We Refugees, Again

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WE REFUGEES, AGAIN

BY

AARON LINAS

A master’s thesis submitted to the Graduate Faculty in Political Science in partial fulfillment of the requirements for the degree of Master of Arts, The City University of New York

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Aaron Linas

This manuscript has been read and accepted for the Graduate Faculty in Political Science in satisfaction of the thesis requirements for the degree of Masters of Arts.

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THE CITY UNIVERSITY OF NEW YORK
ABSTRACT

We Refugees, Again

by

Aaron Linas

Advisor: Carol Gould

Abstract:

Dramatic shifts in climate have generated a new form of global displacement. These ‘climate migrants’ challenge the notion of state sovereignty by introducing a new paradigm for global responsibility. I seek to address this emerging demand of sovereignty by outlining the normative mechanisms of state institutions when encountering displaced persons. The extreme cases of disappearing island nations creates stateless population incompatible with standard liberal values of humanitarianism and border security. My claim is that current normative institutions and principles of assistance to migrating people are insufficient to manage the international crisis of climate change. To be able to aid migrants will require a rethinking of border policy to make states accountable of their role in the crisis and/or show them to be irrelevant. I conclude with a look at how non-state actors can reframe the concept of sovereignty out of state centric principles, with a view of climate migrants as a natural occurrence resulting from unnatural situations.
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Introduction

Climate change is the single largest cause of annual displaced persons in the world. The majority of displacement occurs within a given state; however, my paper will focus on displaced persons who, due to environmental deterioration or disaster, are forced to cross nation-state borders. This group of displaced persons I name “climate migrants” throughout my paper, while I may use the word refugee as a nuance to how unsettled their identification is, but this should not distract from the underlying theme of the stateless wanderer. My emphasis on the use of the term climate, instead of environment or ecology, is designed to connect this form of displacement with the human-induced effects of climate change, rather than seeing it as the results from “natural” disasters or shifts in geological ecosystems. Understanding that climate change is a result of human activity of putting carbon into the atmosphere is a prerequisite to clarify the possibilities of mitigating climate change and those responsible for this task in the future.

I prefer the use of the term migrant, instead of refugee; highlighting how legal descriptions correspond with the ability to have rights. Climate migrants are not officially “people of concern” under international law because climate change itself is not considered a form of human or state violence. International laws denial of asylum status to climate displaced persons places the responsibility on domestic nation-state laws who tend to enforce border restrictions. The ability for nation-states to evoke self-determination, without legal recourse to human rights policy, has created a global population of precarious human beings.

Nation-states’ right of denial to entry is reminiscent of the denial of asylum for Jews fleeing Nazi occupied Europe. Hannah Arendt’s 1943 article “We Refugees” shows a grim historical view of how modern sovereignty produces stateless populations. In the United States,
the Jew’s of Europe were seen as a parasite of cheap labor that would replace domestic workers. The majority of Jews rescued during the Second World War had help from individuals and clandestine organization who were treasonous to the ideological grasp of fascist Europe. The climate migrant is a modern case study of how, in the absence of the state, what and who offers assistance to those in desperate need. I anticipate that tensions created by the illegal movements of climate migrants across nation-state borders will call into question the legitimacy of state institutions’ ability to control borders and its commitments to humanitarian policy. In conclusion, I will assert that states primary interest of self-preservation puts non-state based actors on the frontlines of support for international climate migration assistance.

The Paris Accords of 2015 illustrated the limitation of nation-sates in their acceptance of human induced climate change without commitments upon responsibility; meanwhile the U.S. was hitting record oil and gas extraction. The ambiguity of the accords left open the questions of how to fund disaster relief programs, of who has the ability to pay, and if payments would be weighed against states’ contribution to climate change. Large polluter states were fearful that any official climate change policy “unfairly” targeting their domestic development would infringe upon their sovereign rule. Under current international law, protection for displaced persons, refugees, are limited to people who flee “persecution, war, or violence” for fear of returning home.1 As a result, legal protection for climate migrants falls upon domestic judiciaries to responsibly support or forcefully remove migrants, depending on the context of the ruling government. If displacement from climate change were considered a form of suffering, it would mandate a response under international humanitarian policy. Since those responsible for much of the disaster come from powerful states that wrote humanitarian and sovereign policy, they refrain

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from recognizing climate change as violence in order to avert culpability for their actions and payment of reparations to those immediately affected.

My main question is: In the absence of protected legal rights, what “rights” exist for the stateless person? The reluctance of wealthy nation-states to help fund a global adaptation, resiliency, and resettlement program reveals that commitments from international law do not fulfill the immediate needs of climate migrants. Populations on the brink of extinction cannot wait for international law to implement policy regulations without oversight. In the absence of state sovereignty, what rights can exist for stateless people? In modern democratic liberal society, I find this contradiction in upholding human rights while maintaining border sovereignty exemplified in climate migration. Where legal failures occur a space for extralegal actions opens, based on concepts for freedom of movement, to support migrants. I chose case studies that demonstrate how non-state based actions have successfully provided indirect and direct support to migrants regardless of legal qualifications. In many cases, these non-state actors have superseded the authority of state institutions to become the main arbiters of aid and commitment to support. The domestic failures of the Federal Emergency Management Agency during hurricane Katrina and Sandy prepared residents of Houston to not wait for the state’s sluggish response and instead the media message was of how the city rescued itself. The void of aid left by FEMA created an opportunity for communities to organize networks of mutual aid that built houses, gardens, clinics, and schools.

Hurricane relief in the United States occurs within a domestic realm of shared American experience that drive us towards assistance without qualifications of identity. Climate migrants represent an international stranger from varying life experiences seeking aid from an
international disaster. The reaction of nation states to these “newcomers”\(^2\) has been to build border walls and institute immigration policy that strips migrants of any basic rights. Northern India’s iron wall, a chain link fence topped with barbed wire, stretches 70% of the border with Bangladesh to prevent an increase of migration from poverty and sea level rise.\(^3\) Bangladesh is on course to lose one-fifth of its landmass by the end of the century; meanwhile border police have been given the right to shoot anyone who attempts illegal crossing. In the U.S. Supreme Court, a ruling now claims all immigrants can be detained indefinitely without bond hearing if considered a threat to national security. These policies of increased state security occur alongside a growing global trend of xenophobic nationalism. They seek to impose a cultural hegemonic identity to stave off the growth of minority communities that jeopardize the fragile conditions of modern nation-states demographics. What is frightening is the historical past of this trend and how the criminalization of immigrants eventually threatens us all.

The frontlines for migration support exist in unexpected areas of islands, forests, and deserts. Local residents who live near the borders are first to witness the immediate desperation of migrants who arrive starving and dehydrated to vacation islands beaches of the Mediterranean. During the summer of 2015 when Syrian refugees arrived at the Greek island of Lesvos, it was local fisherman who coordinated swift efforts to rescue thousands of unknown lives with their fishing boats. The incapability of the Greek state to respond due to economic collapse resulted in the European Union Coast Guard, led by Italy, to help anyone with a boat rescue the mass influx of people fleeing war torn Syria, Libya, Somalia, and other regions of collapse. Another pattern of migration occurs in the hot brown Sonoran Desert spanning the U.S./Mexico border. The journey is rugged with the hottest temperatures in all of Mexico reaching 120 degrees

\(^2\) Arendt 110
\(^3\) Ramachandran
Fahrenheit. Stories emerged of migrants dying from dehydration so locals in Arizona began to organize drop offs of water, food, and aid along known crossing routes. The hope was migrants would find the cache to help them survive the desert. These actions of the “border angels” and Greek fisherman illustrate actions of solidarity based on an extralegal principle of humanity. People who immediately respond are acting with moral emergency to provide aid without concession. Climate migrants pose the question of how effective humanitarian relief can function under a framework of secured sovereign borders.

To summarize, I view international laws value of humanitarianism to be at odds with the global system of nation-state sovereignty. The unwillingness of states to accept responsibility in the Paris Climate Accords demonstrates this paradox of state self-determination tied to enlightenment values of reason and universal rights. As a result, human and environmental life is devalued in order to reaffirm a state’s right of exclusion. By finding the limitations of international law’s ability to uphold humanitarian principles we are then tasked as a human society to generate a new effective way of support for the stateless.

Part One: Modern Origins of Statelessness

The rise of Nazi Germany, and eventually Europe, reframed the Jewish question for modern society. The world was asked again if Jews deserved entitlement to equality, now called citizenry and the “rights of man,” or whether they would continue to exist as subordinates to ruling governments. Hannah Arendt’s written experience of denationalization from Germany created a new dimension of human being, without nation, who could not claim allegiance to any particular state.⁴ In this new world of nation-state sovereignty the Jew became the first modern stateless being. Arendt saw how the formation of national citizenship created a new other being

⁴ Agamben 114
who is without a state, but for some who chose to resist assimilation would allow them a break from the Jewish historical record. This Jew is emancipated in their statelessness to proclaim the truth of what it is, nothing more than a Jew.\footnote{Arendt 118} In defiance of assigning an ethno-nationalism to oneself the subject of the Jew becomes an objective question of humanity and how we treat the other. Giorgio Agamben, in a 1995 symposium on Arendt’s article, qualified the stateless refugee as “the paradigm of a new historical consciousness” where they “represent the avant-garde of their people”.\footnote{Agamben 114} “People” as in the human species with the Jews representing a base notion of human beings. Climate migrants are the present historical legacy of statelessness that confronts the limitation of modern citizenship as a new form of human species. At the Rio 2016 Olympics, a team of international refugees participated under a new flag of their own.\footnote{The Refugee Nation} The flag is bright orange with a thin black line cutting it horizontally. The designed is based on the orange life vest migrants wear in smugglers’ boats when crossing the Mediterranean Sea. It was designed by migrants and is now part of a campaign to support international refugees right to freedom of movement. Agamben notes, “At least until the process of the dissolution of the nation-state and its sovereignty has come to an end, the refugee is the sole category in which it is possible today to perceive the forms and limits of a political community to come.”\footnote{Agamben 114}

In 1948, the United Nations Declaration of Human Rights established thirty-three principles for international humanitarianism.\footnote{United Nations. “Universal Declaration of Human Rights.”} The document is a non-binding non-legal agreement, but it set forth the normative framework of how states discuss humanity. Since its creation, human rights have become a clarion call for the protection of civilians in war and rights of asylum for refugees fleeing those wars. The non-legalization of humanity has spared
prosecution for many political leaders except the most egregious individuals whose actions were considered “crimes against humanity”. This declaration serves to critique governments, institutions, or individuals, but functions as a military tool for invasion under ‘Humanitarian Operations’ of armed “peacekeepers” that occupy foreign territory in order to reestablish law and order, or rather reinstate systems of U.N. interest. Human rights as a normative value of decency amongst human interaction should be celebrated; however, the visceral response to inhumanity has been an opportunity for neo-imperialism. Humanity’s outrage gave states a reason for action. ‘Good’ intentions of humanitarian relief have been plagued by scandals of U.N. peacekeepers’ exploitation of local populations for food and rampant sexual assaults in refugee camps around the world.\textsuperscript{10} Human rights, as a universal norm of justice, is corrupted by the very institutions meant to uphold it.

Humanitarian aid functions more as a defender of western state sovereignty than a purveyor of peaceful development. The International Monetary Fund (IMF) dispersion of humanitarian relief aid set in motion a global restructuring of domestic economics to fit a neo-liberal global economy. These Structural Adjustment Programs (SAPs) placed high value on privatizing social and national resources to induce developmental growth and rebuild economies. What happen was the acquisition of domestic resources by foreign multinational corporations who then control the production and services that are then sold at an inflated value back to the domestic population. Poorer states are now indebted to the IMF, the World Bank, and supranational corporations for building new infrastructure that was required to participate in the modern global society.

In 2008, the International Organization for Migrations (IOM), an institution within the United Nations Migration Agency, reported that 20 million people were displaced by extreme

\textsuperscript{10} Guillen, Magdalena.
weather, far exceeding the 4.6 million internally displaced by violent conflict during the same year.\textsuperscript{11} Eight years later in 2016, the United Nations High Commissioner for Refugees released a report claiming that more refugees exist today than during the Second World War. At the end of 2015, there had been 65.3 million people, or "A little under 1% of the earth's population", as either "an asylum-seeker, internally displaced or a refugee".\textsuperscript{12} The estimates of environmentally displaced persons by 2050 have expected ranges of 200 million and perhaps 1 billion in search of habitable land.

The willingness of states to receive migrants is tied to their ability remain economically stable. I claim that the negotiation between human rights and sovereignty withers the objective of each. The climate migrant, as a representation of a new stateless figure of human wanderer, confronts the limits of state sovereignty to uphold principles of human decency. By existing outside a framework of nation-states, the rights that climate migrants advocate for are universal recognitions that are ironically outlined in the U.N. Declaration of Human Rights, “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.”\textsuperscript{13}

\textbf{What is a climate migrant?}

Global climate shift occurred millions of years before humans evolved from hairy oversized rats. What is significant in our current climate is the scale at which the climate is changing. “According to the Intergovernmental Panel on Climate Change (IPCC), global warming is accelerating the degradation of dry lands and other ecosystems prone to deforestation, salinization, soil erosion and desertification. In affected areas the globe over, both

\textsuperscript{11} International Organization for Migration. \textit{Compendium of IOM's Activities: Migration, Climate Change and the Environment}. 13
\textsuperscript{12} McKirdy
\textsuperscript{13} United Nations. 'Universal Declaration of Human Rights.'
lives and productivity levels are increasingly at risk, with more and more devastating extreme
events such as heat waves, floods and droughts taking place, and with sea levels rising along
low-lying coastal areas.” Scientific records of natural history link climate change to an increase
of carbon output into the atmosphere since the nineteenth century industrial age. The magnitude
of this disruption on our planetary ecosystem remains a question for the future habitability of the
planet.

Climate change induced drought brought recent catastrophes in East Africa in 2011
where over 900,000 people fled Somalia and left food scarcity conditions in eight different
African countries, while in South Africa five other nation-states are in drought with 40% of
Malawi in need of food assistance.14 As of March 2017, the U.N. reports that over 20 million
people in these four Africa countries, South Sudan, Yemen, Somalia, and Nigeria, face
starvation.15 The Under-Secretary for Humanitarian Affairs and Emergency Relief Coordinator,
Stephen O’Brien, gave a harrowing prediction, “Without collective and coordinated global
efforts, people will simply starve to death.”16

Many analysts believe that the culmination of years of drought was an instigator for the
Syrian Civil War.17 From 2006-2009, Syria suffered the worst drought in over 900 years.
Northern farm communities that supplied much of the state with grain had collapsed, with 75
percent of wheat production lost.18 Labor and food shortages then drove 1 million Syrians into
nearby major cities of Damascus, Aleppo, and Hama. The inability of the Syrian government to
manage the influx of dependent newcomers, along with the Arab spring movement for

14 World Food Program
16 ibid
17 Mansharamani
18 Erian 6
democracy, served to catalyze the country into a civil unrest that easily outmaneuvered the states capability for total control. Once the war began, Syrians fled to neighboring nation-states where they now outnumber local Jordan, Lebanese, and Turkish border populations. Resource shortages in these countries have pushed migrants to risk a more dangerous journey to Europe and beyond.

Interpretations

The International Organization for Migration (IOM) proposes this definition, "Environmental migrants are persons or groups of persons who, for reasons of sudden or progressive changes in the environment that adversely affect their lives or living conditions, are obliged to have to leave their habitual homes, or choose to do so, either temporarily or permanently, and who move either within their territory or abroad." The IOM acknowledges that environmental disruption causes abrupt territorial change, but refrains from placing blame in order to follow U.N. protocol that rejects the term “environmental refugee or climate refugee”.

According to the United Nations High Commission for Refugees, “A refugee is someone who has been forced to flee his or her country because of persecution, war, or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so.” Migrants who escape climate disaster are excluded from this definition, as U.N. policy does not recognize environmental devastation as a violent perpetrated act. The U.N. exclusion of climate change alludes to the difficulty of adopting climate change mitigation principles. Robert Eckersley notes that a state is unwilling to participate in policy if it feels it is being wrongly

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20 Ibid.
accused or subjugated to unjust or unfair punishment.\textsuperscript{22} Any working definition that has placed adaptation liability on particular states has failed ratification.

The Global Governance Project uses “climate refugees” to describe “people who have to leave their habitats, immediately or in the near future, because of sudden or gradual alterations in their natural environment related to at least one of three impacts of climate change: sea-level rise, extreme weather events, and drought and water scarcity.”\textsuperscript{23} Nowhere in this definition does it include war or violence. The average non-governmental organization recognizes climate change as a form of persecution but avoids naming the source of global pollution. To be an effective climate advocate involves detecting the root causes of environmental disruption. The United States is only 5\% of the global population yet alone consumes 30\% of global energy produced. A report from the Sierra Club concludes “the U.S. uses one-third of the world’s paper, a quarter of the world’s oil, 23 percent of the coal, 27 percent of the aluminum, and 19 percent of the copper.”\textsuperscript{24} Climate change remains a broad based problem; however, NGO’s should recognize the sources of carbon consumption in order to mitigate future environmental deterioration.

Unlike typically war-torn refugees, a climate refugee has neither a political or social agenda and, due to environmental deterioration, does not have the possibility of return. In “We Refugee” the Jewish person “had committed no act” of political opinion or criminal behavior but remained vulnerable to the persecution all the same.\textsuperscript{25} They were driven from their place of birth of nationality because of a temporal change in sovereignty. Arendt claims, “We were the first \textit{prisonniers volontaires} history has ever seen. After the Germans invaded the country, the French government had only to change the name of the firm; having been jailed because we were

\textsuperscript{22} Eckersley 483
\textsuperscript{23} Global Governance
\textsuperscript{24} Scheer
\textsuperscript{25} Arendt 110
Germans, we were not freed because we were Jews.”

As the Jew became sacrifices for German glory, the countries of the global south are devastated for western technological advancement.

The use of “climate refugee” misleads from the U.N. definition that gives asylum to the involuntary refugee and denotes a future capability of return, or at least the luxury of a return dream. Migrants are instead seen by international law as voluntary travelers seeking opportunity in richer states. For those who seek asylum, the term refugee designates a “privileged status” that at least offers a path to retain citizenship in exile. The denationalization of Jews in the 1930s gave the German state total control over the their bodies, whereas, the denationalization of climate migrants occurs not from a totalitarian government but from a totalizing force of weather. The human being of statelessness is manifested once again in climate migrants, whose personal annihilation is without sovereign protection. The diversity of effected countries generates a migrant population of no cohesive cultural origin or desire for nationalist aspirations. Traditional ways of life are lost forever to uninhabitable lands that sink or dry up physical sites of sacred and cultural belonging. The liberal quest of national self-determination is irrelevant for a population who inhabits land without historical ties. The climate migrant is not bound to territory, and like the Jews of the Second World War, are a modern wandering other that says in truth I am only searching for a new home.

Residents of the Isle De Jean Charles in Louisiana set an example for the first American ‘Climate Refugees’. This Native American community lived on subsistence agriculture for over 175 years until rising Gulf Coast water salinized wetland fields and flooded low lying homes. Since 1995, 25 families have lost 90% of their land forcing an emergency plan of evacuation. In 2016, they received $48 million in federal aid for relocation and became the first grantees of U.S.

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26 Arendt 115
27 Shacknove 276
28 Davenport
climate migration assistance. This marks a precedent for future cases of how internally displacement U.S. citizens will be accommodated by the state. In particular, the kind of preemptive assistance granted to coastal cities as the water continues to rise. The Federal Emergency Management Agency’s, FEMA, lackluster response to past disasters, such as Hurricane Katrina, Sandy, and Harvey, discouraged the public to rely upon state institutions to provide disaster relief, and instead generated a primary source of aid from fellow neighbors and community groups that brought in volunteer assistance and resources. A complete loss of land is illustrated in the fate of Small Island Developing States (SIDS). The citizens of Isle De Jean Charles have a modicum of protection under law, for SIDS there is no law that necessitates a legal response. So instead of waiting for international agreements, one island government of Kiribati purchased land on the island of Fiji to prepare the entire countries population relocation. The situation for the residents of Isle De Jean Charles and SIDS are examples of how climate migrant’s survival is increasingly dependent upon regional cooperation of nation-states and institutions.

Countries who suffer the most immediate and dramatic affects of climate change happen to consume the lowest percentage of global energy. Certain activist organizations view this forced relocation as part of a neo-colonist project to ensure a status quo pace of western global development. The toxins from international sacrifice zones of modernity’s trash are polluting local populations and their habitat stability. The aftermath of the Second World War spawned a new dimension to remedy this problem of statelessness through a process of nation-state building. Today’s stateless have no nationalist intentions and thus fulfill the metaphorical task of the Jew who resists assimilation. The treatment of climate migrants is reshaping how the human species defines itself and sovereignty for the coming decades.

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29 Davenport
Part Two: Sovereignty of the State

Modern day sovereignty is determined by the ability of a nation-state to secure its borders. Within those borders its members are designated as citizens and have formal legal protection from opposing states and invaders. Since the age of enlightenment, liberal society has awarded “the rights of man” to its citizens who obey sovereign law. “In the new secularized and emancipated society, men were no longer sure of these social and human rights which until then had been outside the political order and guaranteed not by government and constitution, but by social, spiritual, and religious forces”. 30 Politics replaced church authority to begin an era of rational men whose “inalienable” rights allowed for individuals to freely associate and determine one’s own fate. Man’s sovereignty resides in the construction of laws that constitutes the sovereignty of the people into a nation-state. 31 State sovereignty now permeates everyday life as a reified natural fate for the civilized man. This informs modern day liberal theorist, such as Michael Walzer, who believe that a completion of nationhood for every culture will secure the rights of all individuals within a state, a position that reinforces nationalist tendencies to codify ethnicity into eligibility for citizenship. The self-determination of ethnic groups into nation-states has resulted in a continual fragmentation of land through endless warfare. One present day egregious scheme of state building resides in the situation of Israelis and Palestinians. Modern society answered the Jewish question, where do stateless people fit in, with liberal nationalism that secured their right to existence, while simultaneously passing off the question to Palestinians. The nationalist movements of the late twentieth century crafted others from their own escape

30 Arendt 291
31 Ibid.
from otherness. Post-colonial and newly independent nations are replicating the behavior of the colonial states from whom they gained independence.

As noted earlier, I base global normative principles of sovereignty and response to international crisis on United Nations documents formulated since the Second World War. In 1948, the adoption of Human Rights Law expanded the notion of the rights of man to individuals whose nation-states failed to establish liberal governing principles. Human Rights then began to operate as mediation for the persecuted from an oppressing state. This mediation reaches a limit when the number of “rightless people” increases to a point that liability on the persecuting states is no longer feasible.\(^{32}\) It is difficult to prosecute an entire country implicit in murder, i.e. German and Israeli citizens. Human Rights Law established international mechanisms to promote liberal principles of human decency; however, was unable to defend humanity once egregious acts reached genocidal proportions. The U.N. document for Universal Declaration of Human Rights remains only as a symbolic commitment to humanity without violating sovereign legitimacy. The U.N. function as a managerial role of international law is limited to avoid border disintegration that may spark broader conflict. “Humanity” then is reserved for individual citizens who remain within the international community of states. This initiates the question Arendt has for the world when confronted with the stateless subject. In the absences of protected legal rights what rights exist for them?

The global account of 65 million displaced persons in 2015 had left 10 million stateless to be denied “nationality and basic rights such as education, healthcare, employment, and freedom of movement.”\(^{33}\) The United Nations High Commissioner for Refugees claims under the

\(^{32}\) Arendt 295

Universal Declaration for Human Rights that “Everyone has the right to a nationality.” 34 UNHCR sees statelessness as a solvable problem by assimilating displaced persons into citizens. This is the modern framework of protective norms for stateless people. Citizenship must be achieved through the formation of a nation-state or the acceptance into one. Temporary asylum has been granted to migrants with attached restrictions on movement and participation within civil society, no voting capability and limited legal protection. These temporary newcomers remain permanently sub-national. Their precarious status increases over time with the shift of ruling powers that may reverse migrant protections. Since 2017, Donald Trump’s administration has removed Temporary Protection Status to every Central America who has filed since 1990 for asylum from wars, natural disasters, and catastrophes. The population effected are staggering with 2,500 Nicaraguans, 59,000 Haitians, and 200,000 Salvadorians who fled earthquakes in 2000. The reversal of status was extended to Caribbean nations, such as Haiti, for people who survived a 2010 earthquake and repeated political unrest. This ruling requires self-deportation within two years and includes children born in the U.S. by TPS parents. Those who fail to leave voluntarily face criminal charges. Some have lived in the U.S. for 20 years, and others their entire life, without having ties in their “home country”, or have never even visited. Despite their American birth and experience their ethnicity is determining their fate of citizenship.

Stateless persons are unnatural beings in the eyes of modern society. The displacement of Jews during the Second World War represented the last wave of denationalization in the pre-modern imperial world and the first subject of statelessness in the new world of nation-state sovereignty. This new figure of statelessness required a remedy and with it a question of humanity. As discussed earlier, the U.N. acknowledges the existence of statelessness but claims

this is a temporary status to be remedied through a process of nationalization. But who is willing to nationalize these stateless persons?

Right now an unequal burden of responsibility is being placed upon poorer southern nation-states to accept large swaths of displaced persons from neighboring countries. This added financial burden of disaster relief is a strain on domestic economic funding for adaptive infrastructure to the encroaching climate shift. Andrew Shacknove in this footnote explains what it means not to be considered a refugee and it destabilizing effect on neighboring states; “Currently (1985) approximately 90,000 persons are fleeing starvation in Mozambique and crossing into Zimbabwe, yet the UNHCR are not mobilizing on their behalf. The rationale is that these persons are not victims of persecution and therefore do not come under the mandate of the High Commissions Statute. The Reluctance of the international community to offer its assistance not only condemns these persons to yet more suffering but also forces Zimbabwe, whose own population is starving, to offer asylum unilaterally, thus further contributing to destabilization of Southern Africa.”

This cascade effect of destabilization pushes migrants to travel even further to wealthier nation-states thus increasing dislocation from their home territory.

**Institutional Principles of Aid Distribution in Climate Chaos**

The 1992 United Nations conference at Rio de Janeiro, Brazil, was the first formal discussion to address the anthropogenic effects on the Earth’s atmosphere. The Environment and Development conference (UNCED), also known as the Earth Summit, declared an action plan, titled Agenda 21, to serve as a global strategy for sustainable development in the upcoming twenty first century. As a precursor to the Kyoto Protocols and Paris Climate Accords, the Earth Summit brought the international nation-state community together in acknowledgement of how climate change and the global environment will impact the fate of civilization. The first

35 Shacknove 276
lines of the preamble gave a clear urgency of our current trajectory, “Humanity stands at a defining moment in history. We are confronted with a perpetuation of disparities between and within nations, a worsening of poverty, hunger, ill health and illiteracy, and the continuing deterioration of the ecosystems on which we depend for our well-being. However, integration of environment and development concerns and greater attention to them will lead to the fulfillment of basic needs, improved living standards for all, better protected and managed ecosystems and a safer, more prosperous future. No nation can achieve this on its own; but together we can – in a global partnership for sustainable development.”

Member states signed a nonbinding treaty of global sustainability, the United Nations Framework Convention on Climate Change, where, “Acknowledging that the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions,” while maintaining “the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibilities to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.” This reaffirms that self-determination is the preference of nation-state sovereignty while recognizing the inevitable global effects of modern resource extraction. Its main objective of “stabilization of greenhouses gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system” is now an improbable task where climate feedback loops confirm our worst nightmare. That even if we stop emitting greenhouse gases into the atmosphere the effects of the last

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36 Agenda 21 1.1
37 UNFCCC 2
hundred years of industrial civilization on the Earth have locked in an unknown predetermined rise in global temperature.

The UNFCCC agreement realizes the disproportionate impact that climate change will have on certain regions, “low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems are particularly vulnerable to adverse effects of climate change.”38 A vital U.N. concern of these places is how to shift from a developing economy based on resources extraction to one of sustainable practices, “in order for developing countries to progress towards that goal, their energy consumption will need to grow taking into account the possibilities for achieving greater energy efficiency and for controlling greenhouse gas emissions in general, including through the application of new technologies on terms which make such an application economically and socially beneficial.”39 The adaptation of developing countries toward sustainable development is then a responsibility of wealthier nation-states to increase financial access to resources, funding, and technological transfers to offset economic burdens. “The extent to which developing country Parties will effectively implement their commitments under the Convention will depend on the effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology and will take fully into account that economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties.”40

38 UNFCCC 5
40 United Nations Framework Convention on Climate Change. "Warsaw International Mechanism for Loss and Damage." 14
To achieve global sustainability will require a financial mechanism that had the capability to collect and distribute funding in an equitable and balanced manner.\textsuperscript{41} An agreed upon plan of actions would take another twenty years when, in 2012 at the Conference of Parties (COP) in Doha, Qatar, a Loss and Damage Vulnerable Countries Initiative was established to agree upon a plan of voluntary contributions to fund adaptation and alleviate impacts from climate change. The following year in 2013 the United Nations Framework Convention on Climate Change set up the Warsaw International Mechanism for Loss and Damage to measure the financial impact of climate change.\textsuperscript{42} Eckersley’s notices, “the word ‘liability’ in relation to loss and damage are conspicuously absent from the text and question of who is responsible for providing assistance and on what basis have not been determined.”\textsuperscript{43} He acknowledges the “feasibility constraints” of international laws authority over states should not discourage us in aspiring for higher ethical norms.\textsuperscript{44} How to encourage compliance without offending large polluter states and inflicting development restrictions on developing states will be critical in finding a collective lasting solution. The UNFCCC’s concern with funding sustainable development ignores an adverse effect on nation-states that global security firms would see as an imminent threat to state sovereignty. Irregular border crossings from environmental displacement persons could pressure the United Nations to a higher concept of aid distribution that addresses principles of humanity beyond sovereign borders.

The fall out of Western Europe post Second World War left 11 millions Europeans in need of logistical resettlement. The Provisional Intergovernmental Committee for the Movement of Migrants From Europe was created to facilitate the arrangement of transport and

\textsuperscript{41} Ibid. 22
\textsuperscript{42} Ibid. 1
\textsuperscript{43} Eckersley 483
\textsuperscript{44} Ibid. 484
governmental negotiations for resettlement. As global regions dissolved and remade borders in the twentieth century, the PICMME went on to track movements from war torn Vietnam, East Timor, Chile, and Kuwait to establish a global agency that promoted dignified human migration.\textsuperscript{45} In 1989, the agencies official name became the International Organization for Migration broadening the scope of displacement from war to include economic strife and natural disaster.

IOM’s primary “response to environmental migration” is attempting to prevent the migration from occurring at all. Its recommendations are tiered in a preparatory manner based on immediate need and scale of foreseeable climate disruption. The first rung of “climate change adaptation” is preparation for the “unavoidable consequences” of global warming by building adaptive infrastructure, next tier establishes a “disaster risk reduction” plan to build a community model of resiliency that can effectively respond to reoccurring emergencies, and when these measures collapse a final plan of “disaster risk management” establishes a systematic response “to emergency and post crisis with the overall objective of ending displacement through durable solutions”.\textsuperscript{46} Each tier is designed to limit migration patterns by holding domestic states accountable to their citizens. Adaptation requires intensive rebuilding of infrastructure, while a Resiliency plan advocates for state authority to forcibly relocate threatened populations and reshape resource management that can withstand environmental collapse. After repeated disaster strikes, “durable solutions” of monitoring and limiting irregular border crossing gives martial law the power to ensure stable regional sovereignty.\textsuperscript{47} Migrants who cross borders without U.N. or domestic support become stateless and are then not considered protected in the IOM mitigation plan. The IOM emphasis on migration prevention is in part the recognition of the

\textsuperscript{45} International Organization for Migration. “IOM History.”
\textsuperscript{46} International Organization for Migration. “Climate Change Infographic.”
\textsuperscript{47} International Organization for Migration. “Durable Solutions and Recovery.”
destabilizing factors of irregular migration on state sovereignty and the reality of international law’s disqualification of the environmentally displaced as refugees. Since the majority of environmental migration comes from poorer non-western nation-states, there is a direct financial and political burden on these states to secure borders, with an indirect protection for western countries from an influx of migrant populations. A preferred end to displacement has unintentional consequences of hindering migrant mobility.

IOM’s recommendations prioritize sustainable development in climate-disrupted countries without addressing the initial causes of climate change. A financial strain is placed on developing countries to leap frog from resource extraction to renewable technology; meanwhile, the largest polluter states exclude themselves from degrowth policy and consumption liability.

“Between 1850-2011 the United States was responsible for 27 percent of the world’s total carbon dioxide emissions, the European Union 25 percent, China 11 percent, Russia 8 percent.”

Robert Eckersley, in “common but differentiated responsibilities of states to assist and receive ‘climate refugees’”, outlines three main theories of state ‘responsibility to pay’ that acknowledge this discrepancy: Polluter Pays Principle is a commitment from the largest emitter of carbon bearing the greatest cost, the Beneficiary Pays Principle where those who have benefited the most are required to pay, and the Ability to Pay Principle that allows state’s a ‘differentiated responsibility’ in committing resources. He recognizes that in the first two principles a responsibility that rests on liability would place direct blame on nation-states. The highest polluting states mentioned above would then be obligated to contribute to climate change adaptation based on their proportion of carbon emissions into the atmosphere. Eckersley believes that to achieve international consensus any agreement that targets solitary states discourages the

48 Miller 97
49 Eckersley 496
needed voluntary participation. The third principle, Ability to Pay, carries the highest feasibility in that it allows contributions from nation-states to the United Nations Framework Convention on Climate Change loss and damage fund without stipulated demands. Eckersley recognizes that the “current sovereign systems” are wholly ill prepared to meet the challenges of climate migration and calls for building a “robust funding mechanism to assist climate refugees to resettle.”50 The consequences of failing to provide this assistance are dire.

Eckersley’s concludes with a call for a new framework of responsibility that is a mixture of the three liability principles. Starting from the limitation of state intervention, he wants to move forward with a model that broadens our scope of moral responsibility to confront the necessary linkage of what has caused environmental displacement and who benefits from this process. Defining who is ‘culpable’ helps evaluate a strategic path that can mitigate the abuse of climate change while stabilizing solutions. He suggests a ‘kind of global insurance system or Climate Superfund’ that could provide financial assistance to nation-states in need.51 The loss and damages model was expanded at the 2011 United Nations Climate Change Conference (COP 17) in Durban, South Africa, where the Green Climate Fund was established within the UNFCCC to provide global fund management of climate mitigation and adaptation.

Principles of Responsibility

The limitations of Eckersley’s principles lie in his framework to maintain the status quo of state sovereignty. Each ‘responsibility to pay’ model places emphasis on accountability and contribution from nation-states without acknowledging the complex global dynamic of finance capital that escapes the limits of sovereign borders. His conclusion recognizes that liable parties must be addressed, which I assumed are the largest polluters U.S.,

50 Eckersley 498 and 496
51 Ibid. 498
E.U, China, and Russia, a counter to his own advice of not placing blame on individual states. I find that to achieve a global strategy of assistance to climate migrants requires a global interpretation of the problem of climate change. A viable principle of sustainable development must target the mechanisms of consumption that creates the need for extreme resource extraction. I arrive at a ‘responsibility to receive principle’ from the recognition that the culprits of climate change and its solutions are intertwined. This will require new international modes of cooperation that reframe sovereignty from state centric to a concept of shared global territory. Responsibility to Receive is framed on the base needs of human beings under environmentally stressed circumstances. To receive employs the concept for freedom of movement in a non-delineated world of polluted territory. RRP centers voices from the worst forms of climate deterioration as an acknowledgement that they have contributed the least to global carbon dioxide levels. Current environmental displacement is primarily within domestic borders where the majority of residents remain committed to stay until deterioration is intolerable. “The majority of I-Kiribati have no wish to live in another country, but mounting evidence suggests that we may soon have little choice. Therefore migration may become the key part of the way we are forced to ‘adapt’… But, there’s a problem. Unlike our neighbours in Tuvalu (with a population of about 10,000) we have no significant or sympathetic migration relationship or policy with any county.” Climate migrants reject the term refugee for its implication of people in constant dependent need, ‘we do not want to be refugees because refugees are people who are marginalized and in desperation depend on handouts. We don't want that. We want to stay [in our home countries]’. The ability to receive migrants remains secondary as long as sovereignty serves to reinforce nation-state rights of self-determination. To focus on nation-state sovereignty

52 Randall 22
53 ABC. "Pacific Islanders Reject 'climate Refugee' Status."
misdirects from the main causes of environmental displacement. A prevention of climate migration requires the deconstruction of the transnational resource extraction industry that turns rainforests into deserts and water into oil.

The first burden of accepting climate migrants at falls upon neighboring states. New Zealand’s plan to offer “an experimental humanitarian visa” for Pacific islanders displaced by rising sea levels is the first proposal that advocates for asylum from climate change related disasters.\(^5^4\) This narrative, while in good faith, is a temporary status that reinforces immigration from non-western countries as an act of charity, instead Pacific Islanders have called for western states to fund mitigation and adaptation programs that can reduce the effects of climate change to prevent unwanted migration.\(^5^5\) Near by in Australia, the government established camps on Nauru and Manus Island, Papua New Guinea to prevent refugees and asylum seekers from reaching the continent. Some individuals have been in the detention camps for over five years awaiting trial, while others refuse to return home to social unrest, poverty, and environmental deterioration that offer little hope for survival. Inside the camps, migrants suffer psychological abuse from the derelict prison like atmosphere where electricity, food, and water are routinely cut off. Migrants are forced to search for goods in local communities that have grown increasingly weary, skeptical, and violent towards them.\(^5^6\) Most are too afraid to leave the camp and choose to remain inside awaiting an uncertain future.

**War as Responsibility**

The debate on designating who is responsible via domestic and international law subjects those in immediate need of assistance to a period of drawn out suffering. Displaced European Jews who claimed persecution found little reprieve from the good will of other nations.

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\(^{5^4}\) Anderson
\(^{5^5}\) News24
\(^{5^6}\) Cave
Stories of ship liners like the “St. Louis”, who in 1939 carried 900 Jewish to Miami and was turned back to Europe where two out of every three passengers perished under the Nazi regime, need not to be repeated.\textsuperscript{57} America first policy of the early twentieth century would bar Jews, Catholics, and southeastern Europeans who were thought to be diluting the racial demographics of America. The horrors of the Second World War demanded an international community response, and with it the creation of the Universal Declaration for Human Rights as a model for peaceful nation-state building. This utopian world plan of shared principles lacked international authority to uphold sates accountable against human rights violations. Eckersley’s analysis ignores state liability in hopes that promotion of agreed principles will foster norms of state compliance. I claim that this actually reinforces a failed narrative of state responsibility through volunteerism. A reliance on nation-states to opt in can leave open the possibility for non-commitment, disregard of obligations, and devalue the agreements legitimacy. Under the Barack Obama administration, the U.S. committed $3 billion to the Green Climate Fund with a first transfer of $1 billion secured before he left office. The Trump administration’s decision to leave the Paris Agreement ended U.S. commitments to climate negotiations and stopped the transfer of the remaining $2 billion pledged to the GCF. International agreements are vulnerable to powerful non-compliant nation-states who by disregarding commitments may cause a cascade effect of delegitimacy. Negotiations are then untenable as divisive behavior narrows common interest.

Nation-state avoidance of liability to migrants obfuscates the reality of climate change and allows a domestic crafted version of legal treatment. Christian Parenti’s apocalyptic vision of the future in \textit{The Tropic of Chaos} describes how states are inadequate to respond to a global rise in population displacement and how the result generates a period of uncertain collapse.\textsuperscript{58} The

\begin{itemize}
\item \textsuperscript{57} Virginia Holocaust Museum. \textit{St. Louis}
\item \textsuperscript{58} Parenti 17
\end{itemize}
ensuing chaos from the destabilization of borders opens the possibility for ideologies of authoritarian control on one spectrum and radical progress on another as citizens seek out viable long-term stability. Eckersley would see this as a “policy window” opportunity that “can open and close in ways” for feasible political alternatives.\textsuperscript{59} This emergent window of opportunity is a period of power fluctuation where rapid thoughtful decision-making will shape future society.

The pentagon view of climate change as a “threat multiplier”, where environmental deterioration escalates preexisting conflicts into total collapse, illustrates what kind of tactics the military will employ.\textsuperscript{60} “Future problems not in terms of interstate resource wars but as state collapse caused by “disease, uncontrolled migrants, and crop failure, that… overwhelm the traditional instruments of national security (the military in particular) and other elements of state power and authority”.\textsuperscript{61} The fear of a pandemic crisis brought on by climate change is driving a nationalist sentiment to build “fortress societies” that protect wealthy individuals from collapse.\textsuperscript{62}

Published in 2011, his book is prophetic in predicting the international wave of ethno-nationalism in electoral politics from 2016-2018 that saw multiple nationalist populist parties come to power. Hungary’s authoritarian response to migrants is one of the most explicit displays of xenophobic racism. Videos emerged of migrant families running through fields and across railroad tracks while a mob of police, journalists, and citizens attacked them. The images of young men huddled over to protect their babies from being tripped and punched should disturb any rational moral person. Once captured, these migrants were shipped via cattle car to remote detention facilities. In Denmark, arriving migrants are stripped of their jewelry and money in accordance with state law for use in paying migrant housing. These are the same tactics of abuse

\textsuperscript{59} Eckersley 484
\textsuperscript{60} Parenti 9
\textsuperscript{61} Ibid. 17
\textsuperscript{62} Ibid. 20
used against the Jews, Roma, homosexuals, and others ill fit for Nazi society. An effective purging that murdered over 11 million people.

Early twentieth century U.S. immigration policy required a literacy test and set quotas to prevent an excess of literate eastern and southern Europeans. Immigrants inside fortress America faced continued threats of denationalization for being a communist sympathizer or internment, such as the Japanese, when your home country was at war with the United States. The Trump administrations “America First” policies are reminiscent of this nativist trend that culminated in 1941 with the largest antiwar group in U.S history. The “America First Committee” on the surface advocated non-intervention in the Second World War, however, a large membership held anti-Semitic beliefs and supported Nazi Germany. Current bans on immigration from Venezuela, North Korea, Libya, Syria, Iran, Yemen, and Somalia functions as a policy of retreat from external places that threaten U.S. sovereign stability. The mass deportation of internal immigrants from Latin America and Caribbean islands is then the shoring up of demographics to maintain a dominant white population. The AFC’s hidden agenda fulfilled in the twenty first century.

The U.S. Customs and Border Protection budget in 2017 was $14 billion, up from $1.06 billion in 2000, with another $6 for U.S. Immigration and Customs Enforcement (ICE) is a total of $20 billion in border security. CBP funding trains border security and has built 24 hour manned outposts in section of the border known for migrant travel. The heavy patrolling of these areas pushes migrants to more remote and difficult routes in order to avoid detection. Migrants also face a growing trend of border militias who act as an auxiliary police force from private land. If a migrant is captured they likely face a drawn out incarceration in a detention center until deported back to home country of origin. So far in 2018, over 2,500 children had been separated.
from their parents at the border. Public outcry pushed for family reunification, although, hundreds remain separated due to the inability to locate the parents. Nowhere in the U.S. for is safe for immigrants as ICE agents raid business, schools, and hospitals without consideration of public safety and the children left behind. Many will end up wards of the state living in and out of foster homes until turning 18. Border security views these measures as “deterrence” from future immigration. U.S. border policy legalized violence as a means to end, or at least limit, immigration.

In the event of state collapse, “the U.S may be drawn more frequently into these situations to help to provide relief, rescue, and logistics, or to stabilize conditions before conflicts arise.” The military intervention into migration patterns is designed as an act of war. Anticipation of urban areas as hotspots of sustained conflict has militarized local police to alleviate the need for National Guard. The U.S Military Counterinsurgency Field Manual serves as the guideline of this unconventional warfare of targeted urban strikes. Parenti describes counterinsurgency as a method of “militarized adaptation, which emphasizes the long-term, open-ended containment of failed or failing states – counterinsurgency forever”, a sustained period of war without end that seeks to control society in a totalizing unimaginable way. Counterinsurgency uses totalitarianism as a form of resiliency to sustain the practices of sovereignty by mitigating societal upheaval. This rise of totalitarian governments is tantamount to the rise of police in power.

Parenti illustrates a dangerous proposition that Eckersley failed to consider when he allowed state sovereignty to remain intact. Hannah Arendt in *The Origins of Totalitarianism*

63 Bump
64 Parenti 22
65 Ibid. 11
66 Arendt 288
explains, “For the nation-state cannot exist once its principles of equality before the law has broken down. Without this legal equality, which originally was destined to replace the older laws and orders of the feudal society, the nation dissolves into an anarchic mass of over- and underprivileged individuals. Laws not equal for all revert to rights and privileges, something contradictory to the very nature of the nation-states. The clearer the proof of their inability to treat stateless people as legal persons and the greater the extension of arbitrary rule by police decree, the more difficult it is for states to resist the temptation to deprive all citizens of legal status and rule them with an omnipotent police.” Climate migrant’s challenge to sovereignty is also a question of the right’s of citizens. An opportunity to reorganize society arises from this moment that, as Parenti and Arendt point out, should be taken seriously as totalizing police forces gains momentum.

**Institutional Mechanisms of Care**

Today, accelerated environmental deterioration is outpacing the U.N. ability to provide relief. As a lack of international aid has populations on the brink of mass starvation, other regions already in distress expand destabilization to neighboring nation-states. Central Africa’s silent Third World War over rare earth minerals is jeopardized in part from environmental disruption. Rare earth mines that supply resources to the world’s high technology are shutting down due to workers leaving the remote arid locations for city centers. Teenagers and children have taken up the labor in the toxic water pits in order to fulfill the global demand of national militaries and tech companies. The fragile stability of these mines jeopardizes the resources necessary for status quo economic growth and the militaries that fight for them.

Keeping people in their homes demands a global funding mechanism to immediately invest in

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67 Arendt 290
renewable energy technology to create jobs, while shutting down fossil fuel extraction that pollutes local communities. A dramatic “degrowth” of consumption from major industrial nation-states will be required to fulfill the paradox of sustainable economy. I fear that current trends of building oil and gas pipelines in the melted tundra of Siberia point us in a different direction.

U.N. plans to address global migration is centered in The International Organization for Migration strategy, “First, to prevent forced migration resulting from environmental factors to the extent possible. Second, where forced migration does occur, to provide assistance and protection to affected populations, and seek durable solutions to their situation. Third, to facilitate migration as an adaptation strategy to climate change.”69 Each response serves as an abstract suggestion; first a tactic of adaptation, second to build resiliency, and third a managed resettlement program. Adaptation is prioritized by the IOM with an understanding that people wish to stay in place and that irregular migration threatens national stability. Resettlement of large populations damages intergenerational cultural continuity through a trauma of displaced self. The next generation of ghettoized youth lives absent of identity except as a migrant. IOM’s recommendations are less of an option for climate migrants to decide; rather, it is a paternalistic management of life that enhances the stability of nation-states. Populations in distress are vulnerable to the power of U.N. organizations, transnational corporations, and U.S. interests who have a monopoly on influence.

Since the start of the Syrian Civil War, Jordan has received over a million Syrian migrants that now represent 10% of the countries overall population. The Zaatari camp located near the border of Syria houses over 80,000 Syrian refugees that at first arrived on foot by the thousands. Jordan has since closed the border to Syria as a security measure against the Islamic

69 International Organization for Migration. “Migration and Climate Change”
State and has begun a process of refoulement for refugees deemed Daesh supporters.\textsuperscript{70} The accused are flown back to government-controlled Syria where often their homes have been destroyed, “she said she was staying in an uncle’s house, because her old home had been razed in airstrikes. “They destroyed us,” she said.”\textsuperscript{71} In Northern Uganda, the Bibi Bibi camp was built August 2016 for refugees of the South Sudanese civil war. Within six months the camp became the largest displaced persons camp in the world for housing 270,000 people. Shelters vary in construction from mud walled tin huts to prefabricated cloth tents. These structures were intended for temporary housing but now function as permanent housing turning camps into cities.

U.N. humanitarian resettlement is intent on keeping displaced persons as close to their home border as possible. It is under the guise of human rights that an insidious objective of powerful nation-states is revealed. The construction of relief camps serves to hinder migrants of their mobility into local urban areas or any further to western countries. They are involuntarily trapped by U.N. peacekeepers and local police who seek to limit territorial destabilization. Acting in preservation of state territory, U.N relief aid subverts freedom of movement in the name of humanitarianism.

\textit{Responsibility for No One}

The Paris Agreement set out a climate standard of no more than a 2 degrees Celsius rise in global temperature change. The plan advocates for a rapid reduction of emissions from a localized level without scaling up culpability to transnational corporations and complicit nation-states. The question of disaster responsibility is on regional governments that, despite the lack of international oversight, remain committed to provide disaster relief to domestic citizens.

\textsuperscript{70} A derogatory name for the Islamic State (ISIS)

\textsuperscript{71} Su
and neighboring countries. Any nation-state that absorbs migrants may face potential disruption of local economies, “an increase in numbers could exacerbate violence and conflict as populations concentrate and put cities under stress, and competition for resources grows”. The IOM’s primary objective of preventive migration is to address this fear of urban destabilization that could cascade into regional breakdowns. The IOM strategy of adaptation as stability requires a program to mitigate any environmental deterioration that causes forced displacement. A program of adaption demands international cooperation in order to lessen the output of carbon emission while building alternative forms of energy infrastructure. The current “business as usual” approach to climate change makes the worst-case scenario of resettlement seem inevitable.

The IOM recommendation for resettlement can only take into account domestic services, under international law, where they advocate for giving internal migrants a free choice to resettle within their home country. Displacement across nation-state borders increases the probability for conflict as resentment towards migrants has generated a growth of nationalist political leaders. A successful solution to resettlement must rethink concepts of territory away from the notion of private ownership and towards a reconceptualization of land as use-based inhabitance.

Director General William L. Swing describes the IOM’s ability to take on the challenge of adaptation,” Addressing the unprecedented challenge requires unprecedented partnership – collaboration among international organizations, civil society, the private sector, the academic world, and governments. In sharing IOM’s experience and perspective as laid out in this Compendium, we hope our expertise contributes to global dialogue and efforts within the United Nations Framework Convention on Climate Change and beyond.” The IOM’s reliance on

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72 Phillips
73 Lister 627
74 International Organization for Migration. *Compendium of IOM’s Activities: Migration, Climate Change and the Environment*. 12
global institutions to enact new norms of state behavior fails to address the immediate needs and severity of migration. The reliance on mechanisms of international law have restrained non-profit and nation-states from establishing long-term stability for newcomers. The efforts of IOM to include the environmentally displaced within international law have been unsuccessful because of a paradigm of responsibility where assistance is determined by legal outcome. Since law binds the recommendation for humanitarian aid, the IOM must offer proposals that fit within the legal framework and by doing so they reinforce the mechanisms of border control that reifies the stateless migrant as a criminal. As long as the heavy polluters guide the IOM’s adaption plan it is unlikely a scenario of open borders can occur between western countries and everywhere else.

The IOM’s response to this stalemate is an annual meeting of “global dialogue” where global migrant stakeholders openly discuss the challenges of migration.\textsuperscript{75} The majority of those who experience climate change disaster are from poor or underdeveloped countries. Their discussion with wealthier nation-states is pivotal in finding common ground solutions. These poorer nation-states lack the adequate funds to build adaptive infrastructure such as raised homes, bridges and sustainable electrical supply. To offset this disproportionate burden, the IOM proposes a global investment mechanism that pools capital in order to redistribute to the most vulnerable nation-states. The establishment of the UNFCC Mechanism for Loss and Damages set up the ability for international financing to redevelop by “strengthening dialogue, coordination, coherence and synergies among relevant stakeholders” to address the risks of onset impacts and mobilize actions of support.\textsuperscript{76} Actions must be “pursuant to decision 3/CP:18, paragraph 6, an

\textsuperscript{75} International Organization for Migration. “International Dialogue on Migration”.

\textsuperscript{76} United Nations Framework Convention on Climate Change. "Warsaw International Mechanism for Loss and Damage."
agreed upon outcome among UN member states to fund “adaptive capacity” for “long term finance” that organizes at national, regional, and international levels.77

The formation of the Green Climate Fund created a global financial reservoir for funding mitigation and adaptation programs. Financing is provided by pledges of nation-state support that has since been jeopardized by the Trump administration pulling out of the Paris Climate Agreement. He claims the GCF is a scheme to redistribute wealth to poorer countries, which misdirects from the ultimate need of global cooperation. The GCF board is now looking towards the private sector to help secure additional funding. This raises questions of how private ownership of foreign electrical grids, water distribution, and agriculture will affect a country’s ability to remain sovereign while beholden to multinational corporate debt. An arrangement similar to the Structural Adjustment Programs lent to modernize post-colonial nation-states. Independence is then an illusion of freedom until the country regains ownership of its infrastructure of society.

Significant funding from wealthy nation-states is required to fulfill the necessary GCF capital that can offset the burden of adaptation development for poorer countries. The IOM and UNFCC recognize that consumer development if allowed on the scale of the United States and Europe in every nation-state would block out the atmosphere with a thick layer of smog. The GCF’s plan of applying private sectors initiatives requires a “paradigm shift towards low-emission and climate-resilient development”.78 Mitigation becomes a business venture for western nation-states to limit the consumption in poor countries by selling them renewable technology. The result of GCF is a deemphasized burden on rich nation-states to reduce development as long as global emissions remains stable.

77 United Nations Framework Convention on Climate Change. Report of the Conference of the Parties on its eighteenth session. 21
78 Green Climate Fund. “About the fund.”
The absence of a delineation of responsibility in formal U.N. documents makes it difficult to find adequate solutions to slow or stop environmental degradation. Coordination to address climate change must involve redefining the political and economic systems in respect to the interconnectivity of the global environment. Ecuador’s adoption of “The Rights of Nature” into the 2007 constitution offers an example of how laws can incorporate environmental protection, “Rather than treating nature as property under the law, Rights for Nature articles acknowledge that nature in all its life forms has the right to exist, persist, maintain and regenerate its vital cycles. And we – the people – have the legal authority to enforce these rights on behalf of ecosystems. The ecosystem itself can be named as the defendant.” This set a precedent of how a new paradigm of human relationship with nature can exist in modern nation-states. Legislating rights to the environment would allow domestic populations the ability to formally sue multinational corporations that have caused the majority of environmental displacement in the global south. A legal stratagem alleviates crimes against nature for the domestic, however, it ignores the unbounded international effects of pollutions.

The largest contributing sectors to global carbon emissions come from transportation 14%, industry 21%, industrial meat and agriculture production 24%, and electricity generation 25%. In order to limit carbon emissions we must begin mitigation of the primary consumers. The single largest global source of carbon pollution is the United States Department of Defense, whose annual output is more than 70 million metric tons per year. That is the greenhouse gas equivalency of more than 160 million barrels of oil consumed, or over 7.5 million homes energy use for one year. Reports on carbon emissions from the first four years of the Iraq war are

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million tonnes. “On an annual basis, this was more than the emissions from 139 countries in this period, or about the same as putting an extra 25 million cars onto U.S. roads for a year. The paper found that projected U.S. spending on the Iraq war could cover all global investments in renewable energy needed to halt global warming trends in the period to 2030.” The DOD, the single largest importer of oil, sees war as an economic cycle of profit and acquisition. Any plausible reduction of global carbon emissions would require a demilitarization of the United States economy, trading in the global arms market, and the extreme resource extraction measures needed to fuel the military industrial complex. It appears very implausible that either the DOD or multinational corporations are interested in voluntary reduction of carbon emissions. What we do see is the securitization of borders and natural resources to maintain a status quo of transportation links to key oil and gas reserves. “As the world’s largest historical emitter of heat-trapping greenhouse gases, the United States is likely to be the chief target of resentment… As the world’s largest oil importer, the United States is economically vulnerable to supply disruptions and the military is charged, for instance, with ensuring that foreign oil fields and overseas shipping lanes remain secure.” This stratagem of security encourages the fervent nationalist attitude of border protection against the foreign invader. The current rise of authoritarian leaders across Western and Eastern nation-states is the direct result of such historic myths that have fostered the vilest aspects of human existence.

82 Reisch 4
83 Neslen
84 The Center for Climate and Energy Solutions
Part Three: Rethinking Sovereignty

The effects of climate change are already seen on South Pacific islands with the erosion of landmass and salinization of fresh water reservoirs. Under threat of extinction, these island nations have organized the Small Island Developing States to act as representation in discussions with the U.N and NGO’s. The disappearance of their land from sea level rise exemplifies the question of who is responsible to climate migrants. As shown earlier, current designation of climate migrants under international law offers no normative framework of how to proceed with human displacement in relations to environmental deterioration. In response to the lack of defined principles to support migrants, I wish to craft a ‘Responsibility to Receive Principle’ to construct a new framework of sovereignty that is situated outside a nation-state centric dynamic in exchange for one based on international solidarity. For SIDS, their life depends on the well being of others to help arrange resettlement. When looking at case studies of disaster relief there is a consistent trend of neighbors and non-state actors to be first responders in crisis. These moments of disaster simultaneously show us how non-state actors have the ability to assist each other and to fabricate an alternative world that does not rely on prescribed notions of borders and ethnicity. In defiance of the “panic myth”, perpetuated by nation-states who claim the greatest threat is not the disaster itself but the ensuing aftermath of “looting”, people organize networks of mutual aid that care for and distribute food to anyone in need.85

The present status of sovereignty is constructed from the logic of Thomas Hobbes who crafted society as an escape from his perception of the natural world as a “nasty, brutish, and short” life. A person’s allegiance to church and state would collectively manifest the sovereign that provided citizens a sense of security from this fear. What followed is the continual remaking of sovereignty to serve the nouveau riche in domination of the environment and human beings

85 Miller pg.190
alike. Existence itself has been transformed into a process of territorial accumulation that puts property ownership as the peak of sovereign reign. This perspective replaces the pre-western concept of land ownership as a historical connection of people, animals, and plants. The absence of the language of private property made indigenous populations vulnerable to nation-state imperialism. The conquest of indigenous culture occurred alongside the acquisition of environmental resources that fueled empire expansion. To rethink sovereignty requires us to recognize the colonial history of the world along with the acknowledgement of pre-western concepts of indigenous sovereignty that viewed human life in tandem with its ecological surrounding.

Indigenous sovereignty centers their ancestral inhabitants of land as the direct sovereigns that give them access and rights of use. On the Australian continent, the Uluru aborigines have fought for the last 200 years to a right of existence despite historic evidence of living on the continent for over 60,000 years. A proclamation to include indigenous voices within the Australian constitution was presented by the Uluru in 2017, “This sovereignty is a spiritual notion: the ancestral tie between the land, or ‘mother nature’, and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.” The statement re-envisions the role of the state into a form co-existence with aborigines rather than a bi-polar struggle for domination. An indigenous perspective on sovereignty sees land not as a commodity to be sold as property but a place for shared living among humans and its inhabitants.

86 Noisecat
87 Uluru
Sovereignty without nations

When confronted with migrants the nation-state reveals its self-interest with walls, prisons, and deportations. The basic intentions of freedom of association claim individuals and collective groups are free to join together or to avoid each other, but when manifested in a nation-state becomes a designated privilege for a few to decide who is restricted. Migrants that cross borders irregularly are outside the notions of state society and therefore lack the ability to choose association; instead they travel alongside others in an association of statelessness. When migrants are isolated in detention facilities they experience the enforcement of privilege that can restrict their association with the public. Migrants are then rendered persona non-grata in having a right to live.

A place-based concept of freedom of association allows migrants to disperse among local populations of shared affinity. Migrants who inhabit a new place are then given the opportunity to relocate themselves comfortably among a new society. What arises is a shifting cultural dynamic where diversity of human existence begins to mimic the biodiversity of the environment. State sovereignty contradicts the ability of free association among individuals by limiting border movement in the name of state security. In the face of climate migrants, local populations have already accepted entry to strangers willing to participate in upholding the livability of an area. This demonstration of mutual aid is the moral aspect of association that is excluded in nation-state logic.

The self-determination of a nation-state territorializes land into property for the use of the sovereign. A place-based concept of self-determination instead centers those who live within a region as the primary decision makers of its use. This allows for a fluid practice of culture where
a continuous re-evaluation of collective dynamic fosters a healthy individual. Nation-states seek to limit self-determination to a process of institutional assimilation that suffocates the ability for minoritarian influence. I consider this a form of cultural violence particularly against climate migrants that completely lost their way of life and yet still wish to integrate. Small islands who face complete habitat loss are striped of the possibility to self-determining their existence. Once they arrive in a receiving nation-state they are destined to remain a minority culture or eventually dissolve into the dominant society. Climate migrants who refuse assimilation reject isolation and national identity by revising the concept of sovereignty to determine oneself on the present land they inhabit. Climate migrants disrupt state principles of sovereignty by reinserting a value of human life tied to land.

The erosion national borders allow groups to organize regionally based on environmental resources instead of fabricated state boundaries. “Instead of two national states separated by uncertain and threatening boundaries, one could imagine two political communities dwelling in the same region and in exodus one in the other, divided from each other by a series of reciprocal extraterritorialities, in which the guiding concept would no longer be ius of the citizen, but rather the refugium of the individual.” 88 Sovereignty is placed within the self to determine its own inhabitation, which is as well to recognize mobility as a human condition. Borders further deny bioregional delineations that have no consciences of nation-state politics. The effects of deforestation, water contamination, waste dumping, and atmospheric pollution travels without a passport. Sovereignty must be placed within an inhabitation principle that acknowledges the decentralized nature of environmental connectivity.

88 Agamben 118
A Responsibility to Receive Principle

As the effects of rising sea levels, desertification, drought, flooding, and extreme storms intensives so will the global wandering of people in the apocalypse of now. The flow of migrants tends to be North bound or to countries of Western development. From Central America to the United States, from the Middle East and North Africa to Europe, from Pacific Islands to Australia and New Zealand, from Bangladesh to India. Resettlement is reshaping the nation-state concepts of demographics, border policy, economic trade, and humanity. To foster a new principle of dignity for migrants begins with the freedom of movement. Human migration is a right beyond right, an extralegal conditions, that most living creatures on Earth perform. Modern nation-states on the contrary favor sedentary lifestyles to help sustain its infrastructure and ability to provide food and water.

Nation-state responsibility lies in upholding this principle for freedom of movement that accepts migration within vacant space of stable habitats and to assist in funding non-state actors that provide rapid response aid. In short, nation-states must absolve those deemed illegal for crossing borders while dissolving the securitization and strict boundaries of control. I craft the principle for responsibility to receive as an initial start to rethinking immigration policy. Arendt description of human rights clarifies the inherent contradictions of modern political society, “We become aware of the existence of a right to have rights (and that means to live in a framework where one is judged by one’s actions and opinions) and a right to belong to some kind of organized community, only when millions of people emerge who had lost and could not regain these rights because of the new global political situation… The right that corresponds to this loss and that was never mentioned among the human rights cannot be expressed in the categories of the Eighteenth century because they presumed rights spring immediately from the “nature” of
man—- the right to have rights, or the right of every individual to belong to humanity, should be guaranteed by humanity itself. It is by no means certain whether this is possible.”89 A “responsibility to receive” principle fulfills the gap of enlightenment thinking separating the individual tied to a group. The reason to allow strangers into your home is not based on a natural right of inclusion but rather the consensual decision of all members involved within a deeper framing of human dignity and the shared life experience of suffering. Instead, states act from the position of exclusion to reinforce rights based policies under the pretext of a merit-based society that has immigrants competing for citizenship. Humanitarianism under enlightenment is oriented for nation-state military force against those unwilling to be complicit in its sovereignty. RRP implementation is probably not possible within our current socio-political-economic society that values state interests above human and environmental ethics, but that is the point. A new paradigm must transcend the current dynamic of state domination that chains all of us in its imposed boundaries.

Examples of RRP in our current society are found in the non-state based actors who respond to domestic and international disasters. The actions of people during Hurricane Katrina in New Orleans, Hurricane Sandy in New York, Hurricane Harvey in Houston, and Hurricane Maria in Puerto Rico demonstrates how in the face of disaster an a priori notion of solidarity arises. The myth of violence where looting destroys an already flooded grocery store is a production of fear by nation-states to reinforce stability through people staying inside. In the Mediterranean Sea, Greek fishermen were first to witness the arrival of migrants on the overcrowded sinking inflatable boats. They began to patrol migrant sea routes to pick up any survivors of sunken boats. Their actions probably saved thousands of lives. Once the migrants reach the interior of Europe, other self-organized activist groups emerge, an unofficial Syrian

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89 Benhabib
Underground Railroad, who ferry and navigate people across fortified borders. Typically this occurs in rural areas where a network of safe houses has been created along predetermined routes to evade police and fences. In the cities of Athens, Berlin, and Brussels, anarchists and antiauthoritarians helped establish squatted housing from abandoned hotels and apartment building to become permanent housing for hundreds of migrant families. Other groups, such as Desert Angels and No More Deaths, placed caches of water and supplies in heavily trafficked migrant routes along the U.S./Mexico border in hopes of supplying a lifeline from the unforgiving desert heat. Its unclear how many people have received these supplies but they are frequently used and the groups have picked up countless migrants in desperate need of help and medical transportation. Dodging the U.S. Customs and Border Protection is a process of evasion. If captured it is likely they will be detained and deported, while those who offer assistance to migrants can face federal criminal charges.

Cross border solidarity demonstrates an alternative socio-political paradigm that many have deemed “Open Borders”. A term that denotes a concept of state sovereignty yet recognizes the futility of obsolete exclusion. It is a pejorative phrase when used by nationalists who see openness as the demise of a sovereign state. In reality, an open border policy is the allowance of those in trouble a safe place to convene and take shelter. Those who migrate from environmental displacement deserve an element of authority in where they live. To deny this opportunity for sanctuary is to repress our humanity. A reframing of sovereignty sees the future of our planet as mutual survival.
Conclusion

**Status Quo**

Environmental displacement is proving to be an international conflict on a scale greater than the Second World War. To secure a nation-states future involves protecting fossil fuel infrastructure in a protracted war against humans and nature. Consumption-as-usual is the root cause of climate change yet in preparation for the coming collapse the U.S. Department of Defense sees protecting the capitalist economy as priority. The command and control procedures of the U.S. Department of Homeland Security are being exported to foreign governments of align interests to secure streams of resources. The U.S. is able to limit its involvement in external war by training and funding allied militaries to secure necessary oil reserves and rare minerals. On the home front, U.S. Customs and Border Protection are given the ability to patrol within a hundred miles of the border where routine profiling of any person deemed a potential undocumented immigrant can be stopped. In nearby border towns, a drive to the grocery store typically involves a vehicle search for “illegals”. Targeting of Latin American citizens under the Trump Administration has led to the denial and revocation of passports, along with detention when reentering the U.S. on suspicion of having fake documents. The color of your skin and ethnicity is again an erasure of civil rights. The rise of anti-Semitism in 1930’s Germany would further permit the exclusion of Homosexuals, Disabled, and Roma people from society giving way to unbridled state sanctioned violence. The Trump Administrations increase of detention centers construction is the preparation of a societal purging.

The aftermath of 9/11 induced a wave of panic that saw immigration as terrorist opportunity. Fear of another attack created the U.S. Department of Homeland Security in 2002 to

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90 Miller pg.190
91 Sieff
monitor potential domestic terrorists. Its police force, the U.S. Immigration and Customs Enforcement, patrols the interior of the U.S. to track down and deport undocumented immigrant, something Custom and Border Protection did not have the authority to do. The ICE agency had garnered bi-partisan support in 2003, but it is the Trump Administrations increased funding with the allowance of aggressive enforcement that turned ICE into a menacing snatch squad. Once captured, children and adults are spread throughout the U.S. into detention centers, “shelters” for kids, across sixteen different states where makeshift tent cities, a former Walmart, retired military bases, abandoned airfields, naval weapons stations, and Marine Corps bases house thousands of people with preparations to expand to hold hundreds of thousands more. The most egregious camps are the “tender age shelters” were children as young as four years old are being physically and emotionally neglected. Inside the shelters, children are forced to recite the pledge of allegiance adding an Orwellian trauma to their incarceration.

U.S. persecution of newcomers has a long history from the Chinese exclusion act of 1882-1943 that criminalized entry of Chinese laborers to the internment camps of Japanese families from 1942-1946. Trump’s nationalist policy agenda is another form of white ethnic domination of newcomers to America, a land that was taken from the Native Indians after four hundred years of genocidal tactics. “Central assumption of ICE in 2018 is that every undocumented immigrant is inherently a threat. In that way, ICE’s tactics are philosophically aligned with racist thinkers like Richard Spencer and the writers at the white-supremacist journal VDare.” Parenti comments on the possible rise of “climate fascism” where states commit to an adaptation of “politics based on exclusion, segregation, and repression, is horrific and bound to fail. There must be another path. The struggling states of the Global South cannot collapse

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92 Fernandez
93 McElwee
without eventually taking wealthy economies down with them. If climate change is allowed to destroy whole economics and nations, no amount of walls, guns, barbed wire, armed aerial drones, or permanently deployed mercenaries will be able to save one half of the planet from the other.⁹⁴

**Inhabit**

A sovereignty situated in habitation addresses climate mitigation from the perspective of those most harmed. Climate migration is part of a historic political question of where does the other fit in. The problem lies in the question of searching for another place for them instead of looking at where they stand. Current state institutions are ill equipped to address climate change because the notion of self-determination is contradictory to principles of humanity. It bears a corresponding negative freedom granting the ability of denial. “Freedom” to the sovereign is as much about the assimilation as it is about exclusion. State sovereignty extends the freedom of denial to the natural environment by criminalizing the existence of wetlands with sewers and asphalt.

The history of migration of the last 250,000 years was integral for the condition of human survival. Nomadic cultures sovereignty resides in the inhabitation of place. Use of the land warrants a right to occupation along with a respect for its inhabitants. The future of human society is instead determined by a question of not where do they go but how we receive and accommodate the stranger. A policy of acceptance is the recognition that an increasingly globalized world and the problems it faces demands international cooperation. To find a pragmatic alternative requires a consciousness shift from a nation-state framework of patriotism to a habitation of kinship found among friends. If “world peace” remains possible, it will be found in how we treat climate migrants and the reimagining of humanity as a shared objective.

⁹⁴ Parenti 11
Bibliography


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Virginia Holocaust Museum. “On May 1, 1939, the “St. Louis,” a Hamburg-America Liner, set sail from Hamburg. She was captained by Gustav Schroeder and carried 937 passengers, over 900 of whom were Jewish. The passengers purchased passage and Cuban landing certificates for the voyage. These were revoked by the Cuban government before the ship arrived. Only 28 people were allowed to disembark. The “St. Louis” then set sail for Miami. The passengers committee contacted President Roosevelt, but access to the United States was denied also. On June 6, 1939, the “St. Louis” returned to Europe. After intense negotiations by the Jewish Agency, 214 passengers disembarked in Belgium, 287 in Great Britain, 224 in France and 181 in the Netherlands. The Nazis used this incident to promote their anti-Semitic policy and to prove to the world that nobody wanted the Jews. The free world had turned its back on their plight, and two out of every three passengers perished as the hands of the Nazis.” St. Louis. VHM. Richmond, Virginia.