

## Review of

Shepherd Mutsvara's

"Economic refugees: an analysis of persecution and cross-border displacement in the new global era"

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## Introduction

According to the Polish law on Higher Education and Science (ustawa o szkolnictwie wyższym i nauce z 2018 roku), a doctoral dissertation must

1. Present the candidate's general theoretical knowledge in the discipline or disciplines and the ability to conduct scientific or artistic work independently.
2. The subject of a doctoral dissertation is an original solution to a scientific problem, an original solution to the application of the results of one's scientific research in the economic or social sphere, or an original artistic achievement.
3. A doctoral dissertation may be a written work, including a scientific monograph, a collection of published and thematically related scientific articles, a design, construction, technological, implementation or artistic work, as well as an independent and isolated part of a collective work.
4. The dissertation shall be accompanied by an abstract in English, and a dissertation prepared in a foreign language shall also be accompanied by an abstract in Polish. If the doctoral dissertation is not a written work, a description in Polish and English shall be attached.

While there is no doubt if the current thesis under scrutiny fulfills 3) and 4), there is considerable doubt, if it also does so regarding 1)-2).

These doubts arise from the structure, parts of the content, the argument, the methods applied and its interdisciplinary character. The PHD procedure takes place in the framework of Political Science (Nauka o Polityce), while the content is about Political Science, Economy, (International) Law and History.

## The Structure

The thesis is divided into seven chapters three parts. Following the introduction, Part 1 consists of two chapters (1 and 2). The initial chapter focuses on the overall impact of neoliberal policies. It outlines the primary objectives of economic



liberalization programs, including fiscal discipline, public expenditure streamlining, tax reform, financial liberalization, adoption of a single competitive exchange rate, trade liberalization, removal of barriers to foreign direct investment, privatization of state entities, market deregulation, and securing property rights. Critics argue that these measures have led to "brutal impoverishment," causing social unrest and disrupting family life as people are forced to migrate in search of new livelihoods. The chapter aims to evaluate the impact of ostensibly positive economic programs on latent human displacement.

Chapter 2 details the research methodology, theoretical framework, and study production process. It explains how data was gathered through interviews, focus groups, online surveys, observations, case-law analysis, and document analysis. Here (and in the introduction) the author describes his personal experiences as a Black African Male studying Migration in Europe (after having fled from Zimbabwe to South Africa), revealing his bias due to his immigration background. The chapter also outlines the seven steps taken to develop hypotheses using the Hypothetical Deductive Method (H-D), essential for understanding neoclassical and historical structuralist theories explaining migration.

Chapters 3 and 4 constitute Part 2, delving into the legal framework for evaluating economic hardship as persecution in the contemporary world. Chapter 3 explores the protection of individuals fleeing economic hardship under international refugee and human rights law. The term 'economic refugee' is defined, and proposals are made to extend protection to this new category.

Chapter 4 focuses on reforming the refugee definition to include 'economic refugees,' recognizing the challenges in amending the Geneva Convention and proposing a Framework convention/protocol approach.

Part 3 analyzes specific challenges in focus countries, concluding with Chapter 5 examining Eritrea and Chapter 6 focusing on Uganda. Chapter 5 assesses the impact of economic liberalization on cross-border displacement in Eritrea, considering imposed economic policies and sanctions leading to mixed migration. Chapter 6 examines Uganda's refugee hosting despite economic challenges, assessing the impact of economic liberalization on refugee protection and burden sharing mechanisms.

Chapter 7 provides a concluding summary, discussing main findings, theoretical contributions, and suggesting avenues for future research in the asylum-migration nexus and mechanisms of refugee burden sharing.

Bail



This in itself constitutes a clear framework which is consistent with the announcement in the introduction and the content of the different chapters. The main claim structuring the thesis is the following:

After leaving behind colonialism, African countries were subjected to neoliberal policies, imposed by either their former colonial centers or international institutions (the World Bank, the OECD etc), which led to “abject poverty” and triggered migration. At the same time, Western countries (largely overlapping with the above-mentioned colonial centers and international organizations) limited the scope of admissible immigration to their countries to refugees which can prove they fled for political or security-related reasons (war, civil war, mass violence). Because of the link between these (Western) receiving countries with the factors which the author identifies as the main push factors of migration and the linkage between economic and political / security-related migration, the current legal framework should be amended so as to include people who flee for economic reasons, too. The author then proposes a legal framework providing such a broader definition of forced migration.

There is a whole plethora of problematic issues connected to the author's above - mentioned causality claims as well as to the arguments, he puts forward. The thesis' main arguments rests on the assumption that there is the hypothesized link between “neoliberal policies” (for example in Structural Adjustment Programs) on the one hand and “abject poverty” and “forced migration” on the other hand. However, throughout the thesis, it is impossible to find an explanation about these links. The author constructs the links between these variables in a very simple (if not simplistic) way: he quotes a lot of (partly dubious) literature, which confirms his assumption, leaving aside literature which could challenge this view. These parts of the thesis look like as if the link between the three factors was consensual and uncontroversial, while in reality it is highly contested and problematic. Many of the examples of SAPs used as negative examples were applied during the 1990s, when the respective countries did not have any other avenues to get loans from abroad (neither China, nor Russia were able and ready to provide them). This is now much different: countries in need of capital (FDI or loans) have a multitude of competing sources outside the existing “neoliberal” system, and – because of negative experiences with old SAPs and the rising competition – the SAPs have changed, too. The thesis uses evidence about old SAPs to illustrate a situation, which does not longer exist. And the author does so by describing SAPs and “neoliberal policies” based on articles and books which criticize or openly reject these policies – next to never is it based on the respective sources.

The claim as such is also problematic because of its general (and generalizing) character: there are several countries in the world which have managed to evade



what the author calls the “neoliberal order” and have instead embarked on the opposite: they chose fiscal expansion rather than austerity, inflation over rigid budgets, autarky and self-reliance (together with import substitution) rather than free trade, over-regulation rather than deregulation and socialization (of the means of production) over privatization, and last but not least, nationalization (and large-scale expropriation of individual property) over privatization: Cuba, Venezuela, North Korea, China, Argentina, many (but not all) oil-exporting countries and the author’s country of origin, Zimbabwe. However, across recent decades, we find more “abject poverty” (and, in the case of Venezuela, some smaller Latin-American countries and Zimbabwe, we also find a larger migration outflow) than in many of the countries which have adapted to the “neoliberal” order. Evading the “Washington consensus” (which no longer exists) apparently was no recipe for success, rather the opposite.

This is more than just a refusal to engage with the existing economic and political science literature on development, adjustment and governance. The author rightly rejects the approach to treat the whole of Africa as if it were one country or as if all African countries were alike. They are at least as diverse in terms of their political, social and economic order, their legal traditions and their developmental paths as European countries are. But the author applies this “all-African stereotype” to his own thesis, too: throughout the thesis, he writes about “how it is in Africa”, treats land tenure systems as if they were the same all over Africa and as if Africa was affected as a whole by the same problems. No single African country complies with the definition of a “neoliberal order” as set out at the beginning of the thesis. Some have tenure registration, others do not, some have social programs and extended bureaucracies, others do not, some are more integrated into the world market than others, some are partly deregulated, others are overregulated while there are many with a lot of regulation that does not work because it is not implemented. There are African countries with extensive collective land tenure, with overwhelmingly individual private tenure, large swaths of communal tenure, countries where traditional authorities have no influence at all (Rwanda), wield some symbolic influence (South Africa) or still leave their imprint on the political decision making (Nigeria, Namibia) or even rule (Marokko, Swaziland), there are countries where tribal and ethnic organization are strong (Namibia, Uganda, Kenya), weak (Rwanda), or where their strength depends on the region (South Africa), countries with a lot of natural resources, for whom a liberal trade policy could be beneficial (South Africa, Namibia) but is not, because of their home-made problems with corruption and bad governance (DRC, Angola) and countries without natural resource, which nevertheless have managed to integrate their country successfully into the world market with less “abject poverty” than some resourceful countries. There are, by the way, also countries which were exposed in exactly the same way to the Washington Consensus and the “neoliberal order” after 1991, share the same



cultural characteristics and the same colonial legacy, but differ extremely in terms of “abject poverty” and forced migration: Burundi and Rwanda. Apparently, neoliberalism is not the key explanatory variable to development and migration. Throughout the thesis the author mostly reviews literature with views to which he is opposed through the eyes of authors, with whom he agrees. This often inclines him to engage in strawman-fighting (sometimes he seems not to be aware of it) and reduces the thesis’ intellectual scope. For example: if he had taken the (neo-) liberal arguments from those who support them (rather than from those who are opposed to liberalism), he would have discovered a whole school of thought which claims “abject poverty” and forced migration not to be the result of too much liberal trade and adjustment to a neoliberal global world order (again: which now does not exist any more), but which is the result of the protectionism of Western countries towards Africa (and Latin America). Much of the existing scholarly literature about Africa-EU relations, EU trade and agricultural policies is about these issues (which the author ignores, although they would bolster his arguments): deprivation and underdevelopment (or, to say it in the language of the media: Western exploitation) are the result of policies, which ban African agricultural products from the EU thanks to high customs tariffs and non-monetary restrictions (like labor-, social-, and environmental standards and contingents), but boost EU agricultural exports thanks to export subsidies, direct subsidies to farmer income and minimum prices. Non-tariff restrictions play a sinister role here, too: by imposing more and more social and environmental standards on importers (which are then passed on to the producers), the EU pretends to be a “good player” but restricts market access for producers who cannot fulfil these criteria (see, for example the recent supply chain regulations on the EU level and in Germany). Here comes protectionism in the disguise of Human Rights, good governance and environmental protection.

The authors claims according to which adjustment programs and liberalization provide European consumers with “artificially cheap” food from Africa actually works exactly the other way round: because of European protectionism (it works in a similar, though not exactly the same way in the US), African farmers cannot export in a competitive way and are instead flooded by cheap EU exports. The consequences are more or less the same as with the second-hand clothes market (which more and more African governments now try to curb to develop their own textile industry): high tariffs ban African producers from European markets while high EU subsidies destroy the existing – but weaker – markets in Africa. The result are unemployment and trade deficits – hence elements which contribute to the author’s “abject poverty” – but not because of too much liberalism and too much free trade, but because of the lack of a truly unconstrained liberal trade order, because of protectionism and because of selective, rather than general liberalization. By the way: The slow development of free trade areas among



African states (as compared to the EU) shows that this has more to do with the influence of domestic interest groups, domestic interest aggregation and sectoral differences across countries, than with the legacy of colonialism: African states to this to other African states, too.

The author would have realized the weakness of this argument if he had reviewed the basic economic literature, for example concerning international trade and the theoretical foundations of trade liberalization (comparative advantage theory). Competition is no constitutive feature of neoliberalism, it is an inherent element of any society where people do trade. Therefore: if competition leads to an allegedly neoliberal “war within society”, then any society in which people engage in trade with each other does so, too. This even happened in pre-colonial societies, where large and aggressive caravans very often created real war-liked situations, confiscating food, crops and animals from local communities.

But beside the conflictual potential of trade, there is also the civilizing one: you can’t sell and buy from people you kill.

But if the link between the “Washington Consensus” or the “neoliberal order” on the one hand and poverty and migration on the other hand evaporates – there is not much left from the thesis’ main argument about why those who are responsible for poverty and migration should alter international law to endorse the victims of this order, that is economic migrants.

This leads me to the conclusion according to which the author should – to make his thesis coherent and more compelling – either concentrate on the refugee issue and its legal aspects (but then the thesis would be difficult to defend in a political science framework) without the normative claims pertaining to neoliberalism, the Washington Consensus and colonialism or embark on a multifaceted, detailed and nuanced discussion about the links between the rise of multipolarism (= the end of the Washington consensus) and poverty and migration. I would not recommend to link that discussion to the post-cold war order, just because there already is a lot of literature about it (which the author largely neglects where it does not fit into his claims).

There is also a problem with the selection criteria of the case studies: Eritrea as a sending and Uganda as a receiving country. The author seems to be aware of it and tries to drown his own hesitations in an ocean of “buts” (p. 214): Eritrea is one of the most unsuitable African examples as a country that suffered from the Washington Consensus. For quite some time it followed a strategy of autarky (and hence the opposite of what the “neoliberal order” would require it to do), developed “abject poverty” and is one of the biggest senders of migration to other African countries and to Europe.

Uganda has been much more exposed to this “neoliberal” order, but in the thesis, it is presented as an example of a liberal, refugee-friendly receiving country. The whole argument pertaining to the link between the three above-mentioned factors



seems to stand upside-down when it comes to the selection criteria for the case studies: A country that evaded “neoliberalism” serves as example for a refugee-sender and a country with considerable exposure to “neoliberalism” embraces and integrates refugees (and apparently can economically absorb them).

However, if the author decides (for example when publishing a part of his thesis) to follow the second path (concentrate on migration), the thesis will need clarification and improvement, too. It would then need a serious engagement with migration literature (including arguments about the impact of opportunity structures and pull effects instead of the current focus on push factors alone) and an explanation not only about the content of the proposed framework convention, but also about the following:

- How could such a framework convention be negotiated in the current political environment (why would governments who are currently more and more restricting access to their territory for migrants negotiate a convention, which would give access even to people with unmeasurable “subjective” or even “inexistent” persecution fears (coming from mental disorder, as the author argues on p. 119-201)?
- Why would a convention be better than a treaty (considering the time span, after which conventions usually enter into force as compared to treaties)?
- How would the application of such a convention backfire on African receiving states and the existing “brain drain” which currently takes place between Africa and Europe?
- It would also be interesting to see the interaction between such a convention and the existing legal framework (the Geneva Convention, the European Convention of Human Rights, the EU’s fundamental rights charter and the constitutional provisions of the different countries, which – in the case of Britain, Germany and France have huge implications): would it supersede them (how, if there is no hierarchy in international law), substitute them (who signs must leave the Geneva Convention?), or coexist with them (what happens, when provisions exclude or contradict each other)?

The latter seems to be even more salient in view of the current labor market situation in the biggest European countries which also differs strongly from the era of the SAPs and the Washington Consensus, when unemployment in Europe was high and it was difficult to integrate migrants into the labor market and now, when unemployment is very low (and most economies in Europe suffer from a lack of labor and can integrate migrants more easily into the economy). Here again, the problems are actually quite opposite to the authors’ claims: “exploitation” in the sense of the anti-neoliberal strand of literature takes place not because European countries restrict access to their territories for (uneducated) African migrants, but because they try to attract more and more well educated African workers and thus



(due to higher wages, higher social standards and general living conditions) deepen deficits in their countries of origin and increase inequality among African countries. A convention allowing economic migrants to travel freely to receiving countries (without the current restrictions on people not fulfilling the refugee criteria in the existing legal framework) would speed up this brain drain dramatically. By draining away the (potentially) political subversive part of the population (with the highest social capital), such a policy would also entrench corrupt regimes and dictatorships in sending countries and, at the same time, weakening democracy where it existed before such a convention entered into force.

In other words: both pillars of the author's arguments are highly problematic and weakly supported: the link between an alleged neocolonial order and poverty and migration AND the argument of a new convention on migration as a remedy to it. To say it in medical terms: the diagnosis is – prudently speaking – problematic, but even if we accept it, then the medication will not bring healing.

There are also many minor problems which tend to occur in almost every PHD thesis on this stage:

- Common, customary and Islamic law are no tenure systems and uneven land distribution is only partly a result of colonialism (but instead stems from pre-colonial times, too) (p. 67). In some countries (with radical land reform programs) uneven distribution is the result (or was aggravated) by post-independence policies (Kenya, Zimbabwe). The entire argument about colonial legacies is problematic in some countries (who was a colonizer and a victim of colonization in South Africa and Namibia?)
- The SSA region is never precisely defined. The table on p. 37 comprising SSA with the EU is totally misleading. While the SSA numbers might reflect a situation that was stable over time (in the absence of a definition, we can only guess that), the number of EU member countries went up from 6 to 28 during the time covered by the table (and then down to 27).
- On p. 41, footnote number 47 is wrong
- It is impossible to find the report or article from Oxford Business Group (and it remains unclear what that is, it seems to be a lobbying group) based in the references in the footnotes.
- On p. 44 something is “academically exterminated”
- The author seems to regard “reregulation” as something bad, but fails to explain what it is and how countries, which never were regulated, can be de-regulated. There is no discussion about the link between regulation (or de-regulation) and corruption.
- Africa's economic backbone is not only agriculture, but also resources (DRC, Nigeria, South Africa, ultimately also Zimbabwe does not export crops alone), therefore industrialization cannot be tied to agriculture alone. There



is no discussion on leap-frogging and the development of service sectors in various parts of Africa (which would also mitigate the agriculture argument a little) (p. 47)

- In the discussion about debts the author ignores situations, when sovereign debt is denominated in a foreign currency and devaluation does not help (it only increases the amount of domestic currency needed to repay the debt, which remains unchanged).

All this would normally lead to a rejection of the thesis for internal inconsistency, lack of theoretical underpinning and an untenable structure. However, the above-mentioned law requires a thesis only to

“present the candidate's general theoretical knowledge in the discipline or disciplines and the ability to conduct scientific or artistic work independently.” The first part of this requirement is fulfilled, because the candidate showed his theoretical knowledge though it seems insufficient for the objective he chose, but the law neither requires “holistic” nor “adequate” knowledge. One might regret the law’s lack of clarity here, but in the light of the respective wording, an author lacking any possible theoretical knowledge in the respective discipline would still fulfill the law’s requirement if only his (or her) thesis demonstrated that lack of knowledge accordingly.

The second requirement (ability to conduct scientific work independently) is also fulfilled because the author conducted whole series of interviews with various stakeholders and refugees which he summarized and quoted in his thesis. This is actually also the most interesting part of the thesis, the one which contributes new knowledge to the field and can be used by other scholars. It is also the part of the thesis which complies with the law’s requirement 2), which stipulates that „the subject of a doctoral dissertation is an original solution to a scientific problem, an original solution to the application of the results of one's scientific research in the economic or social sphere, or an original artistic achievement.”

Some parts of the chapters on Uganda and Eritrea as well as the above – mentioned interviews constitute “an original solution” and provide insights, which might be used by others in a framework, which then should (hopefully) embedded in their research.

For these reasons, I support (not without hesitation) to grant the author the doctoral degree in political science.

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*Klaus Bachmann*

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