
ARENDT AND REFUGEES (AT PRESENT): PERSONALIST ANTHROPOLOGICAL FOUNDATIONS OF THE ETHICS OF REFUGEEISM¹

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No one can live only on food.²

Introduction

This paper describes and presents the condition of refugees, its questionability and ethical unacceptability through the study of Hannah Arendt's thought and concepts which enable an accurate analysis and description of the condition of refugees. In this way, the usefulness and relevance of Hannah Arendt's thought is presented for the present time and situation. This will be done by its application to one of the most burning and complex issues of contemporary world. Moreover, this is at the same time one of the most representative and significant problems of modernity because in it shows and embodies the main social and political characteristics of our time. The latter is the contradiction between the system of sovereign national states that functions on the basis of naturalist principle on one hand and the modern world and contemporary (global) situation for which this old system is less and less suitable. This may be most clearly evident in the problem of refugees. For this reason, Giorgio Agamben, a philosopher who owns

¹ The Research Programme Ethical-religious Grounds and Perspectives of the Society and the Religious Studies in Context of Education and Violence (P6-0269) and the basic research projects Reanimating Cosmic Justice: Poetics of the Feminine (J6-8265) and Interreligious Dialogue – a Basis for Coexisting Diversity in the Light of Migration and the Refugee Crisis (J6-9393) are financed by the Slovenian Research Agency. I thank the agency for the support.

² Mt 4,4; Lk 4,4.

a lot to Hannah Arendt, thinks that the problem of refugees is a paradigmatic issue of the modern political thought.³ In the second part of the paper, certain distinctive characteristics of the present situation are compared to the ones of Arendt's time. Some of these specifics are the results of the use of modern technology.

In our view, maintaining a biological man is not enough for full humanity and is therefore ethically insufficient. Mere biological life allows for instance the absence of inclusion in the world in the sense of Arendt, a violation of the right to privacy, continuous exposure and vulnerability from the point of view of privacy and annihilation of conditions for it. And this is just the situation of rightless refugees. Therefore, our ethical duty is to make it possible for them to be included in the world on one hand and to protect their right to privacy on the other. How to achieve this is the basic and crucial question for an ethical solution to the refugee problem.⁴ The aim of the paper is to explain that this is the fundamental and crucial question as well as to provide guidelines and a framework for resolving it.

Arendt's View

The starting point of Arendt's relevant thought is her own life experience. This is very important especially in her case because she was strongly convinced that thinking from one's own experience is essential.⁵ Arendt herself was a refugee, and she was a stateless person for more than 17 years. In 1933 she lost her German citizenship and she was stateless until she got the American citizenship. She also had an experience of an internment refugee camp in France. We will mostly concentrate on three Arendt's works that are of special importance for

³ Giorgio Agamben, *Means without Ends: Notes on Politics* (Minneapolis: University of Minnesota Press, 2000), 16.

⁴ Marieke Borren, "Towards an Arendtian politics of in/visibility: On stateless refugees and undocumented aliens," *Ethical Perspectives: Journal of the European Ethics Network* 15, no. 2 (2008): 233.

⁵ Stefania Eugenia Barichello, "The Legacy of Hannah Arendt on the Analysis of the Contemporary Condition of Refugee," *Universitas Relações Internacionais, Brasília* 13, no. 1 (2015): 43.

our subject: her essay “We Refugees,”⁶ her basic and perhaps most seminal work *The Origins of Totalitarianism*,⁷ and as last but not least *The Human Condition*.⁸

We Refugees and The Origins of Totalitarianism

We Refugees appeared in the 1943. In it, Arendt presents her personal view on the condition of German Jews who fled from the Third Reich.⁹ She offers a “definition” of a refugee. Refugees are

those of us who have been so unfortunate as to arrive in a new country without means and have to be helped by refugee committees. /.../ We lost our home, which means familiarity of daily life. We lost our occupation, which means the confidence that we are of some use in this world. We lost our language, which means the naturalness of reactions, the simplicity of gestures, the unaffected expression of feelings. We left our relatives in the Polish ghettos and our best friends have been killed in concentration camps, and that means the rupture of our private lives.¹⁰

Arendt observes that “being a Jew does not give any legal status in this world.”¹¹ She anticipates her later theory about “the decline of nation-state and the end of right of men”¹² in *The Origins* and writes:

If we should start telling the truth that we are nothing but Jews, it would mean that we expose ourselves to the fate of human beings who, unprotected by any specific law or political convention, are nothing but human beings.¹³

Arendt stressed the importance that Jews preserve their own identity. She considered Jewish refugees as an appearance of a new historical consciousness and she understood the condition of refugees from the point of view of that consciousness. She criticised the attitude of many

⁶ Hannah Arendt, “We Refugees,” in Hannah Arendt, *The Jewish Writings* (New York: Schocken Books, 2007), 264–274.

⁷ Hannah Arendt, *The Origins of Totalitarianism. New edition with added prefaces* (San Diego, New York and London: A Harvest Book, Harcourt Brace & Company, 1979).

⁸ Hannah Arendt, *The Human Condition* (Chicago: The University of Chicago Press, 1970).

⁹ Borren, “Towards an Arendtian politics of in/visibility,” 213.

¹⁰ Arendt, “We Refugees,” 264.

¹¹ Borren, “Towards an Arendtian politics of in/visibility,” 213.

¹² Ibid.

¹³ Arendt, “We Refugees,” 273.

Jews that have forgotten their old identity and have tried to acquire a new identity as soon as they have changed the country. In the terms of Christopher Lasch,¹⁴ she criticized a costume identity attitude of many Jews. On the other hand, she argued that refugees, if they keep their identity, are a vanguard of their people.¹⁵ She realised that Jewish history is connected with the history of other nations because the condition of being a Jew was precedent for the condition of being a citizen of a certain country.

The Origins provided a theoretical and factual foundation for *The Human Condition*. In *The Origins* she finds out that citizenship is not only a means but rather a very basic condition and a sort of principle of possibility that a man is considered as equal to the others in the common world. *The Human Condition* is a reflection on the concept of *vita activa*. *Vita activa* has three essential and integral parts: labour, work and action. In *The Human Condition* Arendt deals with the concept of citizenship in the light of the reports on the participation in the public sphere in the Greek polis. Her starting point is an isolation of people which destroys their political (cap)ability and consequently their political action. But at the same time we must bear in mind that Arendt in no way diminishes or belittles the meaning of privacy and private sphere. On the contrary. The general feature of her entire opus is a refusal of totalitarianism. In order to achieve a total domination it is, according to Arendt, exactly the annihilation of the private life of people what is needed, including the annihilation of their social ramification and rootedness. But on the other hand it is true that according to her no privacy is sufficient for a full humanity. Arendt clearly grasped that a truly human condition can be realized only in a public world which makes it possible for the humans to be set free from their living worlds. Human action in the Arendtian sense of the term is conceivable only in community with other people. According to Arendt, action is a prerogative of man, which implies other people. It totally depends on their contin-

¹⁴ Christopher Lasch, *The Minimal Self: Psychic Survival in Troubled Times* (London: Pan Books, 1985), 38; Zygmunt Bauman, "From Pilgrim to Tourist – or a Short History of Identity," in *Questions of Cultural Identity*, ed. Stuart Hall and Paul du Gay (London: SAGE Publications Ltd., 1996), 23.

¹⁵ Arendt, "We Refugees," 274.

uous presence.¹⁶ In her latest book *The Life of the Mind: Thinking*¹⁷ she deals with the concept of *vita contemplativa* and in a sense supplements her findings and the understanding of *vita activa* from the ones in *The Human Condition*. In general, one may say that Arendt's texts in 1940s and early 1950s contain many intuitions about the meaning of a political community that were elaborated in her latter work.¹⁸

Rightlessness and Statelessness: The Importance of Belonging to Political Community

The historical context of *The Origins of Totalitarianism*

was formed by the disintegration of multinational and multi-ethnic states, most notably Russia, the Ottoman Empire, and Austrian-Hungary in inter-war Europe. She relates how, at the end of WW I, this disintegration produced two novel groups of people: minorities and stateless people.¹⁹

The consequences of many thousands stateless people were several but let us mention only the most important. The first big damage was the abolition of the right to asylum.²⁰ The other big shock is the finding that it is not possible neither to get rid of the refugees nor to transform them into the citizens of the country of refuge.²¹ The real troubles started as soon as the two recognized means were applied: repatriation and naturalization.²² Neither of them worked nor was applicable. Repatriational measures did not work because there were no countries to which refugees could be deported.²³ Naturalization was not successful because the right to asylum was annulled and the whole naturalization system of European countries collapsed.²⁴ Countries started cancelling naturalisation because of the multiplicity of the applications for natu-

¹⁶ Barichello, "The Legacy of Hannah Arendt," 43.

¹⁷ Hannah Arendt, *The Life of the Mind: Thinking* (New York: Harcourt, 1978).

¹⁸ Borren, "Towards an Arendtian politics of in/visibility," 214.

¹⁹ *Ibid.*, 213–14.

²⁰ Arendt, *The Origins*, 280.

²¹ *Ibid.*, 281.

²² *Ibid.*, 283.

²³ *Ibid.*

²⁴ *Ibid.*, 284–5.

ralization. The cancellation of naturalization and the introduction of new laws destroyed the few rests of self-confidence and motivation that newcomers still had for naturalization because the difference between a naturalized citizen and resident without citizenship was so little that it was not worth the effort. The first was often deprived of important civil rights and threatened by similar fate as the first.²⁵ A national state which was not capable to solve the situation transferred the entire problem to police. It happened for the first time in the Western Europe that the police got the direct competences for ruling over people.²⁶ The police was not merely an instrument for the implementation of law but rather it became an independent organ of power. Its power and independence grew in proportion to the rising number of stateless persons. The bigger the number of stateless persons, the bigger was the danger of transformation into police state.²⁷ The establishment of the camps for those persons in all countries is the final result of this process.²⁸ The first loss that has befallen the rightless persons was the loss of home. They lost the entire social structure in which they were born and in which they created a safe place in the world. The second loss was the loss of a governmental protection. That meant not only a loss of their legal status in their own country but also in all other countries.²⁹

The situation of the rightless persons showed many perplexities in the concept of human rights.³⁰ Regardless of how we define human rights, what improvements of these rights one offers, the real situation of people who were in 20th century relegated out of law shows that in the case of human rights we are dealing with rights which are such that if one loses them this person is still not entirely rightless. The plight of rightless people is not in their being deprived of human rights but rather in the fact that they no more belong to any community.³¹ Their problem is not that they are not equal before the law but rather that

²⁵ Ibid., 285.

²⁶ Ibid., 287.

²⁷ Ibid., 287–88.

²⁸ Ibid., 288.

²⁹ Ibid., 294.

³⁰ Ibid., 295.

³¹ Ibid.

there is no law for them; not in being oppressed but rather that there is no one who wants to oppress them.³² Exclusion, and not so much and exploitation, is nowadays a basis for the most obvious examples of (increasing) social polarisation, inequality, poverty, plight and humiliation.³³ Their right to life is jeopardised only at the end of a long process. Only if they become entirely superfluous, if there is nobody who would demand them, only then is their life endangered. Arendt points out that even the Nazis started the extermination of Jews so that they first took them away their legal status, shut them away in the ghettos, cut them off of the world, checked that these people will not be demanded by any country ..., and only then they started to kill them intentionally and massively, kill them in gas chambers ... As Arendt finds out, the essence is in the fact that the condition of total rightlessness was created before the right to life was violated. The same is true about the right to freedom which is often considered as the essence of human rights.³⁴

The key to understanding the condition and predicament of a stateless refugee are the following factors³⁵: the loss of “his place in community,” “his political status,” and “the legal personality which makes his actions and part of his destiny a consistent whole.” Consequently, they are “left with those qualities which usually can become articulate only in the sphere of private life and must remain unqualified, mere existence in all matters of public concern”.³⁶

In *The Origins* Arendt considers three stages of abolition of freedom in totalitarian domination. The aim of the first is the elimination of the juridical person from an individual, of the second the abolition of individual's moral person by denying that an individual is a victim and corruption of human solidarity. The last stadium is the loss of the individuality of each man.³⁷ The aim of an arbitrary system is a destruction of civil rights of the entire population which is finally just as outlawed

³² Ibid., 295–6.

³³ Zygmunt Bauman, *Identiteta: Pogovori z Benedettom Vecchijem* (Ljubljana: Cf, 2008), 42.

³⁴ Arendt, *The Origins*, 296.

³⁵ Borren, “Towards an Arendtian politics of in/visibility,” 214.

³⁶ Arendt, *The Origins*, 301.

³⁷ Ibid., 453; Barichello, “The Legacy of Hannah Arendt,” 44.

as the homeless and stateless persons.³⁸ The destruction of civil rights of an individual and their juridical person are for Arendt the initial conditions for the total domination over an individual and population.³⁹ The second step toward the society of “living corpses” is the destruction of human moral character. It was achieved in a way that for the first time in human history martyrdom was made impossible. This was achieved by the destruction of human solidarity.⁴⁰ The third step was non-differentiation of the unique identity of human beings, the destruction of human individuality. “After the murder of the moral person and annihilation of the juridical person, the destruction of individuality is almost always successful.”⁴¹

Concentration camps and loneliness

An important part of Arendt’s view – relevant for our topic of understanding the situation of contemporary refugees – is her understanding of concentration camp. She defines it as being

the world of the dying, in which men are taught they are superfluous through a way of life in which punishment is meted out without connection with crime, in which exploitation is practiced without profit, and where work is performed without product, is a place where senselessness is daily produced anew.⁴²

Treating a man as a superfluous being means a total lack of respect for their human dignity. Such respect implies the recognition of other people as subjects, as builders or co-builders of a common world.⁴³ But the aim of concentration camp was opposed to human dignity because that aim was a transformation of human beings into animals.⁴⁴ According to Arendt, refugees are a new kind of beings. She defined them in terms of camps: “contemporary history has created a new kind of

³⁸ Arendt, *The Origins*, 451.

³⁹ Barichello, “The Legacy of Hannah Arendt,” 44.

⁴⁰ Arendt, *The Origins*, 451.

⁴¹ Ibid., 455.

⁴² Ibid., 457.

⁴³ Barichello, “The Legacy of Hannah Arendt,” 44.

⁴⁴ Arendt, *The Origins*, 455; Barichello, “The Legacy of Hannah Arendt,” 45.

human beings – the kind that are put in concentration camps by their foes and internment camps by their friends.”⁴⁵

The next relevant constituent of Arendt’s conceptual scheme is the distinction between isolation and loneliness. These are two different forms of seclusion. If men are “only” isolated they may not be also lonely because when isolated they are detached from the political space and power but, nevertheless, they can still be not entirely deprived of the basic form of human creativity which is to add something anew to the world. On the other hand, loneliness is an experience of being totally superfluous and not belonging to the world at all. It is a characteristic of Nazi concentration camps’ prisoners but on the other hand we should bear in mind that Arendt holds it as a much more universal experience:

Taken in itself, without consideration of its recent historical causes and its new role in politics, loneliness is at the same time contrary to the basic requirements of the human condition and one of the fundamental experiences of every human life.⁴⁶

But despite the universality of the experience of loneliness, we may say that in general according to Arendt, totalitarianism originates in isolation of human being. On the other hand, a truly human world, or simply the world in Arendt’s sense of the term, is an opposite of isolation of humans. The world is the result of interaction between humans and their common sense.

These are the main insights in the nature and meaning of totalitarianism, isolation and world that Arendt achieved already in *The Origins*. But to deepen these insights and understanding, Arendt set herself to investigate “vita activa” which was the main subject of her book *The Human Condition*.

Vita Activa: The Importance of World and Public Sphere

Arendt uses the term “*vita activa*” to denote

human life in so far as it is actively engaged in doing something, is always rooted in a world of men and of man-made things which it never leaves or al-

⁴⁵ Arendt, “We Refugees,” 265.

⁴⁶ Arendt, *The Origins*, 475.

together transcends. /.../ All human activities are conditioned by the fact that men live together, but it is only action that cannot even be imagined outside of the society of men. The activity of labour does not need the presence of others, though a being labouring in complete solitude would not be human but an *animal laborans* in the word's most literal significance.⁴⁷

The three basic activities that integrate *vita activa* are labour, work and action. Labour concerns the biological aspects of human life and it is what humans have in common with animals. Through work, a man, known as *homo faber*, creates objects and transforms nature in the world of objects shared by men. Action is a necessary and essential condition of politics. It presents human specifics and a way to freedom. It gives human beings a possibility to govern their own destiny. It is a capability to start something anew. It is the only way for expressing identity.⁴⁸ Its further distinguishing characteristics are that it is the only activity that goes directly between men without the intermediary of things or matter, corresponds to the human condition of plurality, to the fact that men, not Man, live on the earth and inhabit the world.⁴⁹

These three basic human activities (labour, work, and action) are connected to the two basic aspects of human life: birth and death. Labour assures the existence and survival both of an individual (a human) and species. Work gives to humanness a certain permanency and durability. Action founds and maintains the political bodies, creates conditions for memory and, thus, for human history.⁵⁰ But only action enables humans for beginning and re-beginning:

Action has the closest connection with the human condition of natality; the new beginning something anew, that is of acting. In this sense of initiative, an element of action, and therefore of natality, is inherent in all human activities. Moreover, since action is the political activity par excellence, natality, and not mortality, may be the central category of political, as distinguished from metaphysical, thought.⁵¹

⁴⁷ Arendt, *The Human Condition*, 22.

⁴⁸ Arendt, *The Human Condition*, 7; Barichello, "The Legacy of Hannah Arendt," 46-47.

⁴⁹ Arendt, *The Human Condition*, 7.

⁵⁰ Barichello, "The Legacy of Hannah Arendt," 47.

⁵¹ Arendt, *The Human Condition*, 9.

According to Arendt, it is the common world which brings people together. When we are born we enter the common world and we leave it when we die. It is this common world which was here before our birth and which will be here after our death. But such world – which survives the coming and leaving of generations – is according to Arendt possible only if it appears in public and in the measure in which it appears in public. It is the publicity of public sphere which can maintain what people want to protect against temporal destruction and passing away.⁵² Moreover, for Arendt, “to be deprived of things essential to truly human life” means to be deprived of public life

to be deprived of the reality that comes from being seen and heard by others, to be deprived of an “objective” relationship with them that comes from being related to and separated from them through the intermediary of a common world of things, to be deprived of the possibility of achieving something more permanent than life itself. The privation of privacy lies in the absence of others; as far as they are concerned, private man does not appear, and therefore it is as though he did not exist.⁵³

In short, without presence and participation in a public sphere, the actions of an individual are meaningless. Besides, political communities are built by action, by active people.⁵⁴ However, this importance of the action and the public should not be understood as neglecting the importance of thinking by Arendt. Quite the contrary. Although in *The Human Condition* she did not deal with the activity of thinking, she taught that although thinking is probably not important for the fate of the world, it is surely very important for the future of men. Moreover, thinking is an activity par excellence. In this regard, Arendt’s own words with which she concludes *The Human Condition*, her capital anthropological work, are very significant:

Thought, finally – which we, following the premodern as well the modern tradition, omitted from our reconsideration of the *vita activa* – is still possible, and no doubt actual, wherever men live under the conditions of political freedom. Unfortunately, and contrary to what is currently assumed about the

⁵² Ibid., 55.

⁵³ Arendt, *The Human Condition*, 58.

⁵⁴ Barichello, “The Legacy of Hannah Arendt,” 48.

proverbial ivory-tower independence of thinkers, no other human capacity is so vulnerable, and it is in fact far easier to act under conditions of tyranny than it is to think. As a living experience, thought has always been assumed, perhaps wrongly, to be known only to the few. It may not be presumptuous to believe that these few have not become fewer in our time. This may be irrelevant, or of restricted relevance, for the future of the world; it is not irrelevant for the future of man. For if no other test but the experience of being active, no other measure but the extent of sheer activity were to be applied to the various activities within the *vita activa*, it might well be that thinking as such would surpass them all. Whoever has any experience in this matter will know how right Cato was when he said: *Numquam se plus agree quam nihil cum agent, numquam minus solum esse quam solus esset* – “Never is he more active than when he does nothing, never is he less alone than when he is by himself.”⁵⁵

Concluding the first part of this paper which presents Hannah Arendt’s views that we find most relevant for the issue of refugees, we can summarise it as follows: Arendt has its own experience of a refugee, expatriate and stateless person, as well as an internment camp prisoner. This experience is a starting point of her reflection on these matters and further on the topic of political and human condition in general. She finds out that for living fully human life meeting only biological needs and solidary humanitarianism is far from being sufficient. For a truly human life, an inclusion in the world and action, which as such has a political character, is needed. The right to both is denied to refugees and expatriates.

Modern Technology Problems

There are certain phenomena in the modern world which Hannah Arendt could not imagine. Some of them were made possible by modern technology. One of the consequences is a much higher degree of naturalism in the functioning of the system of national states. Modern technologies penetrate in human body all the way to its cells. They identify and determine with extremely high accuracy individuals’ biological identity, their body, their parents etc.⁵⁶ Such things were in

⁵⁵ Arendt, *The Human Condition*, 524-525.

⁵⁶ Borren, “Towards an Arendtian politics of in/visibility,” 229.

Arendt's time almost a science fiction. But despite these differences between our modern situation and the conditions in Arendt's time on one hand there, there are also essential similarities and parallels between our and Arendt's time (the 1st half of the 20th century)⁵⁷: 1.) in the last twenty years, we have witnessed more and more restrictive European migrant and asylum policy⁵⁸; 2.) we are also witnessing an increase in competence and responsibility of police and other public officials in regard with trading down of illegal migrants⁵⁹; 3.) the question how to make refugees deportable emerges again.⁶⁰

The contemporary situation, and the way of managing the status of refugees create permanent marginalized groups that are legally rightless, politically and otherwise excluded, and forced in non-appearing, invisibility, hiddenness, even mysteriousness. On the other hand, they are extremely vulnerable and exposed.⁶¹ In case of refugees we witness the overturning of the right moral order: where they should appear, be active, express their opinion, where their actions and opinion should count, where all this appearing and visibility were right and good for refugees, there they are deprived of possibility or right to appear, to be visible, present etc. However, on the other hand, in some other respects they should have a possibility to be "invisible," to live in privacy etc., in those respects they are entirely exposed, vulnerable and visible, completely left to the will of the authorities and of those who are in charge by authorities. Again, all this, and the fate of refugees is entirely independent of the refugees' own will, opinion and action. Besides this moral perversion, there is another one: rightless refugees and foreigners can improve their legal condition by committing a crime, by violating the law because only then they become a subject of the law. The problem of the refugees is not that they are oppressed by the law, but rather that no law deals with them. As already mentioned, Zygmunt Bauman has emphasized the basic problem, the problem of an increasing number of people, which is not that they are oppressed or exploited, but rather

⁵⁷ Ibid., 225ff.

⁵⁸ Ibid., 226-227.

⁵⁹ Ibid., 227-229.

⁶⁰ Ibid., 229ff.

⁶¹ Ibid., 232.

that they are excluded.⁶² They are superfluous, outcasts, the “waste” of the modern globalized society.⁶³

The contemporary systems of biological and internal checking that more and more push out the external checking have made the rightless refugees more and more visible and exposed. For this reason, they resort to strategies of self-obscuring otherwise their life is unbearable or they cannot survive at all. Borren, who has analysed the case of the Netherlands, lists three such strategies: 1. the acceptance of a false identity; 2. deletion of one’s own identity (destruction of documents); 3. hiding one’s illegal status before others. Therefore, the regime of visibility with the aim to increase the visibility of rightless refugees, has in fact made them even more invisible because it has caused their self-obscuring.⁶⁴

Some refugees resort from public space in exchange of their semi-permanent existence at home. Illegality is an “invisible” status because of the tendency of the illegal foreigners to hide it before the others (out of fear of abuse). Their life is directed and marked by “mystery”. Mystery is an essential characteristic of their social identity. Borren calls it obscurity. Obscurity is the main difference between non-documented foreigners and other marginalized social groups.⁶⁵

Modern technologies and media strongly influence the causes for refugeeism and the condition of refugees. An example of this is the genocide over Rohingas in Myanmar. In Myanmar, the Facebook is used and watched by many people who are very uneducated, who do not even have and use e-mail. But on the other hand, what they see on the Facebook they perceive as truth, as facts, as reality. This is abused by many for the creation and spread of hate toward Rohingas who are even without this hated by many in Myanmar.⁶⁶ The horrible consequences are

⁶² Bauman, *Identity*, 42.

⁶³ Zygmunt Bauman, *Wasted lives: Modernity and its Outcasts* (Cambridge: Polity, 2004).

⁶⁴ Borren, “Towards an Arendtian politics of in/visibility,” 232.

⁶⁵ Godfried Engbersen, “The Unanticipated Consequences of Panopticon Europe: Residence Strategies of Illegal Immigrants,” in *Controlling a New Migration World*, ed. Virginie Guiraudon (London: Routledge, 2001), 222–246; Godfried Engbersen and Dennis Broeders, “The Fight against Illegal Migration: Identification Policies and Immigrants’ Counterstrategies,” *American Behavioral Scientist* 50, no.12 (2007): 1592–1609.

⁶⁶ See a documentary movie *The Cleaners*, directed by Hans Block, Moritz Riesewieck, coproduction, 2018.

very well known. At the same time those who decide about the contents on Facebook, that is which contents will be presented and accessible and which not, are the young Facebook engineers in Silicon Valley. Rohingas or some other inhabitants of Myanmar have actually nobody to whom they can complain in this regard, nobody who they can turn to or who they can address if they think that certain content should not be accessible on the Facebook. In this regard, they are entirely at the mercy of young Facebook engineers who might have never been in Myanmar, who have probably a very superficially knowledge about the situation in this country etc. These engineers are primarily guided by the interest to achieve as high ratings as possible to attract the attention, by profit and economical interest. We are dealing with media rightlessness, with alienation of right to participate in deciding what will be present and accessible in the media space and environment. The refugees are very handicapped in this regard although in the modern time, this is one of the most crucial and important rights exactly because of the increasing power of media to shape people's minds, imaginaries, and action. The big problem of the modern world which concerns refugees is that the firms as the Facebook – decide by themselves in a great measure what will be present and accessible in the media space, on the internet and on social networks, what will be accessible to users in particular countries and what not. This is true even in the cases when countries put the demands to the companies to block certain contents on their “territory.” The reason is that after a certain amount of demands from the side of the country, the companies like the Facebook start to eliminate particular contents for particular country by themselves and they do this according to their own judgement. It often takes a lot of time, as we can see in the above mentioned documentary, before the cleaners or moderators find out what is disturbing for a particular country and what is not. At the same time, as already pointed out, the companies like the Facebook are guided by their main goal: as high ratings as possible. Hence, they are not guided by ethics and it is ethically unacceptable that these decisions are left to the companies themselves and these problems are a more and more important part of resolving the problems also in the case of refugees. The solution is not the elimination or destruction of modern media. Even if we claim not to be utopians or Luddites, we do

think that the action of modern media should be as ethical as possible. In this respect, the crucial question is who should decide which contents should be eliminated / made inaccessible in media and at social networks and which not.

Global Solution

Bauman believed that the solution for the condition of superfluous refugees is possible only in the global framework.⁶⁷ Only global community with an appropriate institutional structure, which at the moment does not exist, could include refugees in the world (in the Arendt sense of the term). We could say that this Bauman's claim is even more correct in regard of settling the media space and the presence of contents. We can see that national states and companies alone are not capable of managing this in an ethically satisfactory way. There remains therefore an option of some global democratic institution or network of institutions. What concretely could that be transcends the framework of this paper, however, we can say that this solution implies the abandonment of Carl Schmitt's view on politics in terms of friend and enemy.⁶⁸ The abandonment of Schmitt's understanding of politics is not opposed to the acceptance of "criticism" of human rights given by Arendt. Bauman who owns a lot to Arendt and in many respects could be called her theoretical inheritor, does not deny the importance of inclusion in community in order to achieve a factual creation of the respect of individuals, dignity and (real) human rights. On the contrary, Bauman's starting point is a necessity for inclusion in a community, which is impossible without institutional structure, to have dignity and human rights. In this he completely agrees with Arendt. Since a community which could include refugees and other superfluous groups of people is not possible at the local, national or in general non-global level, we must create it at the global level. If Bauman's claim that global community is the only

⁶⁷ Zygmunt Bauman, "Los nuevos intocables," *El País*, February 10, 2002, https://elpais.com/diario/2002/02/10/opinion/1013295609_850215.html

⁶⁸ Carl Schmitt, *Der Begriff des Politischen. Text von 1932 mit einem Vorwort und drei Corollarien* (Berlin: Duncker & Humblot, 1979). About its refusal in the context of religion see Jan Assmann, *Totalna religija* (Ljubljana: Slovenska matica, 2018), 127–128.

solution for the problem of refugees and other “superfluous” groups is true, the measure in which the creation of such community is utopian, and also the solution of the problem of the refugees is utopian. But in any case, the creation of such global community implies an abandonment of the current system of sovereign national states and (naturalist) triad nationality – territory – country. This system is incompatible with a global community because today there is no appropriate place in the entire world which is not covered by a national state. And Arendt has the merits for pointing out how important it is to take up place,⁶⁹ both for man’s inclusion in the world and for the privacy, as well as for “invisibility of natural man”.

Conclusion

The crucial message of this paper is that the situation of the refugees, in which they are neither included in a new society nor do they have any chance to return to their native country, is ethically unacceptable. We must enable either their return home or their full integration in the new environment, society, state. They are in a situation of vegetation for indeterminate time in a camp or a centre for refugees or in a condition where they are stateless, having no civil rights, without a possibility to be politically active and at the same time they have no privacy. At any time, an invasion in their privacy can happen or a deportation, eviction, investigation etc. can occur. Such situation is morally entirely unacceptable. They must have a chance that this condition of their exclusion from the society and at the same time a lack of privacy is appropriately solved and not solved in a way that they are banned from or returned to the country which is not safe for them. If there is no possibility of a safe return, then we must make it possible for them to completely integrate into the society of the country of refugee. We must approach them in this regard and offer them help, even if we tear the goods from

⁶⁹ Nanda Oudejans, “The Right to Have Rights as the Right to Asylum,” *Netherlands Journal of Legal Philosophy* 43, no. 1 (2014): 16ff.

our own mouth.⁷⁰ This is our moral duty. Every other response is unethical according to our own central (western) ethical criteria: both from the Christian point of view⁷¹ and from the general humanist ethical standpoint. We must enable refugees their integration in our society without humiliating them. We must do that despite a certain risk for us. Refugees are in a condition in which they do not have proper civil rights, when they are excluded from the social environment as subjects whose opinions and actions count in the society, when the relationship towards them depends on their beliefs and actions. Instead, the refugees entirely depend on the decisions of others and their own actions and opinions are irrelevant for these decisions. Despite their exclusion they have no privacy. In such condition they are depersonalized, dehumanized, reduced to the level of a merely biological life, to the fulfilment, in the best case scenario, of only their biological needs.⁷²

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⁷⁰ Emmanuel Levinas, *Otherwise than Being or Beyond Essence* (Dordrecht, Boston and London: Kluwer Academic Publishers, 1998), 74.

⁷¹ Fleur S. Houston. *You Shall Love the Stranger as Yourself: the Bible, Refugees and Asylum* (New York: Routledge, 2015).

⁷² I thank Lenart Škof, Vojko Strahovnik, Rok Svetlič, Nadjia Furlan Štante and Helena Motoh for their comments of this paper.

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