

REVIEW

Do Androids Dream of Asylum? The *Blade Runner* Films (1982, 2017) and Fear of the 'Other'

Paresh Kathrani

Westminster Law School, University of Westminster, GB

p.kathrani@westminster.ac.uk

One of the predominant themes of both *Blade Runner* movies from 1982 and 2017 is the fear of the 'other'. At the same time as the replicants represent the most obvious other, both films' enduring genius lie in how they use features like their soundtracks, images and storylines to make the other resonate. Asylum seekers and refugees too are often perceived as others and this film review uses international refugee law as a framework to explore some of the critical themes that arise in both the movies. It argues that there are common issues that underpin the treatment of persecuted people and replicants, especially stemming from otherness, and international refugee law is a good framework to explore these issues.

Keywords: *Blade Runner*; The Other; Refugee Protection; Human Rights; Empathy

History is replete with people having been forced to leave their homes and seek protection elsewhere because of a fear of persecution. Craig Stern (2001: 465) in his comparative analysis of homicide law in 'Anglo-American Law and the Torah', for instance, explains how even in earlier times, certain cities were designated 'Cities of Refuge' and offered sanctuary to those who fled their homes for fear of capital punishment because of a killing. The granting of sanctuary was also a prevalent feature of the Western church for more than a thousand years (Marfleet 2011: 455) and, indeed, during the seventeenth century, the British Crown afforded protection to thousands of French Huguenots who were forced to flee Catholic persecution in France (Winder 2004: 81).

All of these historical examples are, of course, antecedents to the current juridical protection framework that applies. Today, motivated by the tragic plight of those who were forced to flee their homeland during the Second World War (Gibney 2006: 73–74), refugee protection status is generally regulated by an international instrument, the Convention Relating to the Status of Refugees 1951 (the Refugee Convention), which requires those who have ratified the Convention to afford the rights enshrined within it to those asylum seekers who come to their state and meet the legal definition and conditions set out in its first Article (Refugee Convention 1951: Article 1).¹

However, as some of the stories and images, certainly coming out of Europe of late (Stierl 2016: 561–578), have shown, refugee law is one area of law where there is a sharp schism between legal moralism and black letter law. This treatment of the asylum seekers and refugees is nothing new. Even at the turn of the millennium, the United Nations High Commission for Refugees, commenting on what had occurred since the end of the Cold War, wrote that some:

'countries sought to adopt non-arrival policies aimed at preventing improperly documented aliens, who included potential asylum seekers, from reaching Europe...second, for those asylum seekers who managed to arrive at the borders despite these efforts, diversion policies were designed, shifting to other countries the responsibility for assessing asylum seekers claims and providing protection' (UNHCR 2000: 161–162).

This division between the moral impulse motivating the 1951 Refugee Convention and the measures that some states have adopted to deter asylum seekers can be analysed from many different disciplinary standpoints: political, cultural, and economic, amongst others. The theoretical framework that this review adopts is 'otherness' – or, more specifically, *a fear of the other* (Young 1990: 59–60).² Whilst a state may indeed acknowledge the moral impulse of protecting those who are fleeing persecution elsewhere, frequently, it is the apprehension of difference or 'otherness' that induces them to adopt rigid measures. Matthew Horsman and Andrew Marshall (1994) look at this from the perspective of nationalism: 'The human targets of the new nationalism are obvious; those of different cultures, who speak foreign languages. Nationalists demand tougher border controls at a time when borders are increasingly difficult to secure' (Horsman and Marshall 1994: 46).

Both *Blade Runner* films are typified by their mistreatment of the other, not least because the blade runners are specifically tasked with tracking down and terminating replicants. A vivid fear of the *other* pervades both the original *Blade Runner* film (Directed by Ridley Scott, Release 1982) and its sequel, *Blade Runner 2049* (Directed by Denis Villeneuve, Release 2017) and yet the other is not just restricted to replicants. The virtuosity of both movies lies in the fact that they expand the other. Whether it be the replicants and their human-like body parts (Shetley and Ferguson 2001), the dissonance and resonance of Vangelis' reverberating soundtrack, or the dark, dystopian film noir of both films, these themes augment the other in both movies and magnify it beyond the screen. In actual fact, this was one of the hallmarks of the original film. Through its arresting contrast of humans and replicants, dark and neon lighting, and the rising and falling tones of its soundtrack, the audience was taken into an entirely new space that called upon them to look deeper in to their relationship with the other (Metin 2001: 74–75).³

How might a replicant possibly fare when it comes to a refugee application? In this respect 'life-or-death' is a forceful theme of both films. Asylum seekers, too, are often forced to flee their home to seek refugee protection because of a risk to their life. In these circumstances, one of the questions that the receiving state has to consider is the likelihood that an asylum seeker will be killed if they are returned to their home (Stern 2001). Often, asylum seekers are granted refugee status on this basis. But, with respect to life, in *Blade Runner 2049*, when Lieutenant Joshi (Robin Wright) and K (Ryan Gosling) discover that a replicant (Rachael (Sean Young) from the first film) gave birth to a child, Joshi orders K to find and kill the child. Putting aside any points of temporality and jurisdiction, murder under English common law is defined as when a person causes the death of a human being under the Queen's Peace with malice aforethought, or with an intention to kill or cause grievous bodily harm (Coke 3 Co Inst 47). It would undoubtedly be prohibited for K to do this under English criminal law without justification. Yet Joshi doesn't think twice before ordering him to find and kill the replicant child – presumably on the basis that murder is limited to the killing of a *human being* and the replicant child would not be deemed to be human. Human rights points also arise. The International Covenant on Civil and Political Rights 1966, for example, says in Article 6(1) that: 'Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life'. International cases have also prohibited the summary killings of human beings (*Kanta Baboeram-Adhin et al. v. Suriname*, 1985). But it is conspicuous that Joshi doesn't extend this, or any similar rights, to the child (Coeckelbergh 2010: 210).

Indeed this brings into sharp focus the issue of machine rights. Recently, a robot was afforded citizenship in Saudi Arabia (Kanso 2017), and a piece of artificial intelligence software was granted residency in Tokyo (Caughill 2017). However, the broader themes in both movies raise powerful questions as to whether humans will ever recognise machines as being capable of possessing rights, especially when the very function of the blade runners is to exterminate replicants. As a matter of fact, the films push us into perceiving the replicants as mere bits and not subjects – a theme that is also expanded upon in *Blade Runner 2049* when Niander Wallace (Jared Leto) orders Luv (Sylvia Hoeks) to find out more about the replicant mother and child so that he can use them to further the Wallace Corporation's economic needs. Notions of ownership and proprietorship emerge, just as in the 1982 film (Barringer 1997: 118).

This treatment of replicants as objects amplifies the wider spectre of otherness in the films. Cutting across both movies – just as it is with asylum seekers – is the attitude that replicants have to be feared as they are different. This is also parallel to some of the contemporary fears over robots. Stories have been replete with the threats that robots pose, for instance, to work (McClure 2017: 13). With regards to the legal profession, an article in 2014 commented on a report by a group of consultants that 'robots and artificial intelligence (AI) will dominate legal practice within 15 years, perhaps leading to the "structural collapse" of law firms' (Bindman 2014).

This reduction of replicants to non-human is what ostensibly motivated Joshi to order K to kill the replicant child and echoes some of the ways in which asylum seekers have been reduced to objects too (Kathrani 2017: 1–7). For instance, a very poignant piece by Hong Khaou (2007: 69) reads:

'We are so alike. Why are you here? We came here to give our child a better life. My husband said you'll love it here, the people are so nice and everything is so cheap and it'll be really exciting. And there'll be so much freedom and choice, but it just meant freedom for them to mock...' (Khaou 2007: 69; ed Arbabzadah 2007).

Whilst there have been many horrific stories about how asylum seekers have been dehumanised, these also need to be counterbalanced with the fact that there have been countless instances in which states have welcomed refugees (Patterson 2015). This can be related to wider notions of empathy. People choose to help other human beings because of, amongst other things, fellow feeling (Dummett 2005: 34).⁴ *Blade Runner 2049* plays to feelings too. The film weaves in and makes great use of imagery and emotions. For example there is an evocative scene in which K leaves Ana Stelline (Carla Juri) having just learnt that he could be the replicant child and, actually, rather than being bioengineered, he may have been delivered in the same way as a human. The snow then starts to fall and he holds out his hand to catch a falling snowflake. Not only does the white, snowy scene strike a powerful, almost divine, contrast with the film noir elsewhere in the film, but it makes the viewer contemplate the dichotomy between human and non-human (Rousseau and Foxen 2010: 78 and 79).⁵ Should it, after all, really matter whether a replicant is a human or non-human? All the evidence points to the fact that it would – because of the apprehension of the other.

Both films should be celebrated for their vivid use of film noir, music, pathos and space. In making use of bright and intense differences, they make the viewer ponder a whole host of moral conundrums. However, the question posited at the beginning of this review is whether 'androids can dream of asylum' – and it seems at a time when human refugees often find it difficult to apply for protection, replicants perceived as objects would fare no better.

Notes

- ¹ Article 1(A)(2), for example, says that the term refugee shall apply to those who, amongst other definitions: 'As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.' However, Article 1 also sets out a number of other circumstances that determine the applicability of the Convention, such as when a person can cease to be a refugee, or be excluded.
- ² This can be widely related to Young, Iris (1990): 59–60.
- ³ For a Biblical interpretation of the many themes and dichotomies of *Blade Runner* (1982), see Boşnak, Metin. 'The Nocturnal Future as Alienated Existence: *Blade Runner*', *Journal of Economic & Social Research*, 3: 2 (2001): 74–75.
- ⁴ Dummett, Michael *On Immigration and Refugees*, (Abingdon and New York: Routledge, 2005): 34: 'To refuse help to others suffering from or threatened by injustice is to collaborate with that injustice, and so to incur part of the responsibility for it.'
- ⁵ Rousseau, Cécile, and Foxen, Patricia. "'Look Me in the Eye": Empathy and the Transmission of Trauma in the Refugee Determination Process', *Transcultural Psychiatry*, 47.1 (2010): 78–79.

Competing Interests

The author has no competing interests to declare.

References

- Barringer, R** 1997 *Blade Runner: Skinjobs, humans and racial coding*. *Jump Cut: A Review of Contemporary Media*, 41: 13–15.
- Bindman, D** 2014 Report: artificial intelligence will cause 'structural collapse' of law firms by 2030. *Legal Futures*. December 2014 at: https://scholar.google.co.uk/scholar?hl=en&as_sdt=0%2C5&as_ylo=2016&q=automation+unemployment&btnG= (Accessed 7 November 2017).
- Boşnak, M** 2001 The Nocturnal Future as Alienated Existence: *Blade Runner*. *Journal of Economic & Social Research*, 3: 2.
- Caughill, P** 2017 'An Artificial Intelligence Has Officially Been Granted Residency'. *Futurism*, November 2017 at: <https://futurism.com/artificial-intelligence-officially-granted-residency/> (Accessed 7 November).
- Coeckelbergh, M** 2010 Robot Rights? Towards a Social Relational Justification of Moral Consideration. *Ethics and Information Technology*, 12(3).
- Coke** (3 Co Inst 47).
- Convention relating to the Status of Refugees** 1951 189 U.N.T.S. 150.
- Dummett, M** 2005 *On Immigration and Refugees*. Abingdon: Routledge.
- Gibney, M J** 2006 A Thousand Little Guantanimos: Western States and the Measures to Prevent the Arrival of Refugees. In: *Displacement, Asylum, Migration*, Tunstall, K E (ed.). Oxford: University Press.
- Horsman, M and Marshall, A** 1994 *After the Nation State: Citizens, Tribalism and the New World Disorder*. London: Harper Collins.
- Kanso, H** 'Saudi women riled by robot with no hjiab and more rights than them'. *Reuters*, November 2017 at: <https://www.reuters.com/article/us-saudi-robot-citizenship/saudi-women-riled-by-robot-with-no-hjiab-and-more-rights-than-them-idUSKBN1D14Z7> (Accessed on 7 November 2017).
- Kanta Baboeram-Adhin et al. v. Suriname** 1985 CCPR/C/24/D/146/1983, 4 April.
- Kathrani, P** 2017 Object or Subject? The Ongoing Objectification of Asylum Seekers. *International Comparative Jurisprudence*, 3(1).
- Khaou, H** 2007 'Monologue'. In: *From Outside In: Refugees and British Society*, Arbabzadah, N (ed.), 69. London: Arcadia Books.
- Marfleet, P** 2011 Understanding 'Sanctuary': Faith and Traditions of Asylum. *Journal of Refugee Studies*, 24: 3. DOI: <https://doi.org/10.1093/jrs/fer040>
- McClure, P K** 2017 "You're Fired," Says the Robot: The Rise of Automation in the Workplace, Technophobes, and Fears of Unemployment. *Social Science Computer Review*. DOI: <https://doi.org/10.1177/0894439317698637>
- Patterson, T** 2015 'Refugee crisis: Munich's citizens welcome refugees with open arms: The eagerness to help is so great the city now has waiting lists for volunteers'. *The Independent*. 7 September.

Refugee Convention 1951 Article 1 (A)(2).

Rousseau, C and **Foxen, P** 2010 "Look Me in the Eye": Empathy and the Transmission of Trauma in the Refugee Determination Process. *Transcultural Psychiatry*, 47(1).

Shetley, V and **Ferguson, A** 2001 Reflections in a Silver Eye: Lens and Mirror in *Blade Runner*. *Science Fiction Studies*.

Stern, C A 2001 Torah and Murder: The Cities of Refuge and Anglo-American Law. *Valparaiso University Law Review*, 35: 3.

Stierl, M 2016 A Sea of Struggle – Activist Border Interventions in the Mediterranean Sea. *Citizenship Studies*. 20(5). DOI: <https://doi.org/10.1080/13621025.2016.1182683>

United Nations High Commission on Refugees Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees. HCR/IP/4/Eng/REV.1 (Geneva, 1979, 1992).

United Nations High Commission for Refugees 2000 *The State of the World's Refugees: Fifty Years of Humanitarian Action*. Oxford: University Press.


Winder, R 2004 *Bloody Foreigners: The Story of Immigration to Britain*. London: Abacus.

Young, I M 1990 *Justice and the Politics of Difference*. Princeton, NJ: University Press.

How to cite this article: Kathrani, P 2018 Do Androids Dream of Asylum? The *Blade Runner* Films (1982, 2017) and Fear of the 'Other'. *Entertainment and Sports Law Journal*, 16: 1, pp.1–4, DOI: <https://doi.org/10.16997/eslj.213>

Submitted: 16 October 2017 **Accepted:** 17 November 2017 **Published:** 26 January 2018

Copyright: © 2018 The Author(s). This is an open-access article distributed under the terms of the Creative Commons Attribution 4.0 International License (CC-BY 4.0), which permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited. See <http://creativecommons.org/licenses/by/4.0/>.

 *Entertainment and Sports Law Journal* is a peer-reviewed open access journal published by University of Westminster Press.

OPEN ACCESS 