

## Summary

### *Das politische Asyl vor den Herausforderungen des 21. Jahrhunderts Orientierungen aus der Geschichte*

by Markus Babo

Throughout history, the use of asylum always proved as an indicator of fundamental social injustices. Asylum in its specific embodiments adapts to the challenges of the time highly flexible. It is given in each case by a neutral authority first and foremost to the disenfranchised and marginalized. It may in some cases actually remedy the situation and thereby contribute to humanization of law and society in a long term. Therefore, the right of asylum can be designated as a pre-state institute, which refers to the human rights and is only required as long as they are not consistently respected. Against this background, the global refugee movements, of which only a small part escapes to Europe, can be understood as an indicator of global injustice that can only be resolved in a just world order, where all three generations of human rights are consistently recognized and enforced. Walling off against immigrants pushes them in applying for asylum. Therefore procedures were increasingly narrowed and operate with a definition of a refugee according to the European situation in the first half of the 20th Century, which does not satisfy to the global challenges of the 21st. So powerless are deprived of asserting any right. This retreat from human rights standards led consistently to a renaissance of sanctuary movement which can be seen beyond the concrete help in some cases also as an opportunity to actualize the definition of refugee, to reform the procedure for granting the right of asylum and to create a more humane and inclusive international order, which ideally would make asylums unnecessary.