**Refugees and responsibilities of justice – Response to reviews**

I am grateful to the two reviewers for their comments – and, after some preliminary remarks, I address their main points.

It will not have escaped the editor’s attention that these two reports are very different in character (and, for that matter, in tone) – and my initial response to receiving them was to wonder quite how I was meant to address both of them since they seem to call for rather different kinds of revisions, indeed rather different and probably incompatible kinds of papers. However, as I reflected on the fact of their difference, it became clear to me that something that I had simply assumed was obvious was anything but obvious to these readers – and that this was entirely my fault. I had always thought of this article as framed by the New York Declaration and as operating within the general terms of that Declaration while trying to develop some principles of normative guidance for the work of establishing a reasonably just and legitimate global refugee compact that the UNHCR has been charged with. Because this was not explicit, the two referees took the paper in very different directions, neither of which is wholly appropriate to the task I was trying to address. I have now made this framing of the argument completely explicit and I will refer to it in responding to some of the comments made by the referees.

**Reviewer A** raised the following points and I respond beneath each point:

1. Would it not help to refer to Serena Parekh’s work?

*SP’s work is very interesting (although I really wish she did not use the appalling Agamben and his notion of ‘bare life’)* *but it is, as the reviewer notes, quite focused on refugee camps. I would note that actually the majority of the world’s refugee population are not in refugee camps (as Parekh knows which is why she focuses on a wider group – the forcibly displaced) and, since the number in camps is still very large, perhaps more pertinently the fact that NYD marks an important rejection of the refugee camp as anything other than a temporary and exceptional measure. So given my concern with operating within the NYD framework I am not sure it would be helpful to engage seriously in this paper with SP’s work although I do appreciate the spirit of the suggestion and will take it up for another paper because the referee is right that there are interesting things to be explored here, it is just that any such exploration will require quite a lot of space to be done tolerably well.*

1. I don’t think this essay does enough to show the contrast between what it calls a “responsibility-sharing” approach and a “burden-sharing” approach. The author should do a better job in making the distinction clear so the reader knows what is at stake in selecting one approach over the other.

*The distinction between the two is, I think, largely rhetorical/ideological – states talk of ‘burden sharing’ to register the aspect salient to them, NGOs talk of ‘responsibility-sharing’ to reject the rhetorical-ideological picturing of refugees as simply ‘burdens’. I don’t make much of this distinction other than to register that the language of responsibility-sharing involves more of a recognition of refugee’s as agents – it is not really that integral to the argument but I have added a clarifying endnote.*

1. This essay does not make much of a case for a “responsibility-sharing” approach over and above other responsibility centred approaches. For example, why prefer a “responsibility-sharing” approach over an approach that is centred on ascribing causal responsibility? A kind of “if you break it, you buy it” approach. In other words, why assume that the the New York Declaration for Refugees and Migrants got it right? Why should the international community of states be held collectively liable for the globally displaced? Why not instead place the responsibility on the particular state(s) that caused the displacement?

*The short answer here is that I am trying to work within that framework of NYD and I should have made that much clearer. However, I have also clarified that the focus on remedial responsibility in NYD and in the paper is entirely compatible with states also having reparative responsibilities based on outcome-responsibility. I have also in response to the penultimate question (as well as a similar comment by Reviewer B) briefly provided reasons why the international community of states should be held collectively liable (rather than simply referring to my previous work making this argument). In response to the last of the listed questions – the point would be that sometimes the state that is responsible is the state from which people are fleeing.*

1. The entire essay is premised on the idea that the biggest impediment to justice for refugees is that we don’t have an adequate mechanism for ensuring that the responsibility for refugees gets fairly distributed. I think the essay needs to do more to justify this premise, because that does not, at least on the surface, appear to be what is going on. For starters, I don’t think it would be very difficult to allocate refugees to countries in a reasonably fair manner. For example, the “matching system” proposed in section two seems rather uncontroversial to me. The real problem, which this essay repeatedly sidesteps, is that countries in the global north do not want to accept *certain kinds* of refugees. We know this is the case—and not that they don’t want refugees at all—because in other contexts these same countries have shown themselves to be extremely generous with regard to their refugee admissions policies. Its only in cases that involve certain kinds of refugees that these states contort their moral principles in an effort to keep them out. The fig leaf justification that these countries most often employ is not one based on fairness, but security. They argue that concerns over public safety can and do morally trump *any*responsibilities they might have to admit refugees, even when they acknowledge that these are “mostly good and desperate people.” In the US, the analogy of picking up hitchhikers is often deployed when talking about Syrian refugees: “We would really love to help them, but its better to be safe than sorry.” What we therefore need to get countries to take their fair share of refugees is not a better matching system, but a response to these sorts of security arguments. Because even if we had an ideal matching system, these sorts of arguments could still be deployed to absolve states of their responsibility to refugees.

*This is another point that arises from my failure to make clear that I was aiming to work within NYD framework, although I would note the last serious attempt at reforming the refugee regime in the 1990s also identified lack of fair distribution as a key factor in generating the negative/toxic politics of asylum. I should though note that this comment ‘*For starters, I don’t think it would be very difficult to allocate refugees to countries in a reasonably fair manner. For example, the “matching system” proposed in section two seems rather uncontroversial to me’ *does miss the point that a matching scheme only works when quotas have been decided and it is deciding the criteria for the quotas that is the difficult bit as the paper to which I refer in the endnotes makes clear. I have tried to clear about this. Addressing the wider issues noted by the referee - (effectively:racism, Islamophobia, security) which are all important issues – would take me too far from the paper I am trying to write, and I think this links to my second major failure in the previous version of the paper, namely, being clear about the methodological stance of the* paper *which leads to the referee’s final comment below.*

1. It’s not clear if the author here is doing ideal or non-ideal theory because at times it seems to be doing both.

*Yes this was my second failure – to be explicit about the methodological stance – and I have now stated explicitly that I am taking NYD as a fixed normative point and then doing fairly ideal theorising against that fixed background, and I have referred to Joseph Carens’ argument for this methodological strategy in his book* The Ethics of Immigration.

I am though grateful to reviewer A for the spirit in which s/he engaged with the paper despite my own lack of clarity about what I took myself to be doing.

**Reviewer B** raises three points:

1. The paper needs to specify the account of who is a refugee it is working with and what grounds that view.

*I have added a paragraph doing this in first section of the paper which also provides references for a fuller defence.*

1. The paper needs to meet the justificatory burden of saying why refugee choices have normative significance.

*I have added additional material to address this point and to clarify that I take acknowledging refugee choices as having normative weight is a requirement not simply as valuable.*

1. The paper needs to articulate the grounds on which refugee voice should be practically included.

*I have added some material here pointing out that a range of justification are available but that my concern is not with deciding between them.*

 In relation to each of these points, it should be clear that the fact that I am explicit about operating within the framework of NYD means that there are some questions of philosophical grounding that I do not need to address since NYD already presupposes certain normative commitments.

I hope that the revisions to the paper and in particular the needed clarity about the project of the paper relative to NYD and the methodological stance of the paper adequately address the issues raised by the referees.