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Refugees and Europe: a dilemma or a turning point?

Abstract

Europe is facing a wave of refugees and migrants. To solve the many inherent problems is primarily a practical political task. However, there are existential experiences, democratic values, human attitudes, and political principles involved, and I am going to look particularly at the following three aspects of the refugee crisis, 1) the existential (I refer to the philosopher Martin Heidegger and to the political thinker Hannah Arendt), 2) the political (I turn to the EU's steps for a common refugee policy), and 3) the legal (I refer to Immanuel Kant's notion of hospitality and Seyla Benhabib's notes on Human Rights). Finally, I will make a concluding remark on education's task (I refer to Hannah Arendt's and Aristotle's notion of *philia*).

Keywords

Europe refugees, crisis, human rights, space, community, humanitas, friendship

1. Preliminary

The world is constantly changing; this is particularly revealed in the realm of politics. The current refugee crisis reminds us of the unpredictability inherent in action. No one can at this moment predict the outcome of the wave of refugees and migrants coming to Europe. We are unable to foresee the magnitude of this event, the extent to which it is changing our world.

It is just too early to come up with final answers. Some see the crisis as a challenge to our self-understanding. They observe that "we are writing history right now" and ask: "[...] do we want to be remembered [...] as xenophobic, rich cowards hiding behind fences?"¹ Others think that Angela Merkel's "open-door" policy is deepening the refugee crisis in Europe.² They fear the undermining of our legal and political institutions.

True, we cannot predict the outcome of the current challenges; however, human beings need to understand what is happening. The article tries to make a contribution to this process of understanding. Underlying it are two presumptions: *first*, it is important *how*

1 Sabine Karrer on Twitter, 19. September 2015, <https://twitter.com/fraukassandra/status/645330685771780096>

2 "Refugee crisis: German village Sumte shows reality behind open door policy – with 102 residents and 750 refugees, *Independent*, Friday November 6, 2015; <http://www.independent.co.uk/news/world/europe/refugee-crisis-german-village-sumte-shows-the-reality-behind-angela-merkel-s-open-door-policy-with-a6724741.html>

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we think about the refugee and migration wave, *second*, our thinking has to start from and stay related to experience.

How we think depends on the special nature of our subject. If one wants to understand what is happening one cannot write in an “objective” manner because one then has renounced the human faculty to respond to what is actually happening. In other words, “the question of style is bound up with the problem of understanding”,³ as Hannah Arendt declared. She was convinced that “understanding is closely related to that faculty of imagination which Kant called *Einbildungskraft*”. Imagination might prove to be the foundation of everything.

Additionally, understanding is, if we follow Arendt, closely related to the reflection on experiences; understanding thinking is connected with making experiences visible. During a conversation with friends Arendt asked: “What is the object of our thinking?” she answered as follows: “Experience! Nothing else than experience!”⁴

Of course, we all are able to follow the news on the Syrian refugee crisis. But we not only wish to know but also to understand; we not only wish to know what happens or has happened, but also why it happens or has happened. We ask for the meaning of the events. These events take place in the world we share and have in common. According to Hannah Arendt the world discloses its variety in all its aspects only insofar as it is talked over in the presence of others, and so put into the public light. We need to hear the opinions of others because “no one can adequately grasp the objective world in its full reality all on his own, because the world always shows and reveals itself to him from only one perspective, which corresponds to his standpoint in the world and is determined by it”.⁵ Additionally, the current migrant and refugee crisis is developing with such rapidity, that it is difficult to make lasting judgments. In late August 2015 Angela Merkel, the German Chancellor, made the important statement that the refugee crisis tests Europe’s core ideals. Since then things have developed their own dynamic. In the beginning of September the Swedish Prime Minister met Mrs. Merkel in Berlin and his message was clear: Europe is able to take more refugees and Europe has a moral responsibility to do so.⁶ Merkel is right about Europeans’ moral obligations, but not about their attitude: a poll in October last year noted that “Europeans feel a duty to help refugees – but not in their own country”.⁷

3 Hannah Arendt, “A Reply to Eric Voegelin”, *Essays in Understanding 1930-54*, ed. by Jerome Kohn, New York: Schocken Books 1994, 404.

4 “On Hannah Arendt”, *Hannah Arendt: the Recovery of the Public World*, ed. by Melvyn Hill, New York: St. Martin’s 1979, 301-339.

5 Hannah Arendt, “Introduction into Politics”, *The Promise of Politics*, ed. by Jerome Kohn, New York: Schocken Books 2005, 128.

6 Anne Marte Vestbakke, “Löfven: Europa har moralsk ansvar”, *msn nyheter*, 08.09. 2015, <http://www.msn.com/nb-no/nyheter/verden/l%C3%B6fven-europa-har-moralsk-ansvar/ar-AAe3z9c>

7 Alberto Nardelli, “Europeans feel a duty to help refugees – but not in their own countries”, *The Guardian*, Friday, 30 October 2015; <http://www.theguardian.com/news/datablog/2015/oct/30/european-attitudes-towards-refugees-poll-eu>

2. What does it mean to be a refugee?

Hannah Arendt can help to answer this question, since she by way of her own personal experience of being a refugee, began with an article entitled “We Refugees”, published in 1943 in the *Menorah Journal*, her lifelong reflections on the problems of human rights and statelessness.⁸ The article mirrors her experiences of being stateless, of being a refugee, a victim, a foreigner and “an enemy alien”.⁹ It is written in an ironic and bitter tone; ironic in her “cartoonlike description of the refugees’ eager efforts to assimilate, to become indistinguishable, to forget the past and solve everything individually”.¹⁰ The following passage speaks for itself: “We did the best to prove to other people that we were just ordinary immigrants. We declared that we had departed of our own free will to countries of our choice, and we denied that our situation had anything to do with ‘so-called Jewish problems’”.¹¹

Bitter is the tone because Arendt herself belonged to the “we”, to these refugees who lost their “home, which means the familiarity of daily life”, their “occupation, which means the confidence that [they] are of some use in this world”, their “language, which means the naturalness of reactions, the simplicity of gestures, the unaffected expression of feelings”; they left their “relatives in the Polish ghettos and [their] best friends [who] have been killed in concentration camps” (underlining added).¹²

If this were not enough, the refugees feel “humiliated when they are rescued” and degraded when they are helped. They “fight like madmen for private existences with individual destinies (underlining added)”. “To give their new insecure existence some form of stability they refer to the marvelous existence they once had and lost”.¹³

At the end of her article she described Mr. Cohn “who had always been a 150 percent German” (WR, 271), who in “1933 [...] found refuge in Prague and very quickly became a convinced Czech patriot” (WR, 271), who then, in 1937 went to Vienna where “a definite Austrian patriotism was required”, who was forced “out of that country” by the German invasion and who “arrived in Paris”, where he, “seriously convinced that he would spend his future life in France [...] prepared his adjustment to the French nation” (WR, 271), however, he “must bitterly realize in the end that ‘on ne parvient pas deux fois’” (WR, 274).¹⁴

What are we going to make of this? Refugees today have not lost all rights, so why should we turn to the experience described in 1943? There is good reason, I think, because Arendt turned the condition of homeless refugee – a condition that was her own – “upside

8 Serena Parekh, *Hannah Arendt and the Challenge of Modernity. A Phenomenology of Human Rights*, Oxford: Routledge 2008, 8.

9 Hannah Arendt, “We Refugees”, *The Jewish Writings*, ed. by Jerome Kohn & Ron Feldman, New York: Schocken Books 2007, 266.

10 Wolfgang Heuer, “Europe and Its Refugees: Arendt on the Politicization of Minorities”, *Social Research*, 2007, 74(4), Hannah Arendt’s Centenary: Political and Philosophical Perspectives, Part II, 1164.

11 Hannah Arendt, “We Refugees”, *The Jewish Writings*, 264.

12 *Ibid.*, 264f.

13 Wolfgang Heuer, “Europe and Its Refugees: Arendt on the Politicization of Minorities”, 1165.

14 Giorgio Agamben, “Beyond Human Rights” (1993), *Means without End*, Notes on Politics, Minneapolis/ London: University of Minnesota Press, 2000, 16.1. Originally: Hannah Arendt, “We Refugees”, *The Jewish Writings*, 274.

down in order to present it as a paradigm of a new historical consciousness".¹⁵ The refugees who lost everything and who "no longer want to be assimilated at all cost to a new national identity"¹⁶ received a new insight which Arendt expresses in the following way:

History is no longer a closed book to them and politics is no longer the privilege of Gentiles. They know that the outlawing of the Jewish people of Europe has been followed closely by the outlawing of most European nations. Refugees driven from country to country represent the vanguard of their peoples – if they keep their identity (WR, 274).¹⁷

Seventy years later this analysis has not lost its relevance. However, there are profound differences. First of all, now the refugees "come from countries outside Europe. It is no longer an inner-European but a global phenomenon".¹⁸ Second, and possibly more relevant, contrary to the specific situation after World War I, the member states of the European Union "are aware of the importance of the right to have rights".¹⁹ Our contemporary experience is that sovereign power within liberal democracies is limited: "[...] liberal states are in fact constrained in their dealings with irregular migrants by constitutional law, international human rights treaties, and the political bargaining processes that unfold as states attempt to share the burden of migration and border control."²⁰ In other words, the situation in Europe today differs from the situation after World War I when the "exclusively stateless people were declared 'undesirable'".²¹

Today member states of the EU cannot act without assuming that refugees have rights. The European Convention on Human Rights includes the right of refugees to be reunited with their families. However, the Danish parliament is planning a bill to "defer family reunification for three years for people with temporary protection status".²² Craig French noticed another form of violating human rights: "the detention and deportation system",²³ she argued inflicts harm on the asylum seekers and refugees. According to her, psychological and existential aspects of detention are neglected. To make visible "what kind of injustice"

15 Ibid.

16 Ibid., 16.6.

17 Ibid.

18 Wolfgang Heuer, "Europe and Its Refugees: Arendt on the Politicization of Minorities", 1169; The UN's Refugee Agency (UNHCR) report states that, by the end of 2012, 45.2 million people were forcibly displaced worldwide as a result of persecution. 10.5 million are refugees and 27.5 million are internally displaced persons. UNHCR, Global Trends 2012. Displacement. The New 21st Century Challenge.

19 Wolfgang Heuer, 1161.

20 Craig French, "To lose one's home in the world: The injustice of immigrant detention", *Journal of International Political Theory*, 2015, 11(3), 356.

21 Wolfgang Heuer, "Europe and Its Refugees: Arendt on the Politicization of Minorities", 1162.

22 "Three-year waiting period violates human rights", *The Danish Institute for Human Rights. News*, 6 January 2016; <http://www.humanrights.dk/news/three-year-waiting-period-violates-human-rights>; downloaded on January 18, 2016.

23 Craig French, 352.

is done, she reconstructs Martin Heidegger's thoughts on "the *spatiality of being*".²⁴ Heidegger thought "that the prospects of successful being in the world depended, in important ways, on the proper constitution of the spaces and places in which individuals dwell".²⁵ "If the place of being should collapse or be destroyed", French argues, "[...] then the individual is thrown into a highly deficient mode of being that in Heideggerian terms we might characterize as *anxiety*, caused by the deprivation of a home in the world".²⁶

In 1951 Heidegger presented to the Darmstadt Symposium on *Man and Space* the lecture "Building Dwelling Thinking". Here he developed the relation of "building" to "dwelling" and the way of thinking that derives from this relation. He recovered from "The Old High German word for building, *buan*",²⁷ the original meaning of building is dwelling: "Where the word *bauen* still speaks in its original sense it also says *how far* the essence of dwelling reaches. That is *bauen, buan, bhu, beo* are our word *bin* in the versions: *ich bin*, I am, *du bist*, you are, the imperative form *bis*, be".²⁸ Heidegger explained: "The way in which you are and I am, the manner in which we humans *are* on the earth, is *buan*, dwelling. To be a human being means to be on the earth as a mortal. It means to dwell".²⁹ True, "we do not merely dwell – that would be virtual inactivity – we practice a profession, we do business, we travel and find shelter on the way, now here, now there", true, building can take on different forms, the form of constructing or the form of cultivating, but what we tend to forget is that the original meaning of the word building is dwelling. Dwelling, Heidegger argues, "remains for man's everyday experience that which is from the outset 'habitual' – we inhabit it, as our language says so beautifully: it is the *Gewohnte*".³⁰

"If we listen to what language says in the word *bauen*," Heidegger argues, "we hear three things: 1. Building is really dwelling. 2. Dwelling is the manner in which mortals are on the earth. 3. Building as dwelling unfolds into the building that cultivates growing things and the building that erects buildings."³¹ Heidegger goes on, "To say that mortals *are* is to say that in *dwelling* they persist through spaces by virtue of their stay among things and locales".³² The word *Raum*, space by its ancient meaning is "place that is freed for settlement and lodging. A space is something that has been made room for, something that has been freed; [...] space is in essence that for which room has been made, [...] that is gathered by virtue of a locale".³³ Such a locale is for instance the bridge, "[...] the bridge contains

24 Ibid., 356.

25 Ibid.

26 Ibid.

27 I follow Craig French and Martin Heidegger, "Building Dwelling Thinking", *Martin Heidegger. Basic Writings*, ed. by David Farrell Krell, London & New York: Routledge 2011, 244.

28 Martin Heidegger, 245.

29 Ibid.

30 Ibid.

31 Ibid.

32 Ibid., 251.

33 Ibid., 250.

many places variously near or far from the bridge”.³⁴ Consequently, “spaces, and with them space as such – ‘space – are always provided for already within the stay of mortals. Spaces open up by the fact that they are let into the dwelling of man”.³⁵ For Heidegger *Dasein* is existential *spatial*; accordingly,

Being-in-the-world means to live among *things* with which one is ordinarily and proximally familiar, to dwell in places that afford possibilities for being and involvement with others, to see one’s self thrown and projected (a potentiality to be), and to stay in a place that one cultivates by making *space* for things, projects, and beings and safeguarding them or showing care toward them. These are the structural features of being-in-the-world in its *average everydayness*, that is, the conditions that are necessary for the enjoyment of being in the normal course of things.³⁶

We find this idea of human being’s spatial existence in Hannah Arendt’s work. “Living beings, men and animals”, Arendt writes, “are not just in the world, they are *of the world*, and this is precisely because they are subjects and objects – perceiving and being perceived – at the same time”.³⁷

Both thinkers, Heidegger and Arendt, are aware of the essential loss once human beings lose the space they exist in. If we follow Heidegger it will be impossible for them to *dwell* in the sense that he indicates is centrally important to the human experience.³⁸ This loss leads to “what Heidegger called *anxiety*”. Anxiety is a “pathological state”, it is

a state in which one can no longer see oneself as a being with a potentiality projected into the future. [...] When *dasein* is consumed by anxiety, it is no longer at home in the world as it should be. The world has become strange, hostile, inhospitable, and alien, no longer able to offer a framework of intelligibility of the sort that previously made being possible.³⁹

34 Ibid.

35 Ibid., 251.

36 Craig French, 364.

37 Hannah Arendt, *The Life of the Mind*, One Volume Edition. San Diego, New York, London: Harcourt, Inc., 1981, 20.

38 The philosopher Else Wiestad writes in her book *Stedene som former deg*: Steder er nødvendige for at vi skal kunne leve, bo, reise, dyrke og være virksomme. Vi forbinder steder, stedsord og stedsfortellinger med ulike typer virkelighets oppfatninger, praksisformer, meningsverk og myter. Ved hjelp av stedsord og deres overførte betydninger gir vi uttrykk for hvordan vi orienterer oss, sanser, regulerer og forstår den verden vi lever i. Else Wiestad, *Stedene som former deg. Om rom og subjektivitet*, Oslo: Fagbokforlaget 2014, 29.

39 Craig French, 365.

Heidegger's description of being's spatial existence and his description of anxiety caused by the loss of a guaranteed place reveals the undermining experience refugees and immigrants are exposed to.

And so does Hannah Arendt. However, she puts the emphasis on the right to belong to a political community. True, spatial existence, is important, however, being deprived of one's place in the world includes losing "a framework where one is judged by one's actions and opinions" (OT, 297). To be seen and heard by one's fellowmen presupposes a political community. No longer being member of a community, this "entails the loss of the relevance of speech" (OT, 297). Since "man, since Aristotle, has been defined as a being commanding the power of speech and thought" (OT, 297), the loss means that one loses "some of the most essential characteristics of human life" (OT, 297).

At first sight the above presentation of Heidegger's emphasis of place for human beings and Arendt's emphasis on speech may give the impression that a dwelling place and language are separated. However, neither for Heidegger nor for Arendt is there such a gap. For Heidegger, every human dwelling space is always linguistically and intelligibly and so humanly charged. Every human situation, *Dasein*, is from childhood on a hermeneutic situation. Human life itself lays itself out (*legt sich aus*), interprets itself, articulates itself. For Arendt, the disclosure of the "who", "the unique and distinct identity of the agent" (HC, 180) through speech and action is possible only when he or she has a distinct place in the world.

3. The situation today: "Humanity washed ashore"?

Arendt's point of reference is on the one hand her own experience. But understanding the experience of being a refugee – an experience she shared with millions of people – led her to widen the scale and integrate the period when the refugee as a mass phenomenon occurred for the first time. Of course, here is not the place for history. However, since the refugee crisis of today is presented in the media as Europe's worst since the Second World War I will simply mention that the first appearance of refugee as a mass phenomenon was at the end of World War One. The "fall of the Russian, Austro-Hungarian, and Ottoman empires, along with the new order created by the peace treaties, upset profoundly the demographic and territorial constitution of central Eastern Europe."⁴⁰ It led to the situation that 30% of the population had to be safeguarded by so-called Minority Treaties. Minority Treaties demonstrated "that only nationals could be citizens, only people of the same national origin could enjoy the full protection of legal institutions, that persons of different nationalities needed some law of exception until or unless they were completely assimilated and divorced from their origin" (OT, 275). In Arendt's words: "A secret conflict between state and nation came to light at the very birth of the modern nation-state, when

40 Giorgio Agamben, "Beyond Human Rights", 16.6.

the French Revolution combined the declaration of the Rights of Man with the demand for national sovereignty” (OT, 230).

Back in Arendt’s time, refugees were deprived of rights. Their’ “freedom of movement”, Arendt wrote, “gives them no right to residence [...], and their freedom of opinion is a fool’s freedom, for nothing they think matters anyhow” (OT, 296).⁴¹ It was her opinion that “something much more fundamental than freedom and justice, which are the rights of citizens, is at stake when belonging to the community into which one is born is no longer a matter of course and not belonging no longer a matter of choice. [...] This extremity, and nothing else,” she stated, “is the situation of people deprived of human rights. They are deprived, not of the right to freedom, but of the right to action; not of the right to think whatever they please, but of the right to opinion” (OT, 296). Following Aristotle, she argued that the loss of the relevance of speech and the loss of all human relationships is “the loss [...] of some of the most essential characteristics of human life” (OT, 297). Her conclusion therefore was that there is only one right, this is “a right to have rights (and that means to live in a framework where one is judged by one’s actions and opinions) and the right to belong to some kind of organized community” (OT, 296-7). Hannah Arendt anticipated that “refugees have become a major issue of our time – a test for the nation-states as well as for human rights”.⁴²

Today, Europe has a high number of refugees, most of them coming from Syria. Turkey has taken 2 million refugees of Syria’s estimated 4 million and has built 22 refugee camps, and several more are under construction. And yet, only about 400,000 find refuge in one of the camps while the majority are on their own. Bad living conditions cause health problems. The camps were originally meant as short-term places, yet many families are now in their fourth year there.⁴³

For the last four and a half years a civil war is going on in Syria, which began with all the hope that the 2011 Arab Spring protests promised. We all remember the successful overthrow of President Hosni Mubarak and the events in Tunisia, Egypt, and Libya, and in particular the 18 days of *Tahrir* Square in Cairo 2011. However, the uprisings have not brought the desired new beginning. We can relate “the revolutionary moment of the so-called Arab spring [...] to Arendt’s warning that liberation from oppression alone is not enough to establish the reign of freedom”.⁴⁴ She distinguished “between liberation and freedom” (OR, 142).⁴⁵ While liberation, “the desire to be free from oppression” (OR, 33), does not require a transformation of the political order, freedom “necessitates the forma-

41 Hannah Arendt, *The Origins of Totalitarianism*, New York: Harcourt Brace 1951, cited as OT.

42 Didier Fassin, “Policing Borders, Producing Boundaries. The Governmentality of Immigration in Dark Times”, *The Annual Review of Anthropology*, 2011(40), 220. Downloaded from www.annualreviews.org on 07/21/2015

43 See UNHCR <http://www.unhcr.org/pages/49e48e0fa7f.html>; see also: CBC News, “Syrian civil war enters 5th year, no end in sight”, March 15, 2011; <http://www.cbc.ca/news/world/syrian-civil-war-enters-5th-year-no-end-in-sight-1.2996122>

44 Jens Hanssen, “Translating Revolution: Hannah Arendt in Arab Political Culture”, *HannahArendt.net*, Ausgabe 1, Band 7, November 2013, 2.

45 Hannah Arendt, *On Revolution*, New York: Viking/ London: Faber & Faber 1963, cited as OR.

tion of a new, or rather rediscovered, form of government” (OR, 33). In other words, “we need to distinguish between two forms of political action, the one that releases and the one that binds, or hedges. It is only the latter which results in a democratic form”.⁴⁶ Jens Hanssen remarks, “it is this freedom that has proven so elusive since the overthrow of the old regimes in Tunisia, Libya and Yemen and the counter-revolutions, especially in Egypt, while in countries like Syria and Bahrain, the liberation struggle is still on-going”.⁴⁷

In Syria the dictator Bashar al-Assad has refused to step down. The civil war has shown incredible violence, including torturing children and using chemical weapons against the oppressed people. The war in Syria is going into its fifth year; and one may ask how it is possible that the world for such a long time has ignored the refugee crisis. One possible answer may be that the people fleeing war or persecution were not seen as people but reported as sheer numbers, and numbers are part of statistics.

But then the three year old Syrian boy Aylan Kurdi drowned in a failed attempt to sail to the Greek island of Kos. On September 2, a picture showed him wearing a red-T-shirt and shorts, washed up on a beach, lying face down in the surf not far from Turkey’s fashionable resort town of Bodrum; a second image shows a policeman carrying the tiny body away. Within hours this picture became the top trending picture on Twitter under the headline: “Humanity washed ashore”.⁴⁸ The image of the drowned Aylan Kurdi, I think, re-humanized the refugee crisis by turning from sheer numbers and giving the general disaster a face. Across the world it initiated a shift in the countries’ response to the refugee crisis. Still, one may ask whether the emotional outcry is politically relevant.

The world may look inhospitable for many refugees today, and for the Syrians it may be of little comfort that “what men can produce can in turn be destroyed by men; what they destroy can be rebuilt”.⁴⁹ However, once the war in Syria is over Syrians will have to rebuild their world. Will they, then, return to their country and help building it? Should there be steps taken by the international community in planning and helping for a return? These questions, of course, do not stand in opposition to Europe’s legal and moral obligations to give shelter to the refugees as long as Syria is at war. With the battle still ongoing, should we ask how to bring a destroyed country back to life? At the end of World War II Germany got help from the Marshall Plan. Is there a Syrian Marshall Plan, a plan for post-conflict reconstruction in the Syrian Arab Republic?⁵⁰

46 Sofia Näsström, “The Right to have Rights: democratic, not political”, *Political Theory* 2014, 42(5), 555.

47 Jens Hanssen, 2.

48 “Shocking images of drowned Syrian boy show tragic plight of refugees”, *The Guardian*, 2 September, 2015; <http://www.theguardian.com/world/2015/sep/02/shocking-image-of-drowned-syrian-boy-shows-tragic-plight-of-refugees>

49 Hannah Arendt, “Introduction into Politics”, *The Promise of Politics*, ed. by Jerome Kohn, New York: Schocken Books 2005, 154.

50 “Assessing the Impact of the Conflict on the Syrian Economy and looking beyond”, by Abdallah al-Dardari, Mohamed Hedi Behir, United Nations New York, 2014; http://www.escwa.un.org/information/publications/edit/upload/E_ESCWA_EDGD_14_WP-2_E.pdf

4. “Let’s do it right”:

Europe’s values and its capacity to respond to the refugee crisis

The wave of refugees will hardly stop any time soon. Neither will the number of immigrants. Consequently, we may ask, if the increasing number of refugees is a fact, shouldn’t we then accept it as a reality? Shouldn’t we think of a response that avoids both undermining Europe’s identity as a union of democratic states as well as the right of everyone to be treated with dignity?

This requires a nation-state as a legal institution whose “supreme function” is the “protection of all inhabitants in its territory”. Let me briefly recall an observation Hannah Arendt made about the nation-state system in the middle of the last century. She observed “that the modern idea of the nation–state rests on a fundamental contradiction between the ‘openness’ of the state [...] through enforcing the rule of law and the exclusivity of the nation as a closed community whose solidarity is based on shared characteristics of genealogy, history and culture”.⁵¹ This has changed since 1945. The European states are no longer asked to “express the collective will, but rather to ensure our personal safety and the right of each of us to act as he or she sees fit”.⁵² Tzvetan Todorov for example thinks “Europeans of today believe in the spirit of liberal democracy”.⁵³ That means, “the ‘power of the people’ and the ‘freedom of persons’, that is, attention to the common good and the protection of the individual”.⁵⁴ He goes on, stating that “the majority decides in a democracy, but the majority of citizens are not enlightened. The individual has his own concerns, and doesn’t understand public affairs – which are very often quite complex – very well”.⁵⁵

a) European leaders: a variety of voices

Another aspect of the current situation is that the EU, despite the efforts it has undertaken, does not share a common answer. While Germany welcomes refugees, Hungary closed its borders with non-EU Serbia in mid-September, with non-Schengen Croatia last week and “is not going to open any corridor for asylum seekers to enter the Schengen zone from the south”.⁵⁶ “Slovenia, with a population of just two million, has already received over 20,000 migrants since Saturday; the Slovenian government has plans to ask the EU for help in dealing with financial and security concerns”.⁵⁷ Poland has agreed to accept 5,000 refugees in addition to the 2,000 it has already made allowances for.⁵⁸ In Central Europe, and in particular in Slovakia, solidarity in sharing the burden equally is weak. Moreover, and perhaps

51 Douglas Klusmeyer, “Hannah Arendt’s Case for Federalism”, *The Journal of Federalism*, 2009, 40(1), 37.

52 Tzvetan Todorov & John Anzalone, “European Values”, *Salmagundi*, 2005/2006, 148/149, 18.

53 *Ibid.*, 17.

54 *Ibid.*

55 *Ibid.*, 18.

56 “Hungary won’t open ‘corridors’ for refugees on its southern borders”, *RT*, Published 21 October, 2015; <https://www.rt.com/news/319314-hungary-refugee-crisis-borders/>

57 *Ibid.*

58 “Poland to accept 5,000 refugees: A summary of events”, *Krakow Post*, 24 September, 2015; <http://www.krakow-post.com/10477/2015/09/poland-to-accept-5000-refugees>; downloaded October 22.

worse, is that “Slovakia will only accept ‘Christian refugees.’” It says Muslims would not feel at home there.⁵⁹ But not every central European member state shares this attitude, for instance the Prime Minister from the Czech Republic Bohuslav Sobotka: “Even though I don’t like the use of the quotas, I don’t agree with them and we voted against them, Europe must not fall apart over solving the migrant crisis.”⁶⁰

In the face of an ongoing tragedy that has claimed 2,500 lives during 2015, the German chancellor, Angela Merkel, put it bluntly: “If Europe fails on the question of refugees, its close connection with universal civil rights will be destroyed and it won’t be the Europe we want”.⁶¹ In practice this meant that she revoked the return orders for Dublin transfers to other countries and changed the rule for Syrian refugees that asylum seekers must claim asylum in the first EU state they arrive in.

This step caused critical commentaries: For instance, Professor Anthony Glee, a prominent commentator on European affairs, described Germany as “a hippie state, being led by its emotions”. In his view, “the most serious humanitarian crisis that Europe had to deal with since the end of World War II can only be dealt with by essential policy making and above all by sticking to the rules”,⁶² that is, refugees must be taken at the first port of entry into the European Union states.

b) A first step of sharing responsibility

What, then, could a political response be? It needs to be a common response of European refugee policy shared by all EU member states. Germany will not be able to handle the challenge alone. A first step in sharing the responsibility was made on September 23 when the EU leaders met in Brussels and agreed on a list of priorities which included to “assist Lebanon, Jordan, Turkey and other countries in dealing with the Syrian refugee crisis”, to expand financial support for the United Nations High Commissioner for Refugees and the World Food program”, to gain Turkey’s co-operation in stemming the flow of refugees, to “assist the countries of the Western Balkans in the management of refugee flows”, to increase funding to address the root causes of irregular migration and displaced persons in Africa”, to “tackle the dramatic situation at the EU external borders and strengthen their control” and “assist frontline member states in the establishment of hotspots, to ensure a correct identification of migrants and at the same time ensure relocation and returns. They also

59 “Slovakia ‘will only accept Christian refugees,’” *DW*, 20 August, 2015; <http://www.dw.com/en/slovakia-will-only-accept-christian-refugees/a-18659254>

60 “Migrant crisis: EU splits exposed as talks take place”, *BBC News*, 23 September 2015; <http://www.bbc.com/news/world-europe-34332759>

61 “Merkel says refugee crisis tests Europe’s core ideals”, 31 August 2015; see also “Merkel will «Normalmodus» für Flüchtlinge beenden”: „Die große Zahl von Flüchtlingen wird die EU in der näheren Zukunft vermutlich mehr beschäftigen als Griechenland und die Stabilität des Euro“. *Die Welt*, 16 August 2015.

62 “Germany a hippie state being led by its emotions”, by Anthony Glee, *BBC World Service*, 9 September 2015; <http://www.bbc.co.uk/programmes/p03200f8>

called for renewed diplomatic efforts to solve the crisis in Syria and ensure the formation of a government of national unity in Libya".⁶³

c) Legal Obligations

Besides, Germany and all the European member states have a legal obligation to help the refugees. They signed the Geneva Convention on the Status of Refugees of 1951 into which the principle of "non-refoulement" has been incorporated. In the year 2011 the Refugee convention celebrated its 60th anniversary. However, its history is not one of linear progress; not only continue "'physical insecurity, legal insecurity, socio-economic insecurity and environmental insecurity' to be 'commonplace'".⁶⁴ The Convention also has to be extended because there are persons such as "'internally displaced persons,' 'environmental refugees,' or other people forced to migrate" who are "currently not covered by the definition of the beneficiaries of that Convention".⁶⁵

But, at least, the Convention contains the important principle of "non-refoulement" which "obliges signatory states not to forcibly return refugees and asylum seekers to their countries of origin if doing so would pose a clear danger to their lives and freedom".⁶⁶ In fact, this goes back to Immanuel Kant and his notion of "hospitality". In the Third Article of perpetual peace, he notes that

hospitality is not to be understood as a virtue of sociability, as the kindness and generosity one may show to strangers who come to one's land or who become dependent upon one's act of kindness through circumstances of nature or history; hospitality is a "right" that belongs to all human beings insofar as we view them as potential participants in a world republic.⁶⁷

Here is not the place to look further into the debate about the term hospitality for international relations; I just want to mention Seyla Benhabib's view that "the 1948 Universal Declaration of Human rights and the succeeding era of international rights declarations reflect the learning experiences not only of western humanity but of humanity at large".⁶⁸ However, with Arendt's statement in my mind, that "nobody can be a citizen of the world

63 European Union Delegation to the United Nations: Responding to the refugee crisis; http://eu-un.europa.eu/articles/en/article_16884_en.htm; downloaded October 5, 2015.

64 "Introductory Remarks by Tom Syring", *Proceedings of the Annual Meeting (American Society of International Law)*, Vol. 106 (Mar. 28, 2012), 430.

65 *Ibid.*, 429.

66 Seyla Benhabib, "Cosmopolitanism and Democracy: Affinities and Tensions", *Hedgehog Review. Critical Reflections on Contemporary Culture*, 2009, 11(3), 34.

67 Quoted from Benhabib, 33; see also Immanuel Kant, "Dritter Definitivartikel zum Ewigen Frieden", *Immanuel Kant Werke*, Bd. 9, ed. by Wilhelm Weischedel, Wissenschaftliche Buchgesellschaft: Darmstadt 1975, 213ff, BA 40/BA 41. See also Gideon Baker, "Right to entry or right of refusal? Hospitality in the law of nature and nations", *Review of International Studies*, 2011, 37(3), 1424ff.

68 Seyla Benhabib, 35f.

as he is the citizen of his country”;⁶⁹ I would like to invite you to keep in mind that, according to Arendt, “rights are not in the first instance a matter of philosophical or moral ideals, state guarantees or legal declarations, but are created from the bottom up, through practices of communication and interaction”.⁷⁰

d) Politics and “mere life”

Legal obligations and the need for political solidarity between the European member states as well as among the EU and countries outside the EU are one side of political action to be taken. However, the refugee crisis confronts us with a further aspect, an aspect that Hannah Arendt characterized as “the dark background of mere givenness, the background formed by our unchangeable and unique nature [...]”.⁷¹ This dark background

breaks into the political scene as the alien which in its all too obvious difference reminds us of the limitations of human activity – which are identical with the limitations of human equality. [...] The ‘alien’ is a frightening symbol of the fact of difference as such, of individuality as such, and indicates those realms in which man cannot change and cannot act and in which, therefore, he has a distinct tendency to destroy.⁷²

A man “who by accidents of history is nothing but a man”, Arendt writes, “has lost the very qualities which make it possible for other people to treat him as a fellow-man”. She goes on:

The great danger arising from the existence of people forced to live outside the common world is that they are thrown back, in the midst of civilization, on their natural givenness, on their mere differentiation. They lack the tremendous equalizing of differences which comes from being citizens of some commonwealth and yet, since they are no longer allowed to partake in the human artifice, they begin to belong to the human race in much the same way as animals belong to a specific animal species. The paradox involved in the loss of human rights is that such a loss coincides with the instant when a person becomes a human being in general – without a profession, without a citizenship, without an opinion, without a deed by which to identify and specify himself – and different in general, representing nothing but his own absolutely unique individuality which, deprived of expression within and action upon a common world, loses all significance.⁷³

69 Hannah Arendt, “Karl Jaspers: Citizen of the World?” *Men in Dark Times*, New York: Harcourt, Brace & World 1968, 81.

70 James D. Ingram, „What Is a “Right to Have Rights“? Three Images of the Politics of Human Rights”, *American Political Science Review*, 2008, 102(4), 410.

71 Hannah Arendt, *The Origins of Totalitarianism*, 301.

72 Ibid.

73 Ibid., 302. See also Eric Santner, “What’s left after Rights?” *Law and Critique* 2015, 26(2), 105-115.

Arendt detects a deep Western resentment of the given, of mere life, that is relegated to the private realm, the realm of need and necessity. When the media show the human beings in their status as a refugee, what becomes visible is “an ‘unqualified’ alien who is left with only her mere existence as a human being and who, as a consequence, must flee for her life”.⁷⁴

Angela Merkel by taking the decision to welcome more refugees expressed an understanding of the vulnerable ‘alien’ fleeing for her life. Her decision was not as Judy Dempsey noticed, “based on tactics. [...] It was not based on strategy. Germany was not prepared for such an influx and was not ready to integrate so many tens of thousands of newcomers. She did not inform her EU partners. It was as unilateral a decision as her move to phase out nuclear power. Why?”⁷⁵

There are different answers, one of them by Elmar Brok, a prominent Christian Democrat and chairman of the European Parliament’s foreign affairs committee, who thought Merkel did it out of compassion. Another one, Helge Høibraaten, a Norwegian philosopher, wondered whether Angela Merkel’s decision has to do with a lack of self-criticism, a virtue he attributes politicians and intellectuals such as Helmut Schmidt, Jürgen Habermas, and Joschka Fischer.⁷⁶ Another explication may be that Angela Merkel remembers the last century’s disaster when the system of nation-states didn’t solve the fate of minorities, refugees, and stateless people in a humane manner. I will argue that Merkel acted not in accordance with humanitarianism or compassion but in accordance with an Arendtian notion of humaneness.

There is nothing wrong with compassion, but it is a kind of humaneness that, according to Arendt, is the great privilege of “pariah peoples, a privilege that is dearly bought (because) it is often accompanied by so radical a loss of the world [...] that in extreme cases [...] we can speak of real worldlessness”.⁷⁷ There are limits of a natural creature affect when it comes to political action, because “compassion abolishes the distance, the worldly space between men where politics matters” (OR, 86).

In Arendt’s view, wherever “human beings come together” they generate “a space [...] that simultaneously gathers them into it and separates them from one another”.⁷⁸ This space between men which is the world lies at the center of politics, and “it is within this world [of things] that human beings act and are themselves conditioned, and because they are conditioned by it, every catastrophe that occurs within it strikes back at them, affects them” (IP, 107).

⁷⁴ Peg Birmingham, *Hannah Arendt and Human Rights. The Predicament of Common Responsibility*, Bloomington & Indianapolis: Indiana University Press, 2006, 74.

⁷⁵ Judy Dempsey, “Merkel’s Refugee Crisis”, *Carnegie Europe*, September 14, 2015; <http://carnegieeurope.eu/strategieurope/?fa=61268>

⁷⁶ Helge Høibraaten, “Nestekjærleikens Bismarck?” *Dag og Tid*, 23 October 2015, 12.

⁷⁷ Hannah Arendt, “On Humanity in Dark Times: Thoughts about Lessing”, *Men in Dark Times*, 13, cited as MDT.

⁷⁸ Hannah Arendt, “Introduction into Politics”, *The Promise of Politics. Hannah Arendt*, ed. by Jerome Kohn, New York: Schocken Books 2005, 106, cited as IP.

We might, therefore, assume compassion “as an ideal basis for a feeling that reaching out to all mankind would establish a society in which men might really become brothers” (MDT, 14). It is Arendt’s opinion that “humanitarianism of brotherhood” is valuable since “it makes insult and injury endurable” (MDT, 16), however, “in political terms it is absolutely irrelevant” (MDT, 17). It is irrelevant because compassion cannot “reach out farther than what is suffered by one person and still remain what it is supposed to be, co-suffering” (OR, 85); furthermore compassion politicized becomes the sentiment of pity, and pity may even “be the perversion of compassion” (OR, 88).

The humaneness Arendt then has in mind is not the humanitarianism of the 18th century, warmth of human relationships at cost of the world that lies between them, but a humaneness that contains an “openness to others” (MDT, 15). This openness, the “willing to risk the disclosure” (HC, 180), to reveal oneself in deed or word is only possible “where people are *with* others and neither for nor against them, that is in sheer human togetherness” (HC, 180).

Classical antiquity thought, that humaneness “should be sober and cool rather than sentimental; that humanity is exemplified not in fraternity but in friendship; that friendship is not intimately personal but makes political demands and preserves reference to the world” (MDT, 25). It turned with the Romans into “*humanitas*” and became a political background, i.e., “in Rome people of widely different ethnic origins and descent could acquire Roman citizenship and thus enter into the discourse among cultivated Romans, could discuss the world and life with them” (MDT, 25).

It is this “readiness to share the world with other men” (MDT, 25), that is expressed in Angela Merkel’s welcoming and open door policy. True, all started with citizens opening “the heart to the sufferings of others [...]” (OR, 81), however, it was Angela Merkel who turned the response to the refugee crisis into a political response in the best tradition of humaneness, a humaneness which the ancient Greeks called *philantropia*, ‘love of man’.

e) The refugee crisis, globalization and the effect on political thinking

Merkel also said that the refugee crisis is going to change Germany.⁷⁹ Underlying is the understanding that refugees are not a temporary phenomenon and that we in Europe cannot in a short time return to “business as usual. Globalization is not a one-way traffic, from Europe out into the world, but it works in the other direction too, i.e., from the world into Europe. Since the end of the Cold War the world is in motion. Several states have been left to their own devices, and without strong governmental structures some of them have turned into so-called ‘failed states’ suffering from the erosion of legitimate authority and unable to provide public services.⁸⁰ States in the Middle East have artificial frontiers, “drawn by statesmen with rulers on maps – statesmen who were not Arab, not Persian,

79 Angela Merkel: „Flüchtlingskrise wird Deutschland verändern“, 7 September 2015; <https://www.youtube.com/watch?v=HNUQW0Q5FLU>

80 “Failed state”, *Wikipedia*; https://en.wikipedia.org/wiki/Failed_state; see also: Noam Chomsky, *Failed States: The Abuse of Power and the Assault on Democracy* by Noam Chomsky, New York: Metropolitan Books, 2006.

not Turkish, but British or French or occasionally Italian”.⁸¹ No one would have expected people from this region could cross the Mediterranean Sea to Europe in mass. These events are changing our reality, including our terms when orienting ourselves in the world, as for instance in how we use words such as “close” and “distant”. Syria is no longer distant, the Syrian refugees are no longer strangers but changing into our neighbors.

Half a century ago, Hannah Arendt reflected on the enormous difficulty which she related to the fact that we are living in One World, and this means, that

[...] for the first time in history all peoples on earth have a common present: No event of any importance in the history of one country can remain a marginal accident in the history of any other. Every country has become the almost immediate neighbor of every other country, and every man feels the shock of events which take place on the other side of the globe.⁸²

The common factual present implies the task to guarantee every human being a place in the world. This is not at all an easy task, since, as Arendt remarked, our “common factual present is not based on a common past and does not in the least guarantee a common future”.⁸³ “Everything”, Arendt argues, “seems to depend upon the possibility of bringing the national pasts, in their original disparateness, into communication with each other”.⁸⁴

Her reflections are part of her article “Karl Jaspers: Citizen of the World?” (1958). Here she made the statement that Karl Jaspers “agreed with the widespread feeling that our time somehow has come to an end”.⁸⁵ Arendt on her part joined in: “Our present is emphatically, and not merely logically, the suspense between a no-longer and a not-yet”. In Karl Jaspers’ words, “We live as though we stand knocking at doors which are still closed to us”.⁸⁶

Today those doors are open and what becomes visible is that a guaranteed place for everyone in this world is more urgent than ever. True, “a framework of universal mutual agreements, which eventually would lead into a world-wide federated structure”⁸⁷ is still ahead, but Europe needs to find human solutions of the refugee crisis. Nothing indicates it will be an easy way to go, but there is some hope since “both in their laws and their rhetoric, many European politicians are categorically against exclusiveness and discriminatory practices”.⁸⁸ Furthermore, “Europe today can draw from this history positive effect in the

81 Bernard Lewis, *From Babel to Dragomans. Interpreting the Middle East*, New York: Oxford University Press 2004, 334.

82 Hannah Arendt, „Karl Jaspers: Citizen of the World“?, 83.

83 Ibid.

84 Ibid., 87.

85 Ibid., 90.

86 Ibid.

87 Ibid., 93.

88 Rashmee Roshan Lall, “Europe’s refugee policy is tainted by fear of the other”, *The National*, October 14, 2015, downloaded October 20, 2015; <http://www.thenational.ae/opinion/comment/europes-refugee-policy-is-tainted-by-fear-of-the-other>

recognition of human diversity, the tolerance for customs and opinions one does not share and the refusal to treat all differences in terms of “friends” or “enemies”, good or evil”.⁸⁹

Hannah Arendt believed that human beings are able to build a world that will be humane for everybody. To approach this goal, a particular mode of thinking *and* acting would be needed. “Political philosophy”, she writes, “can hardly do more than describe and prescribe a new principle of political action”.⁹⁰ A new principle of political action would be one whose validity must comprehend the whole humanity. More than half a century ago, in 1958, Arendt remarked that “mankind [...] has become something of an urgent reality”.⁹¹ However, mankind has never really played a significant role in political thinking, and yet, we need to think mankind as a political notion if we want to make human rights real, that is, guarantee every single human being a place in this world.⁹² It seems, Angela Merkel has made an important move in this direction.

5. Education’s task

Refugees are continuing to come to Europe. Human rights have to be practiced locally; mankind – hopefully – will turn into a political notion. Dreams, hopes, losses and new beginnings may be translated into such stories and pictures that are understandable and recognizable to the others. “The world”, Hannah Arendt reminds us, “is not humane just because it is made by human beings, and it does not become humane just because the human voice sounds in it, but only when it has become the object of discourse”.⁹³ She emphasized the importance of communication for the process of becoming human and added: “We humanize what is going on in the world and in ourselves only by speaking of it, and in the course of speaking of it we learn to be human”.⁹⁴ She was convinced that “the openness to others [...] is the precondition for ‘humanity’ in every sense of this word”.⁹⁵ When she spoke of humaneness or humanity she didn’t refer to its manifestation in humanitarianism or compassion but to the Roman understanding of *humanitas*.

The ancient Greeks too, had an understanding about the close connection between speech and politics; this is expressed in that they highly valued *philia*, i.e., “friendship among citizens”.⁹⁶ If we follow Hannah Arendt’s reading of the Greeks, then, humanness is achieved “in the discourse of friendship” because this discourse manifests “a readiness to share the

89 Ibid.

90 Hannah Arendt, „Karl Jaspers: Citizen of the World”? 93.

91 Ibid., 82.

92 I follow Christian Volk’s argument in „Überlegungen zu einer freiheitlichen Weltordnung im Anschluss an Arendt und Montesquieu”, *Renovatio* 3-4, 2009, 16-17.

93 Hannah Arendt, “On Humanity in Dark Times: Thoughts about Lessing”, *Men in Dark Times*, 24.

94 Ibid., 25.

95 Ibid., 15.

96 Ibid., 24.

world with other men”.⁹⁷ “Friendship [...] appears to be the bond of communities”.⁹⁸ When friends “become equal partners,” they learn, “how and in what specific articulateness the common world appears to the other, who as a person is forever unequal or different.”⁹⁹ What friends exercise is “seeing the world [...] from the other fellow’s point of view”, at the same time they communicate “their opinions so that the common-ness of this world becomes apparent”.¹⁰⁰

What, then, are the implications for education under the current refugee and migrant crisis? The answer can only be manifold and needs a further discussion. However, to indicate the direction in which the discussion might go, I think, Education should encourage young persons to believe that they can make a change in the world. Therefore, it should strengthen students’ openness to different perspectives which reveal when friends talk together. Teachers should “engage students in understanding and taking into account the perspectives of others”,¹⁰¹ and this requires to really listening to each other. Moreover, education should encourage and help students to “develop their own perspectives on the ‘world’”¹⁰² and reveal it to others as in friendship. The opposite of this kind of communication is misanthropy, and “misanthropy means simply that the misanthrope finds no one with whom he cares to share the world, that he regards nobody as worthy of rejoicing with him in the world”.¹⁰³

Today we are faced with neoliberalism which produces “citizens as individual entrepreneurs and consumers whose moral autonomy is measured by their capacity for ‘self-care’”.¹⁰⁴ If we wish to include ‘newcomers’ we need to turn away from neoliberalism and recover solidarity. Education should more than ever focus on teaching students to practice “friendship among citizens”; an attitude deeply needed to envision a world where every human being has a guaranteed place. As Hannah Arendt so well expressed it, “a crisis becomes a disaster only when we respond to it with preformed judgments”.¹⁰⁵

So, my answer to the title’s question: “Refugees and Europe: a dilemma or a turning point?” will be, Yes, we are standing at a turning point: “The history of mankind has started”.¹⁰⁶

97 Ibid.

98 Hannah Arendt, “Philosophy and Politics”, *Social Research*, 57(1), 1990, 83.

99 Ibid.

100 Ibid.

101 Ibid., 34.

102 Ibid.

103 Hannah Arendt, “Philosophy and Politics”, *Social Research*, 83.

104 Wendy Brown, “American Nightmare: Neoliberalism, Neo-conservatism, and De-Democratization”, *Political Theory*, 2006, 34(6), 694.

105 Hannah Arendt, “The Crisis in Education”, *Between Past and Future*, 174.

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