

CONCEPTUALIZING SOVEREIGNTY AND ITS RELATION TO THE STATE, REFUGEES,  
AND INTERNATIONAL RELATIONS

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Laura McAlpine, BCom, Ryerson University, 2014

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Laura McAlpine  
Master of Arts, 2017  
Immigration and Settlement Studies  
Ryerson University

## ABSTRACT

This MRP seeks to illustrate *why* and *how* states circumstantially employ their sovereignty in regards to international forced migration. My thesis is, that states, dependent on their degree of sovereignty, are negligent in their capacity to accommodate refugees. In pursuing this thesis, I examine state sovereignty from the International Relations framework and conceptualize sovereignty as a derivative of the state. Furthermore, I situate ‘the state’ with political realism; and align its opposing paradigm, political idealism, with the United Nations. Using qualitative measurements of state sovereignty, I find that although states have signed international agreements that hold them accountable to facilitate in the resettlement of refugees when international conflict ensues, states claim that because refugees threaten security, as well as the economic, political, social integrity of the state, they *cannot* and *will not* accept them.

**Key words:** sovereignty, the state, refugees, International Relations, the United Nations

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## Introduction

Many scholars (Barnett, 2002; Bosworth, 2008; Barkin & Cronin, 1994; Mann, 1997) suggest that globalization has threatened the autonomy and strength of the modern state by revealing that the physical borders that separate us, have in fact lost their definition. This is true of capital, technology, and information, but not for people. Borders may have become penetrable to accommodate the interdependency of wealth, technology, and information, but when it comes to migration, states have prevailed in asserting their strength and power. Because migration constitutes the “dark side” of globalization, states are quick to ensure that their borders remain impenetrable to people who seek asylum (Hyndman & Mountz, 2007, p.80). The sum of a state’s power, is thus a direct reflection of how well the state provides certain economic, social, and political functions and processes within its borders. This degree of internal power, provides the state with internal sovereignty, as “men do not wield or submit to sovereignty...[t]hey wield or submit to authority and power” (Hinsley, 1966, p.1). Internal power therefore provides the state with the ability to be sovereign; it is not a fact, but a concept, that states apply in certain situations or circumstances, to justify their actions or inactions in international relations. Sovereignty, may be defined in four ways, a sovereign state “enjoys supreme political authority and monopoly over the legitimate use of force; is capable of regulating movements across its borders; it may make foreign policy choices freely; [and] lastly, it is recognized by other governments as an independent entity” (Jackson, 2003, p.786).

Conceptualizing sovereignty and its relationship to the state, has long been subject to much debate and controversy because its ontological legacy is plagued with ambiguity and fluidity. This stems from the notion that sovereignty in itself is not a fact, nor is it concrete or tangible (Hinsley, 1966; Howland & White, 2009). It may not be *easily* or directly measured, yet almost every state

at one point or another, has harnessed its power (Hinsley, 1966). Sovereignty would not be a legitimate practice if it was not held in relation to other states. State sovereignty must be understood through an international context, as borders provide territorial boundaries that limit a state's authority and realm of power. Every state therefore, employs a government that enjoys the legitimate authority to enforce rights and laws within those boundaries; conversely, this same government has no legitimate authority to exercise their power in other states. Because sovereignty is upheld at the nation-state level through international law, the "existence and autonomy of a state, is secured by the obligation of other states to respect its territorial integrity and the prohibition of intervening in other states' domestic affairs" (Noll, 2003, p. 277). Herein lies the grave contradiction and crutch plaguing international humanitarian and refugee efforts: international law requires collective action among states, however 'the state' enjoys the right to act independently. Moreover, in the international relations context, no one state is entitled to command and no one state is required to obey (Waltz, 1998; Lake, 2003). Because states unequally enjoy different degrees of sovereignty, some states enjoy greater autonomy in regards to what agreements and laws they choose to be privy to. This is problematic because states encompass an inherent tendency to enact laws and policies that are self-fulfilling (Gibney, 2004; Griffiths, 2011; Waltz, 2010).

Sovereignty is thus a conceptual phenomenon that impedes international humanitarian efforts that attempt to provide asylum to those who seek it most, refugees. States selectively and circumstantially use sovereignty, and the power that it yields, when the benefits in doing so, outweigh its costs. Refugees are thus up against a powerful and monumental force, that leaves them to face further uncertainty and precariousness. There are currently 21.3 million refugees worldwide, additionally, there are 10 million stateless people (UNHCR, 2017); "their plight is not

that they are not equal before the law, but that no law exists for them” (Arendt, 1973, p.296). Only 1% of formally recognized refugees get resettled (Zong & Batalove, 2017), this is regardless of the United Nation’s (UN) 1951 Refugee Convention and its 1967 Protocol, as well as Universal Declaration of Human Rights. Refugees however, unlike immigrants who chose to migrate, are perceived to threaten the security, as well as economic, political, and social integrity of the state; thereby weakening state sovereignty. When states in the international context are considered weak or fragile, based on how well they deliver across these four ‘spheres’ the “peoples of the world will not enjoy the security, development, and justice that are their right” (Ghani, Lockhart, & Carnahan, 2005, p.3). It is the sovereign’s right to exclude; thus, states yield internal power that gets externally perpetrated.

Although it could be argued that the ‘sovereign’ within the UN is the Security Council, the permanent members that comprise this council – The United States, The United Kingdom, France, Russia, and China – hold opposing political ideologies that restrict and limit its decision-making capacity. Furthermore, these permanent members enjoy veto powers, and have historically aligned themselves to opposing ‘sides’ when complex issues divide the UN. This MRP, does not intend to question or problematize the United Nations, but more so critically examine that it lacks the ability to enforce laws and rights; these rights may only be attributed to the state. Thus, in measuring state sovereignty, we may understand *why* and *how* states have the capacity to either facilitate or hinder refugee resettlement efforts. The degree to which states successfully or unsuccessfully deliver economic, political, and economic resources to their members while also ensuring their security, will translate to the degree of sovereign a state may be, thus providing it with the right to exclude.

## **Purpose and Roadmap**

The purpose of this research is to examine how states circumstantially employ their sovereignty to exclude refugee resettlement efforts; in doing so, I provide sovereignty with qualitative measurements. Upon compiling these measurements, I will then operationalize them through conducting a comparative country analysis so that we may see these measurements in practice. This MRP will apply the measurements of sovereignty to four specific countries – The United States, Canada, Turkey, and Germany – all of which have reacted to the current Syrian refugee crisis quite differently. The countries will not be given a numerical measurement, but given a degree to which they are sovereign (weak, moderate, strong).

This paper is divided into eight sections. The first section, International Relations (IR) theory, seeks to deconstruct and understand the international system that is comprised of many distinct and sovereign states. IR consists of two main paradigms, political realism and political idealism; these two paradigms, although vast in nature, will succinctly provide insight to the political ideologies that drive interstate relations. I use these paradigms as ‘umbrellas’ that will provide IR, the state, sovereignty, and international humanitarian effort discussion with context. The second section, Governance, will provide an oversight to the ways in which states and international institutions are governed – moreover, how governance systems seek to bring order. Its subsections, The United Nations and the International Refugee Regime will then provide an overview of the current international humanitarian efforts that the UN attempts to implement as it pertains to international refugee law. The third section, Sovereignty, seeks to define and understand what this powerful force provides to the state, while paying tribute to its original conceptualizations. In the following section, Measuring Sovereignty, I illustrate how we may derive sovereignty measurements through analysing state processes and functions, along

economic, political, and social lines. This section relies on two bodies of work that have already laid the groundwork in finding qualitative measurements of state weakness and strength. These measurements will provide us with insight as to *why* and *how* states neglect to accommodate refugees, when in fact, under international law, they are required to. The fifth section, Comparative Country Analysis, operationalizes sovereignty so that we may see sovereignty in practise through applying it to four selected states. A summary will then be provided in the Discussion section. Seventhly, Ethics and Politics, seeks to problematize the current disconnect between the state and the sovereignty it rightly claims, and international refugee law; moreover, international refugee law and state policies need to be better informed by ethics and morality. This idealistic endeavor, must be met in partnership with sovereign states who are inherently driven by political realist ideologies. Lastly, the conclusion will summarize this MRP's implications with the hopes to introduce a need for future research in terms of the state, international law, and most notably sovereignty.

### **International Relations Theory**

*“The ‘sovereign’ creates order not just in fact but in name also. By definition, therefore, there can be no ‘order’ where there is no sovereign, and since there is no sovereign in the ‘international realm’ there is no order”*

–N.J. Rengger, 2000, p.7

Many events transpired throughout the twentieth century that prompted scholars to inquire, develop, and understand ‘world order’. Throughout this century, technology, capital, and information reached every corner of the globe; these forces contributed to a more globalized and interdependent world system. The rate at which these forces travelled the globe, far exceeded the institutions’ and laws’ ability to govern them. International Relations (IR) theory sought to address the “problem of [international and world] order” (Rengger, 2000, p.22), and furthermore, find a way to *manage* the interrelationships between states that comprise the global system. This

globalized interdependent world system provided the sovereign state with immense political power, while also placing it at the heart of IR study (Cox, 2009). Moreover, the interdisciplinary field of IR is devoted to “the explicit study of how the system of states [can] be made to work more effectively to enhance the power of law, peacefully manage interstate affairs, preserve order and minimize the prospects of war” (Griffiths, 2001, p.1). Thus IR’s comprehensive nature, its framework primarily bound to political science, infinitely borrows from cultural studies, international law, philosophy, and economics.

International Relations, as the name suggests, exposes the constant battle that takes place between politics and morality (or rationality) within its discipline, while also appreciating the need to differentiate between domestic and international politics (Rengger, 2000). To discuss the international realm, one must first pay tribute to the domestic realm – or national unit – and the political thought that makes both realms distinct, yet interdependently congruent entities. Political theorists have traditionally focused on the structures and institutions within the state, that being, they theorize the relationship between ethics, society, and politics domestically (Rengger, 2000; Walker, 1993; Agnew, 1994). This entails how internal institutions yield and exercise power within a specific geographically bounded territory, providing a state with a degree of internal sovereignty (Prokhovnik, 2007). The institutional framework of governance at the nation-state level “perform the vital function[s] of ensuring the security [and well-being of its] members, providing rules and procedures that prevent [...] intra-group conflict, as well as mechanisms for countering external threat” (Paolini, Jarvis, & Reus-Smit, 1998). A state’s government therefore, acts out of the collective groups best interests economically, socially, and politically.

International relations theorists, on the other hand, transcends this thinking to the interactions among these territorially defined states (Rengger, 2000; Agnew, 1994). IR theorists

therefore investigate the entire system, the formal institutions – such as the United Nations – that govern and bring “order” to the collection of states that comprise the international system, and furthermore their relations with one another. Global governance should therefore be considered *within* the IR framework, as it analyzes the institutions that have the ability to bring order to the entire state system. The “state” is thus the centerfold in studying world politics and international relations, as states are the units that comprise a much greater political totality (Biswas & Nair, 2009). States therefore act autonomously to one another, yet depend on one another for their autonomy to prevail. Although this sounds contradictory, sovereignty is what provides the state with autonomy in IR, while also providing the state with the authority and legitimacy to participate in global affairs.

The state, as this MRP affirms, is neither conceptual nor ideological, but a concrete and legitimate entity. The state has the ability to create and enter into laws and contracts; the state has the ability to create organizations such as the United Nations (UN), the World Trade Organization (WTO), the European Union (EU), the World Bank, and the International Monetary Fund (IMF), to name a few (Franceschet, 2009). This furthermore implies that the state has the capacity to recognize the need for multilateral economic, social, political, and humanitarian cooperation (Franceschet, 2009). Greater cooperation and coordination among states have increasingly become a salient ‘issue’ in IR, as people have been able to move more freely about the globe, an outcome of globalization that has not been as welcomed as the freer movement of technology, information, and capital.

Many scholars (see Rengger 2000; Booth & Erskine, 2016; Griffiths, 2011) agree that International Relations became an institutionalized and “self-conscious scholarly enterprise” (Rengger, 2000, p.10) as a result of the First World War (Rengger, 2000; Prokhovnik, 2007).

Scholars throughout the post WWI years were captivated with the “utopic quest to create order...whereby the League of Nations, international law, and disarmament would rid the world of war” (Guilhot, 2011, p.80). Other scholars – that follow the realist paradigm – claimed that it was in fact the post-World War II era that saw the *real* measures and gains that contributed to the need to understand interstate relations; this was a direct result of the collaborative efforts that took place among states throughout wartime efforts (Guilhot, 2011). Regardless, both World Wars induced a need for scholars to find *solutions* to war and conflict – more so than not that followed the idealistic framework – as IR would not be such a vast and contentious field if there was an absence of war, environmental degradation, and conflict. This is not to suggest that war and conflict did not take place before WWI and WWII, but that before this time it did not have the capacity to generate such politically salient migration issues (Castles, De Haas, & Miller, 2013).

This is why the realist paradigm contested the idealist paradigm post World War II; the First World War’s idealistic vision of “everlasting peace” was crushed when WWII ensued as the utopic ideologies that contributed to peace after WWI hindered any practical sense to prevent WWII (Guilhot, 2011). Therefore, the post-WWII years will limit my time frame throughout the IR discussion, as it is unanimously agreed that it was after WWII, that international politics among states and global governance became the core of IR study (Wolfers, 1947; Thompson, 1952; Schmidt, 2011; Waldo, 1954; Guilhot, 2011; Griffiths, 2011). This was because, as Waldo (1954) claims, such concepts of power and politics became central to interstate relations – thus the “movement away from idealism to realism” (p.56).

## **Realism vs. Idealism**

*“Political distinction, to which political actions and motives refer, is the distinction between friend and enemy”*

-Carl Schmitt, 1963, p.26

Specifically oriented to analyze foreign policy, there are many schools of thought – as well as numerous debates – that seek to understand the worldviews that best underpin IR theory. As a matter of fact, “[a] plurality of worldviews is simply a fact in the study of international relations” as IR subject matter in itself is vast (Griffiths, 2011, p.8). Griffiths (2011) critically examines two competing reasons as to why this contemporary theory is subject to such considerable debate. Throughout his book *Rethinking International Relations Theory*, Griffiths (2011) examines ‘conquest’ – that “opposes diversity and seeks to overcome it by privileging one particular worldview” (p.2) – versus ‘coexistence’ – that “finds no good reason to privilege any particular worldview, and attributes a positive value to diversity and pluralism” (p.2). In order to understand the agenda, role, and process of international political theory, let us turn to political realism and political idealism; the two main rival worldviews that dominate and lay the groundwork in IR theory (Griffiths, 2011; Viotti, Kauppi, & Brooks, 2012; Snyder, 2011). Both paradigms interpret the state, sovereignty, and the international refugee regime differently; simply put, political realists claim that “nations are after power” and political idealists are more concerned with a state’s “moral ends” (Wæver, 2011, p.111). For political realists, ‘man is for state’, conversely for political idealists who claim that the ‘state is for man’ (Waltz, 2001). Hence the great and constant debate in international relations.

Understanding their contrasting interpretations sets the narrative in comprehending the current struggle and battle among international governmental organizations, the states that comprise these institutions, and the world’s most vulnerable group of people, refugees. This sheds

light on the realist ideologies that allow the state to internally and externally yield power, and the idealist ideologies that drive the UN's agenda to bring about universal humanitarian values. Sovereign states comprise an international organization that seeks to bring greater humanitarianism to political action, yet each entity is driven by opposing ideologies. These competing ideologies render the humanitarian efforts of the United Nations High Commission for Refugees ineffective and inefficient. In doing so, let me declare that I do not reject the United Nations, nor insinuate that it does not have the capacity to meet its idealistic agenda; rather I am viewing the UN through a critical lens.

### ***Political Realism***

*“It is his uncertainty and anxiety as to his neighbor's intentions that places man in this basic [ongoing] security dilemma”*

– John H. Herz, 1951, p.3

Political Realists follow the assumption that relative gains drive interstate competition – “when one gains or loses disproportionately more than others or when one's gain is another's loss” – resulting in a ‘zero-sum’ outcome (Viotti, Kauppi, & Brooks, 2012, p.119). Thomas Hobbes in his book *Leviathan* [1651(1951)] and Hans Morgenthau in *Politics Among Nations* (1948) shed considerable light on these ‘relations’ as well as the state's role in international relations. Their pieces of work highlight the intersection between power, human nature, and politics, all at war with one another in international relations, to which the state remains at the core of these tensions. *Leviathan*, which literally translates to “sea monster”, depicts human nature and mankind as inherently violent and constantly at war with one another; moreover, the state of nature is “warre of every one against every one” (Hobbes, 2005, p.610); this may only be suppressed through implementing a leviathan – a sovereign – in order to achieve a secure state. Where there is no

sovereign, there is no order, herein lies the problem of IR: there is no sovereign (Rengger, 2011). Thus, political realists approach IR quite pessimistically.

Realists claim, in terms of human nature, that humans are inherently evil; thus the “political man’ is innately selfish” (Morgenthau, 1946; Hobbes, 2005). Therefore, political realists believe that “national survival at times require[s] doing evil” (Jervis, 2011, p. 34). Political realists approach international relations theory by affirming that the state is real, it is not conceptual but an entity that has the ability to form a judiciary, enact laws, and command authority, whether it be through coercion or consent (Slaughter, 2011). Political realists therefore, define international relations through anarchy – “the absence of central authority or [international] government” – to which the absence of government is associated with the threat of violence (Waltz, 2010, p.104). Power is therefore the state’s most influential variable, because power is what allows the state to militarily, economically, and politically defend itself that ensures its survival (Morgenthau, 2005; Slaughter, 2011). States therefore have an inherent interest to continuously increase their power relative to other states, because defensively speaking, there is greater threat when rival states comprise greater power (Slaughter, 2011). Power may be most commonly understood through Morgenthau’s (2005[1948]) definition; “power as the possession of control or command over others [and] the will to make others do what one desires” (Griffiths, 2011, p.3). The three following statements tend to dominate political realism thought in terms of state and power; “worship the state [and] an authoritarian personality” (Snyder, 2011, p.56), “the strong do what they can and the weak do what they must” (Thucydides, 1972), and “better to be feared than loved” (Machiavelli). These principles rest on four assumptions (Mearsheimer, 1994).

Firstly, Mearsheimer (1994 as cited in Slaughter, 2011) claims that survival is the fundamental goal of every state, therefore, foreign invasion and occupation remain to be the

primary threats confronting every state. Because the international political system is regarded as anarchic (Waltz, 2010, p.115), states must constantly ensure they maintain enough power for defense, as well as to increase the material interests that would thereby allow them to do so. States thereby have strong incentive to act out of self-interest, and any state who claims they are “acting in the interest of others...are either lying or fooling themselves” (Guilhot, 2011). Secondly, states are rational, but only to ensure their continued survival and existence (Morgenthau, 2005; Slaughter, 2011). This assumption challenges political idealists as it negates the social and humanitarian endeavors that governments *should* strive to meet.

Thirdly, all states encompass some form of military strength so that they have the capacity to protect and defend themselves from their neighbours, because no state truly knows what rival states are capable of (Slaughter, 2011). This will transcend to understanding *how* and *why* states strive to claim external sovereignty (Prokhovnik, 2007). They view their neighbours with uncertainty, hostility, and animosity; thus, it is essential for states to determine who is a friend, and who is an enemy (Schmitt, 1985). Lastly, it is the Greater Powers – “the states with most economic clout and especially, military might – [that] are the most decisive” (Slaughter, 2011, n.p.). This last assumption, most interestingly for this MRP, views international relations as Great Power Politics (Slaughter, 2011). This, however, creates a hierarchal order within the international relations framework, constituting as Lake (2003) affirms, the “dead horse” plaguing IR study; states claim authority and view the IR system as lacking such (Morgenthau 2005; Griffiths 2011; Guilhot, 2011). Because “law may only be enforced through state power” (Slaughter, 2011, n.p.) the laws that govern states from an international organization become null. This will later on, shed light on the UNHCR’s inefficiencies in refugee resettlement – refugees provide the state with little economic value.

## ***Political Idealism***

*“A rational being must always regard himself as giving laws either as member or as sovereign in a kingdom of ends which is rendered possible by the freedom of will.”*

– Immanuel Kant, 1785

Idealism borrows from game theory in regards to its ‘positive-sum perspective’ – “the size of the pie can be increased [,] absolute gains, [and] all can win” (Viotti, Kauppi, & Brooks, 2012, p.119). Political idealism thus embodies a “social constructivist” element (Viotti, Kauppi, & Brooks, 2012). Political idealists view the state, power, and sovereignty quite oppositely to political realists. John Herz (1951), in his book *Political Realism and Political Idealism: a Study in Theories and Realities* claims that political idealism is built on the following assumption: “harmony exists already, or may eventually be channeled, between the individual and the ‘general’ good, between the interests, rights, and duties of men and groups in society; and that power is thus something that can be channeled, diffused, utilized for the common good, and mitigated, or, perhaps, eliminated altogether from political interrelationships” (p.43). This assumption exemplifies political idealism’s utopic ideologies that engender an ‘optimist’ approach to the study of IR. Moreover, security and power dynamics are challenged by “rational conditions” and “rational solutions” (Herz, 1951, p.18). Political idealists are thus “forced to avoid war at any cost, or will have to find moral justifications for war” (Altshuler, 2009, p.78). They do this through promoting disarmament, and reducing power dynamics through mutual agreement (Herz, 1952). This, however, has become completely unrealistic since the nuclear age commenced.

Essentially, according to political philosopher Immanuel Kant, political idealists place greater weight on “freedom of the individual” and above all, a “duty to be treated, and a duty to treat others” ethically (Doyle, 1983, p. 206). Domestically speaking, this is attainable as most liberal democratic states possess a legitimate government that has great incentive to heighten the

quality of life of their citizens. On a global scale, however, peace among states is unattainable so long as there are states that are non-liberal or undemocratic, a task that was bestowed upon the United Nations post WWII. Kant believed all individuals were ‘reasonable’ and thereby would act morally; this should naturally be out of right *action* rather than a result of *consequence* (Griffiths, 2011). This is what is regarded as Kantian cosmopolitanism, the intersection of “practical political arrangements with philosophical ideas of morality expressing the oneness of the universe” (Griffiths, 2011, p.141). Kant believed ‘reason’ would prevail and ensure progress so that an international alliance and federation among states would guarantee individual rights. International unification came about from a commitment to the rule of law and mutual respect (Griffiths, 2011).

Consequently, the ‘pursuit of values’ aligns itself with idealism, however the question is whether or not a ‘value system’ is beneficial to the state; idealists claim that it is (Herz, 1952). Such values include “observance on promises, the exercise of power with moderation, the toleration of divergent values, and respect for differences of opinion” (Herz, 1952, p.123). Internally, these values are realizable, but beyond the state they are not, so long as people are not educated about world citizenship and an “opinion to support universal institutions” that promote universal human rights (Herz, 1952, p.124). Although idealists suppose “the dignity and worth of the human person”, not all humans adhere to the same culture or societal norms that would have the capacity to universally substantiate this belief. This is not to say a world state should, or could for that matter, bring about universal human rights – something Kant was explicitly against – but that it is because by virtue humans inherently hold values and morality to the highest degree (Griffiths, 2011).

Political idealists share the notion with political realists that states are necessary in order to secure internal peace, as homogenous states ensure that the entire system has equal units (Viotti, Kauppi, & Brooks, 2012). However, “utopia and reality [are] two ‘planes’ that [can] never in practice meet”, regardless of the fact that they ought to (Carr, 2001, p.xxi; Booth, 2008). Incorporating morality into politics will be impossible because they are too dissimilar realms. Morality and ethics do not drive the political realm, economic influences and expediency does (Schmitt, 1996). Ultimately, this is a result of what Carl Schmitt calls *Realpolitik* – “political decisions [need to be made] quickly and decisively without the delays and vacillations demanded by moral debate” (Altshuler, 2009, p.74). This limits the effectiveness of international governance.

## **Governance**

*“Governance describes the structures, rules, and institutions that people have established for managing their political, cultural, economic, and social affairs.”*

– Antonio Franceschat, 2009, p.28

As previously mentioned, governance systems have three main functions. Paolini, Jarvis, & Reus-Smit (1998) claim the first is to provide security to all members. Governments do this through the introduction and enforcement of rules and procedures that have the capacity to counter and manage internal and external conflicts. Secondly, government systems provide specific economic functions, that “maximize aggregate physical well-being, while seeking to ensure that the material necessities of life are sufficiently well distributed” (p.5). This allows all members to have the opportunity to engage in a market that allows productivity and wealth generation. Engagement in the market brings about collective activities that allow a group to survive. Finally, governance systems provide an invaluable civil-political function that form the “basic institutional frameworks of society” (p.5). This last function is arguably the most applicable to the study of IR, as civil-political function encompasses the most important element that facilitates cooperation and

coordination among members. It constitutes systems that provide the group with meaning and a shared identity; ultimately providing the group with purpose. It makes the entire system homogenous, “reinforcing the relationship between the individual and collective” (Paolini, Jarvis, & Reus-Smit, 1998, p.5); this, as Kant ascribes, brings about internal peace within the state. Governance therefore, should not only be the area where institutions exercise political and economic control, but an institutional structure that realizes the benefits in partnering with civil society (Franceschat, 2009).

### **The United Nations**

*“In 1945, nations were in ruins. World War II was over, and the world wanted peace.”*  
-The United Nations

At the seat of authority in the system of Global Governance lies the United Nations, an international institution that enjoys considerable influence in regards to the implementation and ‘enforcement’ of international law and policy (Barnett, 2002). Founded in 1945, the United Nations was and still is regarded as one of the most “ambitious experiments” of the twentieth century (Reus-Smit, 1998, p.3). Its primary goal and reason for establishment was to ensure that world war could “never again” have the capacity to displace or exterminate mass volumes of people (Paolini, Jarvis, & Reus-Smit, 1998). The famous words “never again” united the globe following WWII; thus the UN was *granted* with the authority to “eliminate the conditions that lead to interstate wars” (Franceschat, 2009, p.25). This would be accomplished through peacebuilding, peacemaking, conflict prevention, and poverty alleviation, to name a few, that would improve human conditions around the globe thereby lessening interstate tensions and the possibility of war (Franceschat, 2009). Thus, I align the UN with the idealist paradigm.

There are three instruments, as they pertain to this MRP, that demonstrate the idealistic attempts made by the United Nations to combat the ‘war on refugees’. The first, The United Nations Charter, illustrates the UN’s guiding principles and goals; secondly, The Universal Declaration of Human Rights that was adopted by the UN with the hopes of equalizing and creating a level the playing field for all world citizens; and lastly, the 1951 Convention of Refugees and its 1967 Protocol. The latter, as it directly pertains to the international refugee regime, will be discussed in the following sub section ‘International Refugee Regime’.

First and foremost, Article 1(2) of the UN’s Charter claims that it will “develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace” (United Nations, 1945). Moreover, its goal is to bring about international peace, security, and harmony; the UN is thus a direct result of fear, war, and insecurity among states. Article 2, claims that its members, “in pursuit of the purposes stated in Article 1, shall act in accordance with the following Principles, [the first], the Organization is based on the principle of the sovereign equality of all its members, [and secondly], all members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter” (United Nations, 1945). The first two articles of the charter clearly romanticize the notion of IR, while conveniently undermining its complexities. The idealistic principle “all states are equally sovereign under international law” (United Nations Chart, Article, 2.1) is arguably its most ludicrous claim, considering that among member states, all yield dissimilar power dynamics.

The second most negligent and idealistic attempt to bring about universal peace and security was through the Universal Declaration of Human Rights (The Declaration). Article 14 of

the 1948 Universal Declaration of Human Rights claims that everyone has the “right to seek and enjoy asylum” in another state in the face of persecution and genocide (The United Nations, 1948). Moreover, everyone on the planet enjoys the right to emigrate. This logic would suggest that correspondingly, all people have the right to immigrate as well (Arendt, 1973; Malkki, 1993; Purcell, 2007). The latter, however, has not been enjoyed, because international law “recognizes the power of states to control the composition of their own population” (Noll, 2003, p. 277). If people may enjoy the rights attributed to leaving a state, then arguably, they should enjoy the rights associated when accepted by another state (Arendt, 1973). If someone exits a state but may not enter a new one, then it is fair to say they are stateless; people who are stateless are subject to the greatest vulnerability (Bauder, Matheis, & Crook, 2015). The lack of *entry rights* to correspond with *exit rights*, demonstrates the “Achilles heel of the international refugee regime” (Noll, 2003, p. 278). Although the UDHR states that “freedom of movement” is a fundamental human right, its confining connotations have proven to be somewhat problematic. The “freedom of movement” section does not hold true in the international space, only the domestic. Therefore, people get stripped of their rights upon departure. Freedom thus has its limits, that are disenfranchised when someone leaves a state. As Bauder (2016) phrases it, “freedom stops at the border” (p.31) This is the case, regardless of the fact that the Universal Declaration of Human Rights, as the name suggests, is supposed to extend beyond state borders. In reality, this has not been the case.

Although sovereign states “willingly and progressively devolve power and authority to transnational non-territorial institutions and actors”, they negate and fault on their contractual obligations (Paolini, Jarvis, & Reus-Smit 1998, p. 7). However complex and conceptual sovereignty may be, it provides the state with a practical platform to implement and enforce exclusionary and restrictive immigration and refugee policies. This is done through border

enforcement and protection, sovereignty's second most rudimentary feature, as "regulation of a nation's borders and its right to restrict who enters it are issues at the very heart of a nation's autonomy" (Purcell, 2007, p.178; Joppke, 1997). States criticize other states who implement harsh *emigration* policies, but then do not criticise those same states when they correspondingly implement harsh *immigration* policies. The role of the UN is therefore under constant scrutiny and debate, as to whether they should be an institution that *keeps* the peace, or *enforces* it, both have different implications. As the world witnessed (Bosnia, Burundi, Rwanda, former Yugoslavia), idealist institutions have historically lacked the capacity to respond to conflicts when they do in fact materialize (Altshuler, 2009). This tension illustrates the UN's "moral dilemma" in IR, and also whether or not the UN should "take sides" when war does ensue (Paolini, Jarvis, & Reus-Smit, 1998, p. 33). In their attempts to remain neutral, they are only perpetuating greater divide.

### **International Refugee Regime**

*"The strong do what they can and the weak do what they must."*  
– Thucydides, 1972

The refugee 'problem' should not be viewed or conceived of as charitable nor humanitarian, but as political (Hein, 1993; Malkki, 1995; Triadafilopoulos, 2012). Malkki (1995) claims that refugee issues are in fact political, because "mass migrations create domestic instability, generate interstate tension and threaten international security" (p. 504); this sheds light on the current 'war on refugees'. The refugee is thus the enemy to the state; the state has therefore opportunistically constructed 'the refugee' as violent and insecure, and as *something* that must be conquered and obstructed (Hyndman & Mountz, 2007). International human smugglers have only exasperated the 'war on refugees' as smuggling techniques and routes have become more sophisticated providing refugees with the opportunity to reach almost any border (Hyndman & Mountz, 2007). This war has proliferated interstate tensions.

Refugees should not to be confused with migrants who voluntarily leave; immigrants for example, comprise an economic or social form of migration, refugees on the other hand, constitute a political form (Hein, 1993; Triadafilopoulos, 2012; Malkki, 1995). To comprehend how refugees are *created* and to understand the root causes of such, are far beyond the scope of this MRP. Therefore, for the purpose of this MRP, I assume that refugees are a fact, more often than not, involuntarily a result of domestic war and government instability. I am not investigating their creation, but rather problematizing how they are perceived and governed in IR. For the context of this MRP, I will align the “refugee” with the realist paradigm in IR; that is, the term refugee constitutes a “bureaucratic label” that has been bestowed upon them by the state for political motive (Hein, 1993). The refugee has therefore become synonymous with violence, flight and exile (Hein, 1993). Unfortunately, violence is what refugees are leaving and flight is their only way of doing so.

The 1951 Convention on the Status of Refugees is regarded as the “centrepiece of international refugee protection today” (UNHCR, 2016 (1951)). This monumental instrument defines a refugee as a person who, “owing to a well-founded fear of persecution for reasons of race, religion, nationality, member of a particular social group or political opinion, is outside the country of his national and is unable, or owing to such fear, is unwilling to avail himself of that country” (UNHCR, 2016 (1951)). This definition is open to ambiguity and considerable interpretation. Asylum seekers are not refugees, the term refugee is supposed to accord them with status; asylum seekers become refugees only when they have been granted this status through meeting the above criteria. This universal definition is applied to all refugees so that they may all be treated with fair and equal opportunity, regardless of their race and nationality and so on.

Along with other post-WWII instruments, the Convention was implemented so that states could make collaborative efforts in dealing with the seven million Europeans displaced in the aftermath of the WWII (Hein, 1993). Furthermore, the post WWII years – along with the inauguration of the UN – may be attributed to the initial standardization in dealing with, and managing “mass displacements of people” (Malkki, 1995, p.497). The Convention was amended in 1967 so that the geographic limitations were extended beyond European borders; “it was with the 1967 Protocol that the Geneva Convention became the universal instrument for refugee law” (Nobel, 1998, p.21). Regardless that refugee resettlement became a universal endeavor, shockingly, 80% of the refugees throughout the world today are settled by states who comprise the Global South who lack the social, economic, and political resources to ensure their actual resettlement (Castles, De Haas, & Miller, 2013; Hathaway, 2016). Refugees are perceived to bring with them the political hostilities in which they fled; they contribute little economically (at first) while also disrupting the cultural homogeneity of the receiving state.

For example, the Jews fleeing Hitler’s Nazis, were recounted as victims of “international complacency and diplomatic priorities” (Barnett, 2002, p.243); moreover, states were reluctant to accept the Jews as the world had just been ravaged by war and states did not want to proliferate another one through accepting them. States have thus long constructed asylum seekers, or people fleeing persecution, as “vectors of insecurity and terror” (Hydman & Mountz, 2007, p.77). States therefore, have an interest in limiting the number of refugees they accept. State sovereignty is not deteriorated when people leave, but only when people enter. This is because ‘newcomers’ bring with them their native cultural norms and practises that at times challenge or defy those of the people already claiming residency. When contrasting cultures co-exist and intermingle, the

possibility of greater tension and intolerance among different groups is heightened. This creates conflict and civil unrest throughout the state.

Triggered by the Arab Spring, and perpetrated by the Syrian Civil War, the Syrian refugee crisis has sparked international outrage as it is the largest forced migration since World War II (Surk & Lyman, 2015). However, it wasn't until Syrian migrants started approaching European borders – using Greece as their point of entrance – that the international community ceased turning a blind-eye. This is because the Global North no longer sat at a “comfortable distance” from the problem (Mayer, 2016, p.6). The crisis is already in its seventh year, and has effectively drove over five million Syrian people into neighbouring countries where, upon arrival, find their freedoms and rights further infringed upon (Blanchard, Humud, & Nikitin, 2014; UNHCR, 2017). When people are deprived of their human rights, individuals are more prone to engaging in desperate and dangerous measures that would allow them to get them back, thus exposing the whole international system to greater risk and conflict (Arendt, 1973). Because refugees are recognized as political, they do not receive the benefits associated with the idealistic humanitarian resettlement efforts by the UN. The fate of refugees is thus erroneously at the helm of the state, who is driven by political realist ideologies. States are not compelled to accommodate refugees, rather, they are compelled to protect their sovereignty.

### **State Sovereignty**

*“Of all the rights that can belong to a nation, sovereignty is undoubtedly the most precious.”*  
- Emerich de Vattel, 1883, p.154

It is crucial to understand the relationship between state sovereignty and the international system of states that comprise international relations (Prokhovnik, 2013). Although sovereignty is open to many modern interpretations (Prokhovnik, 2007), Jackson (2003) claims that conceptualizing sovereignty, “particularly as to its ‘core’ of a monopoly of power for the highest

authority of what evolved as the ‘nation-state’, began with the 1648 Treaties of Westphalia” (p. 786; Franceschet, 2009; Reus-Smit, 1998). This modern-day state system, linked one state to one territory (Howland & White, 2009). The treaties, signed upon the end of the Thirty Years War in Europe, recognized “England and France as nation states and set the basis for what became the principle of an international system of nations states” that claimed sovereignty, thereby agreeing and recognizing the principle of non-intervention (Prokhovnik, 2013, p.19). The treaties separated religious differences and political conflict; “it terminated the pope’s claim to universal authority” to which authority was extended to independent secular rulers, thus providing sovereigns with formal territorial recognition (Croxtton, 1999, p.572). The Westphalian system therefore marks the end of when external rulers or forces could intervene within domestic authority structures, providing the state with a degree of sovereignty (Krasner, 1999).

Many modern-day scholars will agree that Jean Bodin should be attributed as the first theorist of sovereignty (Prokhovnik, 2013). Bodin saw sovereignty as the “supreme power of citizens and subjects unrestrained by law” (Anderson, 2006, p.19). What lacked in Bodin’s broad definition was that he could not foresee that sovereigns would, or could, have the capacity to violate law, when in fact they too should be subordinate to it (Camilleri, & Falk, 1992). Citizenship and membership came about from subjecting – or submitting – to the sovereign. Bodin placed great emphasis on the distance between community and government, making the two realms somewhat distinct and unrelated. This sparked considerable debate and brought great ambiguity to his definition; the state and community must *relate* to a degree in order for society to cohesively function. Within his theory, he placed the state “as the locus of power”; his political theory included the following three features: “sovereignty as the highest legal authority, sovereignty as absolute and indivisible, and sovereignty as a regulative ideal establishing political stability and

identity” (Camilleri, & Falk, 1992, p.36). His greatest contributions may be summarized through his understanding of absolute sovereignty, “the sovereign commands, but cannot be commanded” (Camilleri, & Falk, 1992, p.51).

Hobbes (1968) on the other hand, challenged the notion of the ‘social contract’ between “ruler and ruled” placing greater importance and emphasis on the ruler. Instead, the contract was that all individuals “agree to submit to the state”; and furthermore this “universal surrender” and “the right to self-government” resulted in the “Commonwealth” or “Leviathan” (Hobbes & Macpherson, 1968, p.382-383). This is problematic as this type of contract cannot be internationally extended between states (Camilleri, & Falk, 1992), because as Holsti & Holsti (1972) claim, “sovereignty, territorial integrity, and legal equality of states [are] seen as the hallmarks of international relations” (p.29). Submission and authority are thus at the heart of Hobbes’ understanding of state sovereignty. The sovereign therefore, cannot be “subjected to any criticism or limitation...no authority outside the state can sit in judgment on the state, not even religious or moral conscience, or any criterion of justice” (Camilleri, & Falk, 1992, p.20). This directly rejects and criticizes the United Nations International humanitarian efforts. Because sovereign states mutually recognize one another as such, non-intervention and non-interference by any foreign institution or government is implied (Jackson, 2003). This becomes difficult on a global scale, where there is no one sovereign that has the ability to enforce law. International law is not enforced by coercion or military force as it would be at the domestic level (Camilleri, & Falk, 1992). Because sovereignty means “no higher power” (Jackson, 2003) the state enjoys autonomy in IR.

Lake (2003) claims that internally –or domestically – “sovereignty defines the ultimate or highest authority within a state” that creates the hierarchal structure within a bounded territory

(p.305). Today, the authoritative figure would be considered the head of state or government; citizens are members who provide this “sovereign” with the power to enforce laws and rules to which they voluntarily abide by. Krasner (1999) refers to this type of relationship as domestic sovereignty, where the government or head of state enjoys effective control. External sovereignty, on the other hand, refers to the non-intervention and anarchist characteristic principle among states; that is, “sovereignty entails the recognition by other similarly recognized sovereign states” (Lake, 2003, p. 305). Identifying the relationship between internal and external sovereignty are thus inherent to the construction of the whole system, because one could not exist without the other (Lake, 2003). Sovereignty thus implies a relationship of formal equality among states that comprise the international community (Lake, 2003).

Legal sovereignty alone may not provide adequate sovereignty to a state (Ghani, Lockhart, & Carnahan, 2005). That being, a state may be legally recognized as sovereign, but lacks the capacity, or intentionally negates to provide basic amenities to its stakeholders. An example of this type of sovereignty would be North Korea, arguably one of the most legally sovereign states in the world, however the government consistently infringes upon human rights and fails to provide basic services such as food, security, infrastructure, and education (Rice, & Patrick, 2008). Sovereignty must thus be all encompassing, such that it is not only derived from legal and political power, but that these power sources in partnership, meet the basic needs of civil society. If the overall quality of life of citizens is poor, the probability of internal conflict and uprising is heightened which would have the capacity to weaken government functions and processes. States do not fail because of external forces; states fail because of internal factors, such that governments can no longer provide positive value to citizens (Rotberg, 2003).

There is considerable tension among states due to the different power dynamics that allow states to exercise their sovereignty unequally throughout the international system (Jackson, 2003; Camilleri, & Falk, 1992). This creates a hierarchy and also challenges the notion that states are all equal units. Different internal functions and process, provide different degrees of power to sovereigns. This implies that when states have considerable power – derived from internal state forces – they will enjoy greater power when it must be externally exerted. States inherently possess an interest to pursue power thereby increasing their sovereignty, in doing so, they have the capacity to inferiorize other states. State sovereignty is therefore not a process or function, but a concept derived from an amalgamation of internal power sources. To illustrate this conceptualization, I will provide sovereignty with qualitative measurements through analyzing the functions and processes that provide the state with power, thus providing the state with a degree of sovereignty.

### **Measuring Sovereignty**

*“Sovereignty is a slippery concept, not just because epistemology logically precedes ontology. It is a slippery, open-ended and extended concept, in the same way that the concept of ‘politics’ is.”*

- Prokhovnik, 2007, p.29

Sovereignty is unequivocally linked to the state (Schmitt, 1985; Waltz, 2010; Ruggie, 1983). Thus, I propose that sovereignty is a derivative<sup>1</sup> of the state; its measurement may be derived through examining the effectiveness of state processes and functions. In order to obtain this measurement, it is pertinent to comprehend the state’s functions, more or less, the processes and institutions that deem it weak or strong, so that in return it may secure a degree of sovereignty. A state does not spontaneously claim sovereignty (Howland & White, 2009). That being,

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<sup>1</sup> A derivative is a frequently used financial instrument; its value is derived from its underlying asset. For the purpose of this analysis, sovereignty is interpreted as the derivative of the state, its value derived from the variables and functions that measure the effectiveness of state functions and processes.

sovereignty “is a set of practices that are historically contingent – a mix of both international and intra-national processes, including self-determination, international law, and ideas about natural right” (Howland & White, 2009, p.1). It is therefore necessary to determine and define the processes and functions of the state that in a collective effort, reveal whether a state enjoys strong, moderate, or weak sovereignty. Later on, in a comparative country analysis, I will employ these indicators to four specific countries so that we may see the conceptual phenomenon of sovereignty in practice, and furthermore realize how states *use* this power out of self-interest, inevitably rendering the idealistic efforts of the UN unsuccessful.

There are two bodies of work which I will credit in creating techniques to measure state functions and processes. First and foremost, Rice & Patrick (2008) created an index to measure the weakness or strength of the state through employing four critical spheres: economic, political security, and social welfare (p. 3). Rice and Patrick’s *Index of State Weakness in the Developing World*, measures and ranks the relative performance of 141 states throughout the developing world. The four spheres address the ability and capacity of each state’s government in delivering and fostering certain responsibilities; within each sphere (or basket) they measure five indicators that act as proxies for each “core aspect of state function” (p.8). The indicators are obtained predominantly from The World Bank, the International Monetary Fund, Freedom House, the Political Terror Scale, The Political Instability Task Force, the Food and Agricultural Organization, and UNICEF: State of the World’s Children. The indicator scores within each sphere becomes standardized and aggregated, so that each state receives a numerical score based on the average derived within each basket. The scores range from 0.0 (the worst), indicating weak state function, and 10.0 (the best) indicating strong state function. This approach, allows the index and final scores to consider each critical sphere, and also provides a balanced overall picture of the

performance of each state along multiple dimensions (p.8); such that a strong state must encompass high scores within each basket, conversely a weak state would receive low scores. Each autonomous basket, collectively conjures a degree of internal power that translates to the level of sovereignty enjoyed. Although this index is used to analyze state weakness, conversely, it may be used to signify strong states. Low and weak indicators signify weakness, while high and strong numbers signify strength.

Please refer to the following Table 1: Index of State Weakness in the Developing World:

**Table 1: Index of State Weakness in the Developing World**

<b>Index of State Weakness in the Developing World</b>			
<b>Economic</b>	<b>Political</b>	<b>Security</b>	<b>Social Welfare</b>
<b>GNI per Capita, 2006</b> (World Bank, World Development Indicators)	<b>Government Effectiveness, 2006</b> (World Bank, Governance Matters VI)	<b>Conflict Intensity, 1992-2006</b> (Center for Systemic Peace, Major Episodes of Political Violence)	Child Mortality, 2005 (UNICEF, State of the World's Children)
<b>GDP growth, 2002-2006</b> (World Bank, World Development Indicators)	<b>Rule of Law, 2006</b> (World Bank, Governance Matters VI)	<b>Political Stability and Absence of Violence, 2006</b> (World Bank Governance Matters VI)	<b>Primary School Completion, 2005</b> (World Bank, World Development Indicators)
<b>Income Inequality, 2006</b> (World Bank, World Development Indicators)	<b>Voice and Accountability, 2006</b> (World Bank Governance VI)	<b>Incidence of Coups, 1992-2006</b> (Archigos 2.8 and Economist Intelligence Unit)	<b>Undernourishment, 2004</b> (Food and Agriculture Organization)
<b>Inflation, 2002-2006</b> (International monetary Fund, International Financial Statistics)	<b>Control of Corruption, 2006</b> (World Bank, Governance Matters VI)	<b>Gross Human Rights Abuses, 1992-2006</b> (Political Terror Scale)	<b>Percent Population with Access to Improved Water Sources, and with Access to Improved Sanitation Facilities, 2004</b> (World Bank, World Development Indicators)
<b>Regulatory Quality, 2006</b> (World Bank, Governance Matters VI)	<b>Freedom Ratings, 2006</b> (Freedom House)	<b>Territory Affected by Conflict, 1991-2005</b> (Political Instability Task Force)	<b>Life Expectancy, 2005</b> (World Bank, World Development Indicators)

The second work by Ghani, Lockhart, & Carnahan (2005) claim that because the state is in itself the most “effective and efficient way of organizing the security and well-being of a population” defining a state’s primary functions that allow it to perform as such, are necessary. They determine ten “core functions of the state” in order to *redesign* and understand state-building throughout the international community, and that only after states become stable and successful in providing these core functions may the Millennium Development Goals<sup>2</sup> be achieved. Their *Working Paper 253, Closing the Sovereignty Gap: An Approach to State-Building*, Ghani, Lockhart, & Carnahan (2005) highlight the need for the ten core functions to be multidimensional, so that a state may only be considered sovereign when it delivers all ten functions. Their urgency to ensure that state-building must be all encompassing is highly commendable, as using only one form of recognition does not, and should not, have the capacity to define state sovereignty. Moreover, they claim that a state may not be considered sovereign simply when it is legally sovereign; a legally sovereign state may enjoy *de jure* sovereignty<sup>3</sup> but then then fail to provide basic human rights or services to its citizens.

It is therefore fair to say that Ghani, Lockhart, & Carnahan (2005) agree with Rice & Patrick (2008) that measuring state sovereignty – through analyzing a state’s processes and functions – must be done so comprehensively, so that the final outcome has taken into consideration not only legal aspects, but the political, economic, social, and security aspects as well. Although Ghani, Lockhart, & Carnahan (2005) idealistically claim that global security and prosperity may be achieved when states perform all ten functions, they also recognize the

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<sup>2</sup> In an effort to meet the needs to the world’s poorest people, The United Nations, in collaboration with the world’s states, took on a global project to form the Millennium Development Goals. These eight goals, range from poverty reduction, providing access to a universal primary education, and reducing the spread of HIV/AIDS, to name a few. See the Millennium Development Goals Report: United Nations, 2005.

<sup>3</sup> Legally recognized as sovereign; institutionally recognized; the right to exercise control

corresponding challenges that states face in pursuit of such functions that enhance their sovereignty. These “rules of the game” provide a state with a “stable policy environment” and are achieved when the rule of law becomes routinized between governments and through “the persistence of policies” (Ghani, Lockhart, & Carnahan, 2005, p.9). In order for optimal efficiency and prosperity of the state, all criteria must be met through an integrative fashion. A state opens itself up to vulnerability and liability when as little as one of these functions are not met. Failure to meet any of the above criteria will result in inefficient decision-making, eroded trust between state and citizen, and the “de-legitimization of institutions” (Ghani, Lockhart, & Carnahan, 2005, p.9). Because Rice & Patrick (2008) have created four critical spheres that coincide with the types of sovereignty in the international relations framework, I have categorized Ghani, Lockhart, & Carnahan (2005) state functions into the sphere to which it applies.

### ***Economic***

Within the economic sphere, Rice & Patrick (2008) examine the government’s ability to “[foster] an environment conducive to sustainable and equitable economic growth” (p.3). The variables within their economic basket include Gross National Income (GNI) per capita, Growth Domestic Product (GDP) Growth, Income Inequality, inflation, and Regulatory Quality (p.9). Policy must be created that allows the state to participate in the domestic and international competitive market. In doing so, the state must invest in human capital. That being, citizens must have the opportunity to be actors in the economy, polity, and society...without this investment different groups become disenfranchised, which undermines the capacity of the economy” (p.7). Therefore, the state must facilitate the “formation of the market” (p.8) that provides the state with an environment to enter into and enforce contracts, establish property rights, insurance, employment, and environmental law, to name a few (Ghani, Lockhart, & Carnahan, 2005). Once

a market is formed and competition is efficient, the government then receives revenue. In doing so, the state must soundly manage public finances; no sovereign state can rely on external forms of revenue to finance the majority of its operations. Moreover, a state must have a sound budget to be sovereign (Ghani, Lockhart, & Carnahan, 2005). When the economy is efficient and competitive, there is reduced likelihood that the state is forced to borrow from the international marketplace, such as the World Bank or International Monetary Fund (IMF). To lessen this risk, a state must be able to efficiently manage its assets, this includes tangible assets such as financial capital, but also includes intangible assets such as their ability to regulate and license industries and corporations such that they may have the opportunity to enter the global market place (Ghani, Lockhart, & Carnahan, 2005).

### ***Political***

The political sphere addresses whether or not the state has the capacity to establish and maintain “legitimate, transparent and accountable political institutions” (Rice & Patrick, 2008, p.3). Within the political sphere, the indicators include, Government Effectiveness, Rule of Law, Voice and Accountability, Control of Corruption, and Freedom Ratings. As such, a state must enjoy “administrative control... [that being] the breadth and depth of the reach of a state’s authority over its territory” (p.7). Administrative control encompasses many prerequisites, such as the rules that vertically and horizontally define and divide across hierarchical levels, as well as the recruitment of public servants to carry out such functions. The citizens must accept these processes, inevitably producing a trust relationship between the state and citizens, resulting in a heightened sense of belonging (Ghani, Lockhart, & Carnahan, 2005). Trust relationships provide the government with a degree of legitimacy and authority to then participate in international relations. This engenders the state’s ability to enter into international contracts and treaties, and how conducive their

relations are with other states. Furthermore, legitimacy provides the government with a form of social hegemony (Griffiths, 2011). Lastly, the state must enjoy the *rule of law*; moreover, how well the states “rules of the game” are established and aligned (Ghani, Lockhart, & Carnahan, 2005, p.9). These “rules of the game” provide a state with a “stable policy environment” and are achieved when the rule of law becomes routinized between governments and through “the persistence of policies” (Ghani, Lockhart, & Carnahan, 2005, p.9).

### ***Security***

The security sphere provides us with insight as to how effectively the state may secure its borders, as well as provide security internally to its members. This conveys as to whether or not a state holds the legitimate “monopoly on the means of violence” (Ghani, Lockhart, & Carnahan, 2005, p.6); this applies to the state’s ability to provide security and protection to its people and property. Moreover, the state must have the capacity to control and diminish violence within its borders. Externally however, a state must have the capacity to protect itself from violence and threat beyond its borders, inevitably providing the state with external sovereignty. The variables within the security basket include, Conflict Intensity, Political Stability and Absence of Violence, Incidence of Coups, Gross Human Rights Abuses, and Territory Affected by Conflict. The state must therefore have the ability to “secure their population from violent conflict and controlling their territory” (p.3), moreover, the state must have the capacity – in regards to policy – to overcome and suppress any internal and external threats.

### ***Social***

Lastly, within the social welfare sphere, the state must be able to deliver and meet the basic needs of its citizens. These indicators include Child Mortality, Primary School Completion, Undernourishment, Percent of Population with Access to Improved Water Sources, and with

Access to Improved Sanitation Facilities, and Life Expectancy (Ghani, Lockhart, & Carnahan, 2005, p.9). Furthermore, the state must engender the “delineation of citizenship rights and duties...so that social policy may be perceived as an instrument for the creation of equality and opportunity” (p.8), this provides unity and a shared sense of a common destiny. This reduces the potential for civil unrest, because a “shared national identity is uniquely conducive to social trust...for people cherish intimate relations...so that life is familiar, understandable, and predictable” (Griffiths, 2011, p.71). Social welfare includes a prominent humanitarian element. Government policy should reflect the needs and wants of its citizens, in turn not only providing the government with legitimacy, but also ensuring that its citizens are generally happy. When individual’s basic needs are met, there is greater opportunity for economic and political prosperity; this has the capacity to lessen hostility. It also takes in to account how equal or equitable society is. States that are more equal, are more prosperous; states with greater inequality have shorter life expectancies, poorer health and education, and lower GDPs (Wilkinson, & Pickett, 2009). In order to increase equality, a state must invest in infrastructure services in turn creating a “level playing field” throughout the territory. Operation and maintenance of such services is also key to keep equality between the rural and urban areas (Ghani, Lockhart, & Carnahan, 2005).

Overall, both pieces of work demonstrate and agree that in order for a state to be deemed weak or strong, a state must not only deliver certain functions, but do so in a way that benefits its residents across four components: security, political, economic, and social. Now that I have determined the processes and functions that deem a state either strong, moderate, or weak, I may operationalize them in conducting a comparative country analysis. Although measuring each variable would be beyond the scope of this MRP, I have found secondary resources that provide snapshots for each sphere.

## Comparative Country Analysis

*“All states are equally sovereign under international law.”*

- United Nations Charter, Article 2.1

The United Nations claims that each state, within the international context, is equal under international law. However, as this MRP has and will continue to affirm, this is not the case; the power that each state yields throughout the international system is significantly unequally dispersed. For the purpose of this MRP, I have chosen four specific states to operationalize sovereignty so that we may see sovereignty in practice. The four states include, the United States, Canada, Turkey, and Germany; all have varying degrees of sovereignty that have allowed each to react differently to the current refugee crisis plaguing the international system. Firstly, Turkey was chosen due to its unique geographic positioning relative to Syria; most Syrian refugees have fled to neighbouring Turkey using Turkey as an EU access point. Turkey also currently hosts the greatest number of Syrian refugees. Secondly, Germany was chosen because it has settled the most Syrian refugees relative to other states who comprise the Global North; also, Germany is a prominent EU member who has been criticized for “letting in” too many Syrian refugees. Germany therefore, has a unique geographic location, as well as enjoys membership to a prestigious economic and political bloc. Thirdly, Canada was selected based on its distant geographic positioning to the Syrian conflict, as well as its overtly “open” and multicultural stance toward Syrian refugees that saw the immediate acceptance and arrival of over 25,000 Syrians at the start of 2017. I do wish to remain objective, however Canada is also my home country, therefore I have an inherent interest to understand its immigration and refugee policies as it pertains to IR. Lastly, the US was selected due to its also distant geographic positioning to the conflict, as well as its overtly discriminatory and ignorant stance towards Syrian refugees; the US also enjoys the greatest economic and political might in IR.

I will provide a brief overview to demonstrate how well each state delivers across each comprehensive sphere, to which they achieve their degree of sovereignty. In doing so, I will reference secondary indexes and resources by the CIA World Factbook, the OECD Better Life Index, the UN Development Index, and the World Justice Project. This section serves as an introductory overview of how I derive the selected states measurement of sovereignty. Each variable or index selected, also directly corresponds to the previous sections measurements of sovereignty, that being, I have selected variables that inform me of the economic, political, social, security, capacity of each selected state.

The CIA World Factbook is an online reference source created by the United States Central Intelligence Agency. It provides an exhaustive list of facts, data, and statistics for over 267 world entities, providing substantial information in regards to history, people, government, economy, geography, communications, transportation, military, and transnational issues (CIA World Factbook, 2017). In order to provide each state with indicators that address each sphere from the previous section, I have chosen eight indicators. Life expectancy, Health Expenditure, GDP purchasing power parity, GDP per capital, unemployment rate, population below the poverty line, external debt, and Military expenditures as a percent of GDP. Life expectancy, health care expenditures as a percent of GDP, and population below poverty line may inform us of how well the government meets the basic human needs of its members. Health care as a percentage of GDP translates as to how well the government uses public funds to provide mental and physical health care. Furthermore, life expectancy informs us of the overall mortality of a population; it is low when states experience famine, war, disease, and have poor health. Conversely, a high age signifies a state's ability to combat these atrocities. The third social indicator, population below the poverty line, may inform us about the quality of life of people, and if the population has the

capacity to meet its basic needs such as purchasing food, water, clothing, housing, and healthcare. The following three indicators – GDP purchasing power parity, GDP per capita, and unemployment rate, relate to the economic sphere. These measurements, as per the previous section, translates into how well a state promotes and facilitates a competitive market. The amount of external debt the state holds will shed light on the government’s ability to manage finances, furthermore allowing us to see how they receive funds from external sources. The last CIA World Factbook indicator is military expenditures as a percentage of GDP; this will shed light on the capacity the state has to defend itself.

The second resource, the OECD index, derived from the Organization of Economic Co-operation and Development, ranks the state on its capacity to meet eleven dimensions. These dimensions include, housing, income, jobs, community, education, environment, health, life satisfaction, safety, and work-life balance. Thus, the index’s comprehensive nature. It provides a rank to each state in relation to each other, using 38 states which includes Canada, Germany, Turkey and the USA. It sought to address the over-all quality of life for each state. The higher the rank, the over-all better quality to life.

The third resource, the World Justice Project, established The Open Government Index. The Project defines an open government – “conventionally understood as a government that shares information, empowers people with tools to hold the government accountable, and fosters citizen participation in public policy deliberations – [which is] a necessary component of a system of government founded on the rule of law” (World Justice Project, 2015). The index ranks 102 states based on the deliverance across four dimensions, including publicized laws and government data, right to information, civic participation and complaint mechanisms, shedding light on government legitimacy, government effectiveness, as well as accountability. The higher the rank, the more

effective and accountable government function. These indexes are indispensable in that they provide the comprehensive previously discussed spheres with clear and concise summaries.

Please refer to Table 2 for a snapshot for each of the four states based on the previously discussed secondary resources.

**Table 2: Indicators for Comparative Country Analysis**

<b>Indicators</b>	<b>US</b>	<b>Canada</b>	<b>Germany</b>	<b>Turkey</b>
<b>CIA World Factbook</b>				
Population (2016)	323,995,528	35,392,905	80,722,792	80,274,604
Life Expectancy (years)	79.8	81.9	80.7	74.8
Health expenditure % of GDP (2014)	17.10%	10.40%	11.30%	5.40%
GDP Purchasing power parity (2016)	\$18.56 trillion	\$1.674 trillion	\$3.979 trillion	\$1.698 trillion
GDP per capital (PPP) (2016)	\$57,300	\$46,200	\$48,200	\$21,100
Unemployment rate (2016)	4.70%	7.10%	4.30%	10.90%
Population below poverty line	(2010) 15.1%	(2008) 9.4%	(2015) 16.7%	(2015) 21.9%
External Debt (2016)	\$17.91 trillion	\$1.608 trillion	\$5.326 trillion	\$410.4 billion
Military Expenditure % of GDP (2015)	3.30%	0.97%	1.19%	1.67%
<b>OECD Better Life Index</b> (out of 38 states)	9th	5th	12th	36th
<b>UN Development Index</b>				
Over all rank (out of 188 states)	10th	10th	4th	72nd
Mean years of Schooling	13.2	13.1	13.2	7.9
Development	Very High	Very High	Very High	High
<b>World Justice Project</b>				
Over all rank to Open Government	11th	7th	15th	82nd

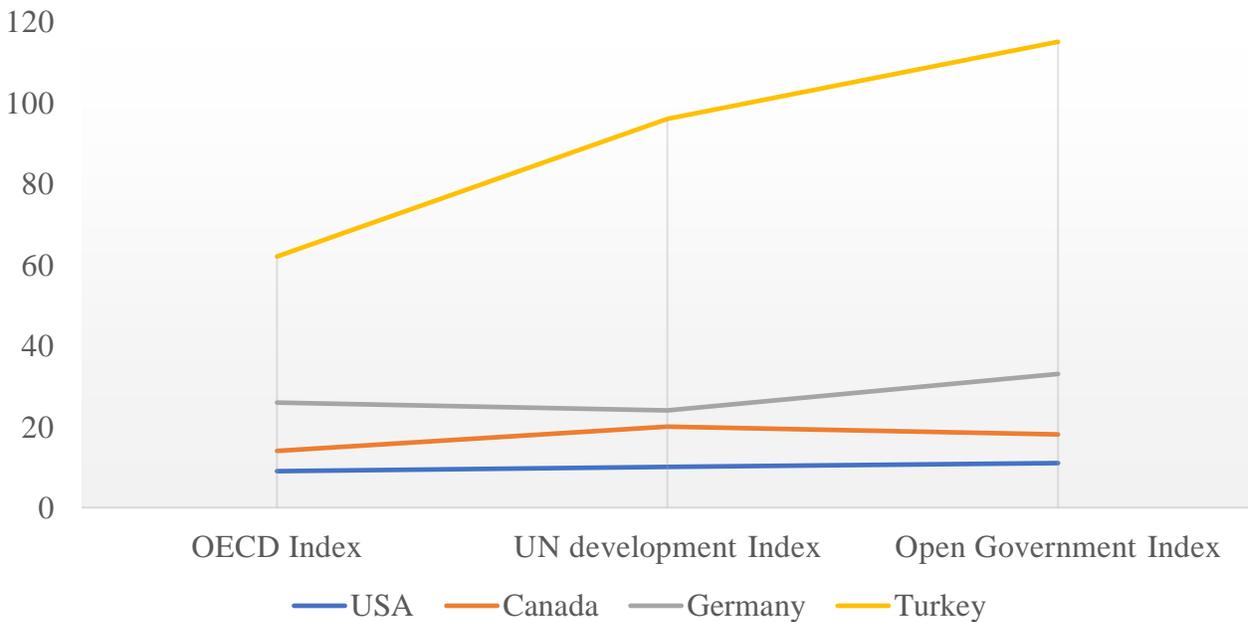
Let me first highlight some initial observations prior to conducting the country specific analysis. First and foremost, the United States boasts some of the highest economic indicators. The United States spends the most on health care, enjoys the highest GDP PPP and GDP per capita, and has the second lowest unemployment rate. This tells me that, economically speaking, the United States is a wealthy financial power house. The second most obvious observation, is that

Canada and Germany have relatively similar measurements. They have almost identical life expectancies, GDPs, similar index rankings, as well as percentage of GDP spent on healthcare. Furthermore, both countries employed similar immigration trajectories throughout the 20<sup>th</sup> century that categorized immigrants as desirable or undesirable, more so than not based on their ethnicity (Triadafilopoulos, 2012). Both countries became “less white” upon adopting more liberal immigration policies in the latter half of the twentieth century (Triadafilopoulos, 2012). Lastly, Turkey, relative to the US, Canada, and Germany, has noticeably worse-off measurements. This is especially apparent in regards to their rank within the OECD Development Index, the UN development Index, as well as their Open Government rank. I suggest asserting, as a result of the above table and sovereignty measurements from the previous section, that the US is considered the most sovereign state, followed by Germany and Canada who are moderately sovereign, and finally Turkey who is weakly sovereign. This will further become evident when relating these indicators to the current Syrian refugee crisis.

Furthermore, upon plotting the three indexes into a line graph, it is evident that the US enjoys the strongest overall index ranking, while Canada and Germany are a close second and third, and Turkey has the overall weakest rank in terms of the indexes. The US therefore has the strongest social and political indicators, followed by Germany and Canada, and lastly Turkey.

Please see the following graph, Index Ranking:

## Index Ranking



### *The United States*

*"I'll look Syrian Children in the face and say they can't come."*  
-President Donald Trump, 2016

The United States, in relation to the other selected states, dominates the economic sphere. This has considerable weight in the international community. This is relevant because the United States is the top financial contributor to the United Nations and many other international non-government organizations (NGOs). This provides them with enormous decision making power and authority in regards to the projects and endeavors that NGOs and multinationals undertake; it also provides the US with a wide margin of safety in regards to dealing with less powerful states (Waltz, 1979). This however, is quite problematic, and may also serve to be a conflict of interest. The United States is one of the five permanent members of the UN Security Council, that

undoubtedly provides them with a prestigious status in IR. As a permanent member of the security council the US enjoys a ‘veto’ power throughout the decision-making process at the UN.

The US has \$17.91 trillion of external debt, the largest debt in the world. This implies many thought provoking notions. Firstly, it suggests that the government is unable or unwilling to collect, nor raise enough revenue from public sources – in the form of taxes –to finance its operations. That being, the government spends more than it makes; this is regardless that it also enjoys the largest GDP purchasing power parity. Conversely, high external debt also reflects a prestigious economic status on the world stage, as creditors deem the US worthy of such mass borrowing. This type of bi-lateral lending and borrowing strengthens interstate relations.

The United States is considered one of the two – the other Russia – super powers of the world. This may be attributed to their legacy throughout and following WWII. Following the war, mass industrialization commenced, that in part, built one of the strongest economies in the world. The US financial crisis in 2008 had the capacity to trigger a global recession, to which the world has yet to fully recover. Following the recession, the US used immigrants and refugees as scapegoats in its progressively stringent and restrictive immigration and refugee policies. President Donald Trump has explicitly claimed that refugees from the Muslim world are terrorists and migrants from Mexico are rapists and drug dealers; he has even threatened to build a wall along the US-Mexico border. Although he has been criticized for his scare-tactics and bully-like rhetoric, it has not been condemned. This has allowed the United States to prevail in asserting such international dominance and control.

In 2016, the United States resettled 84,994 refugees (Zong & Batalova, 2017). This translates to approximately 0.03% of their overall population (323,995,528). In regards to the Syrian conflict, the United States, as of December 31<sup>st</sup> 2016, settled a meager 18,007 Syrians

refugees, representing 0.006% of their population, and a mere 0.3% of all Syrian refugees (Migration Policy Institute, 2017). President Donald Trump has explicitly declared that the United States would no longer accept refugees from the Arab World, and in doing so he has gained further approval, to which many Americans have applauded him for. Trump's intimidating rhetoric has swept across the nation, having the capacity to criminalize those seeking asylum. Trump has not only threatened to deport illegal immigrants already inhabiting the United States, but has also put significant resources in to uncovering their whereabouts. Furthermore, the US follows the assimilative approach to immigration, such that immigrants must "learn the language, upgrade their skills, find employment, plug into local communities, and adopt core cultural values, norms, and lifestyle" (Lesińska, 2014, p.42). Its domineering assimilation policies have allowed the US to maintain its homogenous and exclusionary culture.

### ***Canada***

*"To those fleeing persecution, terror & war, Canadians will welcome you, regardless of your faith. Diversity is our strength."*  
-Prime Minister Justin Trudeau's Twitter, 2017

Canada, I affirm, claims moderate sovereignty, that being, although Canada is a strong state who successfully and positively delivers across all four state sovereignty spheres, is not as strong nor sovereign as the US. This is especially true in regards to the Canadian economy that is largely dependent on the US. Moreover, the US is far less reliant on external trade than Canada is (Chase, 2017). Canada has a large incentive to keep its borders relatively open with their southern neighbours, as almost 50% of Ontario's GDP alone is dependent on the US (Chase, 2017). Although Canada is part of the British Commonwealth, it often remains in the shadows of the US.

Canada has accepted approximately 40,081 Syrian refugees as of January 29<sup>th</sup> 2017 (CIC, 2017). This represents 0.11% of the Canadian population (35,392,905), and a mere 0.8% of the

total Syrian refugee population. Although Prime Minister Justin Trudeau has been publicly applauded for his lenient and non-discriminatory immigration and refugee policies, in reality – and in comparison to Germany – Canada has done insufficiently in regards to Syrian refugees. Although praised for its multiculturalism policies, that not only allows, but promotes immigrants to retain and practice their cultures, there has still been some intolerance and hostility towards Syrian refugees. Moreover, 40,081 is an insignificant number when taking in to account its population, GDP, and quality of life indicator; although Canada has the capacity to accept higher refugee numbers, it chooses not to; this is a result of Canada’s advantageous geographic positioning in the world.

Canada is surrounded by three oceans and shares only one border with the United States, the most sovereign state in the world. Refugees do not have the ability, nor capacity to approach its borders, furthermore, the United States shields Canada from migrants from Central and South America; this is done through the Safe Third Country Agreement between the USA and Canada that requires refugees to apply for status in the first state they reach. The Safe Third Country Agreement not only hopes, but promises to restrict refugee access to the Global North, and is also more beneficial to Canada (Hyndman & Mountz, 2007). Although Canada enjoys the most secure borders – as a result of its unique geographic positioning – because its economy and security is largely dependent on the US, it is less sovereign; external dependence therefore provides Canada with a moderate degree of sovereignty.

## **Germany**

*“There is no tolerance of those who are not ready to help, where, for legal and humanitarian reasons, help is due.”*

-German Chancellor Angela Merkel, 2015

Germany, similar to Canada, enjoys moderate sovereignty. There are many factors that provide Germany with this similar designation. First off, Germany shares its borders with nine other states, including, Denmark, Poland, the Czech Republic, Austria, Switzerland, France, Belgium, Luxembourg, and the Netherlands. As a prominent EU member, Germany is also a member of the Schengen Agreement. The Schengen Agreement, signed in 1985 and came in to effect in 1990, “envisioned the removal of internal border controls and the establishment of common external borders...freedom of movement would thus be liberalized for EU citizens...but sharply regulated for those outside” (Triadafilopoulos, 2012, p.143). Schengen membership implies that German citizenship means EU membership. Freer movement through the Schengen Agreement however anticipated more lenient restrictions on labour movement and goods and capital, rather than for people who sought asylum (Davis & Gift, 2014). Therefore, although it promotes “cross border ecommerce”, its immigration policies favour economic immigrants, not refugees (Davis & Gift, 2014).

Germany, among countries comprising the Global North, has accepted the greatest number of Syrian refugees. Since 2015, Germany has accepted over one million refugees, mostly from Syria. This represents roughly 1.2% of its entire population, and approximately 19% of the current 5.1 million Syrian refugees in the world (UNHCR, 2017). These efforts have branded Germany as the “bleeding heart” to the Syrian crisis. Chancellor Angela Merkel has also explicitly stated that she will not place a “cap” on the number of refugees they are willing to accept. A solid member of the European Union, Germany has been subject to a great deal of criticism from other EU

members, who claim Germany is accepting too many Syrian Refugees. With so many Syrians now living in Germany, other EU member states accuse Germany of altering the historically “white” European homogeneity of Europe.

Although the current refugee policies that Germany has implemented demonstrates how it has been exercising its sovereignty as a prominent EU member, it claims moderate sovereignty due its Schengen and EU membership; this membership requires that their immigration and refugee policies be on par with EU legislation. Therefore, they are not fully independent, nor sovereign; EU and Schengen membership dilutes this.

### ***Turkey***

*“What does the U.N. say? ‘Open your border to the refugees.’ What are you for then?  
What is your use? Is it that easy?”*  
-President Recep Tayyip Erdogan

Turkey currently hosts the greatest number of Syrian refugees in the world today. Turkey has over 2.9 million registered Syrians (UNHCR, 2017). This accounts for approximately 3.6% of its population, and roughly 57% of all Syrian refugees. Although the United Nations has requested that Turkey fully open its border to accept more fleeing Syrian refugees, they have provided a fraction of the costs associated to support resettlement efforts. It is most note-worthy to remark that the 2.9 million Syrian refugees who have sought refuge in Turkey were un-invited, that being, Turkey did not select, nor chose this number. Spending less than 2% of its GDP on military – defense – Turkish borders have been infiltrated by millions of migrants fleeing the Arab world. Turkey has also been globally criticized for not taking more prominent actions to block such mass numbers of asylum seeking traffic, as Turkey has become the gateway for refugees in reaching Europe.

Turkey, has the most unusual and ambiguous geographic positioning in the world; that being, Turkey straddles Europe and the Middle East. Approximately 10% of Turkey is considered 'European' to which the remaining 90% is aligned with the Arab world. This distinction and separation has arguably contributed to its un-homogeneity, as well as hostility in regards to their acceptance to the EU. Moreover, the country is somewhat divided in its cultural values in turn creating greater animosity and tension among groups. These tensions have heightened since the Syrian conflict ensued.

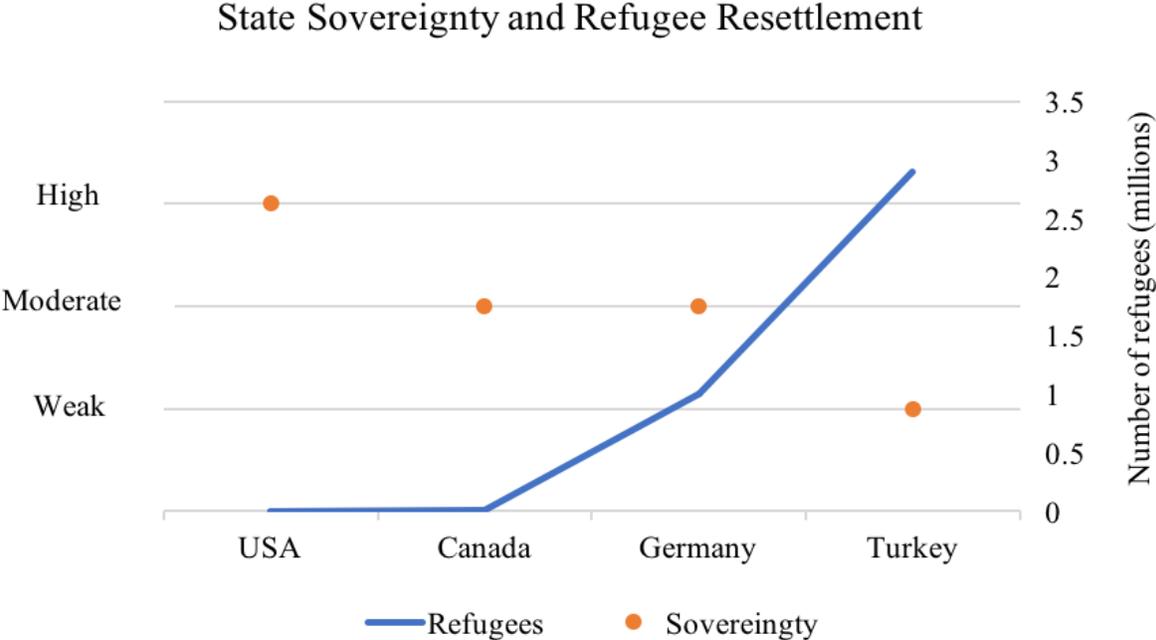
Turkey has done somewhat adequately in limiting "irregular migrants" through the EU-Turkey deal. The EU-Turkey deal however sheds light on the relentless paradox of the EU who has been quick to moralize and advocate their *high* immigration policies; the deal limits and returns "irregular migrants" from the EU (Collett, 2016). Correspondingly, this has increased "irregular migrants" in Turkey. Therefore, the deal has been considerably more beneficial to the EU, in it allows them to fulfill their self-imposed objectives of restricting refugees. As a matter of fact, European Parliament has requested that talks regarding Turkey's EU membership be suspended. This has been as a result of the "constant human rights abuses" and threats to democracy that have taken place in Turkey. Moreover, Turkey's system of government lacks certain "checks and balances" that would allow its ranking on the Open Government Index to improve (Emmott, 2017). Suspended EU consideration – that would have allowed Turkey to be affiliated with such a prestigious trading bloc – illustrates Turkey's lack of transparent and progressive government processes; thus, its weak sovereignty.

## **Discussion**

I have claimed that the US enjoys strong sovereignty due to three main functions, including its economic might, prestigious status on the UN security council, and because it follows the

assimilation approach to immigration. Canada claims moderate sovereignty as a result of its moderate reliance and dependence on external structures and entities – such as the US – its unique border composition, as well as multicultural immigration policies. Germany too, claims moderate sovereignty. This is as a result of its economic might *within* the EU, its Schengen membership, and liberal immigration and refugee policies. Lastly, Turkey claims weak sovereignty due to its low social indicators, weak borders, and lack of EU membership recognition. When plotting the degree of sovereignty enjoyed by each state with the number of Syrian refugees each state has *resettled*, an inverse relationship becomes evident. That being, the more sovereign the state, the lesser number of Syrian refugees resettled.

Please refer to the visual representation below.



There is one other predominate factor that I wish to address that also has the capacity to either diminish or strengthen state sovereignty. Moreover, it is not merely sovereignty that provides states with the ability to be negligent in resettling refugees, but their geographic location

relative to where the conflict stems from. That being, although Turkey has a weak degree of sovereignty, it shares its borders with the state in which the conflict erupted, Syria. Turkey shares its borders with seven other states as well, including, Greece, Bulgaria, Georgia, Armenia, Azerbaijan, Iran, and Iraq; the majority of these states comprise the Global North. This arguably further confines Turkey's sovereignty as its Southern neighbours are regarded as hostile and undemocratic. Perhaps Turkey could become the beacon of hope in consolidating North-West relations, most notably Turkey could become a mediator in disentangling hostile relations among the Global North and South. I suggest in saying that it is only because Canada and the United States are so distanced from the conflict, that they have the ability to determine how many refugees to resettle. Perhaps further research could be conducted in regards to finding a relationship between borders and sovereignty; the more neighbours a state has, arguably could strengthen or weaken sovereignty.

### **Ethics and Politics**

States claim sovereignty, as it is their sovereign right to do so. Refugees, however, are perceived to have the capacity to weaken state sovereignty by 'shaking up' the political, social, and economic composition of the state. The question herein lies, is whether state policies should be better informed by ethics, or whether the United Nations should *have* a sovereign that may better *enforce* international law. Gibney (2004) recognizes the disconnect between international humanitarian laws and the policies that states employ, that inevitably makes international doctrines unattainable. Because states follow the realist paradigm, they are more in favour to value policies that increase state security rather than human security, as security translates to victory (Hyndman, & Mountz, 2007). Gibney (2004) highlights the merely symbolic nature of the Declaration and

Convention, and problematizes that there is no *dedication* nor *enforcement* of them at state level, rendering them useless. Gibney confronts that,

Governments have displayed a general respect for international refugee and international human rights law obligations in their dealings with those refugees who manage to evade numerous barriers and obstacles...what seems lacking, however is a dedication to the principle of asylum that is founded on an ethical commitment to alleviating the plight of refugees than simply a legal obligation to the minimal requirements of inherited international agreements” (2004, p.130).

Throughout his book *The Ethics and Politics of Asylum*, he argues whether or not states have an obligation in providing asylum to the many desperate men and women out there who seek refuge. Gibney (2004) also demonstrates how states prioritize and legitimize refugee claims. Moreover, he highlights the importance of incorporating humanitarian values in to political institutions because states inherently encompass a natural instinct to enact laws and policies that are self-fulfilling. If morals and ethics may apply to an individual, then they most certainly should apply to the state. Because freedom of movement is a fundamental human right, states should therefore be openly admitting refugees instead of creating greater barriers and obstacles deterring them entry.

Matheis (2016) also sheds light on the current ‘refugee problem’, by illustrating how a state’s administrative policy practices are “un-informed by corresponding moral or ethical humanitarian guidelines” (p.17). That is, Matheis (2016) acknowledges the substantial disconnect between politics and ethics. He further acknowledges that “refugees may make moral claims in seeking refuge, but the arbitrary political conditions of contemporary states determine their actual treatment” (Matheis, 2016, p.19). Therefore, administrative political policies have no corresponding moral criteria in determining how refugees may be processed. Politics is the space where the enactment and enforcement of borders takes place. Therefore, in order to justify their

realist political approaches, governments explicitly argue that they have a responsibility in protecting the freedoms and rights of the people already belonging to the state. It is within these arbitrary policies that states get away without providing asylum as “political expediency trumps morality in the treatment of refugees” (Matheis, 2016, p.20). Governments argue that in refusing refugees through border control, they are already acting ethically in protecting the individuals who already reside within those borders. Restrictive border policies therefore act as the fundamental barriers to individuals seeking safety and a life free from poverty, despair, and violence, to which the Declaration and Convention idealistically attempts to prohibit (Bauder, 2016, p.34).

The UN Commission on Global Governance claims that because there is a new myriad of problems confronting IR there must be “better management if survival, better ways of sharing diversity, [and] better ways of living together in a global neighbourhood that is our human homeland” may be achieved (Commission on Global Governance, 1995, p.xix). Moreover, the changing economic, political, social, and ecological climates are challenging the nature and functions of international governance (Reus-Smit, 1998). A system that Oran Young (1994) claims, “is an institution that specializes in making collective choices on matters of common concern to the members of a distinct group” (p.26). Although government systems may be structured differently throughout the globe, they all still fulfill those three core functions (Reus-Smit, 1998). What is problematic is that the international realm comprises no “distinct group” nor group that shares “common affairs”. Furthermore, the United Nations refuses to acknowledge the unequal power dynamics throughout the international state system, effectively discrediting their legitimacy.

Strong states “can afford not to learn, they can do the same dumb things over again” (Waltz, 1979, p.195). Strong states have the capacity – through their strong internal structures and

functions – to turn a blind eye to threats, because very few threats have the ability to cause any *actual* or real damage (Waltz, 1979). This allows states to popularize and continue to implement restrictive immigration policies, inevitably at the cost of refugees (Hyndman, & Mountz, 2007). Mayer (2016) proposes a somewhat idealistic solution through “true global responsibility sharing” (p.7). Mayer (2016) points to the many wealthy developed states, such as the United States and countries throughout the European Union who should be contributing more financially to the refugee crisis. Because states exercise their sovereignty to exclude refugees, they should at least counteract their negligence by contributing more financially. Sovereignty however, presupposes humanitarian efforts. This paradox will continue to hinder any actual means to implement and enforce ‘global responsibility sharing’ as the state and the UN fundamentally adhere to opposing political ideologies.

## **Conclusion**

A state derives its internal power when it effectively delivers security, as well as social, political, and economic functions to its members; this in turn provides the state with internal sovereignty. This internal power then has the capacity to transcend domestic institutions to provide the state with a degree of external sovereignty in the international context. Moreover, internal sovereignty provides the state with external sovereignty, both collectively provide the state with great power domestically and internationally. Ultimately, sovereignty provides the state with the capacity to perpetuate its power; more often than not, this power afflicts the world’s most vulnerable group of people, refugees. Different states throughout the international system, yield different levels of sovereignty, therefore creating an unequally distributed state hierarchy throughout the globe. The United Nations is in denial about the unequal power dynamics that plague the international system, that allows powerfully sovereign states to exclude and deny

refugees of their basic human rights. Sovereignty is therefore the crutch in international relations; at the state level it implies positive connotations, but when externally perpetrated it has the capacity to infringe upon an individual's basic human rights and freedoms.

The Global North perceives refugees as threats who bring with them violence, dependence, and insecurity; this threat seems hypocritical considering "World War Two...the end of the Cold War, decolonization and superpower conflict" produced the greatest number of refugees to ever plague the international community (Malkki, 1995, p.503). Because the majority of these refugees *reside* in the Global South, wealthy states who comprise the Global North justify their inaction and negligence to be accountable to them (Malkki, 1995). The more sovereign a state, the more ignorant and intolerant they may be. Moreover, the Global North is in denial that forced migration and the displacement of people have become "inescapably global" (Malkki, 1995, p.503). In the face of terrorism, economic uncertainty, the proliferation of nuclear weapons, and extreme environment degradation, states have more incentive than ever before to literally erect walls between them. Regardless of the fact that many scholars claim that state control over immigration has diminished, this MRP has challenged this notion in proving that in fact, states prevail in maintaining restrictive and exclusionary immigration policies in terms of forced migration.

Protecting refugees and international human rights is merely a suggested principle rather than actual imposition (Joppke, 1997). Only when states do not *sit* at a "comfortable distance" to conflicts, do they actively engage in a solutions-based discussion (Mayer, 2016, p.6). This has devastating consequences on the world's most precarious group of people. Societies thrive when greater equality is realized (Wilkinson & Pickett, 2009). Although states strive to achieve greater equality domestically, they lack this endeavor in IR because states pursue political realist ideologies as opposed to political idealist ideologies that could actually have the capacity to bring

about greater equality. States will forever try to increase and enhance their power relative to other states so that when international conflict does ensue, they may employ their sovereignty to disregard or negate on their humanitarian obligations. Sovereignty thus justifies and solidifies a state's inaction and negligence towards refugee resettlement efforts in IR.

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