

Navigating the Border Between Hospitality and Justice:
Refugee Pushbacks, Search-and-Rescue, and the Ethics of Solidarity

To encounter oneself is to encounter the other: and this is love. If I know that my soul trembles, I know that yours does, too: and, if I can respect this, both of us can live.

James Baldwin, *The Devil Finds Work*¹

Before the unmarked van took them to port, and the police abandoned them at sea, Mustafa's family thought they might finally reach refuge. They had made it this far, after all: after paying smugglers an exorbitant amount to facilitate their journey from Afghanistan, they had managed to navigate a dinghy to a Greek island on a freezing February night, where, exhausted, they contacted a small aid organization to find assistance and shelter.²

Yet when they arrived at Megala Therma, a refugee quarantine camp on the north shore of Lesbos, Greece, Mustafa's group encountered armed officers, not aid providers. A policeman asked them for their phones, and said they would be tested for COVID-19; instead, Mustafa, his wife, and his two young children were locked in a small shipping container.³ Within the hour, men in dark balaclavas arrived with batons to force the group into the back of an unmarked van. Eventually they were taken on a small speedboat, and pushed into an orange life raft, flung over the side. The Turkish Coast Guard found Mustafa's group adrift at sea, deported from Greece in the small hours of morning. Of the thirteen adrift, five on the boat were children. "We tried to get to Europe for the future of our children," Mustafa says, "because there is no war there."⁴

Mustafa and his family experienced what human rights lawyers call a 'pushback': the forcible expulsion of refugees over an international border, immediately after they cross to seek asylum. Pushbacks are flagrant violations of international law — all states are bound to respect the rights of refugees to seek asylum — but they have become commonplace in the

Mediterranean, where EU countries aim to keep immigrants out at any cost. Ethicists and legal scholars would be on firm ground to condemn this practice as an injustice perpetrated by the national Coast Guard, the masked men, the police.

But refugee pushbacks also present an ethical dilemma for humanitarian aid and search-and-rescue organizations. The organization that helped Mustafa, Aegean Boat Report, rightfully directed thirteen people to shelter; without this assistance, Mustafa's story might never have reached a broader audience. And yet, the shelter was no refuge. Like many aid organizations, Aegean Boat Report is well aware of the pushbacks, of the risks in trusting port police or the EU border patrol. In the Mediterranean Sea, aid organizations coexist in an uneasy symbiosis with the authorities. They must work within border and asylum regimes to stay operational, even when they know their presence could work to legitimate those abusive systems.

These aid workers, in displaying solidarity with utter strangers, help crystallize the dilemma generated when personal duties collide with structural justice. How should aid organizations behave if they suspect they are being used by powerful actors as a means for their own interests? If an individual's moral duty to assist others is serving as a convenient substitute for broader justice on a structural level, then how should the individual respond?

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I will likely never get the chance to meet Mustafa. I cannot show him my hospitality, or express my consolation that his best hope for his children's future was denied. But I've known dozens of clients in his situation. I can picture the stark coastline where he was apprehended: bare rock, olive trees, and saltwater, the eerie beauty of sunset against a lone lighthouse. In 2018, I was one of several hundred thousand people who joined volunteer aid organizations to assist asylum seekers like Mustafa, two million of whom have reached Europe by sea since 2015.

Thousands of people were drowning in the Mediterranean, an unprecedented loss rooted in the neglect and outright hostility of EU states on the water. In the absence of state or international leadership, it fell upon these volunteers, in clusters and ports dotting the coasts of Greece, Italy, and Malta, to support the people arriving on European shores.

I joined a maritime search-and-rescue and aid organization in Skala Sikamineas, a small fishing village on the north shore of Lesbos, Greece. Located just seven kilometers away from Turkey by sea, Skala lies along one of the most prominent sea routes for asylum seekers seeking refuge in the European Union. Until recently, the village served as headquarters for a number of grassroots organizations that struggled everyday with the same quandaries faced by Aegean Boat Report in Mustafa's pushback. From day one in Skala, there was a steep learning curve. Farshad and Patrick, our search-and-rescue coordinators, showed me the ropes of "land crew" in a week's worth of training. I learned how to judge nautical distances, operate a VHF radio for maritime dispatches, scan the seven kilometers of sea through night binoculars. I learned how to persevere in overlapping six- and twelve-hour shifts, night and day, to provide 24/7 'spotting' for boats along the Greek-Turkish strait and direct our search-and-rescue boat to meet them as needed.

I learned from my fellow volunteers, a slice of humanity devoted to the principle that the duty to rescue applies to all, regardless of borders and nationality. And what a vivid, cosmopolitan slice of humanity it was: Greek and Irish search-and-rescue professionals joined our outfit first, but so did Spanish firefighters, Iranian exiles, Italians with visas in the UK and Moroccans with visas in Italy, one older couple who taught creative writing between stints in search-and-rescue, queer people like myself from around the region (as Lesbos was a lesbian pilgrimage), and many Syrians, often themselves refugees who had received asylum years earlier and returned to work in humanitarian aid. All of them were willing to dedicate weeks to saving

strangers in the water, often with no support from other vessels, while the EU and the rest of the world seemed content to avert their gaze from the horizon.

The volunteers taught me to observe the tensions between volunteer aid organizations and the state authorities whose abusive practices were widely known. This tension was one reason that every refugee aid worker in the Mediterranean swore by a cardinal rule: No matter how late the hour, never be surprised by a phone call. Successful attempts to cross into Europe at its maritime peripheries often occur under the protection of nightfall. A small dinghy is easy to spot during the day, and if intercepted by the national coast guard, a private vessel-for-hire, or Frontex, the European border patrol, the boat was likely to be sent back. And so ordinary people, private ships, and search-and-rescue NGOs have filled the moral vacuum at sea. When a distress call comes, the private search-and-rescue boat must be ready, as fast as possible, to sail to a dinghy before it capsizes, or before it is intercepted, resulting in a pushback like Mustafa's. The land and reception crews must prepare to meet the group at a camp or reception center with provisions, blankets, fresh clothes, and information in Farsi, French, and Arabic.

Like many grassroots aid groups in Europe, my organization was started by frustrated citizens, who determined that fulfilling moral duties to refugees required more effort than their governments were willing to provide. But even so, *it wasn't enough*. During my time in Lesbos, I never met an aid worker who felt that the services and provisions we provided were adequate. In the face of the physical and mental injustices that our clients would experience in the asylum system after we saw them, our work often felt like a drop in the ocean. We took on responsibilities designated for larger organizations like UNHCR because no one else would. To stay licensed, we had to comply with the requirements of the Hellenic Coast Guard and the EU immigration authorities, even as we knew how exploitative they could be.

The moral discomfort of the system became evident on my first night call, one sweltering July evening three hours past midnight. On the other end of the WhatsApp line were Farshad and Patrick: “We’ve had a landing.” Fifty or sixty people had undertaken the dangerous journey across the strait, and disembarked on the beach below the lighthouse. Patrick had already been at our UNHCR reception camp, nicknamed ‘Stage II’, for hours, preparing clothing, provisions, and supplies for their arrival. “How fast can you get to Stage II?”

I worked in the distribution tent all night, trying to give people as many options for clothing as they needed. The task highlighted the limited array of garments we received from Western donors, who assumed, often erroneously, that their secondhand items would be useful for people on the move. Naturally, we exercised the black humor that refugees and aid workers alike relied upon to stay sane—laughing, ruefully, at the chic donated slip dresses that nobody wanted to wear, the baby clothes that were always just one size too small, the inexplicable shortage in men’s clogs. The older boys from the landing were my age, eighteen and unaccompanied. Voices of the younger kids filled the night sky, a chorus of cheery *salaams* interrupted only by the occasional lighthearted rock fight.

At sunrise, laughter gave way to exhaustion and eventual foreboding. We warned our clients what was next: in the morning, the police would come in old metal buses, to escort them to the next stage in the EU asylum system. On Lesbos, that stage was Moria, an overcrowded camp in dismal condition. The Greek authorities approved a tiny number of organizations for access to Moria, and we were not on the list. Moria meant a legal status of limbo, as asylum seekers were instructed to wait in the camp until their application was approved—a process that could take years or even decades. Once our clients took this step, they were beyond our help.

Our aid was meant to be brief and fleeting. Volunteer aid workers provided a haphazard response to what was once referred to as a ‘humanitarian crisis’; only after concern for refugees in Europe hardened into indifference and resentment did the crisis become an ‘migration problem.’ To be sure, our intervention adhered to many humanitarian principles, but it also served as one small, stubborn act of hospitality in the face of so much hostility. My fellow aid workers realized the gravity of their task: they were the first citizens that asylum seekers would encounter in a new country, hoping to see in it a potential place of refuge. Still, refuge was something we couldn’t promise. We were fulfilling an individual moral duty, never a satisfactory replacement for the justice that many aid workers would champion for people in need.

And what if justice never came? As the EU asylum system stalls, and member states continue to think of creative ways to deter migration, the precarious systems of volunteer aid in the Mediterranean remain the only recourse for many. In 2020, the Moria camp burned to the ground, taking thousands of asylum seekers’ homes along with it.⁵ More than a year later, many survivors still have not received permanent housing. The Greek proverb, *οὐδέν μόνιμότερον τοῦ προσωρινού*, was apt — nothing was more permanent than the temporary. What aid organizations intended to be temporary instead became permanently precarious, and the permanence of justice remained elusive.

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In the classical view of humanitarianism, we aid workers ought not to concern ourselves with this abrogation of justice. The four core principles of Dunantian humanitarian ethics — humanity, neutrality, impartiality, and independence — were made for a world of legal armed conflict between states, of French and Austrian monarchs commanding their armies to frenzied melee at the Battle of Solferino. After witnessing that battle’s aftermath in 1859, Henri Dunant

decided that the best response to such a world was “care given to the wounded in wartime by zealous, devoted and thoroughly qualified volunteers.”⁶ Dunant’s guiding principle of *humanity* was rooted in the universality of human suffering. Humanitarian organizations, according to Dunantian ethics, must alleviate and prevent human suffering wherever it is found. Neutrality becomes an instrumental principle for preserving humanity, for without enjoying the confidence of all, aid organizations cannot assure all parties to a conflict that they will meet their needs. As such, the largest humanitarian organizations, such as the International Red Cross and Médecins Sans Frontières, are loath to adopt rhetorical positions on politics or justice. Such positions, they believe, would destroy their credibility and diminish their ability to alleviate suffering.

But the claim that the principle of ‘humanity’ can be pursued while humanitarians stay neutral assumes that the spheres of politics and aid do not overlap. To satisfy that assumption, the actions that a humanitarian organization undertakes to prevent suffering must not benefit one political actor over another. Likewise, a humanitarian act must not undermine one political actor any more than it undermines all the rest. If the assumption is impossible to sustain, then the validity of neutrality as an unambiguous principle seems less likely. Doubt could also be cast on the maxim that humanitarians must never get involved in politics or broader justice, for a humanitarian organization that produces disparate political consequences in its site of operations is already implicated in politics.

Does the assumption hold? Certainly, the presence of voluntary aid organizations supported many political fictions for powerful actors in Europe — or at least, they did for a while. In 2015, the President of the European Commission, Jean-Claude Juncker, famously praised volunteers from across Europe who worked to welcome refugees in his State of the Union address. “Europe is the baker in Kos,” Juncker asserted, “who gives away his bread to

hungry and weary souls...Europe is the students in Munich and in Passau who bring clothes for the new arrivals at the train station. Europe is the policeman in Austria who welcomes exhausted refugees upon crossing the border.”⁷

Juncker praised the welcoming gestures of Europeans not for their exercise of obligation or duty, but for their *compassion* — in other words, their voluntary moral compulsion. Praiseworthy individual behavior, not collective responsibility. With this framing, Juncker performed an ethical sleight of hand, characterizing the underlying justification for assisting refugees as a suggestion for charity rather than a command of conscience. Readers of his speech would be forgiven for confusing Europe’s legal obligations toward refugees with the view that Europe was simply being generous by hosting them. In any case, the EU’s praise for individual compassion did not last. Within four years, the European Union ceased its support for sea and air rescue operations in the Central Mediterranean.⁸ When member states prosecuted volunteer aid workers on pent-up charges of ‘human trafficking,’ the Commission stayed silent.

Regardless of the various intentions that volunteers and aid workers had when they helped refugees find a home in Europe, their efforts risked being instrumentalized in service of far more powerful actors’ interests. When aid workers were praised and supported, it was for their *extraordinary* compassion, rather than for the ordinary moral duties of rescue that they fulfilled in the absence of state action. When aid workers were criticized and criminalized, it was for their purported role as a “pull factor” in refugees’ decisions to cross the sea—in other words, precisely because they aimed to alleviate the suffering of those who were politically excluded. The myth of the ‘pull factor’ worked to empower anti-immigrant politics, as far-right attacks on aid workers and attacks on refugees rose in parallel.

If humanitarian aid is so easily co-opted by state actors for their own purposes, then the assumption that aid is *necessarily* independent from politics seems doubtful. And what of Juncker's speech, which suggests the presence of humanitarian aid might actually *undermine* calls for state responsibility? In this concern lies one of the great ethical dilemmas for my generation, and for everyone who must contend with the slow-motion crises of our present, crises caused by decades of government inaction. Ours is a generation of precarity, of GoFundMe for heart surgery and mutual aid groups for a pandemic, of personal recycling for the climate crisis while the profits of fossil fuels and private equity firms continue to accumulate. What if our individual moral responses to these challenges let the powerful off the hook? A healthcare system dependent on GoFundMe, or an aid system dependent on individual search-and-rescue boats, risks creating an illusion of stability. To evade responsibility, it is easy for governments to promote a personal duty to join search-and-rescue operations, just as it would be easy for the fossil fuel industry to promote personalized solutions for a warming planet.

In "Famine, Affluence, and Morality," Peter Singer famously articulated a duty of assistance that did not account for distance or proximity — a duty roughly akin to the principle of humanity in humanitarian ethics. Using the metaphor of a child drowning in a pond, Singer argued, "it makes no moral difference whether the person I can help is a neighbor's child ten yards from me or a Bengali child that I will never know."⁹ Even if Singer is correct about the universalist nature of the duty to rescue, some ethical element seems missing when we apply his theory to the Mediterranean, to a thousand instances of mass suffering created by state violence and neglect. I want to ask Singer: what if the child did not fall in the pond, but was pushed? And what if the person who pushed the child continues to get away with it in the future, precisely for the reason that there is always someone to save the children they push? Would a focus solely on

rescuing one child in the pond risk obscuring the reasons children are drowning in the first place? Suddenly, a moral duty to rescue the child and then wash one's hands of the matter hardly seems sufficient.

A utilitarian philosopher like Singer might easily find a way out of this dilemma by making a cost-benefit calculation. Simply maximize the effectiveness of alleviating suffering, Singer would tell aid workers, by weighing the costs of undermining political justice against the benefits of saving lives. Indeed, in practice, many aid workers may sound just as consequentialist as that. On the ground, our outfit in Lesvos was primarily concerned with which volunteers were available for spotting shifts, how many boxes of clothes we'd fitted into the distribution tent, how good our relationship was with the Hellenic Coast Guard at the time, logistics and operations and policy levers. Conversations with professional aid workers tended to gravitate toward utility too: metrics and effectiveness for alleviating the greatest suffering, not moral principle.

But to sustain this argument, utilitarians face the burden of explaining how saving lives and undermining structural justice could be *quantifiable* aims, and on that point their argument quickly unravels. At sea, an aid worker's interventions can make the difference between death and life; can the value of such a human life be quantified? For any aid worker, professional or volunteer, it would be near unbearable to witness to Mustafa's arrival in Greece and not take every possible measure to assist his family just as Aegean Boat Report did. Even if we *knew* that humanitarian efforts on the ground were politically convenient for state actors that neglected people in need, that fact does not appear to release us from the obligation to rescue a person drowning in the sea.

Yet at the same time, the moral discomfort, the ‘bad conscience’ I feel when my organization determines that its duties are complete, the doubt that my role is fulfilled merely because I took a minimal action to ensure basic life, seems to speak to this conclusion’s insufficiency. As Jewish philosopher and theologian Emmanuel Levinas wrote, “what I permit myself to demand of myself is not comparable with what I have a right to demand of the other.”¹⁰ Levinas’s ethical project began with the description of someone who cannot help but respond to the expression of another person in a face-to-face encounter. By virtue of its mere presence, the face of the Other formulates an ‘infinite’ ethical demand on ‘Me’. In responding, I find I owe a responsibility to the other, even though the other has no duty to behave reciprocally. As such, one’s ethical duty to the other is *asymmetrical*; it is a duty that can never be fully completed and thus constitutes an impossible ‘infinite demand.’

The Levinasian ‘infinite demand’ is easily applicable to principles of hospitality. As Jacques Derrida argues in *Of Hospitality*, a truly welcoming host does not limit the number of their guests, or discriminate on the basis of social status or personal character. The ethics of unconditional hospitality asks us to freely welcome “the absolute, unknown, anonymous other, and that I give *place* to them...without asking of them either reciprocity (entering into a pact) or even their names.”¹¹ Unconditional hospitality, being unbounded in time or circumstance, connotes risk: the host must risk that some foreigners never leave after an invitation is extended. In practice, when nearly all hospitable actions come with conditions, we are constantly failing to welcome the other *enough*: each act of welcoming falls short of the requirements that unconditional hospitality demands of us. We have a “bad conscience,” as Derrida puts it, one that leaves us striving for the possible future where hospitality is a general rule for all.¹²

Put together, Levinas's and Derrida's formulations suggest that the aid worker, upon encountering the refugee, can never completely fulfill their responsibility. The provision of maps, blankets, and tea at camp cannot be the terminus of our obligations. So long as we know what Europe has in store for our clients, we can't afford to stop imagining a more boundless hospitality, one where every asylum seeker is free of precarity, exclusion, and harassment. While humanitarian ethics precludes an aid worker's involvement in political matters, a Levinasian formulation could see the two as complementary. The ethics of hospitality may begin with the face-to-face encounter, but as we open the aperture of hospitality, as hospitality becomes more unconditional, we get closer and closer to a world where hospitality is universally applied. Aid workers' pursuit of justice for their clients, then, becomes an outgrowth of their personal ethic. Certainly, we must act to fulfill an individual duty to the person who is drowning. But if we take hospitality seriously, we must act with a dual purpose: save a life, and in so doing, indict the broader, inhospitable world.

What does such an action look like? Only after I departed Lesvos and enrolled in college did I realize that solidarity, not compassion, was the accurate term to describe what the aid workers of Skala accomplished in those years. When some people are deemed illegal, unconditional hospitality is an act of defiance as much as an act of humanitarianism. As Pia Klemp, captain of the rescue ship *Iuventa*, said of her work, solidarity "is nothing one can *think*...it needs to be done, and it's done at *eyes level*."¹³ Compassion, as Jean-Claude conceived it, implies no moral duty or action; solidarity, as Pia conceives it, does. Klemp knew the moral value of refusing to look away from the face-to-face encounter, an encounter that is all too rare so long as Europe's borders remain closed. Preventing pushbacks like Mustafa's requires a renewed ethics of solidarity — a commitment to stick up for the stranger, not just at sea but in

the political realm as well. In both arenas, one small, defiant act of solidarity makes the difference between killing and living, at once an indictment of the present world and a promise for a possible new one.

¹ James Baldwin, *The Devil Finds Work: An Essay* (New York: Dial Press, 1976): 121.

² Katy Fallon, “‘We Were Left in the Sea’: Asylum Seekers Forced Off Lesbos,” *The Guardian*, March 19, 2021, <https://www.theguardian.com/global-development/2021/mar/19/asylum-seekers-forced-off-lesbos-pushback-crisis-europe-borders>. Note: Mustafa’s name has been changed to protect his identity.

³ Aegean Boat Report, “Small Children Left Drifting in Life Rafts in The Aegean Sea!” *AegeanBoatReport.com*, February 22, 2021, <https://aegeanboatreport.com/2021/02/22/small-children-left-drifting-in-a-life-raft-in-the-aegean-sea-approved-by-notis-mitarachi/>.

⁴ Fallon, “We Were Left in Sea.”

⁵ Jannis Papatimitriou, “Lesbos after Moria Fire: ‘People Are Still Living in Tents by the Sea’,” *Deutsche Welle*, September 8, 2021, <https://www.dw.com/en/lesbos-after-moria-fire-people-are-still-living-in-tents-by-the-sea/a-59115403>.

⁶ International Committee of the Red Cross, “From the Battle of Solferino to the Eve of the First World War,” December 28, 2004, <https://www.icrc.org/en/doc/resources/documents/misc/57jinvp.htm>.

⁷ Jean-Claude Juncker, “State of the Union 2015,” European Commission, September 9, 2015, https://ec.europa.eu/info/sites/default/files/state_of_the_union_2015_en.pdf.

⁸ Jennifer Rankin, “EU to Stop Mediterranean Migrant Rescue Boat Patrols,” *The Guardian*, March 27, 2019, <https://www.theguardian.com/world/2019/mar/27/eu-to-stop-mediterranean-migrant-rescue-boat-patrols>.

⁹ Peter Singer, “Famine, Affluence, and Morality,” *Philosophy & Public Affairs*, Vol. 1, No. 3 (Spring, 1972): 231-232.

¹⁰ Emmanuel Levinas, *Totality and Infinity: An Essay on Exteriority* (Dordrecht, Netherlands: Kluwer Academic Publishers, 1979): 43.

¹¹ Jacques Derrida, *Of Hospitality*, trans. Rachel Bowlby (Stanford: Stanford University Press, 2000): 25.

¹² Jacques Derrida, “On Forgiveness: A Roundtable Discussion with Jacques Derrida,” in John Caputo, Mark Dooley, and Michael Scanlon (Eds.), *Questioning God* (Bloomington & Indianapolis: Indiana University Press, 2001): 48.

¹³ Pia Klemp, “Why I Fight for Solidarity,” TedX Berlin, August 20, 2019, https://www.ted.com/talks/pia_klemp_why_i_fight_for_solidarity.