Exclusion of Human Right Protection Features in Populist Policy Making

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ABSTRACT

In this research, policies as output of policy making process are examined. Factors that have affected these policy making process are spotted. At first, different features which affecting policy making process is elaborated. Second, populism as a feature that affects policy making is studied. Inputs, procedures that affect policy making and outputs are evaluated. Then how populist policy making is differentiated is clarified. This study will use qualitative methodology and will work on policies and the factors that have affected immigration policies. Also, how the populism have affected these process is perceived by analysis of real world output of these policies. Then the research will attempt to see populists with regard how populism affect immigration policies.

Keywords: Intrusion of Nuances of Populism in Policy Making, Policy Making, Populist Policy, Suspension of Human Right Features

I. ACTORS INFLUENCE POLICY MAKING PROCESS

Policy making can be considered as a strategy for reshaping social problems. Policies as output of political process pass through different complex stages like agenda setting, policy formulation, policy adaption, implementation, and evaluation. Moreover, policy making can be recognized as a complex process for modifying the institutions to attain goals. Many actors, formal and informal ones, participate in policy making procedures (Krill & Tosun, 2008).

Moreover, a range of actors influence policy outcomes. They include organised interest groups, courts, ethnic groups, trade unions, law and order bureaucracies, police and security agencies, local actors and street-level bureaucrats and private actors (Lahav & Guiraudon 2006: 207). Moreover, James E. Anderson (2011), defines policy making as a relatively stable, purposive course of action or interaction followed by an actor or set of actors in dealing with a problem or matter of concern. Also, public policies are designed to accomplish goals or produce definite results. In other words, public policies are emerged in response to demands of society. Then it can be declared that policies consist of courses or patterns of actions followed over time by governmental officials rather than separate, discrete decisions. Also, policy making cannot be studied apart from the environment or context in which it occurred.

Official policy-makers are legislators, executives, administrators, judges, and nongo-vernmental participants including political parties, research organizations, communication media, and individual citizens. There are different mechanisms that interfere with policy making procedures. Different parties, institutions, NGOs participate in policy making process directly or indirectly (Figen, 1993, pp.1).

II. INTRUSION OF NUANCES OF POPULISM IN IMMIGRATION POLICY MAKING

In case of immigration policies, it can be recognised that immigration policies vary from country to country, but generally there are common features and threads such as natio-nalism, threat that national identity is under threat from foreign cultures: a sense of exclusive nationalism, a belief that national identity is under threat from foreign cultures, desire to cut immigration and distrust of elites (Schain, 2008, pp.5-6).
MPI claims that the impact of populist radical right on immigration policy making is indirect and implicit. In an environment that hate from immigrants and asylum seekers are increased and immigration are introduced as a reason of chaos in modern and liberal world (Bartha et al., 2020). As it can be seen by studding the policy making process, it can be recognized that different factors and different political procedures meddle in formulation and implementation of immigration policies. Which factor play a more prominent role in these process can determine the fate of immigrants. It should be declared that policy making at international level doesn’t include just nation states. There are institutions at international level which can affect these policy making procedures. US and EU who support international institutions like UNHCR financially have great role in formulation of these policies. Moreover, local dynamics and interest of host countries can shape these policies (Milner & Wojnaroweiz, 2017, pp.1-11).

It can be declared that global immigration policies rarely reaches the local context compromised. Large range of local and global actors inside and outside of the global refugee system shape the outcomes of global immigration policies. There are national, international, regional interests which interfere with policy making procedures. Political issues and political interests intervene in immigration policy making procedures. For example: national security becomes a more prominent feature in policy making process. Moreover, EU and Turkey consider security issue more important than human rights. Nation state interests consider their own interests and security over humanitarian issues.

In case of Turkey which opened the borders for immigrants to move toward EU. This political decision had no humanitarian purpose. It was a decision for satisfaction of political interests of Turkey. In previous cases, EU made a deal with Turkey in order to ban move-ment of immigrants toward European countries. Turkey played a role of buffer zone in order to obstacle of this immigrants toward EU. And at the time that EU didn’t answer Turkey. Turkey used immigrants and refugees as a tool to threat European countries. Immigrants were just cards in the hands of politicians in negotiation tables. According to Gramsci, being central or periphery, is associated with amount of power. It can be claimed that there is asymmetry in shaping global governance in international level. Some countries misuse the geostrategic position in policy making in refugee regime (Milner & Wojnaroweiz, 2017, pp.1-11).

As mentioned before, there are range of actors and interests that influence policy making at the global refugee regime. Dominant states who have access to geostrategic resources play more prominent role in these global policy making regime. Moreover, Europe and European parliament are important agents in European policy making procedure. We know that there are different lobbies who work on these policy making procedures in order to maximize interests. Nationalism ideologies and Europeanism which highlight highlight extreme sense of belonging to a community.

According to Politico, as cited in Chathamhouse 2021, EU countries like Denmark has gone far-right on refugees. A new law in Denmark enabling authorities to deport asylum seekers outside Europe. Also, Britian changed policies regarding asylum system. In the new system, would not give them the same settlement entitlements and those who arrived "illegally" would constantly have their status evaluated. With UK support, France doubled the number of officers deployed daily on French beaches, which led to France preventing twice as many crossings so far this year than in the same period in 2020.

III. CONSIDERING OR SUSPENDING HUMANITARIAN FEATURES IN POPULIST POLICY MAKING

Do Humanitarian features affect policy making process? According to universal declaration of Human rights; Article thirteen and fourteen, Everyone has the right to freedom of movement and residence within the borders of each state. Everyone has the right to leave any country, including his own, and to return to his country. Everyone has the right to seek and to enjoy in other countries asylum from persecution. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations. According to European Convention on Human Rights, Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms securing certain rights and freedoms other than those already included in the Convention and in the First Protocol thereto.

According to article two of universal deceleration of human rights, Freedom of movement, Firstly, everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence. Secondly, everyone shall be free to leave any country, including his own. Thirdly, no restrictions shall be placed on the exercise of these rights other than such as are in accordance with law and are necessary in a democratic society in the interests of national security or public safety, for the maintenance of order public, for the prevention of crime, for the protection of health or morals, or for the protection of the rights and freedoms of others. Fourthly, the rights set forth in paragraph one may also be subject, in particular areas, to restrictions imposed in accordance with law and justified by the public interest in a democratic society.
IV. CONSEQUENCES OF INTRUSION OF POPulist NuANCES IN POLICY MAKING PROCESS

According to MPI, Migration policy institute, radical right policies, particularly in immigration arena, has reshaped the political land escape in Europe (Schain, 2008, p.5). There are different features that affect immigration policy making procedures. Security threat, terrorism, pensions, education, housing, environment, public transport, defence and foreign policy. EU afraid of anti-modern, anti democratic, patriarchal, violent, dogmatic ideas belonging to other levels of civilization. Populism and Right wing populism are in increase in EU countries. And Right wing populist parties are increasing in European countries. According to Clara Sandelind (2014) on European Populism and Winning the Immigration Debate, declares that Negative attitudes to immigration occur when people feel threatened by immigrants, for example on an economic or cultural basis.

Most scholars agree that every instance of populist has at least a discourse in which the putative will of the common people is in conflict with a conspiring elite. While scholars still disagree about the auxiliary attributes of populism—whether certain types of organization or leadership are more populist, whether the appropriate object of study is output rather than mere words, or whether populism is more truly captured in left or right ideological forms —nearly all agree that the presence of these ideas is necessary to populism (Hawkins et al., 2019). Populism often focuses on single and salient political issues, over emphasizes the negative aspects of international economic exchange and immigration and blames foreigners or international institutions for economic difficulties. Populists offer simplistic solutions to complex problems.

Populists oppose immigration, claiming that immigrants compete with natives in the labour market, take away their jobs, depress wages and bleed the welfare state. Rejecting the notion that migrants are refugees fleeing war and prosecution, populists claim that they are economically motivated and often enter host countries illegally. Populists ignore that immigration can also have very positive effects, bringing new ideas and dynamism to host countries. Most populist parties oppose European integration as a loss of sovereignty for EU member states, decry the euro and challenge the freedom of movement for EU citizens. They also claim that supranational institutions evade democratic control.

Right-wing populism argues that economic insecurity and cultural anxiety provoke populist tendencies, particularly among citizens disadvantaged by modernization, contributing to the success of Right-wing populist (RWP) parties (e.g. Betz, 1994; Kitchelt, 1995).

Timothy Garton Ash, defined populism as exclusive phenomenon. According to Timothy, The other can be “the elit”, “foreigners”, “eurocrats”, “the establishment”, “the immigrants”. Immigrants are others. Others were not integrated to society. Populism polarizes “us” and “them”, “the people versus the enemy”.

Immigrants are considered as enemies. Issues like unemployment, labor market rigidity, size of welfare state, welfare facilities and rate of crimes are issues that are highlighted by populists in order to polarize society. Emergence and increase of the affect of populists on policy making procedure may affect asylum seeking procedures and immigration policies negatively (Betz, 1994).

V. INTRUSION OF NuANCES OF POPulist MAY CAUSE DEMONIZATION OF IMMIGRANTS

According to Adama Dieng, as cited at OCHR, the demonization of immigrants by po-liticians, seem to exacerbate such attacks with sanctimoniousness and hateful rhetoric. All over Europe, ultra nationalist resurgence is legitimizing hatred, racism and violence.

Refugees are not mere abstract subjects but are embodied subjects who are co-constituted in intimate relationships with their surroundings. Immigrants are considered as threat to nation states. Moreover, immigrants are considered as culprits who steal jobs and improve unemployment. Right wing populism focuses on these real problems like unemployment, cultural and economic change and social inequalities. Right wing populist just simplify difficult problems by scapegoating immigrants (Schain, 2018, pp.1-38).

In a recent eurobarometer survey, as cited by Schori Liang at Europe at Europeans, respondents from across Europe ranked the importance of immigration crisis higher than ter-rorism, pensions, taxation, housing, the environment, defence and foreign affairs. Also, ac-cording to the European Monitor Center Report, as cited by Schori Liang at Europe for Eu-ropes, regarding European public attitude toward migrants and minorities, 58 percent of people surveyed held the dominant perception of minorities in Western and Eastern Europe as a “collective ethnic threat”.

Right wing populism juxtaposes its identity and common interests with identity and in-terests of “others”. Many strands of populist radical right foreign policy, anti immigration, anti-globalism, anti-americanism, anti-zionism, anti-semitism and anti-islamism lead to a common foreign political Outlook (Liang, 2016).
VI. CONCLUSION

To sum up, there are different mechanisms and procedures that interfere with policy making trends. Policies and decisions are not made in vacuum. Populism is one of the abstract and untangle features that can affect policy making procedures. Populist policy making is differentiated from mainstream policy making by addition of populist flavour. In this study sample policies from Denmark and UK are studied. Intrusion of nuances of Populism in policy making process in countries like Denmark and UK may cause demonetization of im-migrants.

Different features are highlighted by populists in order to increase polarization of society. unemployment, labor market rigidity, size of welfare state, welfare facilities and rate of crimes are issues that are highlighted by populists. And in policy making process in which right wing populists have become dominant in human rights were ignored. Populist Policy making accompanied with ignorance or violation of human right criteria.

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