



“Human Security, Civil Society and Migration”

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Some time ago, I attended an event to honor a human rights activist who was receiving a life-time achievement award. The recipient, a former public official and an intellectual, was never at a loss for words and he began the speech inauspiciously with the statement: “Many ask: what’s the purpose of the law?” This was not the question I was asking myself at the time, and I readied myself for a long reply. But instead, he cut to the chase, dispatching with a question that has beguiled scholars for eons, in one sentence. “The answer to this question,” he said, “was spelled out earliest and most clearly in the Code of Hammurabi which reads: ‘The first duty of government is to protect the powerless from the powerful.’” In addition to its brevity, there was a lot to commend his response. As it turns out, the Babylonians made real progress on this thorny conceptual question 3,800 years ago. If only humanity had been paying attention!

The Code of Hammurabi, in its concern for persons in need, anticipates the idea of “human security.” My colleague Leonir Chiarello has also written on the religious roots of this concept. He has pointed out that diverse religious traditions -- like Hinduism, Judaism, Buddhism, Confucianism, Christianity and Islam – share a reverence for human dignity. As a result, they teach of the need for solidarity with others and protection of the most vulnerable.

An article by Francesca Vieta and Todd Scriber in CMS’s new on-line public policy *Journal of Migration and Human Security* (<http://jmhs.cmsny.org/index.php/jmhs>) charts the more recent history of this term. The authors argue that the UN Charter and Universal Declaration of Human Rights linked security and individual well-being in ways that anticipated the concept. They remind us that the Universal Declaration affirms that “everyone is entitled to a social and international order” – that is, a level of development -- in which all their “rights and freedoms ... can be fully realized.” In 1980, the Independent Commission on International Development drew a connection between “insecurity,” and income disparities, injustice and an insufficient commitment to development. In 1982, the Olof Palme –led Independent Commission on Disarmament and Security Issues argued that “common security” requires that “people live in dignity and peace.” Twelve years later, the human security concept became explicit in UNDP’s *Human Development Report*.

Since the idea of human security evolved from human rights and development concerns, it should come as no surprise that it aligns well with the migration and development dialogue. This dialogue asks: how the development gains *from* migration can be leveraged to create greater human security and how the human insecurity that leads to and results from irregular and crisis migration can be diminished? Human security-inspired migration policies would not elevate abstract concepts or even humanitarian categories, over human-beings. The “needs-first” approach to protection is compatible with the human security concept.

The most fitting organizational principle for human-centered migration policies and governance is “subsidiarity,” a philosophical idea akin to the notion “devolution.” Subsidiarity empowers individuals by pushing down decisions to the persons, groups or competent authorities closest to an issue, most affected by it, and most knowledgeable about it. Since we are offering a side event to civil society’s inter-active hearings on the high-level dialogue, let me speak about the role of civil society in furthering human-centered migration and development policies.

The World Bank defines “civil society” as the:

array of non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations.

In other words, the term refers to entities that are freely formed by members of a community in order to express their interests and values. Civil society is occasionally denigrated as lacking democratic legitimacy. Yet under this definition – and, in fact -- civil society organizations are representative: they represent the particular or broad interests of their communities. Because of their roots in community, civil society organizations are often well-situated to meet “human security” needs that the state cannot.

What contributions can civil society organizations make to migration and development beyond the countless programs and initiatives that they offer? To start, civil society can inform and mobilize public opinion in a constructive way. We all know that a major challenge for rapidly aging, developed nations will be how to attract migrant laborers that are experiencing decreased pressure to emigrate. I sometimes wonder if my own nation, the United States, will one day look back nostalgically on its years of runaway illegal migration from the 1990s to 2007. However, as we know, rational considerations do not always hold sway in public debates rooted in fear of displacement and loss of national and cultural identity. Civil society can play a constructive role in this regard. Religious traditions teach, for example, that people express their deepest values through culture and, therefore, that migration can lay the groundwork for unity based on a recognition of the shared values embedded in diverse cultures.

Another example: there is an enduring public sense that “rights” benefit some to the detriment of others, that rights turn on state membership, and that irregular migrants have no rights. Civil society can educate the public and policymakers that rights represent a moral claim to a shared good that benefits all: think about the vaccination of children or countless other examples.

Civil society also plays an indispensable role in instilling the cultural, moral and spiritual values that give people’s lives meaning and that inform their choices. Human development speaks to the enlargement of choices and freedoms, but what informs these choices? Civil society does. And we know that strong values can spur development in even the most distressing of conditions, while the disintegration of values can undermine development in even the most promising situations. Civil society groups also supply the local input, leadership and ownership which are crucial to the success of relief and development projects.

States, of course, have a central role in creating conditions that allow their members to flourish. However, when they do not fulfill this responsibility, then civil society has the responsibility to speak and engage. Let's take, for example, the tens of millions of global citizens whose birth has not been registered and who have effectively lost the protections and benefits of state citizenship. Subsidiarity holds that there are some responsibilities that states not only *cannot* meet, but some that they *shouldn't* meet. On the other hand, there are some challenges that states must engage but they cannot meet *alone*: like migration and development, climate change, and many others. Civil society has a role in identifying and informing states about the issues on both extremes, as well as in meeting needs itself. Civil society informs states, complements them, partners with them, and holds them to account.

I do not mean to idealize civil society organizations. Some operate in irresponsible and undemocratic ways. Others promote migration policies that create human misery: think of the infrastructure that supports and profits from the criminalization of migrants. Think also about the extraordinary situations of abuse – including unconscionable working conditions, even involuntary servitude – that groups like the Coalition of Immokalee Workers work to remedy. More often than not, it is civil society that is bringing these situations to light and working with states to remedy them.

Human security is often set against the concept of national security, but the two need not be at odds. Properly crafted national security policies should further human security. However, the human security frame moves the migration discussion beyond national security's narrow preoccupation with border control, detention, and the criminalization of migrants, and opens it to the conditions of insecurity that drive irregular and crisis migration. Human security also asks whether policies developed out of a misguided view of national security put people in less secure positions, like the hands of traffickers and smugglers.

Human security policies protect the powerless from the powerful. They also respect the rights, dignity and initiative of other stakeholders in the migration and development process. They would make Hammurabi proud. Thank you.