Maria Rosales

Minding the Gap:
The Role of UK Civil Society in the European Refugee Crisis
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Abstract

The recent collapse of the Dublin system, a system meant to distribute responsibility towards asylum-seekers and refugees between EU Member States (MSs), has marked a new phase of the so-called European Refugee “Crisis”, where the inability of EU MS governments to address the situation in a unified and coherent manner ultimately harms those most in need of protection. Public discontent with EU and MS government responses to the crisis has led to strong citizen mobilisation in the form of civil society. This study focuses on the case of the UK and examines the role played by policy advocacy Civil Society Organisations (CSOs). The concept of Political Responsibility is used to establish the emergence of a Governance Gap in the UK’s response to the crisis, where the government finds itself unable to bridge a growing distance between its representation and responsible governance functions. Policy advocacy CSOs are found to be now minding this gap. Critical Discourse Analysis is used to study how CSOs react to the UK government’s response in terms of practice and discourse, and to highlight the consequences which language use can have on how we perceive and treat refugees and asylum-seekers in this context.

Key Words: European Refugee Crisis, Civil Society, policy advocacy, Responsibility, Governance Gap, Discourse Analysis, United Kingdom.
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Blurb

Maria Rosales has a background in English language, literature and history, having completed her undergraduate degree in Montpellier University, France. A recent graduate of the MSSc programme in International and European Relations at Linköping University, she is now a trainee at the European Commission in the area of EU Migration and Home Affairs. Her main research interests are Migration in Europe and Human Rights, and more specifically European Union asylum and integration policies in the context of the European Refugee Crisis.
### Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>AFSJ</td>
<td>Area of Freedom, Security and Justice</td>
</tr>
<tr>
<td>APPG</td>
<td>All Party Parliamentary Group on Migration/Refugees</td>
</tr>
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<td>CDA</td>
<td>Critical Discourse Analysis</td>
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<td>CEAS</td>
<td>Common European Asylum System</td>
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<td>CSAN</td>
<td>Caritas Social Action Network</td>
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<td>CSO</td>
<td>Civil Society Organisation</td>
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<tr>
<td>DFID</td>
<td>Department for International Development (UK)</td>
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<tr>
<td>EASO</td>
<td>European Asylum Support Office</td>
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<tr>
<td>ECtHR</td>
<td>European Court of Human Rights</td>
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<tr>
<td>FS</td>
<td>Floating Signifier</td>
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<tr>
<td>IAAI</td>
<td>“I Am an Immigrant”</td>
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<tr>
<td>JCWI</td>
<td>Joint Council for the Welfare of Immigrants</td>
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<td>JHA</td>
<td>Justice and Home Affairs (EU)</td>
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<tr>
<td>JRS</td>
<td>Jesuit Refugee Service</td>
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<td>MAX</td>
<td>Movement Against Xenophobia</td>
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<tr>
<td>MP</td>
<td>Member of Parliament</td>
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<tr>
<td>MEP</td>
<td>Member of European Parliament</td>
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<tr>
<td>MRN</td>
<td>Migrants’ Rights Network</td>
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<tr>
<td>MS</td>
<td>Member State (of the European Union)</td>
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<td>NGO</td>
<td>Non-Governmental Organisation</td>
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<tr>
<td>PS</td>
<td>Protection Seeker</td>
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<tr>
<td>RC</td>
<td>Refugee Council</td>
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<td>SIS</td>
<td>Schengen Information System</td>
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<td>SNP</td>
<td>Scottish National Party</td>
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<tr>
<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
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<td>UK</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>VRS</td>
<td>Syrian Vulnerable Person Resettlement Programme (UK)</td>
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Minding the Gap: The Role of UK Civil Society in the European Refugee Crisis

Maria Rosales

1 Introduction

1.1 Context: the European Refugee Crisis and Rising Tensions

The European Union (EU) is facing a refugee crisis caused largely by the Syrian conflict, which, since it began in March 2011, has led to over 11 million persons fleeing the country (Syrian Refugees 2016). This year, the largest numbers of protection seekers (PSs) crossing the Mediterranean Sea to reach Europe come from Syria, Afghanistan, Iraq, Pakistan, Iran, Nigeria and Somalia (UNHCR 2016). Seeking safety, increasing numbers of PSs make a dangerous journey to Europe, risking death, immigration detention, deportation, or having to wait months for their country of entry to process their asylum claim.

The EU has struggled to address the crisis in a unified and coherent manner (Carrera and Lannoo 2015:1). Harmonisation of EU Member State (MS) asylum systems is difficult given divergence in capacity and resources across MSs. Steps have been taken towards supranational harmonisation in EU asylum policy, with, for example, the creation of a Common European Asylum System (CEAS), but it is an ongoing challenge.

The Dublin system’s first country of entry rule has placed disproportionate responsibility on front-line EU MSs like Greece and Italy to process the asylum claims of new arrivals (Banulescu-Bogdan and Fratzke 2015). The collapse of this system became apparent in 2014 and need for its reform was widely acknowledged by 2015 (Parliamentary Assembly 2015). MSs like Greece, Italy and Hungary have not adhered to fundamental democratic rule of law and human right principles in their treatment of PSs. This is largely due to their institutional inability to provide adequate reception conditions to asylum-seekers or long-term treatment that abides with human rights obligations (Tsourdi and De Bruycker 2015:2). Other MSs like Germany have bypassed the Dublin regime to protect refugee human rights, as conditions in the countries of entry degenerate.2

1 Note on terminology: when referring to persons seeking protection whose legal status is unknown, instead of referring to them as migrants, asylum-seekers or refugees, risking the erroneous use of these terms, I will use the term protection seeker (PS). This term does not make any assumptions regarding the legitimacy of their reasons for seeking protection, nor about their right to asylum.

2 In MSS v Belgium and Greece (2011) the European Court of Human Rights found that it would constitute a violation of human rights to return asylum-seekers to Greece (Costello and Hancox 2014:5). Germany decided not to return more asylum-seekers to Greece until it had reformed its asylum system and reception conditions; Dublin returns of asylum-seekers to Greece are still frozen (Asylum Information Database 2016).
The question of “burden sharing” and “responsibility-sharing” has “reignited deep internal divisions” between MSs (Banulescu-Bogdan and Fratzke 2015). Scholars have seen the European refugee “crisis” as a crisis of governance (Davis, Martin and Keleman 2015; Polychroniou 2015), a crisis of European values (Betts 2016), or a crisis of European solidarity (ECRE 2015; Chappel 2016). Others have questioned whether there is a refugee crisis in the EU at all (Perkowski 2016). I will argue that the refugee crisis is a crisis of governance, where governance gaps emerge at both MS and EU level; I will examine the governance gap that has emerged in the case of the UK government’s response to the refugee crisis.

Brussels has echoed the perception found in many EU MSs that uncontrolled arrivals of asylum-seekers are a threat to the EU and its citizens (Hansen and Hager 2012). The predominant EU approach prioritises the setting up of borders and fences to keep irregular migrants out, while continuing to call for more MS cooperation and “burden-sharing” (Egeland 2015). On 22 September 2015, EU interior ministers approved the relocation of 120,000 refugees across the EU through a majority vote, overriding objections to the scheme from Slovakia, the Czech Republic, Hungary and Romania (Gabrizova 2015).

The United Kingdom (UK) has been criticised for not playing a sufficiently active role in the European response to problems stemming from the refugee crisis (Refugee Council 2015b; Walker 2016). Migration scholars have argued that there is no refugee “crisis” for the UK, given the low number of asylum claims and refugees received there in comparison to other EU MSs (Sigona and Bechler 2016). In 2015, in the UK the number of asylum claims received and the number of first-instance positive decisions made on asylum were well below the EU average; the UK ranked 17th and 14th for each of these among the EU28 countries (Hawkins 2016:15, 18).

Following a campaign led by the Refugee Council and considerable public pressure, the UK government announced in January 2014 the creation of a resettlement scheme for Syrian refugees. In the first 18 months only over 200 refugees were resettled. The UK opted out of the 22 September 2015 EU relocation scheme and announced instead that its own resettlement scheme would be expanded to resettle 20,000 refugees by 2020.

Although I will refer to the “UK government” throughout this thesis as a unified government representing the UK, there is a more complex dynamic between the governments of England, Scotland, Wales and Northern Ireland. The term “UK government” will refer mainly to English government members from the ruling Conservative Party, which, with the consent and participation of Ministers from the other UK countries, make decisions on behalf of the UK. In the refugee crisis, the governments of other UK countries do not always agree with the approach taken by the ruling Conservative Party. Scottish Ministers have repeatedly asserted their desire to receive a higher number of refugees, proposing for example that Scotland hosts 2000 Syrian refugees through the UK’s Syrian Vulnerable Person Resettlement Programme (VRS) (Gower and Cromarty 2016).
Key to the context of this study is also today’s globalised world, where developments in telecommunication technologies and transport make possible the emergence of transnational social movements. The interdependence of States means that issues increasingly arise and are managed on a transnational scale rather than a purely national one. This mismatch between traditional and contemporary political spaces is part of the current crisis of governance.

The media has been an important actor in the refugee crisis, providing a means for CSOs to voice their opinion and promote their work, and a platform for debate on the crisis and asylum (White 2015). Given spatial and time limitations, I will only briefly consider the role played by this actor in relation to UK CSOs, government and the public. This thesis is thus set in this complex context of interaction between the UK, other EU governments, EU institutions, UK civil society, the public and the media.

1.2 Choice of Case Study: the UK

I have chosen to focus on the UK because it may be seen as a special case in terms of its role in the refugee crisis, given a unique historical relationship to the EU which finds itself at a crossroads following the outcome of June’s EU referendum (48.1% voted to remain, 51.9% to leave the EU (Electoral Commission 2016)), and given the UK’s “isolated” geographical position in Europe, which makes it less accessible to PSs. It is also one of few MSs able to opt out of EU legislation in the Area of Freedom, Security and Justice (AFSJ) (Costello and Hancox 2014).

Immigration was a highly politicised and discussed topic in the run up to the EU referendum; opinion polls reported this as the second most important issue of concern for voters after the future of the UK economy (Ipsos MORI 2016). Years of anti-immigration rhetoric and a misinformed debate on the costs or benefits of immigration among the public, media and politicians, in addition to recent claims from Eurosceptics and Leave campaigners that leaving the EU would allow the UK to better control immigration, influenced citizens’ decisions to leave or remain (Cooper 2016; Somerville 2016).

Although this study will consider elements from as far as the early 1990s to understand the UK-EU relationship in the areas of Migration and Asylum, its central focus will be on the most recent stage of the refugee crisis: January 2014 to June 2016. The collapse of the Dublin system in 2014–15 marked a new phase, where UK-EU MS cooperation has been particularly tense, media coverage and public debate on the crisis have risen, and UK civil society has been particularly active.

1.3 Choice of CSO Type: Policy Advocacy Organisations

In this context, both EU and UK civil societies have been putting increasing pressure on EU and UK government officials, demanding a greater response to the refugee crisis (Walker 2016).

Non-governmental organisations (NGOs) and grassroots movements have become an important means for individuals and communities to provide support to
asylum-seekers and refugees, such as those residing in the Calais and Dunkirk camps on the UK-French border. Commentators have suggested that these organisations are making up for the UK and EU governments’ failure to find an effective solution to problems caused by the crisis. As a news headline suggested, these organisations may be filling “gaps left by politicians” (Padoan 2015).

Policy advocacy CSOs have been particularly critical of the UK asylum system and the apparent UK government’s reluctance to play a more active role in the refugee crisis. They have taken a critical stance towards British political discourse on migrants, refugees and asylum-seekers, which tends to conflate economic migrants and asylum seekers (Geddes 2005:726), often depicting them as a burden and even a threat or enemy to the UK or EU (Fekete 2009; Hansen and Hager 2012; Guild and Carrera 2013). Some policy advocacy CSOs have reacted to the government’s use of language, commenting on the consequences of certain discourses, challenging assumptions behind these, and seeking to displace them with alternatives.

This case study will focus on three such policy advocacy CSOs: the Refugee Council (RC), the Joint Council for the Welfare of Immigrants (JCWI) and Migrants’ Rights Network (MRN). The criteria used to select these CSOs are explained in section 2.2.2.

1.4 Research Questions

Out of the problematics presented so far, the central, general question of this thesis emerges as: What role does UK policy advocacy civil society play in the European Refugee Crisis?

To answer this question and guide my research, I will seek to answer the following specific questions:

1) Are UK policy advocacy CSOs trying to fill a governance gap left by the UK government?

This question requires first defining what I mean by a “governance gap” and establishing whether such a gap exists in the UK’s response to the refugee crisis.

2) How are UK policy advocacy CSOs reacting to the UK government’s discourse on migrants, refugees and asylum-seekers?

The word “how” in the second research question points to an important assumption: this study assumes that UK policy advocacy CSOs are reacting in some way to UK government discourse on refugees and asylum-seekers. The aim of this project is to better understand this reaction in order to find out what role policy advocacy CSOs are playing in the refugee crisis, in relation to the role played by the UK government.

To pursue this aim, this thesis is structured in five chapters. Chapter 2 explains the theoretical and methodological framework used in this study. Chapter 3 deals with the UK government’s response to the refugee crisis in terms of practice and discourse. The CSOs’ reaction to the government’s response is presented in Chapter 4. Chapter 5 concludes by answering the research questions, discussing the findings and their implications, generalisability and limitations.
1.5 Theoretical and Methodological Framework

Globalisation studies, Comparative Politics, Civil Society studies, Communication studies and Discourse Analysis are the foundations of this thesis’s multiperspectival framework.

In order to answer the first research question, we must understand whether the government’s response to the refugee crisis reflects a governance gap. Thus, the first section of Chapter 2 develops the concept of Governance Gap, based on the research of Manuel Castells (2008), scholar of Globalisation and Communication studies, and Peter Mair (2009), scholar of Comparative Politics; this concept will then be applied to the case of the UK’s response to the refugee crisis.

A central part of this gap is the tension which governing political parties face between a duty to represent their citizens and a duty to govern responsibly. To apply this governance gap to the case of the UK, I will review and define the concept of Political Responsibility in British politics, based on the work of Comparative Politics scholar Anthony Birch (1964), and use this concept to help establish, after analysing UK responsibilities towards refugees according to international and European law, whether the government has behaved responsibly in the refugee crisis.

The second section of the theoretical framework enables us to answer the second research question. Drawing from Civil Society and Communication studies, namely Scholte (2002), Edwards (2011, 2014), and Castells’ (2008) work, I will develop a system of classification for the various UK CSOs that deal with the refugee crisis. This allows us to better understand how policy advocacy CSOs react to government practice and discourse, informing the CSO discourse analysis.

Discourse Analysis will be used as both theory and method. As the research questions address discursive and non-discursive elements, Norman Fairclough’s Critical Discourse Analysis (CDA) will serve as the ontological and epistemological grounds of this thesis. To study UK government and CSO discourses on Asylum and Migration in the context of the refugee crisis, I will import analytical tools from Laclau and Mouffe’s discourse theory into Fairclough’s CDA.

1.5.1 Empirical Material

The corpus of documents studied consists of two sets of texts: 26 government texts, coded with a “G” and a number (e.g. G1), and 21 CSO texts, coded with the CSO’s initials and a number (e.g. RC1, MRN8, JCWI17). Annexes 3 and 6 list these texts, their codes and references.

I sought to gather a range of formal and less formal government texts which would reflect the government’s use of language in a range of contexts in relation to the refugee crisis and to Migration generally. These are: seven fragments from parliamentary debates which reflect the language used by the Conservative Party’s Members of Parliament (MPs); one ministerial declaration and two policy documents which reflect the Home Office and the Secretary of State’s more formal and technical language; five
press releases and eleven speeches to reflect the more informal language used by government representatives when addressing the public.

For the CSO texts, I also searched for both formal and informal language. For the RC only policy briefs presented to Parliament were available, so seven dealing with the refugee crisis were selected. Recent policy briefs were not readily available for JCWI and MRN, so fourteen texts were selected from the blog sections of their websites, which address the public or other CSOs, conveying a more informal language and personal view on the UK’s response to the crisis.

Most of the texts date from January 2014 to June 2016. However, some texts are from 2003, 2011, 2012, and 2013, in order to establish a sense of continuity in the government’s use of language from the more recent Conservative government under David Cameron to Tony Blair’s Labour government (see Annex 1 for a chronology of UK governments from 1997 to 2016).

1.6 Purpose of Study and Relevance

My approach to discourse analysis is situated within Fairclough’s CDA, which “aims to contribute to social change along the lines of more equal power relations in communication processes and society in general”, seeking to “reveal the role of discursive practice in the maintenance of the social world” (Phillips and Jørgensen 2002:63–64).

This line of research allows me to pursue the normative purpose of raising awareness of: 1) the important role played by UK CSOs in pushing for a more “responsible” response to the refugee crisis; and 2) how certain language uses may affect the lives of refugees and asylum-seekers.

This project’s focus on the possible effects of language use in society is particularly relevant in the aftermath of the EU referendum, which revealed that immigration is a key issue of concern to the UK public, and one where politicians, the media and the public have polarised views. It is thus important to reflect on the effect that the language used in public and political debate may have on the lives of PSs, a language which is becoming cemented in everyday language.

A few exceptions aside, such as Ambrosino (2013), the civil society literature tends to focus on service provision CSOs, whose impact is more noticeable on the short term. This research makes an important contribution to the literature by documenting and analysing the role played by the understudied policy advocacy CSOs, whose impact is more easily visible in the long term.

This thesis hopes to lay the groundwork for future research on language and its potential for social change in the issue area of Migration and Asylum. Though it is perhaps too early to see the effects of CSO language use in the context of the refugee crisis, this thesis documents an early stage of this development as a first step for future studies.
2 Theoretical and Methodological Framework

To study the role played by UK policy advocacy CSOs in the refugee crisis, and establish whether they are filling a governance “gap” according to the first research question, the governance gap must be defined. It will then be applied to the case of the UK (chapter 3) using the concept of Political Responsibility. This enables us to examine how CSOs might be “minding” this gap.

The present theoretical framework has three sections: section 2.1 develops the concepts of the Governance Gap and Political Responsibility; section 2.2 develops a classification for the study of UK policy advocacy CSOs and discusses theoretical concepts used to study civil society’s relation to the government and the media. Section 2.3 discusses the approach taken to Discourse Analysis that will enable us to combine discursive and non-discursive aspects of the UK government and CSO roles in the refugee crisis, to better understand and situate the government and civil society discourses, analysed in sections 3.2 and 4.2.

2.1 The Governance Gap

2.1.1 Understanding the Context of the Governance Gap

As the European refugee crisis is a transnational issue which requires a complex form of governance encompassing both the national and transnational scales, a necessary starting point is that of examining the concept of Governance. This concept implies a shift of focus from hierarchical decision-making and public actors to “the interaction of public and private actors and non-hierarchical political structures” (Finke 2007:6). In the case of the refugee crisis, UK and other EU MS governments have begun to cooperate with non-governmental actors in order to find effective solutions to what they see as problems resulting from the crisis. The UK government’s role in the refugee crisis is thus constrained by the need for the UK to take joint decisions with other EU MS governments, and to cooperate with NGOs. These notions of complexity and constraint will emerge repeatedly as we look at the UK government’s relationship to the EU and UK civil society.

The emergence of more complex forms of governance beyond the national level is linked to a growing gap between a now global space in which issues arise and the traditional space in which issues were managed, the nation-state (Castells 2008:82).

Castells argues that this gap is at the source of four interrelated political crises that affect today’s institutions of governance: a crisis of efficiency, a crisis of legitimacy, a crisis of identity and a crisis of equity. It is in response to national governments’ inability to mitigate these four crises, that “nongovernmental actors become the advocates of the needs, interests and values of people at large” (Castells 2008:83). These crises allow us to understand possible causes for the governance crisis which the refugee crisis has made apparent. As this thesis is not interested in the causes of this governance crisis, but in how civil society responds to it, I will only focus on the crisis of legitima-
The crisis of legitimacy entails growing citizen distrust towards politicians, political parties, and the institutions of representative democracy (on UK citizen distrust see: Kelly 2010; Henn and Foard 2012; YouGov 2014), which results from “increasing distance and opacity between citizens and their representatives” (Castells 2008:82). This distance is due to the fact that, as government policies and decisions become more complex in the “global web” of policy-making, and given “the variable geometry of policy making and the unpredictability of the issues that must be dealt with”, the election of political parties is no longer linked to a specific mandate (Castells 2008:82).

The crisis of legitimacy is deepened by “the practice of media politics and the politics of scandal” (Castells 2008:82). As we will see in section 2.2.3, the media are often seen as mediators between the public and political parties; they can play an important role in both reflecting and shaping public opinion.

I will, however, question one of Castells’ ontological assumptions. Castells sees the relationship between non-governmental actors and governments in zero-sum terms. He sees non-governmental actors like CSOs as necessarily acting in opposition to and undermining “the role of governments in response to challenges posed by globalisation and structural transformation” (2008:83). I assume instead that the relationship between the UK government and CSOs is more complex, complementary and fluid, and not a fixed zero-sum or positive-sum relationship (see section 2.2.1).

2.1.2 Defining the Gap: Between Responsiveness and Responsibility

Mair has argued that there is a “widening of the traditional gap between representative and responsible government” (2009:3) in British and European politics, or “what citizens might like governments to do and what governments are obliged to do” (2009:17). This results from changing circumstances in party competition in contemporary democracies and in how governments govern. As political parties are no longer able to bridge or “manage” this gap, new actors, such as civil society, now find themselves representing citizen interests instead.

In traditional democracies political parties found it easier to act as both representatives – who gave a voice to civil society and linked it to the polity by aggregating citizen demands, articulating interests, and translating collective preferences into policy options – and governors – who organised and gave coherence to the institutions of government by building policy programs that served the interests of their supporters and the general polity (Mair 2009). Political parties contributed to the process of legitimising democracies by combining these two representative and governing functions, so that “there were few, if any, principal-agent problems: the principal was the agent” (Mair 2009:5).

In contemporary European democracies, however, these two functions are growing apart, with political parties focusing more on their governing function, going “from representing interests of the citizens to the state to representing interests of the state to the citizens” (Mair 2009:6). Representation thus moves out of the electoral channel.
completely, or “becomes the primary preserve of so-called “niche” or “challenger” parties, which may downplay a governing ambition or which may lack a governing capacity” (Mair 2009:6), such as European right-wing parties (e.g. Front National in France, UKIP in England) which often claim to represent citizen interests in ways that mainstream political parties fail to do (Hale Williams 2006).

Representation is becoming difficult for parties because the traditionally large collective constituencies are in decline, there is a fragmentation of the electorate, a “particularization of voter preferences” and a “volatility of issue preferences and alignment”; this makes it difficult to read or aggregate interests into coherent electoral programmes (Mair 2009:6). Given these conditions, the function of representation is taken over by NGOs, interest groups, lobbies, and the media, actors traditionally disconnected from or loosely affiliated to the party system (Mair 2009:6).

To illustrate the tension between the representation and governance functions, Mair establishes a principal-agent relationship between voters (the principal) and the parties in government (the agent). He also suggests that there is a problematic principal-agent relationship between national governments such as the UK government (as agent) and its many, sometimes contradictory, principals from outside the UK, for example, the European Commission, the WTO and the UN (2009:12). The existence of several principals for a single agent leads to a growing tension between the responsiveness and responsibility expected of a governing party. It is thus no surprise that governments find it difficult to meet both functions.

Mair argues that four general factors lead to this tension. First, the tension increases as parties find it more difficult to read and interpret popular demands and to be responsive to them (2009:13).

Second, governments are increasingly constrained by other agencies and institutions. This results from “the Europeanization and internationalization of policy parameters”, which makes governments accountable to an increasing number of principals, many outside of the domestic realm (Mair 2009:14 and 17). This is linked to the context mentioned before of a growing gap between a now global space and EU space in which issues arise, and the traditional space of the nation-state where issues were managed before (Castells 2008).

The third factor is the cumulative character of constraints on governments. Mair draws from Richard Rose who highlights that “most of what governments do is a function of what they have inherited” (2009:14). Regarding the refugee crisis, these are the UK’s responsibilities according to UK Asylum and Migration law and policy created by past governments, EU Asylum law and policy, and international law (see chapter 3 for a discussion of these).

The fourth and final factor is the fact that the mobilisation capacities of parties have greatly decreased in recent years, making it difficult for parties to manage the responsiveness-responsibility gap by persuading voters to agree with their choices through campaigns and appeals to partisan loyalty (Mair 2009:15; Castells 2008:82).

So where do these crises and tensions leave us in terms of the Governance Gap? The Governance Gap is thus in the first place of a “spatial” nature, where, in our
globalised and interconnected world, there is a growing gap between an increasingly global space in which issues arise and the traditional (national) spaces in which issues were managed before (Castells 2008). Secondly, it is of a functional nature, where governments find themselves at pains to bridge the existing gap between their duty to represent and their duty to behave responsibly (Mair 2009).

This takes us to the concept of Responsibility itself, which will be a key theme and guiding thread throughout this thesis.

2.1.3 The Concept of Responsibility

Mair sees the tension between responsibility and representation at the basis of “the contemporary crises of governance and democracy” (2009:10). A way to study the refugee crisis as a crisis of governance is by applying the concept of Responsibility to the UK government’s response to the refugee crisis. We will need to understand how the concept of Responsibility is embedded in the British political tradition, and how it is employed in political discourse today (see section 3.2). In order to do this, I will draw from Birch’s study of the British Constitution (1964).

Birch studied how the concepts of Responsibility and Representation were treated in the British Constitution and political debate during the eighteenth, nineteenth and twentieth centuries, a period in which central aspects of the current British political system were formed. Both concepts are ambiguous, but three main notions of Responsibility are found in British political discussion.

According to the first notion, termed “responsiveness”, an ideally responsible government considers the views of all groups in its society when determining policies, acting as “servant” of the public rather than its “master” (Birch 1964:18).

The second notion is particularly relevant as it is mobilised by both government and CSOs in relation to the UK’s response to the refugee crisis (see sections 3.2.2 and 4.2). Responsibility here invokes “moral responsibility” and “duty” (Birch 1964:18). Government ministers are considered “responsible for seeing that the government pursues a wise policy, whether or not what they do meets with the immediate approval of the public” (Birch 1964:18). Birch reviews instances where ministers were accused of carrying out irresponsible policies and finds that government actions were deemed irresponsible because they were seen as imprudent or inconsistent. According to this, a responsible government is one which is both prudent and consistent in its decisions and actions.

A third meaning is that of Responsibility as accountability of ministers or government as a whole to Parliament, the body elected to represent UK citizens (Birch 1964).

Birch argues that the first and second notions may not always be compatible, and that public opinion is not reflected in the shape of a single, unified voice, but is made up of different, often contradictory opinions from various sections of the public, and thus it is often difficult or even impossible to follow and please all opinions through coherent, consistent policies. Although accountability is an important aspect of responsibility, I will not apply this third meaning because it would require further research which is outside the scope of this thesis and its research aims. I will focus on the
tension between the first and second meanings of responsibility in order to establish whether there is a governance gap in the case of the UK response to the refugee crisis.

If we combine the first and second notions to form our own definition, a responsible government is one which is **responsive to public opinion and pursues policies which are mutually consistent and prudent**. For a government to be responsible and consistent in terms of its policies, it must then:

- continually be arranging compromises between the conflicting demands of sections of the public […] also initiate policies which it conceives to be in the best interests of the nation, even though they are unpopular. It must educate the public so that they accept the need for these compromises and unattractive policies (Birch 1964:21).

Indeed, regarding responsibility as duty (second meaning), prominent in British political tradition is the belief that government should “not be deterred from pursuing policies which it thinks right by the fact that they are unpopular”, and that it should show leadership and be “strong enough to make unwelcome decisions” (Birch 1964:245).

Interestingly, the debate on British political responsibility has seen other actors as being outside the British political system or process; thus in traditional political discourse, CSOs and the media are excluded from the political process. The conception of civil society used in this study reflects this exclusion because it places civil society as an actor outside of political parties. I will look out for this exclusion to better determine what type of relationship policy advocacy CSOs have to the UK government in the context of the UK response to the refugee crisis.

### 2.2 Civil Society as a Research Subject

In the context of the governance gap, civil society emerges as a response capable of “minding” this gap.

Like Mair, Castells points to a general decline in traditional forms of politics in our globalised world, a “shift from the institutional political system to informal and formal associations of interests and values as the source of collective action and sociopolitical influence” (2008:84). This shift encourages the emergence of CSOs as an important actor in 21st century politics and international relations (Risse-Kappen 1995; Risse 2002; Lakhany 2006; Smisms 2006; Scholte 2002, 2011). In relation to the crisis of legitimacy, civil society emergence is further encouraged by “widespread dissatisfaction with party politics as the principal formal channel of political mobilisation”, and a growing feeling that “party politics has little direct bearing on much contemporary governance” (Scholte 2002:151).

Some CSOs have gained considerable popularity and legitimacy in contrast to political parties (Castells 2008). Social movements which build networks of action at transnational and international scales have also emerged. These call for “new forms of political representation of people’s will and interests in the process of global govern-
ance”, and may be seen as “an expression of the crisis of legitimacy, transformed into oppositional political action” (Castells 2008:85–86).

How then, can we conceptualise the diverse group of actors that are usually categorised as civil society? Political scientists have criticised the field of civil society studies, arguing that “civil society is vague [...] and that] most civil society theorists offer intuitive, ostensive or paradigmatic accounts of it rather than something more rigorous” (Jensen cited in Finke 2007:11).

The State has a central and clear place in international relations, while civil society is perceived as a fluid and elusive object of study and a relatively new actor with less formal rules for action (although the term was used already by classical Greece thinkers, see Edwards 2011:3). Therefore, a way of studying civil society is to examine its role in society and politics in relation to that of the State. This requires studying civil society’s relationship to the State.

A “healthy” interaction between the State and CSOs is often seen in the civil society literature as contributing to a “healthy” society; the failure of this interaction may lead to crises of legitimacy or authority, where citizens may not “recognise themselves in the institutions of society”. (Castells 2008:78–80).

Different strands of civil society studies see civil society as an actor, a public space or arena, or as a set of norms or values which promote a “good” society (Edwards 2015:416–17). The notions of agency and “actorness” are key to this thesis which seeks to establish the role played by civil society in relation to the role played by the State, seeing both as actors that represent the public in different ways. Therefore I will adapt Scholte’s concept, which sees civil society as a political space, to define it as a political actor instead. Civil society is thus: a political actor made up of associations of citizens which seek, “from outside of political parties, to shape the rules that govern society” (Scholte 2015).

2.2.1 Categorising CSOs

To gain a general overview of the types of CSOs which work with Asylum and Migration in the UK, an initial sample of 14 UK CSOs was selected. These were reviewed and categorised according to three main characteristics: what they do, their aimed social impact, and their relationship to the State.

Thouez highlights the distinction made by the civil society literature between CSOs which provide practical aid to PSs and those which work with Migration and/or Asylum policy formulation, implementation, monitoring and advocacy. Two general categories emerge: service provision associations and policy advocacy associations. Thouez suggests mixed associations as a third category for CSOs which work with both service provision and policy advocacy. (2003:2–3).

3 Scholte (2015) defines civil society as: “a political space where associations of citizens seek, from outside of political parties, to shape the rules that govern society”.
According to the social impact that CSOs seek to have, Scholte classifies them as: *Conformists*, *Reformists* and *Transformists*. *Conformists* are “groups that seek to uphold and reinforce existing norms”, attempting to improve the implementation of existing rules “or to manipulate established regimes to their advantage” without seeking to change the rules themselves (2002:148). These are, for example, business lobbies and philanthropic foundations. *Reformists* “wish to correct what they see as flaws in existing regimes, while leaving underlying social structures intact” (2002:148); examples of these are human rights groups, relief associations and trade unions. *Transformists* “aim for a comprehensive transformation of the social order” (2002:149); these are often called ‘social movements’, for example anarchists, environmentalists, or pacifists.

CSO-State relationships are often complex and case-specific. In England, under its “Big Society” programme, the 2010–2015 Conservative-Liberal Democrat coalition government encouraged the creation of government-CSO partnerships as a way to shift power from the central government back to citizens and communities (Prime Minister’s Office 2010). In practice, Scott argues, the Big Society merely served as a way for the State to justify cuts to public services and shift responsibility for service provision unto the voluntary sector (2011:133–34). After a series of failures and funding scandals, mention of the Big Society in government discourse faded (Slocock 2015). The recent Conservative government (2015–2016) focused instead on the link between the business sector and social action in “social enterprise” (Cabinet Office 2016).

In their relations to CSOs, the past two UK governments have mainly focused on service provision CSOs. There are no specific guidelines dealing exclusively with policy advocacy CSOs, and there is little mention of specific UK policy advocacy CSO-State relations in the civil society literature.

Based on my own observations of the CSOs reviewed, and the type of relationships mentioned in Edwards (2014:124–31), I have established three categories which reflect the degrees of CSO cooperation with the UK government in relation to the refugee crisis. These are: 1) CSOs may have an *oppositional*, zero-sum relation to the government, where they might seek to criticise, alter, or undermine UK practice or policy. 2) At the other end of the spectrum, they may cooperate closely with the government or complement its work through a *complementary relationship*. 3) In-between, they may have a *mixed relationship*, at times criticising or opposing government behaviour yet also cooperating with certain initiatives. These are simplifications, but they allow us to gain a better understanding of how UK CSOs relate to the State.

From the 14 CSOs’ websites and media and academic accounts of their work, I also investigated four CSO characteristics: type of membership (expert, volunteer and/or faith based); date of establishment; focus; activities carried out. Annex 2 provides a summary of these findings.

### 2.2.2 The CSOs Selected for Study

Given this project’s time and spatial limitations, I focused on three CSOs: Refugee Council (RC), Joint Council for the Welfare of Immigrants (JCWI) and Migrants’ Rights Network (MRN). The criteria for this selection were:
1) The CSOs should be made up of legal experts and researchers whose informed critique of UK/EU policies might be aimed at long-term political or systemic change rather than at short-term humanitarian support. This makes them of special interest to this thesis, interested in CSOs working with a higher policy-making level aimed at medium to long-term reform.

2) The CSOs should have a fixed, formal membership and structure, so that the organisation can be treated as a coherent, unified actor, and not as a changing, informal group of people, which would require a different framework.

3) The empirical material produced by these CSOs reflecting their language use in relation to the government’s own, should be easily accessible. Policy briefs and blog pieces of the three CSOs selected were most readily available.

Doctors of the World UK, Jesuit Refugee Service (JSR), the British Red Cross, Save the Children, Caritas Social Action Network (CSAN), CalAid and Help Refugees were excluded because their main area of focus was service provision. Calais Migrant Solidarity, Statewatch, City of Sanctuary and Citizens UK would have been relevant subjects of study given their policy advocacy focus, but either empirical material was not easily available from them (with the exception of Statewatch), or their membership and structure were not fixed, making it difficult to study them within the current framework.

2.2.3 The Role of the Media

Studying the role played by civil society also requires considering how CSOs relate to the media. I will draw from Castells (2008), Beck (1992; 1996) and Fairclough’s (1992) contributions to understand the media’s relation to UK CSOs, the government and the public.

Through the now transnational media system, non-state actors such as CSOs can “foster social change” and move societies “in a direction that diverges from the values and interests institutionalised in the political system” (Castells 2008:90). Beck sees the media as representing a key field of struggle between competing “knowledge-claims” over “the sources and effects of risks and their possible solutions” (Phillips and Jørgensen 2002:159). He claims that the individual gains awareness of transnational problems through mass communication, and this fosters a sense of personal moral responsibility for these. Beck links an emerging focus on personal or individual responsibility to a broader social tendency towards individualisation – a trend Castells and Mair also highlight – where “traditional social constraints on individual agency” previously viewed as fixed and inevitable, “are treated as objects of choice and responsibility” (Phillips and Jørgensen 2002:159).

Given these conditions, new forms of politics, which Beck (1996) calls subpolitics emerge, where “agents outside the established political system participate in reflection and critique of existing forms of social organisation, in particular about moral issues” (Phillips and Jørgensen 2002:159–60). Conflicts in the media between competing knowledge claims can foster subpolitical activity by supplying individuals with knowledge needed for an “informed critique of experts’ arguments” (Phillips and Jør-
gensen:160). The reaction of UK policy advocacy CSOs to the government’s response to the refugee crisis can be seen as an example of subpolitics. I will apply this to my analysis of CSO discourse in section 4.2.

Fairclough has studied how the media act as mediators and translators between the “public domain” of political “events and social agents”, and citizens’ “private domain” of “common experience” (1992:110).

A large body of literature has found that the media often play a key role in reproducing, promoting and shaping certain discourses on Migration around the world, which may influence public opinion and policy-making (van Dijk 1991; Camauër 2003; Santoro 2012; The Migration Observatory 2013; White 2015).

If we see the media as a mediator, translator, or as a field of struggle between the public domain of the UK government and political parties, and the private domain of the UK public, then the media can potentially be an ally, enemy, tool or arena for civil society to influence public opinion and the government’s response to crisis.

2.3 Discourse Analysis: Theory and Method

2.3.1 Norman Fairclough’s Critical Discourse Analysis (CDA)

Discourse analysis approaches depart from the premise that we may access reality through language (Phillips and Jørgensen 2002:8). Language is seen as constitutive of the world “out there” in that it allows us to create representations of reality which may come to be seen as “truth” or “knowledge”, or as what Antonio Gramsci called “common sense”. 4 “Knowledge” is “created through social interaction in which we construct common truths and compete about what is true and false” (2002:5). Our use of language constitutes social identities and social relations so that changes in discourse may constitute changes in the social world: “[s]truggles at the discourse level take part in changing, as well as in reproducing, the social reality” (2002: 9).

Adopting Fairclough’s CDA as an ontological and epistemological foundation, which considers both discursive and non-discursive elements, enables me to integrate non-discursive insights from the first research question (are UK policy advocacy CSOs trying to fill a governance gap left by the government?) to investigate the second question, which examines how UK policy advocacy CSOs react to the UK government discourse on refugees and asylum-seekers in the context of the refugee crisis. Fairclough sees discourse as:

being simultaneously a piece of text, an instance of discursive practice, and an instance of social practice. The ‘text’ dimension attends to language analysis of

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4 Gramsci defined “common sense” as changing and historically and culturally contingent, therefore open to contestation yet not easily changed: “Every philosophical current leaves behind a sedimentation of ‘common sense’: this is the document of its historical effectiveness. Common sense is not something rigid and immobile, but is continually transforming itself, enriching itself with scientific ideas and with philosophical opinions which have entered ordinary life” (Gramsci 1973:326).
texts. The ‘discursive practice’ dimension […] specifies the nature of the processes of text production and interpretation, for example which types of discourse […] are drawn upon and how they are combined. The ‘social practice’ dimension attends to issues of concern in social analysis such as the institutional and organizational circumstances of the discursive event and how that shapes the nature of the discursive practice, and the constitutive/constructive effects of discourse (Fairclough 1992:4; emphasis added).

This three-dimensional conception allows me to integrate the study of the UK government and civil society practice (sections 3.1 and 4.1), seen as an important part of the context of the “discursive practice” dimension, with the government and CSO discourse analysis, seen as the “text” dimension (sections 3.2.2 and 4.2).

I have selected Fairclough’s approach because it sees persons as both “masters and slaves of language” (Barthes 1982). Persons are thus not solely passive receptors and reproducers of discourse, but may sometimes actively seek to resist or remake certain discourses to bring about social change (Fairclough 1992:61). This conception of agency allows me to study the discursive practices of CSOs as conscious acts carried out in accordance to certain social or political aims.

Fairclough draws from Foucault and Gramsci to incorporate the notions of “hegemony” and “power” into his theory and method, seeing discourse as a site of struggle (Mills 1997:43) where different discourses compete over their claims to establish a society’s “common sense”. Thus, discourse can be:

both an instrument and an effect of power, but also a [...] point of resistance and a starting point for an opposing strategy. Discourse transmits and produces power; it reinforces it, but also undermines it and exposes it, renders it fragile and makes it possible to thwart it (Foucault 1978:100–101).

2.3.2 The Compatibility of CDA with Laclau and Mouffe’s Discourse Theory

Following the guidelines found in Phillips and Jørgensen (2002), I complement Fairclough’s CDA with analytical tools and concepts imported from Laclau and Mouffe’s discourse theory. I will only import specific analytical tools and concepts from Laclau and Mouffe’s discourse theory into CDA which Fairclough himself acknowledges as precedents to his work. I will not be merging their theories or combining them, given that, at an epistemological and ontological level, Laclau and Mouffe’s theory would not be compatible with Fairclough’s CDA.

In line with discourse theory’s post-structuralist and post-Marxist outlook, Laclau and Mouffe reject the distinction between discursive and non-discursive phenomena (Laclau and Mouffe 1985:107–108). Seeing everything as discursive does not mean questioning the existence of social and physical objects (Laclau and Mouffe 1987:82), but it does imply that our access to these will always be mediated by discourse, so that Laclau and Mouffe study social practices in the same way as discursive practices and using the same analytical tools. Fairclough, on the other hand, distinguishes between
discursive and non-discursive phenomena and seeks to study the dialectic relationship between these:

While I accept that both ‘objects’ and social subjects are shaped by discursive practices, I [...] insist that these practices are constrained by the fact that they inevitably take place within a constituted, material reality, with preconstituted ‘objects’ and preconstituted social subjects. The constitutive processes of discourse ought therefore to be seen in terms of a dialectic, in which the impact of discursive practice depends on how it interacts with the preconstituted reality (1992:60–61).

Fairclough’s CDA is thus compatible with the other theoretical insights used in this thesis (Birch 1964; Castells 2008; Edwards 2011, 2014; Mair 2009; Scholte 2002, 2011; Thouez 2003) to study the “governance gap” and civil society’s role in the refugee crisis. Fairclough’s CDA allows us to study discourse in its broader historical, political and social setting or context and to answer questions outside of a purely discursive realm. Indeed, Fairclough himself states that discourse analysis should be used “for conducting research into questions which are defined outside it” (1992:226).

The analytical tools imported from Laclau and Mouffe’s theory of discourse deal with the fixation of meaning, identity construction and the struggle of different discourses to fix the meaning of a given signifier. These are: Chains of Equivalence, Articulation, and Floating Signifier.

A Chain of Equivalence is “the investment of key signifiers with meanings” through the linking of signifiers (Phillips and Jørgensen 2002:43, 50). Articulation is “a practice establishing relations among elements such that their identity is modified as a result of the articulatory practice” (Laclau and Mouffe 1985:105). These two concepts allow us to analyse the investment of meaning of important signifiers and associations of meaning.

Floating Signifier (FS) is a “signifier that is overflowed with meaning because it is articulated differently within different discourses” (Torfing 1999:301). It allows us to pinpoint the signifiers which the UK government and CSO discourses assign different meanings to and thus find sites where discursive struggle takes place (Phillips and Jørgensen 2002:53–56).

Having drawn from Laclau and Mouffe’s conceptions of hegemony and articulation to study identity construction and discursive struggle, Fairclough’s CDA shares a common ground with these concepts and tools.

To understand discursive struggle in relation to the specific issue area of the refugee crisis, I will use Fairclough’s concept of order of discourse, defined as “a social space

5 A signifier is the “‘sound-image’ (or expression) that signifies a certain” concept or content (Torfing 1999:305).

6 Fairclough comments on the influence of Laclau and Mouffe (1985) on his own CDA: “There is important discussion of articulation and hegemony in Laclau and Mouffe (1985) which constitutes a precedent for my application of these concepts to discourse [...] Such a conception of hegemonic struggle in terms of articulation, disarticulation and rearticulation of elements is in harmony with [...] the dialectical view of the relationship between discursive structures and events” (1992:93).
in which different discourses partly cover the same terrain which they compete to fill with meaning each in their own particular way” (Phillips and Jørgensen 2002:56).

Fairclough’s work on the metaphor allow us to further analyse how refugees and asylum-seekers are articulated in government or CSO discourse and what effects this use of language may have on our perceptions and practice. Metaphors “structure the way we think and the way we act, and our systems of knowledge and belief, in a pervasive and fundamental way” (Fairclough 1992:194). They may become naturalized in a particular setting or culture, so that people become unaware of them, and they may have an effect on their discourse, thinking or practice.

With this framework in mind, I will be exploring how policy advocacy CSO language relates to UK government language. To this end, I will first pinpoint the different types of discourse used by both government and CSOs. I will then explore and compare: 1) how the government and CSOs fix the meaning of the FSs “refugee”, “asylum-seeker” and “migrant”; 2) whether the CSOs studied use an alternative conception of “refugee”, “asylum-seeker” or “migrant” and if yes, whether they construct it in opposition to that found in the UK government discourse; 3) how each actor fixes the meaning of the FS “responsibility” in relation to the UK’s role in the refugee crisis.
3 The UK Government Response to the European Refugee Crisis: Practice and Discourse

In chapter 2 the governance gap was defined as being, first, of a spatial nature, given an increasing gap between the global space in which issues arise and the national spaces in which issues were managed in the past (Castells 2002); and second of a functional nature, where governments struggle to bridge an already existing gap between their duty to represent and their duty to govern responsibly (Mair 2009).

These two aspects of the governance gap are very present in the European refugee crisis, which, as is assumed in the political debate, cannot be managed by a single EU MS alone, but requires the involvement of several EU MSs and non-EU MSs. Also a crisis where decisions taken by EU MS governments have been continuously challenged by EU citizens and CSOs.

I will focus on the tension between governments’ duty to represent and their duty to govern responsibly, in order to establish whether a governance gap is evident in the UK’s response to the crisis. As an ideal-type for a responsible government I will use the conception of Responsibility discussed before, which requires a government to fulfil its “moral” responsibilities and duties, and to pursue consistent and prudent policies while being responsive to public opinion. In order to evaluate the UK government’s response to the refugee crisis in terms of responsible governance, I will establish the main duties of the UK towards asylum-seekers and refugees according to international and European law, and evaluate how the government has met these duties.

The first section of this chapter looks at the responsibilities of States established by the 1951 Refugee Convention, and the UK’s selective participation in the EU Area of Freedom, Security and Justice (AFSJ). These responsibilities are related to UK practice. The analysis in this first section enables us to understand an important part of the context of discursive practice; this will allow me to relate government practice to discourse in the second section of this chapter.

3.1 The UK and the Refugee Crisis: A Responsible Government?

3.1.1 State Responsibilities According to International Law

The 1951 Refugee Convention Relating to the Status of Refugees (referred to as “the Convention” henceforth) lays the basis for the international asylum regime, defining who is a refugee, the rights of refugees, and the responsibilities of States providing asylum. It provides criteria which may be used by States to assess asylum claims, however, “important gaps in the protection regime still remain” (Phuong 2005:1). For example, the Convention does not mention asylum procedures or determine which State should be responsible for evaluating an asylum claim (Phuong 2005).

The Convention builds on the right to claim asylum, but does not establish a binding legal duty for States to grant asylum (Phuong 2005). States tend to view the granting of asylum as a State right rather than a duty, in line with the view that as sovereign entities they have the right to decide who enters and leaves their territory. There is no
binding obligation for States to grant asylum to refugees, but States are bound by the Convention’s principle of non-refoulement.\textsuperscript{7}

Different States consider different countries “safe” enough for failed asylum-seekers to be returned; this leaves room for manoeuvre around the principle of non-refoulement. At the beginning of March this year, following an appeal made by then Home Secretary Theresa May, the UK Court of Appeals ruled that deportations to Afghanistan could be resumed (ECRE 2016), a country deemed particularly dangerous by several authorities.\textsuperscript{8} A ban on UK deportations to this country had been imposed in August 2015 (McClenaghan 2016a), but now the Home Office has resumed the use of charter flights there for mass deportation. Allowing mass deportation of failed asylum-seekers and former child refugees to such a dangerous country can be seen as an instance of irresponsible behaviour, as it undermines the principle of non-refoulement.

There have been other instances which suggest questionable upholding of this principle. The Home Office recently published figures showing that, over the past nine years, 2748 child refugees who reached the age of eighteen years old were returned to countries whose safety was doubtful, such as Afghanistan, Iraq, Iran, Libya and Syria (McClenaghan 2016b).

Another grey zone is that it is unclear whether the principle of non-refoulement applies also to PSs who arrive at the border of the State and seek admission into its territory to then claim asylum there. The United Nations High Commissioner for Refugees (UNHCR) has argued that a State has the responsibility to admit and process an asylum claim if the claim is made at its borders or on its territory, but States sometimes disagree with this interpretation (Phuong 2005).

States may “attempt to use some grey zones in international law, which result in unregulated situations to the detriment of human rights protection”; they may, for example, argue that they are not obliged to grant access to the refugee status determination procedure to those who have not set foot on their territory (Stoyanova 2008:11).

In the UK, asylum can only be claimed after entering the territory. It is not possible generally to apply for asylum from overseas or to obtain a visa with the purpose of seeking asylum there. As Immigration Minister James Brokenshire stated, “it is not our practice to grant visas or to in any way facilitate the arrival in the UK of foreign nationals for the purpose of seeking asylum” (House of Commons 2014). In March 2012, a visa requirement for Syrian nationals transiting the UK was announced, with the purpose of “protect[ing] the UK’s national and border security” (Gower and Cromarty 2016:6). This, in addition to a recent increase in refusal rates for visitor visas from

\textsuperscript{7} This principle states that no refugee shall be returned to any country “where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion” Article 33, 1951 Refugee Convention.

\textsuperscript{8} In 2015, Afghanistan government officials asked the UK government to “cease [the] forced deportation of refugees” (McClenaghan 2016a). The European Asylum Support Office documented a rise in abductions and violence in Afghanistan that year (EASO 2015).
Syria suggests that the UK government is trying to limit the number of Syrians present in UK territory to avoid the lodging of asylum claims.

Already in the UK Labour government’s 2003 proposals for asylum and refugee protection, a “new vision” of refugee protection was advanced which promoted the use of asylum processing centres outside the EU, with the belief that: “there is no obligation under the 1951 Refugee Convention to process claims for asylum in the country of application” (Blair 2003:6). Past governments have thus also tried to apply their own interpretation of grey areas in international law in order to manoeuvre around responsibilities set out in such legal instruments.

Another grey area regards the duration, type of protection and residence status which refugees should be entitled to. The Convention states that refugee protection should last for as long as there is well-founded fear of persecution, thus once the grounds for this fear cease to exist States may remove the person (Phuong 2005).

Since 2005, following the introduction of a new UK policy, those granted refugee status are given limited leave to remain, so that five years after the reception of refugee status their situation is reviewed and if their source country is considered safe, they may be returned (Refugee Council 2010). RC has found that this new temporary nature of refugee status causes mental distress for refugees and has a negative impact on their integration into UK society (2010). This policy is thus: “in direct contradiction to the Government’s attempts to encourage the effective integration of refugees in the UK” (2010:5).

Of particular interest to us in the context of the refugee crisis is what international law says about State responsibility-sharing for the processing of asylum-claims or refugee protection. The only indirect reference to this in international law may be found in the Convention’s preamble, where State parties to the Convention acknowledge that “the grant of asylum may place unduly heavy burdens on certain countries, and that a satisfactory solution of a problem […] cannot therefore be achieved without international co-operation” (Convention Relating to the Status of Refugees 1951:preamble). This gives the principle of responsibility-sharing a weak legal basis (Phuong 2005).

This grey area of the international regime is perhaps one of the reasons why countries in regions of origin often admit, host and protect the largest amount of PSs. In the case of the refugee crisis, Turkey, Lebanon, Jordan, Iraq and Egypt find themselves hosting more than 4.5 million refugees from Syria. In contrast, in the EU, Germany has pledged 39,987 places for Syrian refugees (roughly 54% of the EU total);

9 Turkey currently hosts more Syrian refugees than any other country, hosting an estimated 2.5 million refugees (Amnesty International 2016).
10 Lebanon hosts around 1.1 million Syrian refugees, equivalent to one in five Lebanese citizens (Amnesty International 2016).
11 Jordan hosts approximately 635,324 Syrian refugees, about 10% of the country’s population (Amnesty International 2016).
12 Iraq hosts 245,022 Syrian refugees, and has already 3.9 million Internally Displaced Persons (Amnesty International 2016).
and, 26 EU countries (excluding Germany and Sweden), have pledged only 30,903 resettlement places between them (Amnesty International 2016).

3.1.2 Responsibility-Sharing in EU Law

Given this grey area, the EU has sought to further define State responsibilities for processing asylum claims. Let us now examine the CEAS and the Dublin system.

Substantive efforts to cooperate in the area of Asylum began in the 1990s with high numbers of refugees arriving in EU MSs. MSs wanted a system which resolved problems resulting from differences across EU MS asylum systems and practices, such as the gravitation of asylum-seekers to only MS countries with high social benefits and recognition rates (ECRE 2014). However, in practice the EU harmonisation exercise has “established only minimum standards and leaves Member States considerable leeway to do their own thing” (Costello and Hancox 2014:4).

Given the vagueness of international law on who is responsible for processing an asylum claim, the Dublin system filled a crucial gap in the CEAS, providing a mechanism for determining which MS is responsible for which asylum claim (Fratzke 2015). Two primary goals of the Dublin Convention (1990) and the subsequent Dublin Regulations (Dublin II (2003) and Dublin III (2014)) were to ensure that asylum-seekers gained quick access to protection, and to prevent applicants from carrying out “forum shopping” (Fratzke 2015:1). However, when implemented this system has failed to achieve these goals.

Low effective transfer rates and a high amount of intra-EU secondary movement of asylum-seekers have persisted despite of, and even increased since the establishment of the Dublin system (Amaral 2013). The system has put an overly large amount of responsibility for the processing of asylum claims on MSs at the EU’s external borders and has caused delays in the process of claims evaluation, which may harm asylum-seekers and result in violation of their human rights (Fratzke 2015).

At the heart of the Dublin problem is the fact that the system’s functioning requires that asylum systems and protection capacities are uniform or very similar across all EU MSs. This is still not the case today: MSs are not equally able or willing to provide optimal processing and reception conditions (Costello and Hancox 2014). The cases of Greece, Italy and Bulgaria have shown that some MSs have weaker reception conditions which, when tested by large arrivals of asylum-seekers, means that those States

14 See footnote 2.
15 Italy has struggled for years to process and receive new arrivals and accommodate Dublin transferees; in 2013 it received nearly one quarter of Dublin “take-charge and take-back requests”, and nearly a third of total transfers (Fratzke 2015:10). That year two reports (Swiss Refugee Council 2013; UNHCR 2013) questioned whether Italy’s reception conditions and asylum procedures complied with human rights law.
16 In 2013 Bulgaria received over 7,000 new asylum applications, less than one tenth of what Germany received that year, but this greatly pressured Bulgaria’s system. This led UNHCR in 2014 to call for a temporary suspension of Dublin asylum transfers to Bulgaria; Austria, Belgium, Denmark, the Netherlands and Poland temporarily suspended their transfers to Bulgaria (UNHCR 2014).
find themselves unable to deal with asylum cases in keeping with human rights standards. States like Germany and Sweden have accepted to take in more asylum cases (Fratzke 2015), but the recent overloading of Germany and Sweden’s asylum systems (Spiegel 2015; Carlqvist 2015) has perhaps suggested to the EU and MSs that no single State is alone able to provide protection to Europe’s asylum-seekers.

Another instance of UK irresponsible behaviour towards refugees may be found in the fact that despite the 2011 EctHR ruling which established that it would constitute a violation of human rights to transfer asylum-seekers to Greece (MSS v Belgium and Greece), the UK persisted in making such transfers throughout 2011 and 2012 (Costello and Hancox 2014).

3.1.3 The “Best of Both Worlds”?: Selective Participation in EU AFSJ

Before looking at the UK’s participation in the Dublin system, it is worth taking a step back to understand the UK’s approach to participation in the EU. The UK has a history of negotiating special treatment in the EU. Former Prime Minister Tony Blair’s “best of both worlds” expression, used in 2004 to describe the UK’s selective participation in EU Asylum and Immigration procedures, describes well the UK’s involvement in the EU (Tony Blair cited in Geddes 2005:723). To gain a better idea of this, I shall briefly look at the UK’s participation in the EU AFSJ and in Schengen specifically, a key element of the AFSJ.

Article 10 of Protocol 36 of the Lisbon Treaty allows the UK to opt out from all EU legislation, made before the adoption of the Lisbon Treaty (2009), in what was part of the third pillar of “Justice and Home Affairs” (JHA) under the Treaty of Maastricht (1993), and is now the AFSJ. This includes Asylum and Migration policy, border control, travel visa, police and judicial cooperation. The UK retains the ability to opt back into this legislation or new legislative proposals on a case by case basis (Home Office 2015a; Miller 2011).

Schengen cooperation resulting from the 1985 Schengen agreement was incorporated into the EU’s legal framework with the 1997 Treaty of Amsterdam. All EU MSs except the UK and Ireland are expected to form part of the Schengen system; these two opted only into some aspects of the Schengen framework (Peers 2015).

Schengen members have adopted common rules on the removal of internal border checks and the crossing of external borders, such as: harmonisation of conditions of entry and rules on short stay visas, enhanced police cooperation, enhanced judicial cooperation, and the establishment of the Schengen Information System (SIS) (EUR-Lex 2009).

Despite its commitment to an internal EU market, the UK has opted out of the Schengen system, keeping its own border controls and visa policy, and only opting into certain elements related to security (Costello and Hancox 2014). The government has seen the maintenance of its own borders as key to the preservation of the UK’s sovereignty (Blick 2012). The UK opted into Schengen rules which concern criminal law and policing, but has opted out of the abolition of internal border controls, the har-

The EU border measures in which the UK has participated are indicative of a UK security approach to migration. The UK has asked to be included in the creation of Frontex, EU measures on biometric passports, and the EU decision to grant MS access to data in the EU Visa Information System (Costello and Hancox 2014). Although it only has observer status on the Frontex Management Board, the UK has been involved in several Frontex operations which seek to “tackle” or reduce irregular migration to the EU (Home Office 2014:31).

The EU has also adopted a security approach to border management, migration and asylum policy (Huysmas 2006;van Munster 2009; Guild 2009; Cerami 2011; Anderson 2014). Its border control priorities focus on “the securitization of external borders through increasing technological surveillance” (Costello and Hancox 2014:4).

A key point on which the EU and UK converge is on the differentiation between wanted and unwanted types of migration, which has led to policies targeted at specific types of migrants, classed often according to whether they represent possible forms of skilled or unskilled labour, and are thus “profitable” or not for the receiving country. Geddes argues that through its participation in EU Migration and Asylum decisions, the UK government has sought to shape the EU distinction between “wanted” and “unwanted” forms of migration to match that of the UK (2005:724).

In the UK, refugees are increasingly put into the “unwanted migration category”, often perceived to be more an economic ‘burden’ than advantage (Geddes 2005:727). Since 1993, UK governments have introduced several legislative measures aimed at reducing the numbers of refugees received by the UK. There has been a consistent government obsession with immigrant, refugee and/or asylum-seeker numbers, found in past Conservative, Labour, and Conservative-Liberal Democrat coalition governments. This has been nicknamed the “numbers game” (Betts 2004; Crace 2015).

In October 2002, for example, Labour Home Secretary David Blunkett set the “target” of halving, by September 2003, the number of asylum applications from 8900 claims per month to 4450 (Betts 2004:64). In February 2003, Prime Minister Tony Blair said in an interview:

I would like to see us reduce it [total number of asylum-seekers entering the country] by 30 per cent to 40 per cent in the next few months, and I think by September of this year we should have it halved (Tony Blair cited in Geddes 2005:272).

We can compare this to the 2005 Conservative manifesto’s promise to withdraw Britain from the Refugee Convention, process asylum applications outside of Britain and set a fixed quota for the number of refugees accepted (The Conservative Party 2005).

In his 2010 electoral campaign, David Cameron promised to reduce net migration numbers, from “hundreds to tens of thousands”. Despite failing to meet this seemingly unrealistic target, in 2014 Cameron again reasserted his commitment to this target (Hampshire 2015). This target affects the government’s asylum policies, as refugees are
included in the Home Office’s UK net migration total (Hawkins 2016). This leads us to another important area: UK participation in the Dublin system.

3.1.3.1 UK Participation in the Dublin System

The UK has opted into the main post-Amsterdam asylum directives that made up the first phase of the CEAS which dealt with asylum procedures, qualification and reception conditions (Costello and Hancox 2014). However, it has chosen not to participate fully in the reform process required for the EU to have a CEAS, because the government does not feel that it is in Britain’s “best interest” to do so (Home Office 2011:2).

The government felt that certain EU reforms enhanced the rights of asylum-seekers with no regard to whether their claims were valid or not, and was concerned about the European Commission’s proposal to allow asylum-seekers to work six months after lodging a claim, while they waited for a final decision; the government was also concerned about EU restrictions on MS abilities to detain asylum-seekers and on fast-track procedures (House of Lords European Union Committee 2012:para 179). The government’s main concerns were, in other words, for EU measures which created more MS responsibilities towards asylum-seekers (Amaral 2013).

A finding which confirms a security approach to Asylum was that, although UK law does not provide for automatic detention of persons being processed under the Dublin rules, “automatic detention of Dublin migrants appears to be standard practice” (Amaral 2013:226). Indeed, the UK has a large detention estate. There is no time limit in the UK for detention for immigration or asylum determination purposes: the UK opted out of the EU Return Directive (2008/115/EC) which set a maximum of 18 months for immigration detention, making it the only EU MS without a time limit (Global Detention Project 2011).

There have been serious concerns about the effects of detention on detainees’ health. Immigration detainees often suffer strong mental health deterioration, such as depression and post-traumatic stress disorder, and carry out self-harming (LDSG 2009; Medical Justice 2015). A Parliamentary enquiry found that detention is used “disproportionately frequently” (APPG 2015: 8). The abusive use of detention for administrative purposes suggests that the human rights and welfare of asylum-seekers come second to administrative efficiency in the UK. This again suggests irresponsible behaviour towards asylum-seekers.

Another important aspect is legal representation. Since 2010, due to a new UK system for legal representation of asylum-seekers where few law firms are given exclusive legal aid contracts, asylum-seekers’ “access to legal representation has been compromised, especially those in the fast-track system” (Amaral 2013:226). UK national legislation has also been found to “severely limit the applicant’s opportunity to challenge or

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17 The UK’s immigration detention estate is one of the largest in Europe. The largest category of those detained “have sought asylum at some stage during their immigration processes”; in 2013 60% of the total detainee population were asylum detainees (Silverman and Hajela 2015:4).
appeal a Dublin II decision”; appeals to removal were found to be particularly difficult for asylum-seekers to lodge, as they are only given three days to make an appeal between notification of removal and the removal itself (Amaral 2013:226).

The UK seems to adhere to the letter of the Dublin system, using a very strict interpretation of the regulations, which enables it to grant asylum to a low number of asylum-seekers and to return a larger number to the first EU MS of entry, back to their country of origin, or to detain them for an indefinite amount of time. As a report concludes:

“The law in the UK is applied in a clinical manner. A focus on the quantitative […] has led to neglect of the qualitative needs and of every individual’s right to live free from fear and further persecution” (Amaral 2013:227).

As mentioned in the Introduction, the UK is a “special” case due partly to its geographical position. Given the Dublin regulations’ first country of entry rule, the UK is obliged to process fewer asylum claims than EU border countries like Greece and Italy; indeed, the UK government has voiced its interest in maintaining the current Dublin system and following it strictly.18 The UK’s geographical location thus allows it to shirk certain responsibilities which other MSs are forced to abide by.19

3.1.4 The UK Response to the European Refugee Crisis

The main element of the UK government’s response to the refugee crisis has been to provide financial aid to the region of origin,20 in order to tackle the “root causes” of the crisis. The government argues that it is better to provide direct humanitarian aid to the region, rather than offering refugees protection in EU MSs, so that refugees may remain in neighbouring regions until it becomes safe for them to return to their countries of origin (Gower and Cromarty 2016:3). The UK has consistently opted out from proposals to relocate or resettle refugees already inside the EU (Gower and Cromarty 2016).

On 29 January 2014, following considerable public, civil society, and political pressure, the government established the Syrian Vulnerable Person Resettlement Programme (VRS) which aimed to resettle refugees directly from refugee camps in the

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18 In January 2016, reacting to news that the European Commission was planning to propose changes to the Dublin system, Cameron voiced his opposition to any changes in the “first country of entry” rule. He insisted that it was important for Britain to be able to return asylum-seekers back to the EU country which they first entered (Parker and Robinson 2016).

19 The Council criticises precisely this use of the Dublin regulation: “our anecdotal experience is of a culture that sees the Dublin regulation primarily as a tool to return asylum seekers to other signatory states” (Refugee Council 2016e:4).

20 Since 2012, the UK Department for International Development has committed £2.3 billion to over 30 different partner organisations working in Syria, Jordan, Lebanon, Turkey, Iraq and Egypt (DFID 2016:1). 9.5 million have also been allocated from the UK Conflict, Stability and Security Fund to support capacity-building in these regions (Gower and Cromarty 2016:6).
regions of origin, but which had no fixed quota and was criticised for doing too little. On 7 September 2015 this scheme was extended to resettle 20,000 Syrian refugees by 2020 (Gower and Cromarty 2016:8–9). Following pressure from civil society, the public, and MPs from all parties, on 9 May 2016 the House of Commons approved an amendment to the Immigration Bill which provides for the resettlement of an additional, unspecified number of refugee children from within the EU (House of Commons 2016b). It remains to be seen how this amendment is put into practice.

The government’s approach to the refugee crisis is consistent with a security approach to Migration and Asylum, and with previous government attempts to limit the numbers of asylum-seekers and refugees arriving in the UK. Measures have been implemented which aim at deterring asylum-seekers from trying to claim asylum in the UK (Mulvey 2015); as we will see in section 3.2, government discourse has often reflected this deterrence approach.

The UK government’s lack of support for Operation Mare Nostrum, a search and rescue naval and air operation launched by the Italian government in October 2013, is consistent with this deterrence approach. In 2014, the government argued that rescuing persons trying to reach Europe by sea would “create an unintended ‘pull factor’” which would encourage more persons to risk their lives crossing the Mediterranean Sea and lead to an increase in PSs coming to Europe (House of Lords 2014). Mulvey (2015) has pointed out that this assumption proved wrong when, after Operation Mare Nostrum was stopped, the numbers of persons crossing the Mediterranean Sea rose. As we will see in section 4.2, the “pull-factor” argument is used often by the government to justify its approach to the refugee crisis.

In line with the policies of former governments, the UK government has refused to participate in the 22 September 2015 EU refugee relocation scheme and has promoted its own approach to the refugee crisis as the better solution, avoiding the physical presence of refugees in the UK, while being seen as an active contributor to finding “solutions” (outside of the UK) to the conflicts leading PSs to flee to Europe.

3.1.5 The UK and the Governance Gap: Manoeuvres in Responsibility

Going back to the initial question regarding the tension between the UK government’s duty to represent and its duty to behave responsibly, the government finds itself acting as the agent to a high number of principals, and is unable to meet all their expectations regarding the refugee crisis. International and European refugee and human rights laws can be seen as one type of principal which demands that the UK meet certain standards and responsibilities towards asylum-seekers and refugees. The government does not want to be seen to be going against or failing to meet these responsibilities (Betts 2004), but it interprets them narrowly and strictly to limit the numbers of refugees granted protection in UK territory (Steiner 2001), also making its own interpretations of grey areas of the law to shirk responsibility.

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21 By the end of June 2015, only 216 persons had come to the UK with the VRS (Home Office 2015b).
Maria Rosales

The UK has used its special treatment in the EU to selectively participate in EU Asylum legislation in order to limit its formal responsibilities towards refugees as a MS; it has benefited from the Dublin system’s first country of entry rule, which allows it to transfer many asylum cases back to other EU MSs. This selective participation allows it to receive fewer refugees in its territory than other MSs, while seeming to be meeting its legal and moral responsibilities and to be playing an active role in the refugee crisis through financial donations.

The UK’s selective participation in EU Asylum legislation means that it can use the Dublin system to argue that it is behaving lawfully when it refuses asylum-seekers who have entered another EU MS first. One could argue that in adhering to a strict interpretation of the legislation the UK is fulfilling its legal duties and behaving responsibly. Also that in fulfilling previous governments’ promises to reduce the numbers of asylum-seekers reaching the UK, the government is acting consistently, another element associated to a responsible government.

However, to use Birch’s (1964) terms, what would that mean regarding the “moral” conception of responsibility, where a government should fulfil its duties and pursue “wise” policies (Birch: 18)? Generally, the government has behaved irresponsibly in its treatment of asylum-seekers and refugees. The government’s focus on securing borders and the reduction of “numbers” results in a neglect of its legal and moral responsibilities towards refugees and asylum-seekers, at times overtly violating their human rights (Amaral 2013; Kinnvall and Svensson 2015).

The other key principal influencing the UK government’s behaviour is UK public opinion, which leads to tension between the government’s responsiveness and responsibility functions. The obsession with migration targets across several governments could partly be an attempt to be responsive to what is seen as a public anti-immigrant sentiment, which has seeped into the refugee crisis debate.

It is difficult to establish a coherent and homogeneous picture of UK public opinion regarding the refugee crisis, so it is difficult for the government to interpret public opinion in this area. Despite divergences in results from opinion polls carried out in 2015 and 2016, these suggest that public opinion is polarised and that a large part of the British population feels unhappy with the current response.

A September 2015 survey interviewing 1450 British adults found that 50% believed that “Britain should be doing more to deal with the current migrant crisis”, 39% felt it was already doing “everything that can reasonably be expected to be done”, and 11% did not know (YouGov 2015:1). Another survey carried out in September 2015, interviewing 1000 British adults, found that 17% thought the government was doing a “good job” of “handling the migrant crisis in Europe”, while 42% thought it was doing a “bad job”, and 41% had no opinion (ComRes 2015:5). A global study surveyed 27,000 persons from 27 different countries, finding that 70% of respondents from the UK thought that their government should do more to help refugees (Amnesty International 2016).

The government has been criticised by CSOs (Refugee Council 2015b; Griffiths 2015; Walker 2016; Badshah 2016), politicians from different political parties (BBC
Given the strong critique and division in public opinion, it is difficult for the government to interpret the wishes of the public and to fulfill its representativeness function. Therefore, my conclusion is that the UK government has failed to fulfill its moral and legal responsibilities towards refugees and asylum-seekers and to represent the will of its citizens regarding what should be done in response to the refugee crisis. A governance gap emerges in this tension between representativeness and responsibility, which CSOs might be trying to fill by providing alternative responses to the refugee crisis which might better represent public opinion, or by calling for the government to better meet its duties and responsibilities.

We have established the existence of a governance gap and have a better understanding of the context of discursive practice in which the UK government’s discourse is created and disseminated; in the next section, I will examine the discourses employed by the UK government in relation to refugees and asylum-seekers within the order of discourse of the European refugee crisis.

3.2 UK Government Discourse on Refugees and Asylum-seekers

3.2.1 Literature Review and Discourses Identified

The academic literature on UK political discourse on Asylum identifies several types of discourses. I present below the seven government discourses identified in my corpus of documents (see Annex 4 for examples) and relate them to those mentioned in the literature.

Betts finds that a “driving force behind UK asylum policy” since the 1990s has been a political desire to control who enters and leaves the country, as a way of reasserting “the sovereign power of the state” (2004:65). Similar to this emphasis on control of territorial borders is a discourse which emerged in my own discourse analysis, a discourse of security and control (D1).

Betts also argues that the UK government has constructed Asylum as a “burden” since the 1990s. Perceived economic, social and political cost have influenced government Asylum policy since then:

the Government, rather than challenging media portrayals of refugees as a threat to the welfare state, national identity, and social cohesion, has sought policies that implicitly reify refugees as a “burden” by attempting to reallocate (or shift) that “burden” (2004:62–63).

Finding a clear connection between media portrayal of asylum-seekers or refugees and public fear of them, Betts argues that this construction of asylum-seekers as a “burden”
is not inevitable and could be tackled by the government to change media and public perceptions (2004:67).

Both Betts, and Robinson (2003) in a review of the government’s refugee dispersal policies, find that government action has cemented a wider construction of asylum-seekers as a “problem”. Betts highlights that, through its asylum policies, the government constructed the “physical presence” of asylum-seekers in British territory as the problem (Betts 2004). Betts and Robinson thus identify a type of discourse which I have also found in my analysis: a discourse of asylum-seekers and/or refugees as burden or problem (D2a). As we will see below, linked to this discourse, another variant used by the government is a discourse of asylum-seekers and/or refugees as invasion or threat (D2b).

An obsession with asylum-seeker numbers and control has led the government to seek to shift the “burden” of asylum in a way that is “the least electorally damaging”; past unpopular asylum policies, in addition to rising media depictions of asylum-seekers as a “threat” have made it increasingly difficult to secure public support for asylum-seekers, and has made “extraterritorial burden shifting” one of the most “politically ‘feasible’ strategies” (Betts 2004:67).

Malmberg reviewed political and parliamentary documents (1970s–2004) to study how UK government discourse on asylum-seekers has changed over time in a way that allows it to legitimise increased use of detention. She identifies four main discourses in political discussion of asylum-seekers and refugees: 1) a discourse of criminalisation; 2) a discourse of “guilty until proven innocent”; 3) a “shift of blame”; and 4) “a game with words” (2004:14–17). She finds that two successive Labour governments tried to discourage asylum-seekers from entering the UK through increased use of detention, despite being aware that using detention as a deterrent is questionable under human rights law.

Of particular relevance to my findings are the first two discourses mentioned by Malmberg. The discourse of criminalisation constructs asylum-seekers as “illegals”, associating them to criminality and menace rather than vulnerability (2004:14). It has been adopted both by the governing party and by MPs from other parties. The discourse I identified above as D2b follows this trend. Linked to the discourse of criminality or D2b, I have also identified a discourse of deterrence (D3) used often by the government.

Regarding the discourse of “guilty until proven innocent”, Malmberg sees strong mistrust towards asylum-seekers present in Labour and Conservative parliamentary discussion of Asylum. Several MPs assume that most persons seeking asylum in the UK are not genuine refugees but economic migrants abusing the asylum and welfare systems (Malmberg 2004). She finds a tendency for MPs in parliamentary debates to confuse the categories of asylum-seeker, refugee and economic migrant. I found a similar tendency in my discourse analysis, as we will see below.

Malmberg argues that this latter discourse is a key justification for the use of detention, and that indeed a “culture of disbelief” has “become institutionalised in the UK immigration system” (2004:15). Souter (2011) and Anderson, Hollaus and Wil-
liamson (2014) also find a “culture of disbelief” inherent in UK Asylum practices and legislation. I also identified a discourse of disbelief (D4) used in the government texts studied.

A discourse not mentioned in the literature reviewed and used less by the government in relation to the refugee crisis, is a discourse of protection towards asylum-seekers or refugees (D5), although we would expect it to be mobilised more if the crisis was seen as a humanitarian crisis. It is much more present in CSO texts (see section 4.2).

Flynn (2003) studies the contradiction between an increasingly liberal migration policy which targets immigrants seen as profitable to the UK economy, and an increasingly restrictive asylum policy; he argues that under the Tony Blair Labour governments, the UK approach to migration and asylum was motivated by a utilitarian logic focused on economic performance. The penultimate discourse identified in my analysis, though less salient, is an economic discourse (D6), which connects the orders of discourse of immigration and the refugee crisis to that of the economy.

The last discourse identified is a discourse of human rights in relation to asylum-seekers, refugees and migrants (D7). It was largely absent from the government texts analysed here, but used often by the CSOs studied (see section 4.2).

Regarding government responsibility, Steiner (2001) studied the tension between international norms, national interests and morality in arguments used by British, German and Swiss parliamentarians when drafting asylum legislation (1970–1990s). Members of all political parties accepted the abstract moral duty to help refugees, but had trouble agreeing on what specific responsibilities it entailed. Some argued that tighter asylum legislation would help “real” refugees receive protection and weed out “bogus” ones (2001:14). In my discourse analysis responsibility is also a contested term, a Floating Signifier (FS).

Steiner (2001) highlights a deeper tension between MPs’ moral obligations towards constituents and their moral obligations towards refugees, which can be seen as another aspect of the responsiveness-responsibility tension at the heart of the governance gap. He finds that these two obligations can be at odds with each other, so that the MPs may agree over their moral obligation to help refugees on principle, but disagree over what measures it entails.

Steiner challenges the dominant asylum literature which sees the abidance of international norms as always leading to less restrictive asylum legislation. He argues that these can, on the contrary “enable a state to tighten asylum” (2001:17). The findings in the previous section are consistent with this.

### 3.2.2 Government Discourse Analysis: Discussion of Results

Analysis of the government discourse corpus of documents allowed me to identify key FSs which MPs from the various parties seek to articulate in different ways. These were: “refugee”, “asylum-seeker”, “migrant” and “responsibility”. Other FSs were: “Britain”, “public opinion” or “public demand”, “crisis”, and “the right approach” or “right solu-
tion” to the refugee crisis. These are the FSs whose meaning CSOs are likely to seek to articulate and fix in a different way.

Government discourse is not completely homogeneous. The use of the discourses mentioned above may vary from one government department to another. I focused on the discourse used by the Home Office, Immigration Ministers, Home Secretary and Prime Minister, because these are the departments and officers most involved in policy decisions at a high level regarding the refugee crisis, and they are those which the media and civil society have criticised the most. Although there are slight variations within the Conservative Party and between departments, these departments and officers make a rather homogeneous use of discourse on refugees, asylum-seekers and the refugee crisis, and so what I call “government discourse” refers to the discourse used by them.

Discourses D1, D2a, D2b, D3 and D4 are mostly employed by Conservative MPs, the Home Office and the Immigration Department, but they are sometimes employed by Labour and Liberal Democrat MPs. Not all Conservative MPs necessarily employ these discourses, some may take a critical stance to the Conservative government’s asylum policy and push for greater action to provide help for asylum-seekers and refugees during parliamentary debate, e.g. by asking for greater resettlement of unaccompanied child asylum-seekers (Annex 5:122). In Parliamentary discussions on asylum and the refugee crisis, the discourses mobilised and views voiced by MPs did not necessarily follow party lines. However, when it came to a House of Commons vote regarding the acceptance or rejection of an amendment to the Immigration Bill (Amendment 87) which would require 3000 child refugees present in the EU to be relocated to the UK, most MPs voted according to their party’s official position (text G26). Thus, although use of language and personal opinions voiced may be more flexible during Parliamentary debate, the final vote was not.

Regarding articulation of the FS “crisis”, the government and many Conservative MPs repeatedly articulated it as a “migrant crisis” (G5, G7, G9, G12), while MPs from opposition parties like Labour MP Yvette Cooper articulated it as a “refugee crisis” (G22). It was less common for the government to articulate it as a “humanitarian crisis” (G6, G9, G23) or a “refugee crisis” (G17 and G22 only). CSOs instead most often articulate the floating signifier “crisis” with “refugee” or “humanitarian” rather than with “migrant” (see section 4.2).

A core focus of this analysis was on understanding how the UK government articulates the FSs “refugee” and “asylum-seeker”. The signifier “refugee” is used less by the government (only G6, G10, G14, G17, G23). This may be because it is a term which generally implies more legal responsibilities for the State and rights for the individual, while the term “asylum-seeker” implies less responsibilities on the part of the government and less rights on the part of the individual (UNHCR UK 2016; Kirkwood et al. 2016). A salient finding is that there is a high degree of conflation and confusion in

\[22 \text{ For Annexes 5 and 7, the number after the colon is the “citation number” given in the tables.}\]
Conservative MPs’ use of the signifiers “refugee”, “asylum-seeker” and “migrant”, or “economic migrant” (G1, G2, G3, G15, G22, G23, G24, G25, G26; Annex 5:2). A few MPs from other parties also conflated these terms (Annex 5:3).

The blurring of the signifiers “migrant”, “refugee” “asylum-seeker” is also present in UK media discourse; it may be seeping into public discourse and influencing public opinion. Several UK media channels have published articles clarifying the distinction between these signifiers and reflecting on the effects such confusion may have on public attitudes towards asylum-seekers and refugees (Lubbers 2004; Semmelroggen 2015; Spencer 2015; Travis 2015). UNHCR UK has commented on the possible negative consequences of confusing “refugee” and “migrant”:

‘Migration’ is often understood to imply a voluntary process [...] This is not the case for refugees who cannot return home safely, and are owed specific protections under international law. Blurring the terms ‘refugees’ and ‘migrants’ takes attention away from the specific legal protections refugees require, such as protection from refoulement and from being penalised for crossing borders without authorisation in order to seek safety. [...] Conflating ‘refugees’ and ‘migrants’ can undermine public support for refugees and the institution of asylum at a time when more refugees need such protection than ever before (UNHCR UK 2016).

Being confused with an economic migrant might also mean that refugees or asylum-seekers may be associated with some of the negative ideas or “myths” that have circulated in public and political debate for years (Schuster and Welch 2005; Finney and Simpson 2009; Webber 2012).

It is beyond the scope of this project to analyse these myths in detail, but as the CSOs studied often sought to question or counter these, it is worth examining their appearance in the government texts studied. In G18 Theresa May reinforces several of these myths. In a speech delivered in 2012, as Home Secretary under the Conservative-Liberal Democrat government, she advocated for the control of immigration, depicting “uncontrolled, mass immigration” as a threat by drawing from some of the myths on immigration:

“[...] uncontrolled, mass immigration is damaging to social cohesion, puts pressure on public services and infrastructure, and can lead to job displacement and undercut wages, particularly for the lowest paid” (G18).

In other texts, government representatives also draw from some of these myths to depict immigration as a threat. For example, in text G24 the then Prime Minister David Cameron legitimises the British public’s apparent concern for uncontrolled immigration. He states that he has always understood the “genuine” concern of the public for uncontrolled immigration. This public concern is said to equate uncontrolled immigration with “pressure” on public services, too rapid a pace of change, and “take[ing] advantage of our generosity”. Here the use of “our” pits the British public and UK government as one group and immigrants as another, in a “us” versus “them” dichoto-
my. The CSOs studied directly seek to counter these immigration myths, using studies and reports to question their veracity (see section 4.2).

It is thus consistent with the government’s construction of immigrants in general as a threat to the UK that asylum-seekers might be also articulated as a problem or burden. Indeed, the most common government articulation of asylum-seekers is one which draws from D2a or D2b to fix the meaning of this FS as a “burden”, “problem”, “strain” (G21) or “pressure” (Annex 5:4).

A metaphor is also used of migrants, asylum-seekers or refugees as a “flood” which threatens to overwhelm the EU or the UK, through the articulation of these FSs with the chain of equivalence “numbers”, “mass”, “flows”, “wave” “stem”, “upstream” (Annex 5:5). This “flood” metaphor constructs PSs as a homogeneous, impersonal mass, which is both a threat and burden to the UK, and which must be controlled, stopped or reduced, rather than as vulnerable individuals in need of protection.

This metaphor has been articulated by the government with the signifiers “unprecedented” (G3) and “greatest challenge” (G12, G26), depicting the refugee crisis as an isolated, unique phenomenon. The use of this metaphor exaggerates the number of persons seeking protection in the EU, which, as mentioned previously, is very low compared to the number of persons seeking protection in countries situated near the regions of conflict (e.g. Lebanon and Jordan).

D4 is used to articulate “asylum-seekers” as not trustworthy, through the use of the chain of equivalence “genuine” (in opposition to “not genuine” or “bogus”), “illegal”, “unfounded” and “abusing the immigration system” (G8, G12, G21, Annex 5:6). Discourses D2a, D2b and D4 are thus woven to justify the need for both the UK and the EU to “manage” or “control” the numbers of asylum-seekers reaching the EU and the UK.

In section 3.1.3 we saw as part of the context of discursive practice that the government has seen the maintenance of its own borders as key to the preservation of UK sovereignty. In several texts, D1 is used to stress the need to preserve and secure the UK’s “own” borders (G2, G3, G4, G5, G7, G12, G15, G22, G26), in relation to the implementation of a strict asylum system which may deter bogus asylum-seekers and identify those “genuinely” needing protection.

Interestingly, the government uses D3 and D5 to fix the meaning of the FS “the right approach” or “best approach” (G26) to the refugee crisis, arguing that PSs must be deterred from trying to reach Europe, and that this is for their own safety. For example, in G21 Theresa May articulates the UK’s decision to resettle only refugees directly from the region of origin as the “right approach”, justifying this by using D3 to argue that this approach “deters people – of any age or wealth – from attempting the perilous journeys which have already led to so many tragic deaths”.

A contradictory depiction of asylum-seekers is made, as the government also repeatedly articulates “refugees”, “asylum-seekers” or “migrants” as being vulnerable to smugglers and human traffickers. D1, D2 and D4 are articulated with signifiers relating to vulnerability to portray asylum-seekers as vulnerable yet at the same time linked to criminality, not trustworthy and a “burden” to the EU, UK and France. For example, a
2015 UK-France ministerial declaration (G3) includes asylum-seekers under the signifier “illegal immigration”; “illegal immigration” and “organised crime” are repeatedly associated, so that “illegal migrants” are also portrayed as criminals through the articulation of D1 and D4. The meaning of “Migrant” is fixed through a chain of equivalence which describes them as vulnerable to smugglers and traffickers yet at the same time as a burden (D2a) which must be decreased, managed or deterred (D3), a burden which is putting “unprecedented pressure” on the EU, France and the UK (Annex 5:7). This articulation of asylum-seekers as both vulnerable/in danger and a burden or flood (D2a and D2b) is also found in G6, G11, G17, G21, G23, G24, G25 and G26.

This contradictory articulation of asylum-seekers is often used in connection to the government’s argument that “pull-factors” which encourage more persons seeking protection to come to the EU must be avoided. This argument is often used to justify the UK’s response to the refugee crisis (G3, G16, G23, G24, G26, Annex 5:8), which prioritises providing aid to the regions of origin to enable asylum-seekers to remain in these regions, and resettling to the UK only those perceived as most vulnerable. The government argues, for example, that it has not participated in EU resettlement schemes because these create a pull-factor (G26, Annex 5:16). This is another way for the government to avoid hosting those included in its “unwanted migration” category.

We have seen that the veracity of the “pull-factor” argument is questionable, given that stricter border controls and asylum rules have not reduced the numbers of persons trying to reach the EU. Several MPs from opposition parties have also criticised the government’s use of this argument, which shows that MPs are themselves critical of the government’s rhetoric (Annex 5:9).

In the texts studied, the categorisation of vulnerability is often used with the “pull-factor” argument (Annex 5:15). Several texts (G8, G11, G17, G21, G23, G25, G26) reflect a strong tendency for refugees to be categorised according to how vulnerable they are perceived to be. The signifier “refugee” is articulated with the signifiers “vulnerable” or “most vulnerable”, which quantify the degree of vulnerability of those recognised as refugees. Launched in 2014, the Syrian Vulnerable Person Resettlement Scheme (VPR) is based on this logic: it seeks to “identify those who most need help”, deemed by the government to be “women and children at risk, survivors of torture and violence and those in severe need of medical care” (G11) and to resettle them in the UK. These are persons from the region of conflict, mainly Syria, considered to be more vulnerable and therefore more worthy of resettlement in the UK than PSs who are already inside the EU.

This categorisation of vulnerability is questionable because it arbitrarily constructs some refugees as more deserving of protection than others. Similar to the distinction mentioned above between “genuine” and “bogus” asylum-seekers, this categorisation is used by the government to argue for and justify its response to the crisis, implying that most refugees are not very vulnerable and can therefore remain in the region of conflict or be left to other EU MSs if they have reached the EU. This leads to a response which sees the provision of protection under asylum in zero-sum terms. A statement made by Theresa May in 2015 illustrates this: “What I’m proposing is a deal: the fewer people
there are who wrongly claim asylum in Britain, the more generous we can be in helping the most vulnerable people in the world’s most dangerous places” (G25).

Another argument used to justify the need to control and limit the “numbers” of immigrants and refugees arriving in the UK is that this is what the British public wants. There is a discrepancy here, because although G8, G15, G16, G24 and G25 articulate “public opinion” as one of worry about the arrival of migrants, refugees and asylum-seekers (Annex 5:10), G14 and G21 mention the public’s wishes to welcome more refugees to the UK. In G21 Theresa May speaks of the British public’s strong desire to help refugees more by articulating the “response of the British public” with the following chain of equivalence: “strong desire”, “welcome refugees”, “overwhelming generosity”, “tremendous generosity”, “very kind”.

I mentioned before that public opinion seems to be polarised over the refugee crisis. This adds to the governance gap, where the government is unable to both behave responsibly and respond to the wishes of its citizens. Labour MPs have particularly highlighted this gap. Catherine West recently said:

[...] given the emails and anguish-filled letters we receive as constituency MPs, there seems to be a lack of urgency among Government Members, which, to me, reflects the fact that they are out of touch with how the country really feels about this issue (G26).

If we return to Birch’s definition of a responsible government as one which pursues prudent and consistent policies despite the risk of making unpopular decisions, then we could argue that in this case the government should help refugees regardless of British public disagreement, and that, indeed, the government should counter negative public discourses on refugees and asylum-seekers. Liberal Democrat MP Tim Farron makes this argument in G26 (Annex 5:17).

This leads us to a key area of analysis: the use of the FS “responsibility”. MPs from all parties use legal responsibility (R1) and moral responsibility (R2) to argue for or against the government’s current approach to the refugee crisis. Consistent with Malmberg’s (2004) findings, all MPs were found to agree on the need for the UK to meet its responsibilities towards asylum-seekers and refugees, but they disagree on what these responsibilities entail. Government representatives articulated R1 and R2 as being in line with or “fulfilled” by the current response (G1, G2, G7, G8, G14, G25, G26; Annex 5:11). However, several MPs argue that the UK is not fulfilling its responsibilities and that more needs to be done (G5, G26). There is division even within the Conservative Party; Heidi Allen for example says: “I do not feel that we are taking responsibility; at the moment, it is British citizens who are taking responsibility” (G26).

A last area of focus for analysis was the relationship between the UK government and CSOs. The government frequently mentioned the contributions made by CSOs and the British public to help asylum-seekers and refugees (G6, G10, G11, G21, G23, G26). In G2, discussing the role played by the UK government in the makeshift refugee camp in Calais, Immigration Minister James Brokenshire mentions four times the role
played by service provision CSOs in identifying unaccompanied child asylum-seekers so that the French government may ensure their well-being.

MPs use the work of mixed CSOs to criticise the government’s response to the refugee crisis and call for change. Labour, Liberal Democrat and Scottish National Party (SNP) MPs cite information provided by British CSOs working in Calais (e.g. Citizens UK and Save the Children) to question the veracity of the government’s reports on the situation there. Yvette Cooper and Keir Starmer both speak of a “reality gap” between Brokenshire’s reports on Calais, and “what is happening on the ground” (G2).

In G26, when discussing government proposed changes to the Immigration Bill, the work of policy advocacy and mixed CSOs is mentioned by MPs to argue against these changes, changes considered potentially harmful to asylum-seekers or refugees. Stuart McDonald (SNP), Richard Fuller (Conservative) and Naz Shah (Labour) highlight the contributions made by these CSOs in this area (Annex 5:12).

The government claims to consider the input of CSOs when making decisions about asylum-seekers in the Calais camps, the integration of refugees in the UK, or considering how policies will affect asylum-seekers or refugees. In G1, the Minister of State for the Home Office states that the government considers its relationship to NGOs in Calais very important, as these are playing an important role in helping the government meet the needs of persons there (Annex 5:13). In G6 and G23, James Brokenshire mentions the government’s intention to consult policy advocacy CSOs on the best ways to resettle refugees into the UK (Annex 5:14).

This chapter has discussed the UK government’s response to the refugee crisis in terms of practice and discourse. In the next chapter we will examine how the CSO’s react to this response.
4 Civil Society

4.1 The CSOs Studied: RC, JCWI and MRN

The CSOs selected for study were categorised as Reformists\(^23\) because they seek to change asylum or immigration policy and/or practice in the UK, and Mixed because although policy advocacy is their main focus, they also provide services. These CSOs are presented in the first section of the chapter; the second section discusses CSO discourse analysis results in relation to those of the government.

Refugee Council (RC)

Established in 1951, RC helps refugees rebuild their lives in the UK and carries out policy advocacy work with their direct involvement.

Services provided to refugees include: employment advice, therapeutic support, destitution services and English lessons. RC also lobbies the government for changes to the UK asylum system, campaigns for a more humane, fair and effective system,\(^24\) carries out policy research, gives refugees a platform to voice concerns, and promotes positive attitudes towards refugees (Refugee Council 2016c, 2016d). RC seeks to counter “the same old myths” and “scare stories” that circulate about refugees and Asylum in public and political debate through the publication of informative fact-sheets (Refugee Council 2015a).

RC provides the secretariat for the All Party Parliamentary Group on Refugees, a group of MPs from different political parties which examines Immigration and Asylum policies and their effects on refugees and asylum-seekers (Refugee Council 2016f). RC also informs political discussion and decision-making on Asylum through policy briefs.

Joint Council for the Welfare of Immigrants (JCWI)

Created in 1967, JCWI is made up of legal experts working to “ensure justice and fairness” in the immigration and asylum systems (JWCI 2015a). It promotes and guards the rights of immigrants and refugees through: legal advice and casework; policy work and campaigning; legal training for practitioners; and the publication of informative material (JWCI 2015a).

On 16th October 2013, JCWI launched the Movement Against Xenophobia (MAX), aiming to counter the “anti-immigrant discourse of mainstream politics in the UK” (MAX 2015a). This movement was very active during 2014 and 2015. JCWI and MAX members also launched the campaign “I Am an Immigrant” (IAAI) to counter nega-

\(^23\) According to Scholte’s categories (2002), most of the fourteen UK CSOs reviewed were either Conformists or Reformists (Annex 2); only Calais Migrant Solidarity is a Transformist.

\(^24\) In 2016 they support four campaigns: 1) a campaign asking for more Syrian refugees to be resettled to the UK; 2) the “Dignity in Pregnancy” campaign, seeking better conditions for pregnant asylum-seeking women; 3) the “Asylum Pledge” campaign, which mobilises citizen support for refugee protection; and 4) “Still Human Still Here”, seeking to end the destitution of refused asylum-seekers (Refugee Council 2016b).
tive political discourse on immigrants by shedding a “positive light on immigrants and the social, economic and cultural prosperity they bring to the nation” (MAX 2015b). Posters where immigrants residing in the UK told their stories and mentioned how they have contributed to the UK were displayed in English subways and train stations (MAX 2015b). JCWI launched a similar campaign titled “I Am a Refugee” in June 2016 “to highlight the positive contribution” refugees bring to the UK (JCWI 2016f).

**Migrants’ Rights Network (MRN)**

Established in 2006, MRN advocates for a rights-based approach to Migration and Asylum in the UK. MRN works with migrant activists, support organisations, think tanks, academics, faith groups and public sector representatives to conduct lobbying, organise public events and provide support to migrant community activism. It also provides the secretariat for the APPG on Migration. (Migrants’ Rights Network 2016).

MRN’s work focuses on: developing a network across different sectors of society, providing a platform for migrants, asylum-seekers and refugees to voice their views to the government; sharing information and expertise, running or supporting campaigns, and informing public debate (Migrants’ Rights Network 2016). MRN is occasionally asked to inform parliamentary discussion; from what I have observed, this seems to have occurred less often than with RC in 2014–2016.

### 4.2 Civil Society Discourse Analysis: Discussion of Results

There are variations in the discourse used by CSOs. Thus, my findings may be considered representative only of UK policy advocacy CSOs dealing with Asylum and Migration, and as we will see, there are small variations in discourse use between the three CSOs studied.

There were considerable differences between the discourses used by the government and those used by CSOs. Several discourses used by the government (D1, D2a, D2b, D3 and D4) were hardly employed by the CSOs, except to criticise, challenge or counter them. The discourses most used by the CSOs were those least used by the government, which focus on the protection of asylum-seekers and refugees (D5) and the safekeeping of their human rights (D7).

There was a new type of discourse present, a variation of D1 which I will call D1b; instead of focusing on the need to secure borders and protect the UK or EU from those arriving, this variation focuses on the security risks faced by those seeking protection, such as the danger that they might be exploited by traffickers or smugglers. MRN and JCWI also used an economic discourse (D6) (JCWI16, JCWI21, MRN10, MRN13) to counter the myths of immigrants being a burden on the UK welfare system and economy, arguing that they bring economic benefits to the UK by, for example, contributing to the UK’s economic growth and job creation (Annex 7:1).

While the government most regularly used the signifiers “migrant” or “asylum-seeker” to refer to those seeking protection in the EU, the signifier most used by the CSOs was “refugee” (used in 17/21 CSO texts). Through the use of this signifier, the CSOs implicitly construct those seeking protection as genuine refugees with a
genuine claim to protection; this emphasises the legal responsibilities of the UK and EU governments towards these refugees. RC tended not to use the signifier “migrant”, while MRN and JCWI used “migrant” and “immigrant” to a greater extent (8/14 texts), because these latter two organisations focus on both economic migrants and asylum-seekers and refugees, while the RC focuses only on refugees and asylum-seekers.

The CSOs differentiated notably more between the signifiers “migrant”, “asylum-seeker” and “refugee” than the government. “Migrant” and “refugee” were only used interchangeably in text MRN8 to refer to persons residing in Calais, and the signifiers “asylum-seeker” and “refugee” were only conflated in text RC4. Through its preferred use of “migrant” to refer to PSs, the government emphasises the belief that many of those seeking protection do not have life-threatening reasons to move to the EU or UK and thus do not deserve refugee status. On the other hand, the CSOs emphasise the genuine protection needs and rights of those seeking protection through their repeated use of “refugee”.

The CSOs were very critical of the consequences which the blurring of the boundaries between these three signifiers might have on public opinion and on the lives of PSs. In several texts (RC3, JCWI15, JCWI16, JCWI19, JCWI20, MRN13), they define these signifiers and explain the differences between them, seeking to inform public debate on Migration and Asylum in order to tackle public misconceptions. Some texts address these misconceptions more explicitly, such as RC3, titled “Tell It Like It Is: The Truth About Asylum”; JCWI15, titled “In the Migration Debate, Words Matter”; and JCWI20, titled “Who is a Refugee? – JCWI’s ‘I am a Refugee’ campaign and the difficulty of defining people”. RC3 explicitly fixes the meaning of the FS “refugee” in opposition to the FS “economic migrant”, while in JCWI16 an implicit distinction is made when both “refugee” and “economic migrant” are mentioned as different types of persons arriving in Europe (Annex 7:2, 3).

Unlike the government, which tended to fix the meaning of the FS “crisis” through articulation with “migrant” or “migration”, RC and MRN articulated it with the signifiers “refugee” (RC2, RC4, RC5, RC6, MRN8, MRN9, MRN12 and MRN13), “Syrian refugee” (RC5:6), or “Calais” (MRN8:1). By articulating the crisis as one of “refugees” rather than of “migrants”, the CSOs again depict PSs as in genuine need of protection and highlight the responsibility of EU MSs towards them. Interestingly, in MRN12, Don Flynn, the director of MRN, criticises the response of the EU and EU MSs to the crisis by fixing the meaning of “crisis” through articulation with “policy” rather than “refugee”, in the title: “The refugee crisis: A crisis of policy rather than refugees”. This shifts the blame for the crisis away from the movement of persons and towards the failure of EU and non-EU MSs instead.

All three CSOs sought to fix the meaning of the FS “refugee” through articulation with signifiers associated to vulnerability, such as: “vulnerable”, “at risk” (RC2), “particular vulnerability” (JCWI19:2), and “prone to debilitating illness” (MRN9:2). While RC and JCWI tended to frequently use the signifier “vulnerable”, MRN provided a more humanised and personal account of refugees, emphasising the hardship which they have endured before reaching the EU or UK and describing their feelings
through articulation of this FS with signifiers such as: “desperate” (MRN8:1), “grief of the refugee’s experience” (MRN9:1), “a trail of hardship” (MRN9:3), and “feelings of anxious insecurity” (MRN9:3). MRN8 describes the deaths of several persons who died trying to reach the UK from Calais, no longer associating them with the signifier “refugee”, “migrant” or “asylum-seeker”, but with signifiers which provide a more detailed description of the individual’s age, gender, country of origin and name (Annex 7:4). JCWI20 also endeavours to humanise the public debate on refugees (Annex 7:13).

The FS “asylum-seeker” was used less than “refugee”, appearing more in RC than JCWI or MRN texts (RC1, RC3, RC4, RC6, RC7, JCWI17, JCWI19, MRN8, MRN12). The meaning of this FS was often not fixed through articulation with “vulnerability”, but with “numbers” (RC1, RC2, RC4, RC6, JCWI17; Annex 7:5).

We saw that the government had often constructed asylum-seekers as a “burden” (D2a), “problem” (D2a), “pressure” or “strain” (D2b) and as “bogus”, “illegal” or not genuine (D4). RC3 explicitly addresses these associations and seeks to counter them as well as other misconceptions on asylum-seekers and refugees, citing studies and surveys which challenge them. The following citations and subheadings of this text illustrate how each construction is challenged: “Asylum seekers do not get large handouts from the State” (6); “[r]efugees make a huge contribution to the UK” (8); “[t]here is no such thing as an ‘illegal’ or ‘bogus’ asylum-seeker” (4). In text RC4, RC more explicitly asks the government to be careful with its language use, criticising the articulation of PSs as “illegal” and a “problem” (Annex 7:21).

Several times the CSOs fixed the meaning of the FSs “refugee” and “asylum-seeker” through use of the “flood” or “flow” metaphor which was also employed by the government (Annex 7:6). The use of this metaphor by the CSOs is contradictory given that in other texts they try to counter the exaggeration of PS numbers in the EU or UK, exaggeration which these metaphors contribute to. On several occasions these CSOs argue that the number of PSs in the EU and UK is not very large in comparison to those which remain in the region of conflict (RC2, JCWI15, JCWI17, JCWI20, MRN8, MRN10, MRN12, MRN13; Annex 7:7). The fact that these CSOs, normally critical about language use, are employing this metaphor suggests that it is seeping into everyday language, starting to become “common sense”.

The FS “migrant” is hardly used by RC, only appearing in RC3 and RC4, but is used more by JCWI and MRN (JCWI16, JCWI17, JCWI19, JCWI20, JCWI21, MRN8, MRN10, MRN11) which seek to counter certain negative discourses around migrants. The use of this FS varies. Its meaning is fixed as “victim” (MR8), and several other MRN texts reject and counter the construction of “migrants” or “migration” as a threat (D2b) or its association with criminality (D4). For example, in a title the meaning of “migration” is fixed as “normal” and in opposition to “threat”: “Is the penny finally dropping? Migration is a sign of how normal a society is, rather than a threat to its existence” (MRN10:1).

We saw that the government at times articulated “migrant” with “illegal”. MRN rejects this articulation, reflecting on the consequences of saying that a person may be “illegal”, and seeking to displace this signifier by suggesting alternatives such as
“undocumented”, “irregular” and “overstayer” (MRN11:3). Here MRN argues that the construction of a person as “illegal” allows state authorities to treat this person as a criminal and to limit their civil liberties through measures which would not otherwise be justified.

JCWI and MRN challenge and counter several of the immigration myths used by the government in texts G18 and G24. For example, text JCWI16 addresses the myth of (EU) immigrants taking advantage of the UK welfare system; it provides evidence within an economic discourse (D6) that EU migrants make a positive contribution to the UK economy (Annex 7:8). MRN10 counters the myths that migrants are a threat to the welfare system, take the jobs of UK citizens, and have a negative impact on wages, housing, or public services, arguing that the largest impact of immigration is on “public perceptions” alone (Annex 7:9).

As mentioned in section 4.1, JCWI launched a campaign called “I am a Refugee” to promote the contributions of refugees to the UK. JCWI20, which announces the launch of this campaign, provides an example of the type of role CSOs like JCWI are playing in informing and trying to influence the public debate on asylum in the UK (Annex 7:13), countering negative discourses on refugees with proof of the positive effects refugees can have on the UK.

The CSOs mentioned public opinion more than the government (RC5, JCWI17, JCWI21, MRN8, MRN9, MRN10, MRN11, MRN14); it is a particularly salient theme in the MRN texts. Public opinion is articulated as being in favour of doing more to help refugees and its pressure on the UK government is often mentioned as leading to change in the government’s response to the crisis (Annex 7:10).

The government texts reflected a generally changing and inconsistent UK public opinion. JCWI and MRN are very critical of this fluctuating and unstable nature of public opinion. In texts JCWI16, JCWI21, MRN8, MRN10, MRN11 and MRN14, the CSOs criticise the quality of the public debate on Migration and the refugee crisis, arguing that the public has been misinformed by the government and the media. Weeks before the EU referendum took place, JCWI criticised the government’s use of migration statistics, claiming that it led to a “toxic rhetoric surrounding migrants” (JCWI16:1) and a misinformed debate (Annex 7:11). The CSOs call for an informed debate that educates the public and leads to a more stable and consistent public opinion (JCWI17, Annex 7:12), or call for the public to be critical of the information circulated by the media and politicians. MRN calls on “socially conscious citizens” to be “sceptical about assertions that some groups of migrants are socially harmful” (MRN11:3).

As we can see, the relationship between the public, government and civil society is complex and changing. In section 2.2.3 I mentioned the role which the media might play as mediator, translator or as a field of struggle between the government and the public, and a potential ally, tool or arena for CSOs. JCWI and MRN comment on the influence which the UK media can have on public opinion. JCWI criticises media coverage of the Paris terror attacks which took place in November 2015 and the New Years Eve sexual harassment events which took place in Cologne in January 2016; the JCWI argues that the media influenced the public debate on refugees negatively, omitting
facts and placing the blame on refugees (Annex 7:19). MRN comments on the negative effects which media reports can have on the public mood regarding refugees, mentioning how British commentators have questioned PSs’ motives for seeking asylum in the UK (MRN8). Here MRN calls for CSOs and citizens not to “let the politicians or the media lead the public mood into a fit of pessimism and despair that anything at all can be done about the situation” (MRN8:2–3).

Text MRN9 reflects on the media’s potential positive influence on citizen action, commenting on how media images of the drowned child Aylan Kurdi encouraged the public to pressure the government to do more in response to the refugee crisis (Annex 7:20). The media seems to be as volatile as public opinion: it can reflect and shape public opinion, foster a healthier public debate or discourage it through misinformation, and encourage citizen mobilisation and Beck’s *subpolitics*, creating a sense of individual responsibility through provision of mediated experience to citizens who might otherwise remain disconnected from issues like the refugee crisis. The CSOs studied are aware of the media’s potential influence and survey media reports carefully, reacting to these in order to support or criticise them, calling for coverage of certain issues over others, and using the media when possible to shape public opinion in a direction which serves their policy advocacy work.

Another key role played by CSOs in these texts was that of criticising the government’s response to the refugee crisis and the UK asylum system, while advocating for a different response, as well as for changes in UK asylum law and policy. RC employed the signifier “responsibility” in a legal context to criticise the government’s response (RC1, RC2, RC5, RC6, RC7), while JCWI hardly used it and MRN did not use it at all. This might be due to the fact that the RC deals more with the UK response to the refugee crisis on a technical legal level, holding the UK government to its legal responsibilities, while the other CSOs deal more implicitly with the moral aspect of responsibility, using other FSs such as “public opinion” to lobby the government.

RC articulates UK “responsibility” towards refugees as not being met, and focuses on the need for the UK to share more equitably EU MSs’ responsibility towards refugees. “Responsibility” is articulated in all texts with “share” or “sharing”. For example, RC states that the UK government “stands alone in the EU in its refusal to share responsibility for arrivals” (RC6:4). There seems to be a greater struggle to fix the meaning of this signifier between the government’s Conservative MPs and their opposition MPs, than between MRN-JCWI and the government. The FSs “refugee”, “asylum-seeker” and “migrant”/“immigrant” remain the key sites of discursive struggle between the government and all three CSOs.

As mentioned before, the government often used the “pull-factor” argument to justify its response to the refugee crisis. RC seeks to challenge and counter this argument by proposing an alternative logic in texts RC2, RC4 and RC6. In RC2, for example, it argues that the securing of borders, instead of deterring PSs from risking their lives to reach the EU, removes their access to legal routes, forcing them to risk their lives using irregular means (Annex 7:14). RC argues that key to “reducing the number of people
risking their lives taking dangerous journeys must be the creation of safe and legal routes” (RC4:5).

MRN challenges important elements of the “pull-factor” argument in MRN12 and MRN13. For example, two elements of this argument are challenged: 1) that rescue efforts in the Mediterranean Sea create unintended incentives for persons to risk their lives trying to reach Europe; and that 2) smugglers and traffickers are responsible for increasing numbers of persons crossing the Mediterranean. The title of MRN12 reflects the argument used to counter these elements: “Refugees on the Mediterranean: Violence and war are driving flows – not people traffickers” (MRN12:1).

The last FS examined was “the right approach” or “the best solution” to the refugee crisis. The government defined this FS as a response which might deter more PSs from risking their lives trying to reach the EU. The RC fixes the meaning of this FS as one which requires cooperation between EU MSs and the creation of legal routes to the EU, rather than the closing and securing of borders (RC6, Annex 7:15). In MRN8, a discourse of protection (D5) is used to define this FS in opposition to a security approach and in relation to a humanitarian approach instead (Annex 7:16).

A last aspect of government discourse and practice to which the CSOs studied have reacted was the tendency to categorise vulnerability. RC argues that granting Syrian refugees “humanitarian protection” rather than full refugee status limits their rights and their ability to integrate into UK society (Annex 7:17). MRN criticises the categorisation of some persons as more worthy or in need of protection than others as “distasteful” and “quite wrong” (MRN9:3; Annex 7:18).

Overall, these findings reveal a complex relationship between the CSOs studied, the government, public opinion and the media. The RC generally appeared to have a closer relationship to the government than the other two CSOs because it is more regularly asked by MPs to participate in parliamentary discussion through the provision of policy briefings and the participation of its experts in debates, as well as helping the Home Office process the asylum claims of unaccompanied children seeking asylum.

According to the CSO-government relationship spectrum mentioned in section 2.2.1, the RC lies somewhere between the mixed and complementary relationship categories. Despite its collaboration with the government, it remains very critical of its response to the refugee crisis, though on a more formal and respectful tone than JCWI and MRN. JCWI and MRN lie between the mixed and oppositional relationship categories. These CSOs tended to use a less formal and respectful tone towards the government, and their texts addressed the general public and other CSOs rather than the government directly. They adopted a more hostile stance towards the government, which suggests a more oppositional relationship. However, JCWI does cooperate with local Councils and MRN provides the Secretariat for the All Party Parliamentary Group on Migration. Further research, through interviews or observations, would be necessary to learn more about how each CSO currently relates to local and regional authorities.
5 Conclusion

I have tried to gain a comprehensive understanding of the role played by UK policy advocacy CSOs in response to the refugee crisis in terms of practice and especially discourse. I will now answer my initial research questions by weaving together in sections 5.1 and 5.2 the conclusions drawn from this research; in section 5.3 I will discuss the implications of my findings. I will then tie the final knot of this tapestry in section 5.4 by reflecting on this thesis’ limitations and suggesting threads which could be taken further by future research.

5.1 The UK Response to the Refugee Crisis: a Crisis of Governance

The refugee crisis has been studied as a crisis of governance and a governance gap has been identified in the UK’s response to the refugee crisis. I looked at two factors which, according to Mair (2009) lead to the representativeness-responsibility tension at the basis of this governance gap: the increasing constraints on governments by other agencies and institutions and the cumulative character of constraints on governments. As we saw in chapter 3, the UK government, as a EU MS, has had several constraints on its asylum practices from EU regulations but has been able to opt-out from some of these thanks to its special relationship to the EU, and has manoeuvred within grey zones of international law to limit or even avoid responsibilities towards refugees and asylum-seekers. The government does not want to be seen by other States to be openly going against or failing to meet its responsibilities towards refugees, but when possible, it seeks to limit or reduce the numbers of persons granted protection on UK territory, interpreting international and European law selectively, and prioritising efficiency and “control” of borders over refugee protection.

The government discourse analysis confirmed a consistent fixation across several governments with the reduction of net migration to the UK. Refugees, considered part of net migration, are affected by a negative rhetoric towards migration present across media, political and public debate. Instead of challenging immigration and asylum myths and misconceptions, the government has strengthened and legitimised these through its own use of language.

The government contradictorily portrays asylum-seekers and refugees as both “vulnerable” and a “burden”, “problem” or even “threat”. This has allowed it to justify a security and deterrence response to the refugee crisis, a response based on an institutionalised culture of disbelief towards immigrants in general and now asylum-seekers. The “right approach” to the crisis has been articulated as ensuring that the largest number of PSs possible remains in the region of origin. This results in a focus on protecting the UK from PSs rather than a focus on the protection of PSs.

At the heart of the crisis of governance is the government’s failure to manage the tension between its responsiveness and responsibility functions. Bridging these functions when responding to the refugee crisis is indeed difficult: as the EU referendum result showed us, UK public opinion is greatly polarised and it becomes impossible to please the whole population or a majority.
However, as we saw in section 2.1.3, a responsible government should prioritise prudent policies over popular ones: the government could have carried out policies which reflected a more responsible approach to the refugee crisis. It has the resources to resettle more refugees to the UK and yet it has proven not unable but unwilling to host more refugees on its territory, instead putting the lives of many PSs at risk through its deterrence and security approach. It has thus behaved irresponsibly both in terms of practice and discourse, failing to fulfil both its responsiveness and responsibility functions.

Returning to Castells’ crisis of legitimacy, the government’s response has been questioned by several MPs from various political parties, including the Conservatives, and by the media, CSOs, and members of the public. The refugee crisis has highlighted not only internal divisions found in British society, but also the growing distance between UK citizens and the Conservative Party which represents them. A succession of UK governments has encouraged public distrust and hostility through the repeated depiction of immigrants and now PSs as a “problem” and “threat”. The refugee crisis has revealed the consequences which years of a misinformed debate on Migration and Asylum can have on the lives of migrants and those seeking protection.

5.2 Minding the Gap: The UK Policy Advocacy Civil Society Response

We have established that there is a governance gap in the government’s response to the refugee crisis and have understood its nature. To answer the first research question, my findings suggest that civil society is indeed trying to fill aspects of this gap. How CSOs try to mind this gap is part of the answer to the second research question, and this project’s central focus: the role played by UK policy advocacy CSOs in the refugee crisis.

A large section of the public no longer feels represented by the government’s response to the crisis and looks to CSOs for alternatives. The CSOs studied act as surrogate representatives: they are self-designated representatives of a section of the public and of PSs themselves. They are not a democratic alternative to mainstream political parties however, nor do they aspire to be.

These policy advocacy CSOs seek to influence public opinion in favour of those seeking protection. They act as representatives and mediators between the public, those seeking protection, and the government, bringing issues into public debate which would not otherwise have been noticed or discussed by the general public. They seek to encourage the involvement of citizens in the policy-making process (but only in support of the social change which they advocate). They oppose the section of the public which is against doing more to help PSs, and do not seek to represent the interests or concerns of this other section.

These CSOs are Reformists, seeking to influence the policy-making process at a high level to alter the UK immigration and asylum system as well as the UK’s response to the refugee crisis. They act as watchdogs of changes in policy, law and practice, ensuring that the government meets the demands placed on it by several principals.

They are critical of the effects which language can have on our perception of an issue or group of people, and in turn on how we treat them, in this case, those seeking
protection in the UK. They monitor the language used by the government in relation to refugees, migrants and asylum-seekers. These CSOs often referred directly to discourses, metaphors or myths which had been mobilised by government ministers. Their response tended to be one of criticism and opposition to government language use. It can be summarised into four steps:

1) criticising a specific construction or use of discourse;
2) raising awareness of the effects which it may have or is having on those seeking protection in terms of our perception and/or treatment of them;
3) highlighting the assumptions behind a certain use of language and challenging them through the provision of information, thereby informing the public debate; and
4) seeking to displace language uses either with the explicit provision of alternatives, or by using language differently themselves, implicitly encouraging others to do so (for example, the CSOs’ insistence on using the signifier “refugee” instead of the signifier “asylum-seeker” or “migrant”).

Political Responsibility has been a key theme. The CSOs studied held the government accountable for meeting its legal, moral and political responsibilities towards those seeking protection. We saw that this was particularly the case for RC, who often employed the signifier “responsibility” in a legal context. MRN and JCWI did not employ this signifier often. This is partly due to the fact that they focus more on moral responsibility. MRN and JCWI emphasised the human face of the refugee crisis, humanising those seeking protection by displacing the government articulation of these with “numbers” or “flows” and providing a more personal account of the hardship faced by PSs. They are thus also acting as a moral conscience for the UK public and government.

Another important conclusion is that the media plays an important role in shaping public opinion, which can in turn influence government policy, if enough public pressure is exerted. During the time period studied, media coverage of the plight of PSs in the EU both informed and misinformed public debate on Migration and Asylum. The media has acted as a mediator and translator between the events of the refugee crisis and the public; it has also acted as a translator between the UK government’s “public” domain and the UK public’s “private” domain.

The media can foster and disseminate negative discourses on those seeking protection, but it can also encourage public sympathy and correct misconceptions. Mediated experience of the crisis has given citizens a sense of individual responsibility and has encouraged citizen mobilisation, which can be seen as a form of subpolitics. The CSOs studied were aware of the potential of the media to influence public opinion and monitored media accounts closely, often criticising these if they perceived them to be based on misconceptions. They opposed certain accounts and media channels, but collaborated with others whose interpretation of the refugee crisis was closer to theirs.

I have briefly shown that different conceptions of the media help us understand the complicated relationship between the media, civil society, government and the public. The media can thus be both “ally” or “enemy” to civil society. It can equally be used by CSOs as a tool to raise awareness; it can be a mediator or translator between different
domains, and, although mentioned less, it can be a field of struggle, where different actors seek to establish different truth claims.

As we have seen, policy advocacy CSOs are playing an important role in the refugee crisis, by minding the governance gap which has emerged. However, they alone cannot fill or close this gap. In traditional British politics, civil society and the media have mostly been excluded from the political process. Today civil society continues to act largely from outside of the political process, especially service provision CSOs, but CSOs can be included at times.

The policy advocacy CSOs studied had a mixed relationship with the government, which confirms the initial assumption that CSOs might not always necessarily have a zero-sum relationship to the State. They were very critical of government discourse and practice, but also provided advice. RC was more involved in the political process through its advisory role in parliamentary discussion. However, the government decides the degree of involvement that CSOs might have with the political process. Although non-state actors such as these are becoming more powerful, in the issue area of Asylum and Migration, the State remains the main actor responsible for policy-making and managing responses to crises like the current refugee crisis. It remains a function of the government to respond to crises in a prudent (and thus responsible) manner.

Civil society can thus “mind” the governance gap, but it alone cannot bridge the representativeness-responsibility gap and it alone cannot provide a comprehensive response to the refugee crisis without the leadership and cooperation of the UK government.

5.3 Implications of Findings

This study highlights the important role played by policy advocacy CSOs in response to the refugee crisis, but it also highlights their limitations, and the importance of a healthy relationship between the government and CSOs. Most of the 14 CSOs initially reviewed did not participate directly in the policy-making process, but RC did. This shows that in this issue area some CSOs are included in the political process, contradicting the civil society literature which sees civil society as necessarily always excluded from political processes and always acting in opposition to the government.

However, as mentioned above, CSOs can only “mind” the governance gap and pressure the government to patch this gap. Cooperation between CSOs and the government remains of the utmost importance to the minding of this gap and to a society where the public will feel truly represented. This depends to a large extent on the government’s willingness to listen to the advice of these CSOs and to involve them in the policy-making process.

The findings of the discourse analyses have centrally highlighted the effects which language use can have on our perceptions of those seeking protection. The terminology used to refer to those seeking protection can de-legitimise their reasons for seeking asylum, present them as a threat, burden or problem, or emphasise their vulnerability and their right to sanctuary. It can de-humanise them, constructing them as an abstract mass, making it easier for societies to refuse PSs asylum or aid, detain or deport them.
It can also create misconceptions about PSs, which can easily seep into public, political and media debate, and into our way of conceiving a group of people or a set of events. Language use, through its influence on how we perceive a group of people or a situation, can influence how we treat this group of people, whether society includes or excludes them, whether an asylum system and its policies are focused on protecting or deterring PSs.

It is thus important to be critical of the language use which we hear and read from the media, State authorities and even CSOs themselves. Also to be critical of how our own language use can ultimately affect how others think and act.

For years, misconceptions have circulated in the UK public debate on migration and asylum. These misconceptions may contribute to a rise in xenophobia and racism. The rise in racism and xenophobia in post-EU referendum UK (Komaromi and Singh 2016) makes it more urgent to counter these misconceptions and encourage critical public debate. Social change can be carried out through both discourse and practice. The large section of the UK public which voted to leave the EU cannot be ignored; those who support the government’s net migration reduction target cannot be ignored. CSOs can play an important role in fostering a public debate and dialogue which might contribute to the reduction of UK political and public hostility and polarisation over Immigration and Asylum.

5.4 Generalisability of Study, Limitations, and Areas for Further Research

The theoretical and methodological framework used here can be applied to study the role played by policy advocacy CSOs in other EU MSs, in relation to the responses of their respective governments to the refugee crisis. The notion of Political Responsibility can be adapted to the conceptions found in the constitutions or political traditions of other EU MSs. It would be interesting to compare the role played by UK policy advocacy CSOs to the role played by similar CSOs in other EU MSs, such as Germany, Sweden, Italy Greece, France and Spain, where civil society has also provided an active response to the refugee crisis.

The theoretical and methodological framework developed here can generally be adapted to study the role played by civil society in relation to human rights issues where government behaviour might result in racial discrimination, work discrimination and gender discrimination of a specific social group. In these cases Political Responsibility can be measured in terms of government abidance with international and national human rights law. It could also be used to study the role of national civil society in dealing with problems of a transnational nature, such as climate change, arms trade, and the possible consequences of trade agreements such as the Trans Atlantic Trade and Investment Partnership (TTIP) agreement.

Regarding limitations, the CSO empirical material used was not homogeneous. The RC texts were policy briefs, which are of a more formal and technical nature, while the blog pieces of MRN and JCWI were more informal and aimed at a different audience.
It would have been preferable to find more similar texts from all three CSOs, but neither recent policy briefs from MRN and JCWI were available, nor blog pieces from RC.

A shortcoming of my application of Fairclough’s CDA was that my main focus was on the “text” dimension of discourse. Sections 3.1 and 4.1 investigated aspects of the context of discursive practice, to inform my analysis of the texts, but, given the spatial and time limitations of this project, I did not delve into the discursive practice or social practice dimensions of Fairclough’s CDA model. These dimensions would have allowed me to better understand how government discourse is disseminated and interpreted by different stakeholders. A future study could focus on all three dimensions. Surveys or interviews of CSO members, government officials, and the public, could provide a better understanding of the relationship between these three actors, and allow us to study how CSO and government texts are produced, disseminated and interpreted, as part of the discursive practice dimension, for example.

Another limitation is the fact that the refugee crisis is a recent and still ongoing event. This meant that it was not possible to establish causal effects of CSOs on the government’s discourse, response to the crisis, or public opinion. A future study could focus on causality, trying to establish specific influences that CSOs have had on the government’s response, use of language, and on public opinion.

I mentioned that the government discourse analysis revealed the use of an economic discourse in relation to immigration and asylum. It could be interesting to investigate if this discourse has roots in a neoliberal or utilitarian logic, and whether this logic has influenced UK and EU MS migration and asylum policies. A Marxist or centre-periphery theoretical perspective could be useful in this case.

This thesis focused solely on CSOs which had a “positive” perception of PSs and wanted the UK to do more in response to the refugee crisis. It is equally important to study the role played by CSOs which are against increased migration in the UK and the EU. In the UK, for example, the organisation Migration Watch UK works closely with some politicians, lawyers and academics to lobby for a more controlling and restrictive immigration system. Such CSOs can also influence the public debate, public opinion and a State’s response to the refugee crisis.

To conclude, I have argued that the UK response to the refugee crisis has not been sufficient in terms of responsible, and indeed humane governance. This should not lead to the defeatist and conformist conclusion that it is too late for us to find a comprehensive and responsible solution to the hardship faced by those seeking protection. On the contrary, the reactions of civil society studied here serve as proof that much can be done at both the individual and collective levels.
List of References


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Minding the Gap: The Role of UK Civil Society in the European Refugee Crisis


Refugee Council (2016e) “Written Evidence (UME0030) for the House of Lord’s EU Home Affairs Sub Committee Inquiry into Unaccompanied Minors in the EU” [Online] 10 March. Available from <https://www.refugeecouncil.org.uk/policy_re-
search/parliamentary_work/submissions_to_select_committee_inquiries> [21 June 2016].


## Annexes

### Annex 1: UK Governments from 1997 to 2016

<table>
<thead>
<tr>
<th>Date</th>
<th>Prime Minister</th>
<th>Governing Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 May 1997 – 7 June 2001</td>
<td>Tony Blair</td>
<td>Labour Party</td>
</tr>
<tr>
<td>7 June 2001 – 5 May 2005</td>
<td>Tony Blair</td>
<td>Labour Party</td>
</tr>
<tr>
<td>5 May 2005 – 27 June 2007</td>
<td>Tony Blair</td>
<td>Labour Party</td>
</tr>
<tr>
<td>6 May 2010 – 7 May 2015</td>
<td>David Cameron</td>
<td>Conservative-Liberal Democrat coalition</td>
</tr>
<tr>
<td>7 May 2015 – 13 July 2016</td>
<td>David Cameron</td>
<td>Conservative Government</td>
</tr>
<tr>
<td>13 July 2016 – Ongoing</td>
<td>Theresa May</td>
<td>Conservative Government</td>
</tr>
</tbody>
</table>
## Annex 2: Civil Society Organisations Reviewed

<table>
<thead>
<tr>
<th>CSO Name</th>
<th>Member Type (Expert, Volunteer and/or Faith-based)</th>
<th>Date Created</th>
<th>Focus</th>
<th>Activities</th>
<th>CSO Type: Policy Advocacy, Service Provision, or Mixed (Thouez 2003)</th>
<th>Categorisation of CSO according to Scholte (2002) (Conformist, Reformist, or Transformist)</th>
<th>Relationship to the State (Oppositional, Mixed, or Complementary)</th>
</tr>
</thead>
<tbody>
<tr>
<td>State-watch</td>
<td>Expert and volunteer</td>
<td>1991</td>
<td>EU/MS practice and policy and its impact on civil liberties.</td>
<td>Production of summaries and analysis of changes in EU/MS practice and policy, and commentary on effects of these changes.</td>
<td>Policy Advocacy</td>
<td>Reformist</td>
<td>Oppositional</td>
</tr>
<tr>
<td>Doctors of the World UK</td>
<td>Expert and volunteer</td>
<td>1998</td>
<td>Vulnerable people around the world fleeing war, persecution or living in difficult conditions and who need healthcare.</td>
<td>Providing healthcare to vulnerable persons including refugees and asylum-seekers in London, Greece and other EU MS as well as Turkey. They have been present in Calais since 2003.</td>
<td>Service Provision</td>
<td>Conformist</td>
<td>Complementary</td>
</tr>
<tr>
<td>Help Refugees</td>
<td>Volunteer</td>
<td>2014</td>
<td>PSs residing in camps in Calais, Dunkirk and in Greece.</td>
<td>Working with a network of NGOs, individuals and transport companies to deliver aid and volunteers to Calais, Dunkirk and other places across Europe. Building shelters for refugees in Calais. Highlighting the plight of refugees and calling for better conditions.</td>
<td>Service Provision</td>
<td>Conformist</td>
<td>Complementary</td>
</tr>
<tr>
<td>British Red Cross</td>
<td>Experts</td>
<td>1870</td>
<td>Vulnerable people affected by conflicts, natural disasters and emergencies.</td>
<td>Helping people prepare for, survive and recover from emergencies.</td>
<td>Mixed</td>
<td>Reformist</td>
<td>Mixed</td>
</tr>
<tr>
<td>Organisation</td>
<td>Type</td>
<td>Volunteer</td>
<td>Date/Year</td>
<td>PSs Residing in/Activities</td>
<td>Strategies/Actions</td>
<td>Methodology</td>
<td>Political Orientation</td>
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<tr>
<td>CalAid</td>
<td>Volunteer</td>
<td>-</td>
<td>PSs residing in Calais.</td>
<td>Providing aid, finding means of transport for this aid, recruiting and coordinating volunteers, raising funds for aid items, helping build shelters in Calais, raising awareness of the Refugee crisis and the situation faced by those seeking protection in the EU.</td>
<td>Mixed</td>
<td>Reformist</td>
<td>Mixed</td>
</tr>
<tr>
<td>Calais Migrant Solidarity</td>
<td>Volunteer</td>
<td>2009</td>
<td>PSs residing in Calais and in other makeshift refugee camps in France.</td>
<td>Provision of aid, legal advice and resources, advocacy work at a grassroots level. Raising awareness of the situation in Calais and repressive actions of French and UK authorities generally. Documenting police violence.</td>
<td>Mixed</td>
<td>Transformist</td>
<td>Oppositional</td>
</tr>
<tr>
<td>CSAN</td>
<td>Volunteer and faith</td>
<td>-</td>
<td>Asylum-seekers and refugees mainly in London and Calais.</td>
<td>Providing humanitarian aid to asylum-seekers and refugees in cooperation with Secours Catholique, the French Caritas partner. Monitoring the situation in Calais; lobbying for the improvement of conditions for PSs.</td>
<td>Mixed</td>
<td>Reformist</td>
<td>Mixed</td>
</tr>
<tr>
<td>City of Sanctuary</td>
<td>Volunteer, faith and expert</td>
<td>2005</td>
<td>Asylum-seekers and Refugees</td>
<td>Organising community activities to welcome and integrate refugees to UK society, creating a network of cities of sanctuary and organisations in the form of the Sanctuary Alliance. Campaigning for improvement of conditions for refugees in UK.</td>
<td>Mixed</td>
<td>Reformist</td>
<td>Complementary</td>
</tr>
<tr>
<td>Citizens UK</td>
<td>Expert and volunteer</td>
<td>1996</td>
<td>Citizens and Communities affected by a wide range of issues, including refugees and asylum-seekers.</td>
<td>Training citizens to campaign, and be community leaders. Fundraising, supporting and promoting campaigns. 4 current campaigns on refugee crisis titled: “Help find 5000 homes for Syrian refugees;” “Call on UK Universities to Provide Places for Refugees;” “Call on Estate agents and Landlords to Resettle Refugees;” and “Save Lives by Helping Resettle Refugees;” Providing legal support to those seeking protection when possible.</td>
<td>Mixed</td>
<td>Reformist</td>
<td>Oppositional</td>
</tr>
<tr>
<td>Organisation</td>
<td>Role</td>
<td>Year of Establishment</td>
<td>Services and Support</td>
<td>Political Position</td>
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<tr>
<td>Jesuit Refugee Service</td>
<td>Volunteer and faith</td>
<td>1980</td>
<td>Providing, services and support to refugees and displaced persons worldwide.</td>
<td>Mixed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JCWI</td>
<td>Expert</td>
<td>1967</td>
<td>Carrying out legal advice and strategic casework, policy work and campaigning, training law practitioners, producing briefings for parliamentarians, campaigners and activists, informing public debates on migration and asylum.</td>
<td>Reformist</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MRN</td>
<td>Expert, volunteer and faith</td>
<td>2006</td>
<td>Helping migrants voice their interests and needs, supporting migrant communities, sharing information and expertise, informing the migration and asylum debates, policy analysis, campaigning.</td>
<td>Reformist</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RC</td>
<td>Expert</td>
<td>1951</td>
<td>Providing services to refugees and asylum seekers such as help navigating the UK asylum system, advising politicians and decision-makers, supporting the APPG on refugees, lobbying for improvements to the asylum system, supporting campaigns on related issues, countering myths about asylum and refugees by publishing informative fact-sheets.</td>
<td>Reformist</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Save the Children</td>
<td>Volunteer, expert</td>
<td>1919</td>
<td>Working with emergency response, education, healthcare, child poverty, hunger, child protection and children’s rights. They have supported aid charities working in Calais and have condemned destruction of the make-shift PS camps. Advocating for the UK government to resettle more children to the UK.</td>
<td>Mixed</td>
<td></td>
<td></td>
<td></td>
</tr>
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</table>
## Annex 3: Empirical Material: List of UK Government Texts and Codes

<table>
<thead>
<tr>
<th>Text Code</th>
<th>Document Type</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reference</td>
<td>Type</td>
<td>Description</td>
</tr>
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<td>-----------</td>
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</tr>
</tbody>
</table>
### Annex 4: UK Government Discourses and Examples

<table>
<thead>
<tr>
<th>Discourses</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>D1: discourse of security and control.</strong></td>
<td>Text G3 mentions in detail security mechanisms and arrangements to be established by France and the UK in Calais and along the French-UK border, such as: “high quality fencing, CCTV and infrared detection technology and flood lighting,” “security within the [Euro] tunnel itself,” increasing “the number of security guards protecting the site” and, “additional freight search teams” (line 84).</td>
</tr>
<tr>
<td><strong>D2a: discourse of refugees and asylum-seekers as burden and/or problem.</strong></td>
<td>Lord Bates in text G5 uses this discourse, articulating asylum-seekers with “burden”: “[…] taking more of these unaccompanied asylum-seeking children, to share the burden that currently falls too heavily on Kent.” In text G3 the presence of PSs in Calais is articulated as a problem: “Recent months have seen a resurgence of people coming to Calais to seek entry to Britain. Repeated attempts to subvert the border control between France and Britain are an acute symptom of a problem that starts in Africa, the Middle East and Asia. The UK and French governments state their wish to “address the problem at its source.”</td>
</tr>
<tr>
<td><strong>D2b: discourse of refugees and asylum-seekers as invasion and/or threat.</strong></td>
<td>Asylum-seekers are articulated with the metaphor of a flow and flood in text G8: “we consider that it would be important to work with the UNHCR to improve their capacity to respond rapidly to increased and sudden population flows […] which avoided agencies being inundated with applications.” Text G18 articulates uncontrolled immigration as damaging and threatening to the UK: “So uncontrolled, mass immigration is damaging to social cohesion, puts pressure on public services and infrastructure, and can lead to job displacement and undercut wages, particularly for the lowest paid.”</td>
</tr>
<tr>
<td><strong>D3: discourse of deterrence.</strong></td>
<td>Text G18 shows the use of a strong discourse of deterrence in relation to irregular migrants and PSs: “we are getting better at identifying and rejecting people we don’t want to come to Britain […] we’re welcoming the people we want to come to Britain, and we’re stopping the wrong people from coming here […] and we are closing down the routes – both formal and informal – for unskilled workers to come to Britain.”</td>
</tr>
<tr>
<td><strong>D4: discourse of disbelief.</strong></td>
<td>G20 uses this discourse in relation to asylum-seekers to justify the UK’s decision not to opt into certain EU Directives: “rather than giving us the correct means by which to consider asylum claims effectively and to deter abuse, both Directives subject Member States’ asylum systems to unjustified regulation and focus excessively on enhancing the rights of all asylum seekers whether their claims are valid or not” (italics added).</td>
</tr>
<tr>
<td><strong>D5: discourse of protection and compassion towards asylum-seekers or refugees.</strong></td>
<td>This discourse is used in text G21, where the meaning of the FS “refugee” is fixed through articulation with the following chain of equivalence: “Syrian; at “risk; “innocent; ”need out protection; “vulnerable; “support; “help; “deserve; “most vulnerable; “immediate need; and “message of welcome.”</td>
</tr>
<tr>
<td><strong>D6: economic discourse.</strong></td>
<td>In text G21, smuggling is articulated as a “business” and “trade” which must be tackled: “[…]break the business model of those callous criminal gangs preying on human misery in this way” and “we must work to smash the criminal gangs that lie behind so much of this disgusting trade in human misery.”</td>
</tr>
</tbody>
</table>
Annex 5: Government Discourse Analysis: Citation Examples from the Texts

<table>
<thead>
<tr>
<th>Citation number</th>
<th>Citation from text analysed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>In text G26, the transcript of a House of Commons discussion on changes to the Immigration Bill, Heidi Allen, a Conservative MP argues that the UK government is not doing enough in sending one Minister to Calais to help identify persons who would be eligible for family reunification in the UK: “I do not feel that we are taking responsibility; at the moment, it is British citizens who are taking responsibility. I am afraid that sending one person is not good enough”. In this same discussion, Conservative MP Richard Fuller also shows discontent with the government’s response to the refugee crisis: “[...] the Government’s announcements over the last few weeks are tremendously welcome. They do not go far enough, however”.</td>
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<td>2</td>
<td>In text G1, Minister of State for the Home Office conflates “asylum-seeker” and “migrant” when he says: “migrants in Calais in need of protection should claim asylum in France”. Also in text 3, when the ministerial statement uses the phrases: “a distinction can be made between migrants in need of protection and economic migrants”; “for migrants to claim asylum locally” and “[f]or those migrants who want to seek international protection”. Also for example in text 15 when David Cameron says: “(...) countries committed to resettle 22,000 refugees from Syria over 2 years and to relocate 160,000 migrants arriving in ‘hotspots’ to other participating countries”.</td>
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<td>3</td>
<td>In text G2 Labour MP Yvette Cooper confuses the signifiers “asylum-seeker” and “refugee” when she says that “child refugees” should be allowed to “apply here for asylum”.</td>
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<td>4</td>
<td>In text G4, both the UK and French governments “reaffirm their commitment to addressing the issues raised by the migration pressures in Calais and the surrounding area” (emphasis added). In text G5, Minister of State Lord Bates says “I was very grateful to the right reverend Prelate the Bishop of Rochester, who undertook to write to other authorities about taking more of these unaccompanied asylum-seeking children, to share the burden that currently falls too heavily on Kent” (emphasis added). In text 7, David Cameron, relating previous EU discussions on the refugee crisis says: “This approach – of focusing on the problem upstream – has now been universally accepted in Europe” (emphasis added). In text G8 Tony Blair writes: “(...) an idea we have been developing to help deal with the problems of refugees and migration” (emphasis added).</td>
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<td>5</td>
<td>In text G8, Tony Blair repeatedly articulates asylum-seekers with the signifier “flow”, building a metaphor of asylum-seekers as a flood: “(...) our aim should be to deal more successfully with irregular migrants within their regions of origin, through: approaches to address the causes of mass population flows”; “we consider that it would be important to work with the UNHCR to improve their capacity to respond rapidly to increased and sudden population flows (...) which avoided agencies being inundated with applications”; “better regional protection should allow more equitable management of flows of irregular migrants who want to come to Europe” (emphasis added). Press release text G12 states: “Prime Minister calls on international community to act together and stem the flow of migrants making the perilous journey from Turkey to Greece”. In text G26 Immigration Minister James Brokenshire argues that: “The best answer is upstream intervention before children at risk try to come to Europe” (emphasis added). In text G21 Theresa May articulates “refugee” with the chain of equivalence “numbers” and “wave”.</td>
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<td>6</td>
<td>For example, Tony Blair in text G8 suggests: “it is worth considering medium term action to deter those who enter the EU illegally and make unfounded asylum applications”. The UK-France ministerial declaration (text 3) uses the phrases; “those in genuine need”; “mass illegal migration” and “abuse of the immigration system” (emphasis added).</td>
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<td>7</td>
<td>The following chain of equivalence is found in text G3: “mass”; “flows” (D2b), “challenge”, “pressure”; “symptom” (D2a), “illegal” (Discourse 4), “vulnerable,”“exploited”.</td>
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For example, in text G3 UK and French ministers use the pull-factor argument several times: “European countries needing to take action to make illegal migration less attractive”; “security reduces the incentive for would-be illegal migrants to travel towards Calais or to remain there”; “[that reflects the United Kingdom’s work to render the UK a less attractive place for illegal migrants” (emphasis added).

In text G26, Keith Starmer (Labour MP) criticises the government’s use of the pull factor argument in relation to a decision not to resettle more unaccompanied child asylum-seekers from the EU to the UK: “[...] there is flimsy evidence to support the pull factor one way or the other [...] We have been here before in relation to rescues in the Mediterranean. On one view, people argue that such rescues are a pull factor, but we all recognise that it would be abhorrent to leave people to their fate in the Mediterranean on the simple proposition that that might encourage others to cross the sea. We therefore have to be absolutely honest with ourselves about what we are saying about the pull factor in relation to the 26,000 children, of whom 10,000 are missing. The pull factor argument is that we must abandon them to their fate on the basis of an unproven theory that if we did something by taking them, others might be encouraged to come. In stark terms, that is the pull factor. I reject it, many Members of the House reject it and we should all, rightly, reject it”. Thangam Debbonaire (Labour MP) also makes a very relevant critique on the government’s use of this argument: “The Minister seems to see helping refugees as a pull factor; he then uses that as an argument against bringing children here. That so-called pull factor is often attributed to the assistance given to refugees, but that is misleading. First, it associates them with taking rather than giving. Secondly, it often inflates the numbers to ones vastly above the reality, with headlines about “floods” or “hordes” of migrants in general and refugees in particular” (text G26).

In text G16 Cameron argues that the public feels that refugees and asylum-seekers have put too much “pressure” on the UK: “(...) people want to know that we can help relieve some of the pressure in terms of the movement of people across Europe (...) the British people, and I totally share this view, feel that in recent years the pressure of new arrivals has just been too great. And part of that pressure is caused by the fact that we have a very generous top-up welfare system (...):” In text G24, in relation to Immigration generally, David Cameron comments on public concern: “I’ve always understood the concerns – the genuine concerns of hard-working people, including many in our migrant communities, who worry about uncontrolled immigration. They worry about the pressure it puts on public services, the rapid pace of change in some of our communities and of course the concerns, deeply held, that some people might be able to come and take advantage of our generosity without making a proper contribution to our country.”

A government minister asserts that: “The UK is committed to safeguarding the welfare of unaccompanied children and we take our responsibilities seriously.”

In text G26, Labour MP Stuart McDonald said: “I pay tribute to the fantastic organisations that have shone a light on the many problems and dangers lurking in the Bill, in particular to the organisations and volunteers working on the ground across Europe. Without them, the situation facing many of the children we are debating would be even worse” Conservative MP Richard Fuller says: “To those groups such as Medical Justice, Women for Refugee Women, the Refugee Council and so many others that have tried in the intervening period to persuade the Home Office to move its policy away from the default of detention and a culture of disbelief to something that is understanding of each individual circumstance, the Government’s announcements over the last few weeks are tremendously welcome. They do not go far enough, however” Naz Shah comments on the civil society “City of Sanctuary” initiative: “I am proud to come from Bradford West. Bradford is a city of sanctuary, in which 169 organisations have signed up to support refugees and asylum seekers”.

The Minister of State for the Home Office’s exact words are: “(...) the French Government are supporting some NGOs that are operating in that area and doing important work in the camps, ensuring that people get access to the type of advice they need. We will make sure that that work continues. The NGOs want to do the right thing. The Government want to do the right thing, both here in the UK and France. That is why the relationship is so important and why we are working so closely together to ensure that children and families are reunited as soon as possible” (text G1).
In text G6 Immigration Minister James Brokenshire says: “The Home Office will continue to encourage local authorities to support the dispersal of UASC from Kent and to work with NGOs (…) to review current practice and consider how capacity could be strengthened.”

In text G11, a press release from the Department for International Development and the Home Office, it is stated that the UK government is, through its Syrian Vulnerable Person Relocation Scheme, “ensuring that we reach the most vulnerable while our aid continues to support others to stay in the region rather than make the perilous journey to Europe.” Here both a categorisation of vulnerability and the pull factor argument are present.

In text G26 the government states its reason for not participating in EU relocation schemes: “The Government remain of the view that relocation schemes within Europe risk creating unintended consequences or perverse incentives for people to put their lives into the hands of traffickers. Instead, we are committed to providing safe and legal routes for the most vulnerable refugees to resettle in the UK” (text G26).

Liberal Democrat MP Tim Farron uses Birch’s conception of responsibility when calling on the government to do more to help refugees: “Making the argument in favour of doing more for refugees and of taking refugees from Europe is difficult when there is a narrative out there that says that most refugees are coming to Europe. That is not true. Perhaps one in five from the region is coming to Europe. People will say that they are not really refugees, but economic migrants. Well, 95% of them are deemed to be refugees by any objective standard. Perhaps that is where the Government’s reluctance comes from. They fear unpopularity, but is this not the time for this Government not to follow, but to lead and to do the right thing? There are always reasons not to do the right thing” (text G26).
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<th>Text Code</th>
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Minding the Gap: The Role of UK Civil Society in the European Refugee Crisis

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# Annex 7: Policy Advocacy CSO Discourse Analysis: Citation Examples

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<tr>
<th>Citation number</th>
<th>Citation from text analysed</th>
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<tr>
<td>1</td>
<td>In text JCWI21, it is argued that instead of being a welfare or economic burden, immigrants contribute very positively to UK economic prosperity: “Research published this week by the National Institute of Economic and Social Research shows that lower migration has an overall negative effect on the UK economy. Migrant workers play an essential role in improving the economic position of the UK and are vital for our health service, our construction industry, our service industry and the technology sector. Migrants not only directly contribute towards our economy but create jobs and ensure the survival of the NHS. EU migrants [...] pay far more into the pot than they take out and as the number of migrant workers in the UK has increased, so too has the number of British citizens who find themselves in employment” (1).</td>
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<td>2</td>
<td>In text RC3, the RC fixes the meaning of the floating signifier “refugee” in opposition to the signifier “economic migrant” when it states: “Refugees are not economic migrants” (p. 3).</td>
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<td>3</td>
<td>In text JCWI16, the use of both “refugee” and “migrant” to categorise those arriving in Europe implicitly makes a distinction between these signifiers: “the unprecedented arrival of refugees and economic migrants to Europe over the past year will undoubtedly be the issue of paramount concern to most other EU countries” (1).</td>
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<td>4</td>
<td>In text MRN8, Don Flynn, the director of MRN describes some of the persons who have died trying to reach the UK from Calais in France: “January – a 17 year old boy from Iran is killed by being driven over by a truck just outside the parking area in Coquelles. March – a person from Ethiopia was killed having hit his head whilst hiding in a truck he thought was going to England. May – Mengs Medhane, 16 years old from Eritrea, dies after jumping from a truck he thought was heading to England. October – a 16 year old woman from Ethiopia was killed crossing a major highway near Calais whilst trying to cross the border into the UK” (2).</td>
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<td>5</td>
<td>In text RC1, the RC articulates the signifier “unaccompanied children seeking asylum” with “rise in numbers”: “In addition to the significant rise in numbers of unaccompanied children seeking asylum, particularly in 2015” (4). In text RC6, those seeking asylum are articulated with the signifier “high numbers”: “The high numbers of people arriving in Europe and claiming asylum is a symptom of a global refugee crisis with more people forcibly displaced than any time since WWII” (1).</td>
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<td>6</td>
<td>In text MNR12, the director of the organisation refers to PSs as “flows”: “The capacity of countries adjacent to the source regions to host refugees has become debased over time as the failure to find longterm solutions has meant that temporary crises have merged to produce a permanent state of refugee crisis with hardship rolling across all the flows and settlements of people who are in need of protection” (4). In text JCWI20 refugee movements are constructed as flows: “A dedicated campaign website will contain digital versions of the plaques, as well as additional background information on the individual participants and information about historic and current refugee flows, country profiles, and the asylum system in the UK” (3).</td>
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<td>7</td>
<td>In text RC1, the RC seeks to counter the idea that there is a high number of people seeking protection in Europe: “It should be remembered that in the context of 60 million people forcibly displaced from their homes, the numbers seeking to enter Europe are comparatively low and the UK takes much lower numbers than some other EU Members States” (1). In text MRN8, MRN compares the number of persons seeking protection in the UK to those in Germany and France to show that the UK receives comparatively little: “Public opinion in the country seems to take little account of the fact that the numbers gathered at Calais make up a small fragment of the refugee population of Europe, with more than four times as many people seeking a haven in Germany than they do in the UK, and France itself receiving double the number as apply on the other side of the Channel” (2).</td>
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In JCWI16, the claim made by then Prime Minister David Cameron that EU migrants go to the UK to claim benefits is mentioned and challenged: “In a speech on 10 November last year, the Prime Minister claimed that 43% of EU migrants to the UK claim benefits, receiving on average around £6,000 a year. However, his assertion was immediately admonished by experts. The Department of Work and Pensions briefing, upon which Cameron's claims were based, admits that there is uncertainty and states more tentatively that between 37% and 45% of EU migrants who arrived within the last four years claim both in and out of work benefits” (2). It is then argued that EU migrants make a positive contribution to the UK economy: “Nonetheless, the CReaM report found that overall EU migrants groups have made a positive net contribution to the UK fiscal system. In 2008/09, A8 nationals (originating from countries that joined the EU in 2004) were found to have paid 37% more in taxes than was spent on public goods and services accessed by them. This is further supported by a report by the Organisation for Economic Cooperation and Development (OECD), which found that EU migrants make a net contribution of 1.02% of GDP £16.3bn to the UK, since they are on average younger and more economically active than the general population” (3, original in bold and italics).

In text MRN10, Flynn cites The Centre for Economic Performance at LSE’s 2015 report which analyses the link between Immigration and the UK labour market to argue that “There is still no evidence of an overall negative impact of immigration on jobs, wages, housing or the crowding out of public services. Any negative impacts on wages of less skilled groups are small. One of the largest impacts of immigration seems to be on public perceptions” (2).

In text RC5, the RC mentions a shift in public opinion in favour of Syrian refugees as a response to images of a Kurdish boy that drowned trying to reach the EU, and the effects of this shift on the UK government's response to the refugee crisis: “In response to an outpouring of public support for Syrian refugees, provoked by the image of Aylan Kurdi's body washed up on a Turkish beach, the government announced its intention to resettle 20,000 Syrians in the UK during the course of this Parliament” (2). Text JCWI17 highlights the influence public opinion can have on the UK government in relation to the refugee crisis: “The refugee crisis has been a stark example of just how powerful public opinion can be. In Britain it played a significant role in galvanising previously absent political support for open Germany’s borders on an unprecedented scale to those fleeing war and persecution” (3).

In text JCWI16, the JCWI criticises the government's use of statistics to inform public debate in the run up to the EU referendum in the UK, where the issue area of EU migration to the UK was a salient topic: “However, the relationship between internal and external European migration and how it will be affected by whether the UK remains a member of the European Union has so far been piecemeal and confused. This is typical for discussions of migration and demonstrates the ease with which migration is so often exploited for political purposes without a clear and factbased discussion (…) This evidence would suggest that the Government's assertions are exaggerated and it is deeply regretful that Britain's future if based on incorrect information surrounding what drives EU migration” (3).

In text JCWI17 the JCWI argues that only an educated public can have a consistent, stable opinion which might lead to equally consistent government policies: “Yes, public opinion leads to great change, but where it is formed purely on the back of emotions and sympathy, as was the case in September [here referring to public response to images of a drowned Kurdish boy, Aylan Kurdi, who tried to reach the EU], it will always be fragile. Instead, public opinion must be formed from the dissemination of knowledge of the issue at hand and an open and frank discussion of the facts. The strategy must not be to win the hearts of the public, but rather to win their minds. Only when public opinion is shaped in this way will it be enduring and therefore so too the policies it enacts” (3).
In text JCWI20 the JCWI explains the role which it hopes to play through the launch of its “I am a Refugee” campaign in the UK’s response to the refugee crisis: “We hope that by celebrating and honouring the lives of individuals, and recognising the historic and current contribution that refugees have made and continue to make to the UK, we can humanise the debate and counter xenophobic rhetoric. We want to ensure that the UK remains a place of welcome and sanctuary for those fleeing persecution, and for this it is important to ensure that there is clear and accurate information available in the public domain” (3, italics added).

In text RC2 the RC challenges the pull-factor argument often used by the UK government to justify its response to the refugee crisis: “Neither the UK nor Europe as a continent can avoid the biggest global refugee crisis since World War II, nor should we attempt to. It is attempts to contain the crisis through the closing down of safe and legal routes for refugees that has in part caused the crisis on Europe’s border. A plethora of border controls overseas effectively prevent refugees from reaching our shores, and with almost no legal avenues open to them, refugees are forced to take ever greater risks in their efforts to find a safe haven. These border controls are forcing people to turn to unscrupulous smugglers in an attempt to reach safety, placing their lives at grave risk” (1).

In text RC6, the RC argues that there is no single way to solve the refugee crisis, but puts forward its views on what the “only effective approach” would entail: “There is no single answer and no single country can resolve the crisis. The only effective approach requires working collaboratively with other European countries and implementing a series of actions in the short, medium and long term, to save life; respond humanely to those who have already arrived in Europe ensuring they have access to a fair and effective asylum system; reduce the numbers forced to rely on smugglers through the creation of safe, legal routes for refugees to European states; and ultimately to tackle the root causes of refugee flight” (1).

In text MRN8, MRN fixes the meaning of the FS “the right approach” in opposition to tougher security measures and in relation to a discourse of protection (D5): “Higher fences and brawnier policemen are not the answer. A renewal of our commitment to humanitarian solutions is” (1), and “[w]hat we see in Calais today is a problem that most definitely does have a solution. It means calling on all the humanitarian traditions of the continent to find that solution and the willingness to be guided by laws and conventions which themselves were put in place to handle other refugee crises in the past. We should tell our politicians that this is the direction they need to go in, and not merely repeat the failed policies of higher fences and tougher police actions that have made up most of the last 15 years” (3).

Text RC4 comments on the effects of granting some PSs humanitarian protection status rather than refugee status: “Additionally, the Refugee Council is disappointed that Syrians resettled in the UK are granted humanitarian protection, rather than refugee status (like the vast majority of Syrians who claim asylum and receive international protection). There are practical implications for Syrians receiving this lesser form of protection which may impede their ability to integrate and settle in the UK. For example, Syrians arriving through this route wishing to apply to study at a university will not be entitled to ‘home fees’ until three years after their arrival, nor will they be entitled to student loans. They may also face difficulties accessing Convention Travel Documents” (6, emphasis added).

In text MRN9, the RC criticises the then Prime Minister David Cameron's decision to focus on resettling only those Syrian refugees considered more vulnerable: “[…] there is something distasteful about the Prime Minister's decision to confine his offer to children and vulnerable women which undermines his claim to be showing compassion. When a mother holding her infant child stumbles on the refugee roads out of the Syrian crisis you do not claim special credit for offering a helping hand. Such an action ought to be the immediate reflex of any human being rather than one seeking special ennoblement of the grounds of supposed exceptional humanity. Whilst children and vulnerable women might stand at the head of the queue of people requiring assistance it is quite wrong to suppose they can be considered the entirety of all the people who need the protection of a functioning humanitarian protection system” (3, emphasis added).
In text JCWI17, a critique is made of the role played by the media in shifting public debate on refugees after the events in Paris and Cologne: “After the terror attacks in Paris and the events on New Year’s in Cologne the discussion soon shifted dramatically from a humanitarian to a security orientated paradigm (...) It did not seem to be relevant in the media frenzy that followed that the attacks were the actions of a small minority (since confirmed that only 3 out of the 58 men arrested were refugees). It did not matter that a larger number of refugees in Cologne came out in protest against the attacks, nor was it widely reported that not a single attacker in Paris was Syrian, or even a refugee. Because fear pays no heed to facts. The migrant bogeyman had returned and refugees as a collective were paying the price” (1).

In text MRN9, MRN comments on how images of Aylan Kurdi mobilised citizens in favour of refugees: “As these images have rolled across all the news channels the impact has been felt in the UK, when a veritable revolt on the part of a whole section of citizens against the harsh refusal of the government to change its highly restrictive policy towards receiving refugees. Demonstrations and vigils have taken place in a number of towns, all of which seem to be feeding into a huge response to a call issued for a national day of action in support of the refugees which will take place in London on 12 September. Strong feelings on the need to provide a better welcome to refugees have been directed to Parliament” (3).

In text RC4, the RC criticises the government’s use of language in relation to PSs: “Firstly, again it is disappointing that the Government uses the term “illegal migration” when referring to individuals in clear need of international protection. It is also of considerable regret that the Government talks of moving “the problem” around Europe and the Refugee Council would remind Ministers that they are talking about people who have fled war and persecution and are now seeking the protection of EU Member States. The Government should also be far more careful about stating “asylum should be claimed in the first safe country”. There is nothing in international law requiring individuals to claim asylum in any particular country” (3).
Glossary

**Articulation**: “a practice establishing relations among elements such that their identity is modified as a result of the articulatory practice” (Laclau and Mouffe 1985: 105).

**Chains of Equivalence**: “the investment of key signifiers with meanings” through the linking of signifiers (Phillips and Jørgensen 2002: 43, 50).

**Discourse**: is “simultaneously a piece of text, an instance of discursive practice, and an instance of social practice. The ‘text’ dimension attends to language analysis of texts. The ‘discursive practice’ dimension (…) specifies the nature of the processes of text production and interpretation, for example which types of discourse (including ‘discourses’ in the more social-theoretical sense) are drawn upon and how they are combined. The ‘social practice’ dimension attends to issues of concern in social analysis such as the institutional and organizational circumstances of the discursive event and how that shapes the nature of the discursive practice, and the constitutive/constructive effects of discourse (Fairclough 1992: 4).

**Floating Signifier**: “A signifier that is overflowed with meaning because it is articulated differently within different discourses” (Torfing 1999: 301).

**Order of Discourse**: “a social space in which different discourses partly cover the same terrain which they compete to fill with meaning each in their own particular way” (Phillips and Jørgensen 2002: 56).

**Signifier**: A signifier is the “‘sound-image’ (or expression) that signifies a certain” concept or content (Torfing 1999: 305).
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