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# The Validity of Human Rights in Europe in the Wake of the Crisis of Refugees from the Middle East

## Abstract

The purpose of this article is to analyse the loss of validity in the principles of universality and equality that lead the international system of Human Rights, in the wake of the refugee crisis that arose in Europe in 2014. The main idea is that the massive arrival of refugees due to the violence in the Middle East revealed severe humanitarian contradictions in the European countries when providing the right to asylum, integration, acknowledgement and intercultural dialogue in favour of those affected by the war.

Through an analysis of the debates that arose in Europe after the arrival of refugees to the continent, this article seeks to evidence the diminishment in the social support to the values of freedom, international cooperation, multiculturalism and Human Rights; as well as an increase in the xenophobic and isolationist expressions.

This work approaches the situation of Human Rights from the theoretical perspective of social movements, bearing in mind that the progressive incorporation of these prerogatives in the national and international legal frameworks, has been encouraged by collective actions that generationally have managed to increase the repertoire of rights that protect human dignity. Nevertheless, the inconvenience now, is that regressive movements have begun to arise nowadays, threatening to move aside institutions that behold the ideal of a liberal and cosmopolitan democracy.

To state evidence of such challenge, this work compiles the opinion of the European population in topics that reflect their point of view on Human Rights. In this context, the research methodology was oriented to discourse

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analysis of online comments posted by readers of the newspapers with the highest circulation in six European countries, in relation to news that, because of their impact, appalled society and made them take part in the repercussions for their countries.

**Key words:** Human Rights, Social Movements, Refugees

# Introduction. The Refugee Crisis in Europe

Europe is currently appalled by a discrete Human Rights crisis that has been unnoticed as such, due to the fact that those who suffer it are not European citizens. Strangely enough, the origin of this crisis is not in Europe either, however, as everything that occurs in a global and interconnected world, social affairs never have an exact core.

In 2010, the Arab world experienced a wave of social protests that sought to end political oppression through the extent of civil rights and liberties. These revolts resulted in the deposition of some authoritarian leaders such as Hosni Mubarak in Egypt and Zin el Abidín Ben Alí in Tunisia, however, in some other countries the mobilizations unleashed a long period of instability.

In the case of Syria, the confrontation between the government of Bashar al-Assad and his opponents, escalated to the point of becoming a civil war. Since 2011, oppression and violence sustained unrestrainable, causing the first human displacements. During this initial stage, neighboring countries such as Lebanon, Jordan and especially Turkey, begun receiving those affected by the war in Syria.

However, as the exodus of people who escaped from violence arose, the capacity of acceptance of the first receiving countries became overtaken, and thus, many refugees started to seek for a possibility of shelter in Europe. At the time, Germany and Switzerland were the only countries in the continent to manifest their disposition to accept the displaced, given that then, the European policy towards the crisis had been practically based on the creation of agreements with Turkey, in order to restrain the flow of people.

The efficiency of this action, nevertheless, begun to be questioned when different organizations such as Amnesty International accused the government of Turkey of placing more than 700 thousand Syrian citizens in shelters with deplorable conditions, with no assistance or employment opportunities. At the same time, the search for new routes induced Syrian displaced to use the Mediterranean Sea as a way to access Europe. In 2014, only 219 thousand people from the Middle East embarked into the search of the shores of Greece, Italy, France and Spain, 3 thousand 500 of them died due to shipwrecks.

Out of all the European countries, Greece became the main entrance port through the Mediterranean sea. According to data provided by the United Na-

tions, by 2014 an average of 600 refugees disembarked on the Greek shores daily. In spite of this situation, most of the European nations, particularly Poland, the Czech Republic and Hungary, considered that the displaced were not a matter of their concern.

Towards the end of 2015, the neighboring countries of Syria decided to cease the reception of refugees as their economic and infrastructural capacity became surpassed, after 4 years of open borders. This decision brought attention to Europe once again. Up until that moment, the war in Syria had already caused the displacement of over 4 million people, from which almost 3 million had been received by Turkey, Lebanon and Jordan.

In light of this scenario, Brussels, the capital of the European Union, suggested the relocation of refugees through a fee system throughout the continent. Nevertheless, this measure did not appear to conciliate the migratory policies of the countries involved, and in fact, produced greater tension. Berlin, for instance, strongly criticized Vienna for illegally transporting incoming Syrian refugees, from the Balkans to the German border.

In September 2015 the European Union finally agreed, despite the negative votes of Hungary, the Czech Republic, Slovakia and Romania, a fee system for the distribution of 120 thousand refugees incoming from the most populated arrival points such as Greece and Italy (El País, 2016).[1] From that point forward, the situation appeared to normalize. However, the terrorist attacks perpetrated on the streets of Paris in November 2015, led European countries to begin a strict measure to control the arrival of people inside of their borders.

Some of the most evident effects of these attacks became visible in December 2015, when the European Union started a punishment procedure against Hungary for the approval of anti-migration laws that penalized with up to three years in prison those who entered the country irregularly.

Several proposals that pretended to make the distribution of refugees more efficient were suspended, due to the alerts that the member States of the European Union emitted. Some countries expressed their concern to establish some restraints in the reception of refugees, such as Austria or the Balkan nations that permitted the entrance of only 580 per day.

As a result of the concern for internal security, the 28 member States of the Union held a reunion in march 2016 with the Turkish Prime Minister Ahmet Davutoglu, in order to accomplish a new treaty between Europe and Turkey. This polemic agreement consisted of three key points. Firstly, the increasing of the budget which Europe assigned to Turkey in order to handle refugees; secondly, Turkey returned to be considered as a potential candidate for a futu-

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[1]  *Crisis de Refugiados en Europa* (*Refugee Crisis in Europe*), octubre, noviembre, diciembre del 2016. https://elpais.com/tag/crisis_migratoria_europa/ (access 4.09.2019).

re membership in the European Union; and lastly, ensuring the disappearance of the visa required for Turkish citizens that wished to visit Europe.

In return, Turkey accepted that all foreigners, including Syrians, who arrived undocumented to the Greek and Italian shores, will be sent to the country to settle and apply for asylum in the European countries. Consequently, the EU committed to bring from Turkey, an amount of refugees equivalent to the amount of previous deportations.

On 19th march the same year, thousands of people in more than 40 cities across Europe protested against the agreement. The main criticism was the vulnerability of the right to asylum of all Syrian refugees that would have to be deported and transferred to Turkey. Some of United Nations agencies and other civil society organizations also protested against what they qualified as an improvised agreement. UNICEF condemned the absence of a clause that specified the appropriate treatment for children, while UNHCR and the NGO Doctors Without Borders announced their retreat from several refugee camps, described as forced detention centers.

The absence of consensus among countries to resolve the refugee crisis, along with the threats from Great Britain to detach from the Union, pressured the European community to seek for new strategies, at a point where the increment of terrorist attacks, now in Brussels, London, Manchester and Berlin, begun to influence public opinion.

It was since then that discussions over the convenience of having an open door policy for refugees in Europe became more tense. In this context, nationalist mobilizations and resurgence of euroskeptical political parties started, they called for the preservation of traditional identities and protection for borders. However, Human Rights movements have also arisen, promoting the integration of refugees through cosmopolitan and multicultural values.

The debate between these two groups, but especially the rise of nationalist movements, and the incapacity of institutions to solve the humanitarian crisis, display a big challenge for the survival of the international system of Human Rights. The European situation shows the fragility in the application of the guidelines that protect, even the most vulnerable people such as the displaced by war.

This article exposes that the fragility of the international system arises from the assumption that normative stipulation is enough for the respect of Human Rights. It is forgotten that in the history of the western world, every stage of consolidation of rights was accompanied by social mobilizations that transformed the consciousness of people, and managed to internalize human dignity and freedom as collective values.

On the following segment, it is intended to analyze the theoretical and historical elements that influenced the development of Human Rights in Europe, and their later establishment in the political agenda of nations.

## Theoretical Perspective.
## The Historical Development of Human Rights

The development of a universal Human Rights system has been a complex process. There have been several fights for establishing legal foundation for the defense of human condition with no restrictions of the race, gender, religion or nationality.

According to the definition provided by the United Nations, Human Rights are all those prerogatives inherent to all human beings, regardless of their nationality, ethnicity, language, religion, or any other status. This definition has been accepted by most of the international community and is defended by both civil society and government organizations.

In the European case, the Charter of Fundamental Rights of the European Union is considered as legal base, it is established there that "Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice" (European Union, 2000).[2]

For societies with a liberal tradition as the European one, Human Rights are a conglomerate of basic norms to conduct a dignified life, in which individuals also acquire potential protection in case of possible violations to their rights committed by the government, or any other entity that might damage human integrity.[3]

Despite the naturalist conception of inheritance of Human Rights, in practice these principles are social constructions whose acknowledgement is progressive. Analytically, we can emphasize three generations of Human Rights. The first generation comprises civil and political rights; the second one social, economic and cultural rights; and finally, the third generation includes solidarity and people's rights.[4]

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[2] *Carta de los Derechos Fundamentales de la Unión Europea* (*Charter Of Fundamental Rights Of The European Union*), http://eur-lex.europa.eu/legal-content/ES/TXT/?uri=celex:12016P/TXT (access 4.09.2019).

[3] P. Nikken, *Sobre el concepto de Derechos Humanos. Seminario sobre Derechos Humanos* (*The concept of Human Rights. Human Rights Seminar*), Instituto Interamericano de Derechos Humanos, San José 1997, pp. 17–36.

[4] M.A. Cuevas, *Las tres generaciones de los Derechos Humanos. Obtenido de Instituto de Investigaciones Jurídicas de la UNAM* (*The three generations of Human Rights). Obtained from the Institute of Legal Research of the UNAM*, https://revistas-colaboracion.juridicas.unam.mx/index.php/derechos-humanos-emx/article/view/5117/4490 (access 4.09.2019).

The first-generation rights, according to María Aguilar, "emerge with the French Revolution as a rebellion against the absolutism of the monarchy. These rights comprehend fundamental freedoms, and they have the most ancient legal development".[5] Individuals behold these rights against the State or any other authority. In other words, it is the duty of the State to respect them always. They can only be limited in certain cases and under circumstances imposed by the law in each country.

Second generation of human rights arise as a result of the imbalances caused by the Industrial Revolution. According to Aguilar, they constitute a duty for the State and according to its economic possibilities they imply progressive satisfaction. They are social rights whose purpose is to improve quality of life. The responsibility of the State increases, going from acknowledging individual rights to providing the ideal environment to access such rights.

Lastly, third generation rights peaked in our time as a response to "the need of cooperation among nations, as well as the diverse groups that form them".[6] For their guarantee, positive (doing, giving) and negative (not doing) efforts are required, both from the State and the International Community.

During this legal development, the inherent characteristics of Human Rights have been defined, adding the connotation of fundamental, meaning these rights are ruled by principles such as universality, interdependence, indivisibility and progressiveness.[7]

The universality principle, for instance, indicates that Human Rights are inherent to all, and they are a concern for the international community as a whole. With this measure, they become unbreakable, which does not mean that they are absolute, but that they are protected as human dignity cannot be infringed.

As it was initially mentioned, this article seeks to emphasize the role of social mobilization on institutional adjustments. The theoretical vision that we will be using through this research is sustained on the premise that, in the history of modern western civilization, it is only with social mobilizations that order and attainment of new rights is achieved.

Boaventura de Sousa Santos claims that the paradigm of modernity is based on the discrepancy between social experience and social expectations. According to Sousa de Santos, social experience is the regularly accepted way

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[5]  M. Aguilar, *Las tres generaciones de los Derechos Humanos* (*Three generations of Human Rights*), "Derechos Humanos. Órgano Informativo de la Comisión de Derechos Humanos del Estado de México", no. 30/2016, p. 93.

[6]  Ibidem,

[7]  J. Carpizo, *Los Derechos Humanos: Naturaleza, Denominación y Características* (*Human Rights: Nature, Denomination and Characteristics*), "Revista Mexicana de Derecho Constitucional", no. 25/2011, pp. 3–29.

that people carry their daily lives and their interaction with diverse social institutions. On the other hand, social expectations emerge in correspondence to the unconformity with social experience and suggest to expand positively and significantly rights and institutions that rule daily life. Because of this, for this author, modernity lays on two fundamental pillars: regulation and emancipation.[8]

The first pillar consists of the compilation of norms, institutions and practices that guarantee the stability of expectations, whereas the second pillar, emancipation, refers to the collection of aspirations and opposing practices in charge of increase tension between experiences and expectations of society, questioning permanently the established order through confrontation and delegitimation of institutions and practices that compose modern regulation.

De Sousa Santos sustains that "the success of emancipatory struggles are measured by their capacity to build a new political relation between experiences and expectations, able to stabilize expectations on a more demanding and inclusive level",[9] meaning, this success resides on the capacity of this emancipatory struggles to transform into a new form of regulation, through which the right order becomes simply order.

Nevertheless, he claims that this success is always transitory, "once the new form of regulations becomes stable, new aspirations and oppositional practices will try to destabilize it on behalf of more demanding and inclusive expectations. Thus, order ceases to coincide with good order".[10] According to the theory of this author, the existing tension between regulation and emancipation will never reach a final conciliation.

At this point it is important to emphasize that whereas de Sousa Santos assets that the confrontation between regulation and emancipation will always produce a rise of new rights, Charles Tilly, on the other hand, assures that this does not always occurs that way, and that democracy is in danger of contraction.[11]

According to Charles Tilly, democracies are also constructed or destructed historically through a social change similar to the one presented by de Sousa Santos, however, this other author considers that democracy is a dynamic process that, even though it seeks to maintain its initial spirit, is always in danger of retreating; therefore, un-democratize.

On the other hand, Ortega y Gasset encourages us to remember that democracy is a paradoxical and even unnatural act, as it is a system that consists

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[8] B. De Sousa Santos, *Sociología Jurídica Crítica* (*Critical Legal Sociology*), Trotta, Madrid 2009, p. 2.

[9] Ibidem,

[10] Ibidem, p. 3.

[11] C. Tilly, *Social Movements*, Paradigm Publishers, London 2004.

of a majority granting rights to a minority, in other words, the essence of liberal democracy proclaims what he calls "the coexistence with the enemy" and develops it further as "the coexistence with the weak enemy". Hence, Ortega y Gasset warns that there are very few societies where minorities prevail, given the fact that groups that hold power tend to eradicate their opponents.[12]

The analysis of these three authors constitutes the understanding that democracy and systems for protection of human rights, are institutions in danger of disappearing without a social backup that keeps them valid. Not only that but also, that it would be social movements along with the work of civil society groups, the ones responsible for not only maintaining the validity of the current human rights system, but also for enhancing the order according to the new reality that makes a multicultural interpretation of Human Rights necessary.

The philosophers of the Enlightenment and the revolutionary liberals, with the aim of reforming the world, analyzed the institutions of their time, submitting them to a critical judgement from a rational perspective and demanded for change. Later, socialists, direct heirs of the Enlightenment, understood that the previous revolutions had ignored material conditions of existence, and reconsidered human dignity parting from collective rights. In the 20th century, activists of the new social movements achieved that symbolic and cultural aspects of social life could be acknowledged at the same level as the right to freedom and material welfare.

Nowadays, economic activities and transnational policies dictate the the norms and values of social and political order and allow us to talk about an interconnected global community. For David Held the contemporary context differs from the traditional community of Nation-States: perfectly delineated borders. Hence, globalization represents a challenge for world governance that up until now has only been efficient to promote free transit of goods and services.[13]

On this new scenario, social movements start to expand their repertoire of demands. Since the beginning of the new century, activism has enlarged its action sphere and adopted a global perspective, meaning, it has begun to focus on the multiple levels that economic and political institutions operate on, from the local to the international scene, which implies that Nation-states are not the only focal points of conflict anymore.

Global movements seem to confront the current neoliberal globalization, which is oriented exclusively to the market. For Ruggiero and Montagna, these

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[12]  J. Ortega y Gasset, *La rebelión de las masas* (*The Rebelion of the Mass*), Editorial La Guillotina, México 2010.

[13]  D. Held, *Cosmopolitismo. Ideales y Realidades* (*Cosmopolitism. Ideals and Realities*), Alianza Editorial S.A., Madrid 2012.

types of collective actions present a globalization from the bottom through the construction of global networks and protest campaigns that promote a more just and equal globalization.[14]

Several of these transnational networks have been involved in the debates that revolve around the effects of globalization, encouraging urban protests in different parts of the world through the media and electronic platforms. Usually the result has been the delay of political decisions related to trade, the environment or debt, there have also been efforts to force transparency in public administration.[15]

One of the most ambitious proposals promoted by globalization movements is the establishment of a cosmopolitan right, that implies the redefinition of the terms "national sovereignty" and "citizenship". The first one, according to the cosmopolitan theory, must be replaced with cosmopolitan sovereignty, in which political power is given by the possibility of conceding basic rights to a global community of citizens. The concept of cosmopolitan citizenship places human beings as members of a universal community, hence, as leaders of a collection of equal rights and obligations.[16]

The establishment of an international legal system that possesses the characteristics that the cosmopolitan model demands presents many difficulties. One of the biggest challenges is the appearance of nationalist movements that have arisen within the last years due to the distrust of society in international institutions and the discredit of free market as a model of economic development. In the same way, the displacement of population typical of this era, has caused tension in the receiving countries, where citizens perceive migrants as a threat to their culture and customs.

It is then that we must wonder, if future social movements will have the capacity of maintaining the liberal democratic tradition of seeking progressively for Human Rights, or if the contemporary uncertainty will bury cosmopolitism as the modernization of justice and democracy in the era of globalization.

## Methodology

This article seeks to explain the perception that the European societies have on Human Rights, in light of the recent massive arrival of refugees from the Middle East, with ethnic and cultural features that encourage the composition of a more multicultural European region.

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[14] V. Ruggiero, N. Montagna, *New Social Movements*, in: *New social Movements. A reader*, eds. V. Ruggiero, N. Montagna, Routledge, New York 2008, pp. 195–199.

[15] A. Appadurai, *Grassroots Globalization*, in: *New Social Movements. A reader*, eds. V. Ruggiero, N. Montagna, Routledge, New York 2008, pp. 303–306.

[16] D. Held, op. cit.

The work conducted to discover the perception of the European population on Human Rights consisted on discourse analysis of some comments posted by readers of the most relevant online newspapers of six European countries, considering news stories of international relevance about controversial events that occurred during 2015–2016.

The importance of using discourse analysis on this research, lies on the fact that it is a resource that brings language into the center of the issue,[17] which enables us to identify the factors that configure European identity and culture parting from the expressions of its population. According to Van Dijk, discourse analysis helps us to study the way how the: "(…) social power, dominance and inequality are practiced, re-produced".[18]

The topics of the news stories analyzed were selected and classified into four categories that require approach or discussion of the idea of Human Rights. Among these aspects are: 1) Freedom and security, 2) International Cooperation, 3) Populism and nationalism, 4) Tolerance and inclusion (Table 1).

To analyze the posture of the European population on the aspect of freedom and security, we used comments on news stories about the terrorist attacks in Paris occurred in 2015; to study the aspect of cooperation, we used comments about BREXIT; for the aspect of populism and nationalism, comments on the win of Donald Trump for the presidency of the United States of America; and finally, to evaluate the aspect of tolerance and inclusion, we comments on the arrival of refugees as a reference.

**Table 1. Categories and Analyzed Topics**

| Political aspect | Topic of the analyzed news story |
|---|---|
| 1.Freedom and security | Terrorist attacks in Paris |
| 2. International cooperation | Brexit |
| 3. Populism and nationalism | Donald Trump's victory on the presidency |
| 4. Tolerance and inclusion | Arrival of refugees in Europe |

Source: self elaboration**,** based on the methodological design of the research.

The countries selected for the research were Germany, Austria, Spain, France, Italy and the United Kingdom. The newspaper or newspapers with the largest circulation in these countries were picked to analyze the news stories related to

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[17] P. Santander, *Por qué y cómo hacer análisis del discurso* (*Why and how to do discourse analysis*), Cinta de Moebio 2011, pp. 207–224, https://www.researchgate.net/publication/262558710_Por_que_y_como_hacer_Analisis_de_Discurso (access 7.09.2019).

[18] T. Van Dijk, *El Análisis crítico del discurso* (*The critical analysis of the discourse*), "Antrhopos", no. 186/1999, pp. 23.

the four aspects and topics previously mentioned (Table 2). This allowed us to perform, not only an analysis of the perception that the population of each country has on Human Rights, but also to make a comparison between countries and at the end undertake a general examination of the situation that prevails in Europe.

**Table 2. Newspapers Consulted in Each Country**

| Country | Consulted newspapers |
|---|---|
| Germany | Spiegel<br>Zeit |
| Austria | Die Presse<br>Kurier<br>Nachrichten |
| Spain | El País |
| France | Le Figaro |
| Italy | La Repubblica |
| The United Kingdom | The Guardian |

Source: self elaboration based on the sources consulted for the research.

Once the newspapers and the news stories were selected, the first 100 comments posted on each news story were compiled, with the purpose performing discourse analysis and later evaluate the posture of the population of each country on every particular topic, in relation to the idea of Human Rights.

Finally, in spite of the fact that the main task consisted on the discourse analysis of the comments, it was also aimed to organize the information collected to learn the percentage of comments analyzed that were the most adhered to the values of Human Rights, and the amount of percentage that manifested against them

## Results of the Research. The European Perception on Values that Support Human Rights

### *Security and freedom*

The terrorist attacks perpetrated on Friday 13th November 2015 in Paris, represented a valuable opportunity to analyze the perception of the European society on freedom and security inside their borders. In this context, the results of the research display that security and Human Rights are for Europeans ideals that occasionally might be in contradiction.

According to the comments analyzed about the terrorist attacks in Paris, 37% believes that the best option to avoid such events is to close their borders and counterattack the Arab world, due to the fact that, for them, Islam repre-

sents an extremist ideology that threatens the security of western countries (Table 3).

On the other hand, only 38% of the people believes that there should be moderation in the generalizations made about the Muslim religion, and that it is not adequate to relate terrorism and Syrian refugees (Table 3).

**Table 3. Security and Freedom**
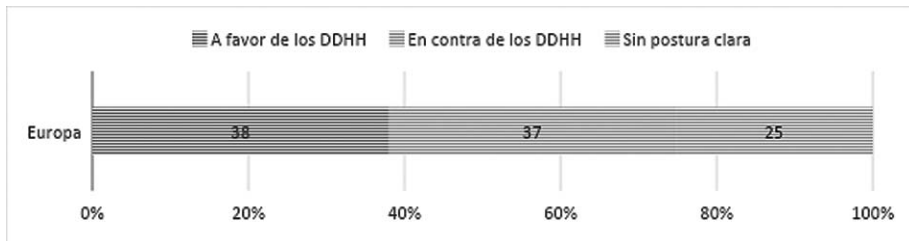


Source: self elaboration based on the analysis of comments.

Taking the six selected countries as basis, it was possible to identify several topics that society debates about terrorism in Europe. Firstly, it was manifested how controversial is posing an alternative for security inside every country.

On the one hand, we have the postures that claim for the strengthening of the police forces and institutions to provide security in France and Europe. It is demanded that the security filters in airports and refugee camps were strengthen, to avoid filtrations from new terrorist of the Islamic State.

It is also proposed that regional migratory revision centers should be created, as well as the uprising of border walls to avoid the entering of undocumented Syrian or Middle East refugees.

This type of proposals justifies the restriction of Muslims in the continent, for considering that Islam is an expansive, aggressive and violent religion, that seeks to indoctrinate followers to commit terrorist acts.

These general opinions perceive the attacks as a declaratory of war, and it seeks to pressure European leaders to counterattack Syria, and that way, demonstrate the power of Europe through warlike actions.

Those who support these actions refuse to the implementation of conciliation policies for considering that multilateral diplomacy is an inefficient mean. The proposal is the destruction of the Islamic State in the Middle East, in order to avoid new calamities in European land.

On the other side, there are those who claim for moderation. They argue that perpetrators of the attacks were European citizens who were already inside of French territory. They consider that the construction of migratory centers, as well as security camps, would only produce more disintegration and resentment.

This posture criticizes interventionism in the Middle East and considers that the military presence of Europe in the region, has caused the radicalization and formation of terrorist cells, which is why deciding to bombard them would cause civilian deaths.

To sum up, those who defend Human Rights explain that xenophobia has produced the stigmatization of millions of Muslims, increasing the possibilities of radicalization in many of them, threatening to join neo-fundamentalist groups.

### *International cooperation*

Cooperation and interdependence between the European countries does not seem to be a popular idea nowadays. From the comments that were analyzed related to the announcement of Great Britain's separation from the rest of the European Union (Brexit), 39% of people criticizes the role of the EU and see the United Kingdom as an example to begin their own separation processes (Table 4).

On the contrary, only 28% claims to see Brexit as an opportunity for the remaining countries to consolidate a reformed European project (Table 4).

**Table 4. International Cooperation**
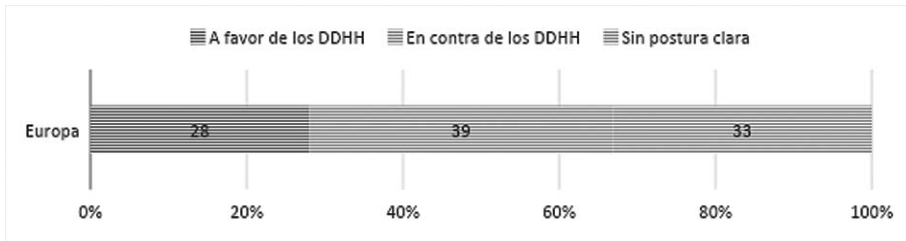


Source: self elaboration based on the analysis of online comments.

On the six analyzed countries, it is assured that the separation of the UK was expected, due to the apathetic attitude of the British. It is believed that the British rejection towards the guidelines dictated in Brussels was very recurrent, especially since Britain desired stricter immigration measures (even for European States), and also, because it held more favourable economic and financial positions, such as, for instance, not having to change their currency in order to use the Euro. As well as their indifference to the crisis in Greece and the lack of commitment on the issue of Syrian refugees.

After Brexit, the United Kingdom received strong criticism for their lack of empathy towards the unity project. In spite of that, during the research, we were able to state that in the rest of selected countries, the Union is also the target of serious queries. For instance, it is believed that the organization has lost its initial essence, that there is strong forced leadership from Germany, that

the member States are losing their national sovereignty, and that the economic and political incentives for permanence are getting weaker.

In this way, after the exit of the UK, we can elicit two proposals found: the first one aims to take advantage of the exit to strengthen the relation between the remaining member States which are actually committed to the Union, redefine common national interests and intensify the cooperation processes to boost a democracy that has reached cosmopolitan levels, as well as an enjoyment of rights and freedoms never seen before.

The other proposal, on the contrary, consists of taking the exit of the UK as a role model and abandoning the faulty project that the European Union has become. People in favor of this vision believe that there has been a loss of legitimacy of an organization that imposes its policies and whose representatives are not elected democratically. There are those who speak of a technocracy and a dictatorship of institutions above sovereign countries, instead of a continental democracy.

According to this vision, the European Union had already proved repeatedly to be an obsolete institution, and that it was necessary to acknowledge it and leave to preserve sovereignty and national autonomy. Closing the national borders, redefine interests and make a change in commercial relations through bilateral agreements.

### *Populism and Nationalism*

From the European perspective, Donald Trump's political patriotism is not such a popular alternative to be implemented across the Atlantic. In spite of that, 31.7% believes that it is necessary to modify the established world order, and that nationalism represents an actual opportunity to reestablish world order and the hegemony of European countries (Table 5).

More inclined to an idea of respect towards global opening, it was discovered in this research that 36.5% believes that Donald Trump represents a risk for Human Rights, firstly because of the content of his presidential campaign, qualified as xenophobic, racist and nationalist. And secondly, because of his lack of knowledge of international politics (Table 5).

Among the postures most inclined towards Human Rights, there is a rejection to Donald Trump's attitude as a politician, considering his behavior as visceral, authoritarian and aggressive. In relation to his public appearances during his presidential campaign, the comments qualify him as populist, nationalist and racist. Those attitudes are seen as a threat to peace and international security.

On the analyzed platforms it is commented that Donald Trump's undiplomatic speech and his way of leading the foreign policy of the most influential country in the world, might become eventually into tiring political crisis in other countries.

**Table 5. Populism and Nationalism**
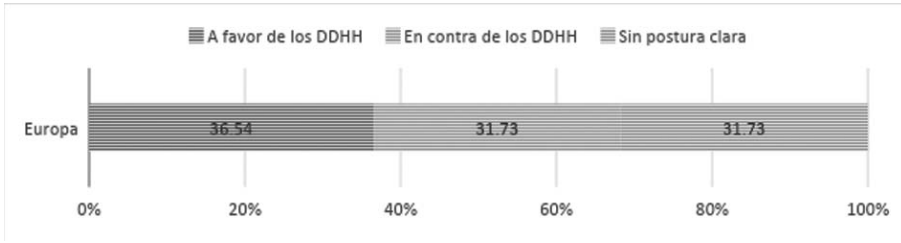


Source: self elaboration based on the analysis of comments posted.

According to this posture, the victory of Donald Trump also marks a defeat for liberalism, democracy and the free market, as well as a large setback for the processes of global integration, international cooperation for development, the environment and globalization.

Trump's isolationist rhetoric expresses, for this segment of the European society, a reconfiguration of world order, characterized now by the United States of America acting solitary and distant from international affairs, distrusting intergovernmental institutions and a firm believer of abandonment of multilateral agreements.

The opposing opinion to this asseverates that the election of Donald Trump as president could translate into a referent for the citizens of European countries and an opportunity to choose candidates with similar anti-systemic characteristics such as Donald Trump, that would solve the structural issues of the European Union, end economic crisis and put an end to the arrival of refugees.

From a different perspective, there is another side that does not necessarily oppose North American nationalism, but it seeks to take advantage of the context in benefit of Europe. Those who think that way, assure that the triumph of Donald Trump is a great opportunity to reinstate their world leadership.

They consider that the isolationism of the United States would help to break the status quo imposed after the Cold War, in which The USA became the superpower and police of the world. This, would have given them the legitimate capacity of intervening the most vulnerable countries only for the fulfillment of their interests, without considering any political or social crisis that this might unleash.

## *Tolerance and Inclusion*

Europeans have become intolerant when it comes to accepting a multicultural notion of liberalism. Through the analysis of the news stories about the refugee crisis, we found that 51% of the comments perceived the entrance of Syrian refugees as a risk or a threat to western values (Table 6).

Whereas only slightly more than 29% feels that western interventionism in Syria has contributed to the war in the Middle East that has displaced millions of people all the way to Europe, and that hence, it is their obligation to stick to international law and receive applicants for political asylum (Table 6).

**Table 6. Tolerance and Inclusion**
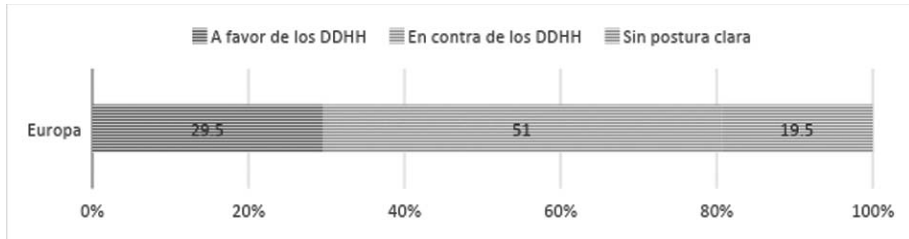


Source: self-elaboration based on the analysis of comments.

This segment, in favor of Human Rights, acknowledges that the obligation of providing asylum to refugees is supported by international law. They consider that human displacements are a consequence of war conflicts in which European powers are involved, and it is for this reason that they request a prompt end to the war and cooperation in the reconstruction of the affected countries.

Moreover, they defend integration policies, and they claim that the newcomers do not represent a threat. This posture, however, represents the belief of a minority that sees in multiculturalism a possible conciliation of the European and Arab worlds.

In this way, for a vast section of the European population, the obligation of providing asylum to the displaced by the war in Syria is an irresponsible and dangerous commitment.

They claim that the entrance of Muslims into the European continent involves a threat for new terrorist attacks, as the decision means not only "opening the doors to the enemy" but also "inviting him in", state some.

As a consequence, among the proposals of those who oppose humanitarian asylum, arise once again the strengthening of the exterior borders of the European Union, as well as the installation of migratory checkpoints inside Schengen territory.

This group of people believes that international law might bring damaging consequences, as its implementation, they claim, endangers security, economic stability and even the cultural identity of the government.

On the other hand, the manner in which the European Union has managed the refugee crisis, under the leadership of Germany, has also been strongly criticized. They consider that the acceptance or rejection of the displaced must be

decided by each country individually, which is why they perceive the orders from Brussels as an imposition.

Finally, it was possible to identify that all of this views contrary to cultural inclusion, seem to develop from collective fear, as by requesting the closure of borders, people express not only fear of new terrorist attacks, but also manifest fear of losing their identity.

Paradoxically, they consider that culture mixture endangers the pillars of freedom and democracy on which European institutions are based on.

# Conclusions

In this article, it has been attempted to approach the way that cultural shock because of the arrival of refugees to Europe has affected and questioned the validity of Human Rights in the continent.

The process of construction of liberties and commitments in the western civilization was analyzed, to come to the conclusion that there is a tight relation between social movements and the internalization of the values that promotes the philosophy of Human Rights.

In this context, we consider that social movements nowadays still face several challenges, especially those which derive from instability and contradictions of globalization, such as climate change, economic crisis, migration and forced displacement, as well as the resurgence of nationalism that challenges democratic progress.

Because of all this, throughout this research, it seemed appropriate to question whether or not social movements that revolve around the dynamics of globalization will have the capacity to continue in the progressive search of Human Rights, or at least maintain their validity.

The concern we must express is the danger that, in the search of a way of dealing with contemporary issues, society will choose methods which are apparently more efficient, but opposed to the values of global justice.

In the Europe of the refugee crisis, the loss of validity of the Human Rights international regime is not only a probable scenario, but a reality that is perceived with the recent appearance of right nationalist movements and political parties that refuse to give priority to Human Rights and cooperation as a mediation for the economic and cultural issues they are suffering.

The results of the research show four crucial findings. The first one is that, a part of the European citizens (37%) considers that national security might be above the right for freedom. This group of people sees sacrificing some civil liberties as acceptable, as long as national security is protected.

The second finding shows that cooperation and interdependence among countries lacks popularity. Within the analyzed comments a dissatisfaction is

observed, due to the manner that the European Union operates. On this aspect a 39% believes that the unity project has failed tremendously, and they see the United Kingdom as an example to begin their own separation processes.

The third finding displays that in Europe the citizens remain critical of the populist and nationalist propaganda that ended up defeating in the voting in the United States of America. 36% of the Europeans sees the triumph of the populist rhetoric as a defeat for liberalism, democracy and Human Rights. They see in Trump a big relapse in the processes of world integration, international cooperation and development, the environment and globalization.

The fourth finding shows that only a minimal fraction of the European population sees cultural integration with the Middle East as a positive aspect (29.1%). The majority believe that both cultures are not compatible, that Islam is a violent ideology and that their expansion endangers the European identity and the values that they understand as democratic and liberal.

Finally, derived from all of these findings we can conclude that, while there is a strong debate that divides opinions and grants some victories to the pro-Human Rights statements, it is true that a weakening of the belief on the universality of this prerogatives is fairly evident.

The analysis performed allows us to foreseek a worrying reality, the validity of Human Rights is no stable. And as civil society, national governments and the Institutions of the European Union are incapable of perceiving it, fundamental rights are in danger of becoming obsolete to make room for a stage of severe democratic regression.

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