example of being denied access to schooling.

The contradictions within access without fear campaigns begin to take shape when local communities are theorized as the solution to trans-local phenomena, such as imperialism. Toronto’s solidarity city is articulated as the means by which communities take power back, the colonial state can be bypassed, and a radical political culture can be imagined. Local communities, moreover, are conceptualized as separate and autonomous from state power (Nail, Kamal, & Hussan, 2010). What is striking about this particular theorization of sanctuary is not that the importance of capitalist exploitation or imperialist wars is denied, but rather that it empowers the local to transcend the extra-local. Community-based solutions for creating access, or rights, are pulled apart from and elevated above tranhistorical and extra-local social relations.

The positioning of the community as the preferred political space, finds an uncomfortable pairing with neoliberal models of citizenship. As the lean neoliberal (or neconervative) state, downloads responsibility for social services to individuals, community participation is conflated with volunteerism or de-radicalized activism (Purcell, 2006; Sears, 1999). This is not to suggest that the praxis constituting Toronto’s solidarity city is supportive of neoliberal policies, but rather that it does not confront the fractured ontology that underpins neoliberal ideology. As such, anti-liberal, anti-imperialist, or anti-capitalist critiques can be incorporated into the praxis of sanctuary, but they are not internal to the knowledge that is generated through social movement praxis. In fact, the divergent and contrary politics that are expressed across sanctuary coalitions often embrace patriarchal conservatism, liberal nationalism, or post-colonialism (Freeland, 2010). Hence, the ideological entanglement that the praxis of sanctuary is ensnared within is particularly tricky because it rejects the socio-historical power of the state in favour of community formations, which are themselves rooted in ethnic, racial, capitalist, and patriarchal histories and relations. The danger, then, is that a particular reform actually aids the
reproduction of existing relations of power. In other words, access without fear campaigns can both reject and reproduce neoliberal political economy.

**From Rights to Justice**

Migrant/refugee justice movements in Australia and Canada have made some important gains in areas of rights and consciousness-raising. Social movement praxis has successfully pushed back against some of the most draconian border practices, thereby making two moments of violence visible; namely, the violence that propels migration and the militarized border violence that aims to contain migration. That being said, these two moments of violence remain conceptualized as just that – two physically and ontologically separate moments. In a similar analysis of activist coalitions Bannerji (2015a) argues that the carving up of the social whole into discrete local campaigns prevents a complex reading of the world. In her words: “[W]e need to venture, therefore, into a more complex reading of the social, where every aspect or moment of it can be shown as reflecting others; where each little piece of it contains the macrocosm in the microcosm” (Bannerji, 2015a, p.105). Expanding upon Bannerji’s analysis I would suggest that rights-based praxis inherited an ontological terrain that was already fractured along lines of community, nation, and state. Moving from rights to justice requires an ontological re-grounding that exposes the fracturing of social relations and moves beyond the local terrain. In other words, a theory of justice for migrants requires a vantage point that makes visible both the local moment of violence and the web of social relations that binds each of these moments into a social whole.

As the overarching analysis has argued, an expansive and materially grounded theory of justice for migrants has been occluded by a number of powerful ideologies embodied in and articulated through the international system of nation-states. The struggle for rights has been oriented by false binaries severing the West from the non-West, and disarticulating the practices of militarization from national paternalism. Likewise, ideals of empowered communities become ensnared within notions of a self-sufficient populace and a lean state. As such, the localization of praxis through a rights-based framework holds the nation-state system in place by confining social movements, and the knowledge they engender, to the ‘national’ terrain. The carving up of land and sea, for private ownership and the state system, thus, reveals itself as a powerful and deeply entrenched epistemological entanglement. Moving from a localized vision of rights to a critical/revolutionary theory of justice requires more than local coalitions struggling for different types of rights, it requires an ontological vantage point that can make the complexity of imperialism visible in local human experience.
References


2. Rights previously acquired by a refugee and dependent on personal status, more particularly rights attaching to marriage, shall be
respected by a Contracting State, subject to compliance, if this be necessary, with the formalities required by the law of that State,
provided that the right in question is one which would have been recognized by the law of that State had he. The Contracting States
shall accord to a refugee treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens
generally in the same circumstances, as regards the acquisition of movable and immovable property and other rights pertaining thereto,
and to leases and other contracts relating to movable and immovable property. While limits of space preclude a full discussion of these
principles, the contradictions rather than complementarity of these concepts can briefly be outlined as follows. The normative and legal
framework of refugee protection. Isaiah Berlin has called the 20th century the â€œdreadful centuryâ€ where an estimated 100 million
people have died in armed conflict and an additional 170 million perished as a consequence of political violence. Reliable statistics on
refugee numbers over the past 100 years do not exist. 5 Brian Gorlick, â€œHuman Rights and Refugees: Enhancing Protection
through International Law,â€ Nordic Journal of International Law, Vol. 69, 2000, pp. 119-122. Cf. Moreover, restorative justice offers an
avenue through which the profession of social work can re-establish its historic role in criminal justice. The four models most relevant to
women's victimization are victim-offender conferencing, family group conferencing, healing circles, and community reparations. Each
model is examined separately from a feminist standpoint. Human trafficking research has increased over the last 20 years; however,
the limited use of empiricism and theory in human trafficking research fuels criticism that extant human trafficking research lacks rigor and
legitimacy. Empowerment becomes a potential characteristic of a social relationship, one that facilitates the development of
someone's self. Advancing social justice through human rights: the experience of Amnesty International 79 Ashfaq Khalfan and Iain
Byrne. Human rights and social justice â€” a false dichotomy? 89 David Petrasek. He has been involved in litigation in domestic fora
across the Commonwealth and beyond, and before the European Committee of Social Rights, the European Court of Human Rights and
the UN Human Rights Committee. Koldo Casla is a Doctoral candidate at King's College London, studying why Western European
states promote international human rights law from the combined perspectives of Critical Legal Studies and the English School of
International Relations. What is the relationship between social protest movements and systems of political representation? And what is
the impact of the structure and development of the state on social movements themselves? Contributors include Ronald Aminzade, Paul
Burstein, Russell J. Dalton, Donatella della Porta, Henry Dietz, Rachel L. Einwohner, Steven E. Finkel, Jerrold D. Green, Jocelyn
Hollander, Hanspeter Kriesi, Diarmuid Maguire, Bronislaw Misztal, Edward N. Muller, Michael Nollert, Karl-Dieter Opp, Dieter Rucht,
Michael Wallace, and Gadi Wolfsfeld. Identification with â€œleftâ€ or â€œrightâ€ ideologies often has been hypothesized to play a
significant role in motivating individuals to participate in unconventional political activities such as protest or political violence.