
2021 Harrell-Bond Lecture, Refugee Studies Centre, Oxford: Empire's Refugees¹

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International law offers us a story that naturalizes the selective evacuation of US, UK and other nationals from Afghanistan in 2021, and perhaps even renders benevolent their discretionary selection of Afghans who assisted with the occupation. In general, advocacy on behalf of refugees and migrants takes the form of expanding legal exceptions to the enforcement of borders, or pushing for the enforcement of existing exceptions found in international refugee law. In this lecture I propose greater attention to the operation of empire in relation to borders, and the treatment of refugees and asylum seekers in the case of Afghanistan and others like it. I argue that an empire-centric lens forces attention on structural, geopolitical domination and subordination typically obscured by individualized persecution-based determinations of asylum. It also positions refugees and migrants as political agents with powerful demands of sovereign accountability rather than as vulnerable, if sympathetic, claimants. I also posit that empire-centric accounts may have greater potential for mobilizing different politics within imperial nation-states, politics that would put pressure on these states either to curb imperial intervention and domination, or at the very least take greater responsibility for the worlds they destroy and create.

Keywords: displacement, borders, responsibility sharing, theory of asylum, imperial domination, imperial intervention, empire, reparations

In August 2021, western powers evacuated thousands of people following the USA's departure from Afghanistan ([European Parliament 2021](#); [The White House 2021](#)). Each prioritized its own citizens, and many then made limited allowances for Afghan nationals who had aided foreign powers during the occupation, with some also allowing special dispensation for those who worked in human rights or those deemed especially vulnerable ([Nossiter 2021](#); [Ryan and Fahim 2021](#)). An estimated 3.5 million Afghans are displaced internally, and there are almost 2.6 million registered Afghan refugees worldwide ([UNHCR 2021a](#)). A total of 2.2 million of these reside in Iran and Pakistan alone ([UNHCR 2021b](#)).

And in the meantime, western powers have variously patted themselves on the back for evacuating numbers of refugees that come nowhere close to the regional figures ([House of Commons Foreign Affairs Committee 2022](#); [The United States Senate Committee on Foreign Relations Minority Report 2022](#)), notwithstanding these powers' decades-long intervention, exploitation, and attempted reconstitution of Afghanistan.²

At Europe's gates, tens of thousands of refugees and migrants are battling conditions of sustained border violence in freezing temperatures, children included ([Lucente 2021](#)). At the USA's southern border, recent media images showed border officials on horseback with whips, confronting Haitian migrants and refugees to deter their access to the USA ([Debusmann 2021](#)). Central American migrants and refugees are also caught in flesh-eating teeth of the US southern border ([Babich and Batlova 2021](#)).

But what is the border? Where is it? What is it for? Who is it for? Who is it against? Is it just? Can it be just? My aim with this lecture is to make the case that these questions are pressing questions not only for philosophers and political theorists but also for international refugee lawyers, and for students and practitioners of international refugee law, in addition to being urgent questions for the world at large.

Thank you very much to Professor Gibney and the Refugees Studies Centre for the honour of delivering the 2021 Barbara Harrell-Bond Lecture. Dr Harrell-Bond's legacy includes a sharp and critical perspective on the inhumanity of humanitarian practices that involve intervention on behalf of the most marginalized, disempowered, and exploited populations ([Harrell-Bond 1986](#); [Harrell-Bond 2002](#)). I am inspired most by her rejection of convenient benevolence as a determinant of refugee assistance and protection and her insistence on centring the agency of refugees and their entitlement to effective legal rights. It is in this spirit of rejecting the injustice and inhumanity embedded in even our most prized refugee and human rights legal frameworks that I deliver this lecture.

The conditions facing Afghan and other similarly situated refugees have been the subject of sustained attention by refugee law scholars, especially within the refugee responsibility-sharing framework. And the typical framing of the problem of responsibility sharing is the following.

There are many persons who, due to serious violations of human rights experienced in their countries of nationality, cross international borders as a survival strategy. The nature of the international system is such that especially when large numbers of persons are forced to or make the decision to cross borders, their treatment and conditions after doing so expose them to further harm because of the acts and omissions of the nation-states territorially, ethically, legally, or otherwise implicated in the international displacement of these persons.

I have mentioned Afghanistan, but the displacement of Syrian refugees is a case in point. Over a decade of conflict in Syria has driven over 6.6 million people out the country in search of refuge ([UNHCR 2021c](#)). Most Syrian refugees have remained in neighbouring countries, but many, for complex reasons including difficult livelihood conditions, have sought refuge further afield in North

Africa, Europe, North America, and elsewhere. Reception of Syrian refugees has varied. Countries in Syria's vicinity have taken in the greatest numbers,³ while countries beyond the region, including the most wealthy, have with few exceptions,⁴ failed to extend necessary protections to Syrian refugees. This is a typical dynamic, where countries in the global south that are geographically proximate to the conflict and instability that results in large-scale displacement admit and host the vast majority of refugees, notwithstanding the regular complicity of global north countries in causing the displacement.

The so-called Syrian Refugee Crisis produced a significant body of legal scholarship and policy commentary under the rubric of refugee responsibility sharing. Indeed, the responsibility sharing frame has been the umbrella under which legal scholars have articulated, theorized, and attempted to address concern for the way that nation-states collectively treat internationally displaced persons.

Although rarely made explicit in the responsibility sharing literature, much of its analysis is heavily informed (and constrained) by the prevailing doctrine of sovereignty in international law. This is evident in the specific way the majority of this literature constructs the problem, the corresponding solutions, as well as the means through which these solutions might be achieved. International lawyers focus on the consent-based regime of international refugee law—the UN Refugee Convention and Its Protocol, and international human rights law-based non-refoulement obligations. They mostly agree that this global refugee regime does not include legal obligations for non-refugee hosting states to take in refugees from refugee hosting states. The problem then becomes one of how to get non-hosting states, which given the geopolitics of refugee displacement centrally include wealthy global north countries, to consent to *sharing* responsibility with hosting states. How do you get the USA or the UK to assist with the protection of refugees from Afghanistan or Haiti or the Central African Republic?

Underlying this framing of the problem of responsibility sharing is, of course, the contemporary doctrine of state sovereignty according to which international legal obligations are derived from the consent of the respective nation-state. Without the freely given consent of the USA or the UK to take on responsibility sharing (or of customary international legal responsibility sharing obligations), it would seem there can be little basis for liability.

The ethical arguments for more expansive and equitable responsibility sharing regimes tend to anchor the legal and policy obligations they seek to realize in broadly cosmopolitan perspectives, and typically advance humanitarian and distributive justice claims often involving the relative capacity among nation-states. They implicitly or explicitly consider that all nation-states equally have ethical obligations to ensure the fundamental human rights of all human beings, irrespective of citizenship. And whereas refugee protection responsibilities under the status quo are predominantly allocated on the basis of proximity to conflict and displacement, an urgent impetus is establishing legal obligations and policy regimes that require and incentivize wealthy but typically remote states to share in the cost and responsibility of refugee protection. Usually absent from the responsibility sharing literature and discourse is any concerted challenge of the

legitimacy of the political and territorial borders that states rely upon to justify differential treatment between their own citizens and refugees requiring international protection.

Ultimately, international refugee law scholars in particular have insufficiently challenged the theory of borders that contemporary sovereignty doctrine generates and that sits at the heart of the dysfunction of refugee responsibility sharing. The tacit starting point of much, if not all of the asylum and responsibility sharing literature is that refugees and other forced migrants in need of international protection are legitimately subject to the sovereign right to exclude of the nations they seek to enter. However, the analysis goes, these nations have customary or treaty-based legal obligations through the refugee and human rights regimes that create binding exceptions to the right to exclude.

All of this is to say that in our typical defences and critiques of refugee law and policy, we tend to leave the border unsettled (Munshi 2021). International law offers us a story that naturalizes the selective evacuation of US, UK, and other nationals from Afghanistan and perhaps even renders benevolent their discretionary selection of Afghans who assisted with the occupation.⁵ And advocacy on behalf of refugees and migrants more broadly takes the form of expanding legal exceptions to the enforcement of borders, or pushing for the enforcement of existing exceptions found in international refugee law.

I want to propose that there are theoretical as well as pragmatic benefits to be derived from a different approach to asylum and the refugee responsibility sharing problem. An approach that challenges the validity of contemporary borders altogether. In particular, I want to propose greater attention to the operation of empire in relation to borders, and the treatment of refugees and asylum seekers. By empire I mean conditions of transnational political and economic interconnection that bind nation-states on unequal terms.⁶ This interconnection is characterized by dominant hegemony that informally constrain the sovereignty of the subordinate nations bound to them. This is what I will refer to as imperial domination. I also highlight a distinct though related dimension of empire, which I will call imperial intervention. Imperial intervention involves a range of measures—military, political, and economic—that may not themselves forge bonds of ongoing imperial domination and the duties that domination entails, but nonetheless generate ethical duties to protect refugees that ought to be reflected in international law.

I will use the example of USA's treatment of Central American refugees and migrants to introduce what I have in mind with my proposal for greater attention to empire.

Even under President Biden, the admission of Central American and other refugees and migrants at the US southern border remains contentious. During a visit to Guatemala in June 2021, Vice President Kamala Harris went so far as to warn Central Americans: 'I want to be clear to folks in the region who are thinking of making that dangerous trek to the US–Mexico border: Do not come. Do not come' (Naylor and Keith 2021). Refugee resettlement similarly remains contentious.⁷ Within the traditional responsibility sharing frame and the theory of

asylum that underlies it, the issue with the US response is that it is evading its international refugee law obligations, to the extent that those at the border meet the refugee definition. And with respect to Haitians and Central Americans in Mexico and other countries in the region, or refugees in other parts of the world, in light of its wealth, the USA is also failing to do its fair share to protect refugees and migrants relative to other, less well-off countries.⁸ The border, as an instantiation of the right to exclude, is implicitly treated as legitimate, and instead exceptional responses are required of the USA in the face of the arrival of political strangers deserving of refuge on account of the persecution they have suffered.

But are Central American asylum seekers really political strangers to the USA? Should the Refugee Convention and related human rights obligations be the primary way we frame relations and responsibilities that flow between a country such as the USA and the citizens of Central American countries seeking access to it? I argue the urgency of an alternative perspective.

Imperial Domination

Historians, sociologists, and others have documented the long and deep relationship of US sovereign domination of Central American countries, domination that has taken myriad forms—economic, political, military—and involved private actors, especially corporations (Langley 1983; Lafeber 1993).⁹ This domination has fundamentally remade the worlds of the peoples of Central American nations on US terms, and ultimately, materially undermined these peoples' capacity to self-determine.¹⁰ To be clear, the history of Central America—as with all regions—is a complex history, and one in which the peoples of this region have played a formative role including via direct resistance to imperial domination. My account here foregrounds the role of US empire in the region, and I do so not to negate the agency of these peoples, and the complicity of some among them in advancing US empire, but rather to emphasize externally imposed structural constraints on Central American agency under conditions of empire.¹¹

By way of example of US imperial domination of Central America, consider the USA's relationship to Nicaragua. US intervention in Nicaragua dates back at least to the mid-19th century and was preceded by Spanish colonialism and British imperial intervention (Gobat 2005; Walker and Wade 2011). Central America was critical geography to US westward and southward expansion, and the USA developed interests in Nicaragua that would significantly determine the country's political and socio-economic trajectory. William Walker, a notorious American filibuster, with the implicit support of the US government ruled the country from 1855 to 1857, during which he worked to Americanize it (Gobat 2005: 14). During the heyday of US filibusters, Nicaragua was the recipient of thousands of these Americans who engaged more broadly in 'fomenting insurrections in Latin America in the mid-19th century' (Merriam-Webster 2007). Walker's regime encouraged foreign investment and greater natural resource exploitation, and explicitly sought to establish American empire, waging a brutal war against Nicaraguans (Gobat 2005: 14).

It was not until 1911, however, when the US government formally intervened, as President Taft sent US troops to Nicaragua to depose its anti-American president, replacing him with a pro-American who had previously worked for an American mining company (Gobat 2005: 14). According to historians, US intervention and occupation between 1912 and 1933 ‘represented the greatest U.S. effort to turn Nicaragua into a “little United States”’ (Gobat 2005: 3). During this period, the USA relied heavily on ‘dollar diplomacy’ (Gobat 2005: 125), which involved governing the country through a small number of US bank representatives responsible for the country’s public finances (Gobat 2005).¹² In 1926, the USA resorted to a full-scale military intervention to quash an economic nationalist, anti-US rebellion led by the Nicaraguan anti-imperialist Augusto Sandino (Gobat 2005: 141). The USA subsequently oversaw elections in 1928 and 1932, ensuring that it maintained its vice grip on the Nicaraguan economy. It also enabled consolidation of ‘the US-established military institution—the Guardia Nacional’—as the most powerful political force in rural Nicaragua (Gobat 2005: 4).

Notwithstanding the USA’s formal departure from Nicaragua in 1933, it installed General Anastasio Somoza García as the first Nicaraguan commander in chief of the Guardia Nacional (Cartwright 2011). With the support of the Guardia Nacional and the USA, Somoza and other members of his family managed to maintain repressive, exploitative dictatorial rule over Nicaragua from 1936 to 1979 (Cartwright 2011: 288–289). The Somoza regime was immensely profitable for American banking, agricultural, mining, and railway corporations, while the Nicaraguan populace endured conditions of impoverishment (Gómez 2020: 36). This regime was ultimately toppled by the Sandinista Front for National Liberation, following a revolutionary war that killed ~2 per cent of Nicaraguans (Walker 2019). Across the Caribbean and Central America, the USA opposed pro-labour populist governments and instead supported authoritarian regimes (Gómez 2020: 23). Nicaragua was no exception. In the 1980s and 1990s, the USA wreaked havoc there through military and paramilitary operations, economic destabilization, and a propaganda war (Kornbluh 1991).

Even during periods of peak US domination and intervention in Nicaragua, Nicaraguan migrants and refugees displaced by the conflict and hardship faced uphill battles to secure asylum in the USA (Reyes 2008: 293). When Nicaraguans and other Central Americans have made the difficult choice to leave their countries of nationality in search of better lives in the USA, their arrival has invariably been contentious. Media reports respond with accounts of a flooded asylum system, and those Central Americans pursuing asylum claims are cast as so-called economic migrants, underserving of regularized status (Cohen 2014; Ahmed and Semple 2018). Although Central American migrants and refugees have episodically benefitted from regularization initiatives, none of these measures do justice to these migrants in light of the imperial domination that binds their nations to the USA.

Imperial domination remakes the borders of the imperial power. It extends them outwards to include the peoples of the nations it dominates. US imperial domination renders nations such as Nicaragua quasi-sovereign, and the force of

this subjection should be understood as coercively drawing Nicaraguans and others similarly situated in the region into the demos of the USA, rendering them de facto political equals of de jure US citizens. I have fleshed these arguments out in more detail elsewhere, where I credit [Abizadeh \(2012\)](#) for his insightful work on borders and liberal democratic theory.¹³

Ethically, even if not legally under existing frameworks, the USA has no right to exclude Nicaraguans from its political and territorial borders, such that these and other Central Americans need not even rely on refugee law or humanitarian protection claims to underwrite their admission. From this imperial domination perspective, the problem is not one of US failure to honour its positive obligations under international refugee law or failure to shoulder responsibility for refugees to whom it owes no unique obligations. It is instead an arguably deeper relational injustice of a sovereign denying the benefits of full political membership to a group entitled to these benefits on the basis of the imperial domination that is often intimately tied to their displacement. When imperial hegemony dominates other nations economically and politically they eviscerate the border between them and we need legal regimes that reflect this state of affairs. We need legal regimes that treat migrants and refugees fleeing conditions of imperial domination as political agents with sovereign claims to membership or insider status in imperial nation-states ([Achieme 2019a](#); [Munshi 2021](#)).

Beyond Central America, US imperial domination in the Middle East similarly calls for a reorientation of the framing of US responsibility for the displacement significantly occasioned by this domination. Iraqis are a clear example of a national group whom the USA has relinquished any ethical claim to exclude territorially and politically from the USA. A number of scholars have aptly characterized the 2003 US-led military invasion of Iraq, subsequent occupation, and aftermath, as imperial, and even as the latest iteration of First World domination over the Third World, achieved in part through, rather than against, international law ([Ali 2003](#); [Frederic 2005](#); [Harvey 2005](#); [Abdullah 2006](#); [Natarajan 2007](#); [Anghie 2012](#); [Dewachi 2020](#); [Kathem 2020](#)). They have deemed this intervention to qualify as colonialism in effect, if not in name ([Rittich 2018](#)),¹⁴ highlighting not only the political purge that replaced the entire ruling Baathist party, but also economic liberalization and promotion of private sector activity that benefitted US corporations as part of the imperial transformation of Iraq by the US-led coalition ([Rittich 2018](#): 483–484). Along with the political transformation occasioned by the intervention, the re-writing of the economic DNA of Iraq qualifies as having fundamentally compromised Iraqi sovereignty on US terms, and this imperial domination pulls Iraqis within the bounds of the US demos.

As a result of US military operations and wars since 2001, as of September 2020 an estimated 37 million people worldwide had become displaced as refugees, asylum seekers, or internally displaced persons ([Vine et al. 2020](#)).¹⁵ Iraq has the most displaced persons of any of the countries subject to significant US military intervention with an estimated 9.2 million, around 2 million of whom are refugees and asylum seekers ([Vine et al. 2020](#)). Yet even relative to the USA's past admission of

refugees produced by conflicts it has fuelled, its policies towards Iraqi refugees were abysmal.¹⁶

Typically states have accounted for their imperial domination and intervention in ways that are inadequate. Temporary Protected Status (TPS) in the USA, for example, has been a staple mechanism through which it has taken responsibility for those displaced by the fallout of US imperial domination or intervention ([U.S. Citizenship and Immigration Services n.d.](#)). This status is an insecure non-immigrant status subject to discretionary termination by the executive, and that leaves TPS holders vulnerable to deportation, even as their labour is extracted for the benefit of the US economy ([Hallett 2014](#)). The Special Immigrant Visa for Afghans who were employed by/on behalf of the US government is another example. It is limited to those who worked for the US government and neglects the millions of others whose lives have been destroyed under the domination of US empire ([U.S. Department of State: Bureau of Consular Affairs n.d.](#)).

On my argument, then, the USA coercively brought Nicaraguans and Iraqis (and others similarly situated) within the bounds of its demos by imposing its sovereign will on their nations, such that US borders ought not to be understood to be valid vis-à-vis these groups. As such quotas or other restrictions on Iraqi, Afghan, and other refugees from parts of the world subject to US imperial domination are illegitimate, as are the conditions and constraints on their access to the US polity. Although imperial domination is a high bar—it entails significant foreign control over the political and economic self-determination of another nation—it is a high bar the USA has surpassed in many parts of the world.

Note that to say that the USA imperially dominates Iraq (or any other country) is not to say that this domination is exclusive of the imperial influence of other nations, such as Australia or the UK, and others that were involved in the US-led invasion. Imperial domination has always been a multilateral affair, and if the facts and nature of influence align, these other nations similarly bear sovereign obligations to Iraqis on similar terms.

The arguments I have made regarding imperial domination extend beyond the USA and they extend beyond refugees to encompass so-called economic migrants. As this is a lecture based in the UK, I would like to reflect on the status and ethical entitlements of Africans who have and continue to seek asylum in the UK, but who remain shunned as undeserving economic migrants.

I use the example of Zimbabweans ([Achiume 2019b](#)). Zimbabwe, formerly Southern Rhodesia, was a British settler colony. It gained independence in 1980 following a bloody war against colonial domination. At that time, 6000 white commercial farmers owned 42 per cent of the country ([Harwood 1987](#)), and they owned the most arable and ecologically favourable land in Zimbabwe, secured under colonial legislation that dispossessed the black majority of all but the most resource-starved land in the country ([Palmer 1990](#)). Most of these farmers fought hard to prevent Zimbabwean independence, and given the oppressive force of the racialized agrarian structure on millions of black Zimbabweans, it is unsurprising that land reform was a fundamental concern that mobilized Zimbabwe's anticolonial liberation movement.¹⁷ At the time of Zimbabwe's independence, however,

the Lancaster House Agreement severely diminished any early prospects of meaningful land reform (Palmer 1990: 166). This agreement between the Zimbabwean liberation movement and the British government required Zimbabwe to guarantee the existing property rights of white Rhodesians after independence (Tzouvala 2022).

During the 1990s, Zimbabwe, like many other so-called developing countries, was required to undergo International Monetary Fund and World Bank Structural Adjustment Programs intended to liberalize its economy, to open it up to global capital and other markets, even as Zimbabwe and other Third World countries were required to implement aggressive austerity measures at great social cost to their populations (Stoneman 1992; Ismi and Canadian Centre for Policy Alternatives 2004).

Even as late as 2000, Zimbabwe's colonial land legacy remained in good health, in part due to an ineffectual approach by the Zimbabwean government. Research showed that over six million black Zimbabweans lived in 'marginal rural lands' with 'poor soils and unreliable rainfall' while '4500 mainly white, large-scale farmers dominate[d] Zimbabwe's predominantly agrarian economy[.]' (Moyo 2000: 5–6). In a perfect storm of power-hungry, corrupt politics of the Mugabe regime, and a polity in dire need of land reform, that regime pursued a violent, bloody land reform program that resulted in the seizure of white-owned farmed, and the displacement, national, and international of Zimbabweans of all races, fleeing political repression and economic hardship, many attempting to enter the UK (Pasura 2009; Chikanda 2019). Today, Zimbabwe is ostensibly under different political leadership but remains economically disabled. The country owes about 1.4 billion to the World Bank and 322 million to European investment banks (World Bank 2015). It is difficult to imagine a future re-entry into the global economy of Zimbabwe that did not put Zimbabwean nationals second to the interests and beneficiaries of global capital.

As scholars of neocolonialism have argued, international financial institutions, transnational corporations, bilateral agreements including ones that literally require African governments to prevent Africans from moving—all combine to keep former colonies subordinate to former colonial powers (Achieme 2019b). Third World leaders are in too many cases complicit in this subordination. Today, the revenue of the largest energy and mineral transnational corporations based in the First World eclipse the revenues of the Third World nations from which they extract resources (Global Justice Now 2016), as they have done since the colonial era (United Nations 2019). As a more general matter, international legal scholars such as Anthony Anghie have unpacked the complex ways in which international legal doctrine, and international financial and economic institutions, advance First World national interest at the expense of that of the Third World, while stymieing equality-enhancing or reparatory reform (Anghie 2011).

Returning to Zimbabwe, what does sovereignty mean to a nation like Zimbabwe and what has it ever meant under the modern international order? And to what 'nation' or vehicle of collective self-determination should the asylum seeker from Zimbabwe who has fled to the UK be understood to belong? My

answer is that the quasi-sovereign status of Zimbabwe and that nations past and continuing relationship of imperial subordination to nations such as the UK, places Zimbabweans and other Third World nationals firmly among the UK's political insiders. Third World migrants are not political strangers to the UK or other former colonial powers, but the family members the UK insisted upon with its imperial ambitions. Splitting hairs about whether these political insiders meet the refugee definition or not makes as little sense from a normative perspective, as trying to determine whether British citizens qualify as refugees in Britain. By restricting rights to admission and inclusion largely to the refugee framework, international law creates and maintains legal categories that preserve national political, economic, and racial hierarchies (Achiume 2022b).

Imperial Intervention

An important body of scholarship—scholarship that pushes against the grain of mainstream refugee responsibility sharing literature—has implicitly and explicitly adopted empire-centric lenses. However, this scholarship has taken a different yet also important approach to the imperial domination perspective I have offered. It has instead highlighted imperial *intervention* as the locus of the injustice, and demanded reparations for that intervention in the form of asylum or other mechanisms of refugee responsibility sharing.¹⁸ Rather than emphasizing the manner in which domination brings dominated peoples within the borders of the US polity, they focus on intervention as a breach that incurs liability that can or should be addressed by exceptional admission of those subject to the breach. These compelling corrective justice arguments describe displacement situations in which imperial intervenors are complicit in displacement and, thus, ought to be held accountable for the international protection of those displaced. Souter (2014), for example, has compellingly theorized asylum as reparations for past injustice. Writing with Jason Ralph, Souter has applied this theory to the context of Iraq to argue that the UK and Australia owe special responsibility to protect Iraqi refugees on the basis of the principle of reparations (Ralph and Souter 2015). Ralph and Souter cite the role of the UK and Australia in the US-led 2003 invasion of Iraq as incurring reparative obligations against displaced Iraqis. These reparations-based arguments, in my view, deserve greater attention within the legal literature on refugees.

Conclusion

I do not view empire-centric approaches to asylum and refugee responsibility sharing to be the exclusive approaches or solutions desirable for addressing international displacement. There are other normative ideals such as commitments to human rights and human dignity, religious values of different kinds, and even distributive justice considerations that can meaningfully be pursued alongside the approaches I prioritize in my account. Rather than seeking to displace all other approaches, my claim is that empire-centric approaches are necessary even if they

are not sufficient to address responsibility for all refugee displacement and that they offer some advantages over the status quo.

By putting imperial intervention and imperial domination on the table, national and transnational debates might (in a best-case scenario) involve public and policy debate that thoroughly canvassed the extensive imperial exploitation and subordination of nation-states from which people are displaced, as well as the material gain derived by imperial nation-states and their peoples from the intervention. Rather than assuming an objective type or amount of evidence sufficient to indict an imperial nation-state for its intervention or domination, it might instead be public processes of seeking to understand the imperial relationship that would generate persuasive knowledge and sensibilities about the nature of the responsibilities entailed. Any sort of imperial reckoning along these lines would require equal representation and participation of the peoples displaced as crucial epistemic sources and political agents. Designing and achieving the sort of process that would make this possible would, of course, be profoundly complex, but the point here is to propose a reorientation of intellectual and political energy, as well as material resources in the direction of working through that complexity.

There is independent, normative value in the imperial recharacterization I propose. But there may be significant pragmatic value and urgency, too. The asylum and refugee responsibility sharing literature and discourse has typically been geared towards incentivizing or appealing directly to national governments directly or as participants in multilateral fora such as the United Nations. Yet if we consider the source and momentum driving the most promising engines for fundamental change on issues with transnational salience, it is popular social movements that emerge as the engines, rather than incumbent or aspiring policymakers.

I do not envision obligations borne of domination and intervention as being honoured by imperial nation-states on the basis of judicial applications of a new legal standard of asylum or refugee responsibility-sharing. Rather, I think it is more likely that imperial accounts have greater potential for mobilizing different politics within imperial nation-states, politics that would put pressure on these states either to curb imperial intervention and domination because it foreseeably generates international displacement, or to admit and include those who seek membership in imperial nation-states responsible for their displacement.

Centring imperial domination and intervention in the context of the large-scale refugee displacement that typically raises responsibility sharing concerns might provide a basis for transnational solidarity that mobilizes for imperial accountability.¹⁹ Formal citizens of imperial nation-states such as the USA, for example, or at least those among them troubled by US imperial practices might work more closely with citizens of subordinated nations to push back against those practices or to establish more inclusive admissions policies for those displaced. What difference might it have made, for example, at least in terms of mobilizing advocacy on behalf of African migrants in Europe under the ‘Refugees Welcome’ banner, if Europe’s imperial domination of African nations were more publicly debated.²⁰

An imperial domination approach privileges structural subordination over individualized persecution-based determinations of asylum. And it will typically implicate the hegemonic nations that are reliably found delinquent in the responsibility sharing literature—global north hegemons that are geographically distant from the most significant patterns of displacement, and that have invested heavily in non-entrée regimes designed to repel global south refugees and migrants. An imperial domination account positions refugees and migrants as political agents with powerful demands of sovereign accountability rather than as vulnerable if sympathetic claimants.

ENDNOTES

1. This lecture draws heavily from my article *Empire, Borders and Refugee Responsibility Sharing* (Achiume 2022a,b). I would like to thank Cooper Christiancy and Suraj Girijashanker for their superb research assistance. Finally, I extend heartfelt thanks to the Refugee Studies Centre for honoring me with the invitation to deliver this esteemed lecture and to the *Journal of Refugee Studies* for the invitation to publish it.
2. As Gossman (2021) recognizes, ‘In these 20 years, the propensity of the United States to prioritize short-term military gains over the creation of genuinely democratic institutions and the protection of human rights fatally undermined both the U.S. mission and the entire post-2001 State-building effort’.
3. Turkey, Lebanon, and Jordan host the highest number of Syrian refugees (Todd 2019).
4. Germany, for example, adopted an “open door policy” that led to the arrival of around 800,000 refugees in 2015, even as other European countries were adopting measures to ensure the exclusion of these refugees. However, Germany later led the way in promoting European Union-wide measures to deter refugee arrivals, such as the externalization of the European Union’s borders to Turkey (Saatçioğlu 2021).
5. A prominent example of this perspective came from President Trump who was critical of the Biden administration’s evacuation response based on a photo showing Afghan civilians on a U.S. Air Force plane. He argued that the aircraft ‘should have been full of Americans’ (Castronuovo 2021).
6. Third World Approaches to International Law (TWAIL) among other things engages international law from the perspective of the lived history and present of the Third World and offers a useful framework for understanding the historic roots of unequal geopolitical dynamics today. In particular, TWAIL scholars identify colonialism as constitutive of the doctrine of sovereignty in international law and map the quasi-sovereign status of Third World nation-states even after decolonization (Anghie 2012; see also Grovogui 1996; Mayblin and Turner 2021).
7. A Morning Consult and Politico poll found that 47% of voters opposed the Biden administration’s decision to raise the US resettlement refugee camp for the rest of the fiscal year (Easley 2021).
8. These responsibilities include the individualized assessment of asylum claims of persons making those claims, granting refugee status to those who qualify for it under international law, and non-refoulement obligations, including under international human rights law (Gendelaman et al. 2021).
9. Gómez (2020) provides an account of the racial nature of US imperial intervention in Central America. On the interplay of US economic and military interests in Central and South America, see Williams and Disney (2015). Rocha (2011) has argued that even

remittances by Central American migrants in the USA to their home countries constitute ‘economic imperialism’, in part because they fuel an unsustainable consumerism and an economic model that subordinates Central Americans (including business elites) to transnational economic interests. For an account of the role of US ‘colonial corporations’ in Central America, see [Colby \(2011\)](#).

10. Of course, the national borders of Central America are products of prior European colonial conquest, but for the purposes of my abbreviated analysis here, I focus on the more proximate imperial domination of the USA.
11. Elsewhere I have focused on European metropolitan imperial domination over other parts of the world and considered the immigration claims of so-called economic migrants ([Achiume 2022](#)).
12. Unlike in Puerto Rico, the Philippines, and the Dominican Republic, where US public officials took over government finances, in Nicaragua, the ‘protectorate was the first based on a loan contract with private U.S. bankers, [and] not a diplomatic treaty with the U.S. government’ ([Achiume 2022: 126](#)).
13. [Abizadeh \(2012\)](#) notes that democratic self-rule requires that political power be wielded ultimately by those subject to that political power: ‘the scope-condition of democratic legitimacy is that all those subject to the exercise of political power have a right of democratic say’. I have applied this reasoning to argue that Third World subjection to First World political power grants the former a right of democratic say in the former and places the former within a shared demo with the latter ([Achiume 2019a](#)).
14. [Rittich](#) states: ‘The occupation of Iraq displays marked continuities with earlier European interventions in the periphery, from outright conquest accompanied by missions of civilization and exploitation to the administration of mandates in the inter-war period to the “modernization” and development projects of the post-war era’ (479). Although his analysis does not characterize the US-led intervention as imperial, [Schmitt \(2012\)](#) has noted that following the intervention in Iraq, ‘[U.S.-led] Coalition forces controlled the entire country and few vestiges of the pre-existing Ba’athist regime remained’. He further notes that although the international community characterized the Coalition’s presence as a belligerent occupation (a temporary suspension of elements of state sovereignty) (364), the factual circumstances resembled a state where Iraqi sovereignty had been defeated and ‘effectively snuffed out’ (363).
15. The authors explained that these figures are drawn from wars where the USA bears clear responsibility for initiating the war, escalating it, or being a significant participant in fighting through drone strikes and other means of combat support, and that of course, the USA is not solely responsible, even if it is a significant contributor to generating the displacement.
16. As [Travis \(2009\)](#) notes, ‘From April 1975 to April 1978, the United States accepted nearly 175,000 Vietnamese and other Southeast Asian refugees. In the 1990s, the United States admitted over 143,000 Bosnian refugees’. However, by 2008, the USA had extended protection ‘to only 14,000 out of the 2.5 million refugees that [had] fled Iraq’ (1034–1035).
17. [Palmer \(1990\)](#) suggests most farmers ‘fought tooth and nail to prevent Rhodesia becoming Zimbabwe’ (165).
18. [Sherman-Stokes \(2019\)](#), for example, has persuasively argued that ‘given the long history by the United States of exploitation, intervention, and abdication of responsibility in Central America, the United States now has an obligation to repair—to make amends by carving out legislative space for the many Central American refugees who have been wronged and are now in need of protection’. [Neveins \(2019\)](#) also

- conceptualizes the right Central Americans to migrate to the USA as a form of reparations for imperial debt. Combining concerns with both imperial domination and imperial intervention, [Gonzales \(2020\)](#) argues for ‘migration as reparation’ for climate-induced displacement.
19. A powerful example is the solidarity movement that led the US Black Civil Rights Movement to strongly advocate for protection of Vietnamese, Laotian, Hmong, and Cambodian refugees during the 1970s. A key figure in this advocacy was Bayard Rustin, well-known for his contributions to the March on Washington and other major civil rights initiatives. In his appeal to Black Americans to stand in solidarity with refugees from the region, [Rustin \(1978\)](#) wrote: ‘It would be easy and politically expedient conveniently to forget these beleaguered people [Southeast Asian refugees]. We could, I suppose, soothe our collective conscience by sending a few dollars to the camps. But in seeking a “painless solution” [B]lack would ignore a basic lesson of the civil rights movement: the [B]lack struggle for freedom is intimately linked with the universal struggle for freedom, whether it be in South Africa, the Soviet Union, or Indochina [T]here is only one way we can help—we must open the doors of America. Black people must recognize these people for what they are: brothers and sisters, not enemies and competitors. This solidarity movement made a difference.’ One of Rustin’s appeals, published in *The New York Times* in 1978, ‘implore[ed] the U.S. government to do more for people trying to escape war and persecution. The statement was endorsed by over 80 Black community leaders, and led to significant increases in admissions’. For more, see [Frimpong et al \(2020\)](#) and [Truong \(2020\)](#).
 20. Though there are heterogenous attitudes toward migration and refugees throughout Europe, evaluations have indicated a backsliding of European openness toward refugees since 2015. Despite appeals to solidarity and other moral obligations to protect refugees, government policies, and public opinion indicate growing anti-migrant and anti-refugee sentiment, driven in part by the rise of far-right parties ([Immigration Policy Lab 2020](#)). For more, see [Bermúdez \(2020\)](#). For example, the European response to the mass displacement of Afghans has resulted in little to no commitments to resettle refugees, with EU leaders instead choosing policies designed to keep refugees in countries near Afghanistan and far away from European borders ([Parrock 2021](#); [Petrequin and Corder 2021](#)). This is not to discount the important and powerful work of migrant and refugee advocacy groups throughout Europe; rather, I would highlight that the European preoccupation with exclusion, particularly of Africans and Asians, is part of a larger public inability to reckon with the legacies of European colonialism and imperialism as salient contemporary forces.

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