The London School of Economics and Political Science

Ethics of Hospitality: Envisaging the stranger in the contemporary world

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DECLARATION

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ABSTRACT

The main contention of this thesis is that traditional IR approaches, ethics of migration literature and a part of the poststructural scholarship, either implicitly but also often explicitly, are based on an exclusionary, hierarchical understanding of the Other and an *Us versus Them* ordering of society even when they purport to contradict it. As such, they engender a collective ethos, which, despite these approaches' initial intentions or pronounced humanitarian commitments, does not take into account the stranger Other beyond a lordship/bondage view on one hand and allow for exacerbating the violence towards the Other/ stranger on the other. This exacerbation can be noted when looking at current hospitality practices (detention camps; "closed hospitality centres"; state sanctioned illegal push-backs of refugees; "fortress Europe" kind of policies, etc.). Whilst accepting this is not a new problem (movement of individuals, post-conflict waves of refugees, liminal figures in societies and communities have always been present and have constituted parts of on-going theoretical discussions in IR, bringing out theoretical tensions and difficulties), the thesis argues that there are certain novelties to be found: namely, a strengthened overarching security narrative and the resulting militarisation of the treatment of strangers. Against this background, my thesis notes the relative absence of any ethically engaged discussion around hospitality and finds it problematic. It proposes the reconsideration in IR of an umbrella term naming the liminal abject Other. It then argues for the need to reconsider the Levinasian understanding of the ethical responsibility towards the singular and multiple Others through the concept of fraternity. Finally, it revisits the Derridean theorisation of hospitality, i.e., hospitality as an opening up of theory to the "missing" or the Other in Western thought beyond an "Us/ Them" understanding, through an affirmative reading of autoimmunity, arguing that the autoimmunitary ethics of hospitality can enact the ethical responsibility by crossing the threshold of undecidability towards an opening to the Other.

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ACKNOWLEDGMENTS

"Strategy is a word that I have perhaps abused in the past (...) in an apparently self-contradictory manner and at the risk of cutting the ground from under my own feet – something I almost never fail to do (...); for this is what I hold and what in turn holds me in its grip, the aleatory strategy of someone who admits that he does not know where he is going. This, then, is not after all an undertaking of war or a discourse of belligerence. I should like it to be also like a headlong flight straight towards the end, a joyous self-contradiction, a disarmed desire, that is to say something very old and very cunning, but which also has just been born and which delights in being without defence."

J.Derrida, The Time of a Thesis: Punctuations

The time of a thesis is often seen to be an enriching intellectually journey, a magnificent adventure. However, it can also be the reason for many existential crises, and a crisis it has surely been for me, sapping and challenging my confidence as well as a constant reminder that a manuscript, as everything else in life, can never be finished, must always stay in limbo, always perfectible.

There are two people I am extremely grateful to. The first is Kim Hutchings: apart from being the best supervisor one could hope for, she is also a truly empathetic, moving, warm human being. Her intellectual brilliance is inspiring and her faith in students comforting. Despite my efforts, I still feel that I have not done her guidance justice. The gift of her presence is one I will never be able to pay back and missing her as my mentor is the main thing I regret now that the PhD is done.

The other is Vanghelis Bitsoris, the Greek translator of Derrida and the first translator of *Adieu à Emmanuel Levinas* in a foreign language. Vanghelis, a model of modesty, hard work and intellectual integrity, especially in these tough times of social and financial crisis dismantling Greece, introduced me to the Derridean concept of hospitality as early as 2000, as my teacher at the now defunct European Centre of Translation (EKEMEL) in Athens. I still find it difficult to believe that it took me so long to write something on hospitality remotely worth reading when compared to his work.

INTRODUCTION[1]

> "*Who* loves the stranger. Who loves the *stranger*? Whom else is there *to love*?"
> J. Derrida, *Adieu to Emmanuel Levinas*

> "Let us consider this negative sentence: 'death *has no* border'"
> J. Derrida, *Aporias*

Mos maiorum,[2] *Mare Nostrum*, *Xenios Zeus*,[3] *Aphrodite*, *Perkunas*,[4] *Balder*,[5] *Triton*: Latin,

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[1] The thesis was initially submitted in January 2015 and, as such, descriptions of events and policies in some cases may reflect the initial time of writing.

[2] *Mos*, "a vague and emotional concept" (Syme, 1939:153) is the Latin word referring to social custom or tradition in contrast to *ius* (human law in a broad sense, *the* law) and *lex* (legislated law, *a* law). *Mos maiorum* was thus understood as ancestral custom or the custom *of the elders*, which in the context of the "unending real-constitutional political struggle, could be invoked by the reactionary, reformist and revolutionary alike" (Allot, 2002:360).

Implemented from 13 to 26 October 2014, the Mos Maiorum was a joint operation set in motion by the Italian Presidency of the Council of the European Union, "aiming at weakening the capacity of organized crime groups to facilitate illegal immigration to the EU and (…) focusing on illegal border crossing. Another goal of this operation is to collect information, for intelligence and investigation purposes, regarding the main routes followed by migrants to enter in the common area and the modus operandi used by crime networks to smuggle people towards the EU territory, focusing also on the secondary movements." Council of the European Union, Note of the Presidency to the Delegates 11671/14, Brussels 10.7.2014 available at http://www.statewatch.org/news/2014/sep/eu-council-2014-07-10-11671-mos-maioum-jpo.pdf, last visited on 7th October 2014. The operation was seen by local and international NGOs and immigrants support groups as another attempt at immigration clampdown and strengthening of Fortress Europe, of the type undertaken every semester by each rotating presidency (see operations Barkunas, Balder below). In more extreme cases, it was criticized as a "pogrom" against undocumented migrants, with protests organised in Brussels on the days during which the operation was active.

[3] Perhaps the most ironically named of all the operations, Operation Xenios Zeus was a large-scale sweep operation intended to crack down on irregular immigration and crime in Athens, Greece and led by the Greek police. Issues of abusive stop-and-searches, wrongful arrests, hours-long detentions and mistreatment at police stations have resulted in various condemnatory ECHR decisions and reports by humanitarian organizations (Human Rights Watch, 2013), and many damning newspaper articles in the national and foreign press.

[4] In Lithuanian and Baltic mythology, Perkunas is the god of thunder and an important god in the Baltic pantheon. Following the examples above, or as stated in its final report, "the tradition well-established *(sic)* by previous EU Presidency Member States," Operation Perkunas was initiated and organized by the State Border Guard Service at the Ministry of the Interior of the Republic of Lithuania "with the main goal of identifying the link between illegal EU external border crossings and secondary movements of irregular immigrants within the EU and Schengen Area. Frontex contributed to the operation by supporting the Lithuanian Authority in collecting data and by making its Risk Analysis Unit available to prepare the chapter of the report concerning irregular migration at the EU external borders." Council of the European Union, Final Report on Operation Perkunas 16045/13, Brussels 11.12.2013 available at

http://www.statewatch.org/news/2014/mar/eu-council-operation-perkunas-16045-13.pdf, last visited on 7th October 2014.

[5] Similarly, Balder is the god of light, one of the most important gods in Norse mythology, whose name was used by the Danish Presidency of the EU Council for a High Impact Operation collecting information on migratory flows within the Member States along the lines already outlined above.

ancient Greek or other antiquated names and phrases referring to mythological gods, ancient colonial policies, traditions and customs of a glorious Western past are in vogue when it comes to describing European and national operations and policies aimed at curbing, restraining and even eliminating immigration towards the European Union.[6] While in their clinical language these operations purport generally to gather information on migratory flows and identify illegal crossings, in practice they contribute to a progressive sealing of European borders, hindering the asylum-claiming procedure.[7] In treating migration and migratory flows as processes that can be treated independently of the crises that cause them and of human suffering more generally, and in disconnecting them from the problematic legal context and the vast divergences of its application in each country (such as the Dublin Regulation and the pivotal importance of the country of entry), these operations essentially constitute quantitative exercises; and so they miss the impact of the context under which they operate, both in terms of their findings and in terms of the cost in human lives. This context is one of a militarised border regime. This misdefinition of scope and intent is mirrored in the choice of the operations' names. They constitute political mal-appropriations, which either contradict the actual workings of the operations they describe – there was nothing hospitable in the Xenios Zeus Operation, where arrests of undocumented immigrants and detention practices has led Four UN Special Procedures to express concerns (SRHRM 2013; SRT 2011; SRSC 2006; WGAD 2013), and the European Court of Human Rights to identify degrading treatment – or ironically underline colonial connotations (Mare Nostrum was and indeed still is used to define *our*, i.e., European, albeit Mediterranean, Sea).[8]

In a direct parallel, the terminology of the ethics of migration, and also that of mainstream International Relations, functions in a euphemistic way: discussions of

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[6] The list is much longer than implied here. For example, the 2011 Hermes operation (starting in Lampedusa and focusing on sea migration – the operation had to extend its duration) and the 2011 Demeter operation organised by the Polish presidency are two of the operations preceding the cases seen briefly above; there are others to follow (such as Mitras, Aerodromos etc) in "the tradition well-established" mentioned in fn 4.

[7] Following the Perkunas Operation discussed briefly in fn 5, the final report argues that the practice of migrants submitting asylum claims after being apprehended during similar operations constitutes in essence "a definite quantitative indication of abuse of the asylum procedure". While this may be legally correct, it is based on a flawed premise, since it takes into account neither the inability of many of the intercepted to submit claims upon initial entry into the EU prior to their capture, nor the restrictions of the Dublin system.

[8] See also Hugo Brady's *Mare Europaeum? Tackling Immigration in the Mediterranean*, European Institute of Security Studies Brief Issue 25, September 2014.

quotas, right to enter and to leave, freedom of movement, brain-drain, etc. Although common as variables for policy orientation, such terminology often obscures the human dimension of – and suffering entailed by – the issues it addresses. Ethics of migration very often does not even talk about migration per se: like in the recent book by Joseph Carens, one of the most eminent representatives of the literature of migration ethics, the focus is on naturalisation, citizenship, labour migration and refugees (2013). Border crossings and related plights, exclusion and death, and also the migrants' own voices, are seldom referred to.

Such tragedies are often seen as sad but logical results: strife in the periphery will always create a centripetal force towards the core; people will flee, move and travel; and this will make them unwelcome, put them in peril, even kill them. We are not only informed but also partially conditioned and formed through the acceptance of this violence inflicted on the Other – often we are even involved in it in one way or another. Given that laws of hospitality partly entail this violence and we are members of communities guided by them, this is deemed only natural: our cities cannot be inundated by foreigners, we have to guarantee our survival before helping Others, life is unfair, people die. Ethically speaking though this is a very problematic admission. Being formed within a matrix of power "does not mean we need loyally or automatically reconstitute that matrix throughout the course of our lives" (Butler, 2009:167). Similarly, the fact that hospitality laws have violence at their origins, and traditional ethics seem to make allowances for tragic eventualities of this sort, producing in this way the "norm" of hospitality, does not mean that this should remain unchallenged.

Do we need to respond to these tragedies? This thesis argues that we do. Why? Because it is only in responding that we can account for our existence, the existence of ethics (and also of politics) and because taking such tragedies for granted is in essence a failure of humanity. Responding can of course take many guises: pondering on the ethics of our response is one of them, the one that this thesis is making; and it does so by considering and arguing in favour of a certain understanding of the ethics of hospitality. Accepting that the hospitality norm briefly described above needs to be contested, my thesis identifies the need to consider receptivity to the claims of the Other.

> The capacity to respond to the claim [of non-violence] has everything to do with how the claim is formed and framed, but also with the disposition of the senses, or the conditions of receptivity itself,

argues Judith Butler in the chapter entitled "The Claim of Non-Violence" in her 2009 *Frames of War* (2009:165). My argument is similar: if we are to become able to respond to the tragedy of violence and death inflicted on the Other stranger, the stranger Other, the missing, we first need to be receptive of the claim of the Other, of her address to us, of her unarticulated need. This is to be attained by considering hospitality ethics in the Levinasian and Derridean vein.

The claim of the Other upon me has to be met not only because we are all Others in some respect and potentially in need of a response, nor because we are interconnected on various levels and in multiple ways. The call of the Other, and I understand that this is controversial, before recognition and calculation, constitutes me as a Subject. Responding to this call and to the Other may entail a struggle and a polemical need to overcome the current presumptions of hospitality. However, most importantly it needs to be accompanied by "a critical intervention apropos the norms that differentiate between those lives that count as livable and grievable and those that do not" (Butler, 2009:180), between those Others that are allowed to go missing and be unaccounted for and those who are not. Performing such an intervention, though, entails fundamentally challenging our understanding of these lives and of the Other, as I will be arguing in this thesis. The need to move away from the traditional metaphysical tendency to rely on irreducible pairs, such as the hierarchical relation of Self and Other, host and guest, friend and enemy, master and slave is crucial for hospitality. The Levinasian ethical encounter and the affirmative understanding of hospitality as autoimmunity in the Derridean conceptualisation, which I explore in chapter four and five respectively, are indispensable tools in this regard.

Doing away with the need for decisionality and to base decisions on certainty and calculation is the crucial step: hospitality, as the *aporia* par excellence, allows us to embrace the madness inherent in the decision and the uncertain nature of being. Hospitality as threshold, which is both disorienting and paradoxical, and where we are

called to linger before the transgressive step; and autoimmunitary hospitality as the opening up to the unforeseen, the affirmation of what comes each time in a unique and novel way, carrying its threat but also its opportunity.

Hospitality as the interruption of the Self

The first main contention of my thesis is that when it comes to the issue of hospitality and border crossing, traditional International Relations' (from now on IR) approaches, ethics of migration literature, human rights discourse and parts of poststructural scholarship, are all, either implicitly but also often explicitly, based on an exclusionary, power-contingent hierarchical understanding of the Other and an *Us versus Them* ordering of society, even when they purport to contradict such an understanding. As such, on the one hand, they engender a collective ethos, which, despite these approaches' initial intentions or pronounced humanitarian commitments, does not take the account of the Self/Other (where the Other is the stranger, foreigner and guest, the irregular and undocumented migrant; more on this later) relationship beyond a lordship/bondage view. On the other hand, they legitimise the exacerbation of the violence towards the stranger Other. I argue that mainstream IR approaches tend to avoid the intricacies of the Self/Other relationship and the responsibility this carries by submitting to a generally accepted framework of humanitarian assistance and a loosely understood, abiding concern for Others, masking in this way what is in essence the reproduction of domination and a propensity for aggression. This submission leads to poor treatment of the Other and an exacerbation of violence, as can be observed in current practices of hospitality (detention camps; "closed hospitality centres"; state sanctioned but illegal push-backs of refugees; "Fortress Europe" types of policies resulting in perilous border crossings, etc.). While accepting this is not a new problem (movement of individuals, post-conflict waves of refugees and liminal figures in societies and communities have always been present and have constituted parts of on-going theoretical discussions in IR, bringing out theoretical tensions and difficulties), the present thesis argues that there are certain novelties to be found: namely, a strengthened overarching security narrative and a resulting militarisation of the treatment of strangers. Against this background, my thesis notes the absence, with a few exceptions, of any extensive

engagement with the ethics of hospitality in IR and finds this absence problematic.[9]

Secondly, I argue that the categorisations of Otherness in hospitality (refugee, asylum seeker, migrant, along with other liminal abject subcategories) are often misemployed and exacerbate violence and that a new theoretical category addressing the liminal and non-categorisable in International Political Theory (from now on IPT) and IR, which is already slowly emerging, needs to be built upon. This is necessary, the thesis argues, because Hegelian, Kojèvian, existentialist and liberal accounts of the relation with the Other cannot but provide us with descriptive readings of her and of the militarisation observed in hospitality practices. The same goes for the Buberian egalitarian view of the Other, which elides difference, for the exclusionary framework provided by Agamben's *homo sacer* and other post-structural approaches of the biopolitical vein. Similarly, the importance attributed to recognition by postcolonialism and to resistance by the autonomy of migration scholarship does not allow us to escape from a Self/Object relation.

Thirdly, in the main body of the thesis, building on already existing relevant work on the issue, I argue for the need to reconsider hospitality in poststructuralist terms – inspired by Levinas and Derrida – in order to envisage hospitality as an opening up of theory to the "missing" or the Other in Western thought beyond an Us / Them understanding. In the case of Levinas, this entails a theoretical reconfiguration of the Levinasian ethical encounter, freed this time of the issues of religiosity, the impasse presented by the *third* and the insurmountability of the absolute responsibility towards the Other, which have traditionally condemned the Levinasian approach to an important but also at the same time marginal place within poststructuralist ethics and IR in general. That is to say that while Levinasian work has been long considered an important influence in poststructuralist renderings of subjectivity and responsibility, it has at the same time been left aside and treated as an approach without egress, mainly for the problems mentioned above. I am challenging this through the concept of fraternity.

In the case of Derrida, I build on his own and existing IR scholarship's work on

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[9] See the introductory note to Gideon Baker's *Politicising Ethics in International Relations,* where the same "striking omission" is noted (2011a:i).

hospitality to argue that hospitality in this vein should not be considered as mainly caught between the impossibility of its unconditionality and the possibility of its often failing laws, and in an open-ended, loosely understood, always perfectible future-to-come. I argue that when Derrida talks of the impossible, he actively sees it as possible and invites us to do the same. To this effect, I explore the autoimmunitary aspect of hospitality, which, along with the concept of the threshold, I argue can help us utilise the aporetic nature of hospitality in an ethically affirmative way. Departing from Derrida, I propose an autoimmunitary ethics of hospitality, which crosses the threshold of undecidability towards an opening to the Other.

These last two arguments take place in chapters three and four, where my thesis goes on to argue that Levinas offers us a viable theoretical alternative through his infinite ethical demand imposed on the Self at the encounter with the Other. His understanding of said encounter brings into play the use of the Self's sentience and emotion, making it an intersubjective experience, which allows one to discover one's own particularity beyond entrenched beliefs and knowledge. While the possibility of conflict and violence is not banished, such understanding of hospitality (through the encounter with the Other) acts as proof that the normative demands of the Other on me are truly recognised and welcomed. The Other is no longer a number to be managed, an individual to be kept outside or at the border, but a subject for whom the Self bears an infinite responsibility to respond. This responsibility does not derive from my actions (as neo-Kantian approaches, prevalent in IR, would have it); but by virtue of my relation to the Other established before any action is undertaken. Hospitality is an interruption of the Self (Derrida, 1999a:51). I am addressing the well-known Levinasian conceptualisation of ethical responsibility, but this time rid of the common IR anxieties about Levinas: the ethical encounter's relation with the ethicopolitical, namely the presence of the third, the religious character of his writings and the general theoretical impasse IR faces when engaging with Levinas. I show that there are ways to overcome these anxieties in a manner that allows us to focus on the essential Levinasian contribution, despite its complexities. Therefore, Levinas sets the ethical: the encounter with the Other and the Self's ethical responsibility to her, which I present as inescapable. The conceptualisation of fraternity is the bridge for the passage to the political, a passage considered until now problematic.

I argue that, instead of basing an understanding of ethicopolitical relations on a particular human essence – as not only Kant but contemporary cosmopolitan discourses within international relations tend to do – Levinas and Derrida opt for a more relational view of subjectivity as a viable alternative to the neo-Hegelian and communitarian approaches.[10] Suffice it here to say that, like Derrida, I feel that the relational subjectivity I am proposing and which is needed to address in earnest the migratory plights of those caught up in conflict, famine, or other disastrous circumstances, is a bond in excess of notions of common citizenship, as if we were all cosmopolitan citizens of the world (Derrida, 1994:240). This bond "cannot be contained within the traditional concepts of community, obligation, or responsibility", since these are often wound up with the very forces behind those circumstances that produce disaster in the first place (ibid.), i.e., state violence, discrimination and militarised hospitality practices. This bond relates to the "incalculable singularity of everyone, before any 'subject' beyond all citizenship, beyond every 'state', every 'people'"(Derrida, 2003:120).

If Levinas sets the ethical responsibility, one could say then that Derrida sets the political: the acceptance of the autoimmune aspect of the encounter with the Other/s. The Other/s may symbolise a danger to the Self or even self-destruction, but this is a risk worth taking if one is to honour their ethical responsibility towards the Other and if their aim is (as it should be) to avoid *the worst* (le pire), i.e., totalising violence. As autoimmune diseases, apart from endangering the body, also allow it to adapt, similarly the arrival of the Other/s does not need to be perilous by definition. The Derridean opening up to an incalculable future, or future-to-come, is not neutral in its configuration, nor does it point to either a negative or a positive state of affairs in its unpredictability. I argue that it should be considered as an eventually successful and peaceful opening to the Other. As such it is part and parcel of hospitality, since predictability more often than not coincides with absolute knowledge and state violence, as seen in the militarisation of hospitality practices and the violence lying at the core of intersubjectivity as the latter is traditionally understood in the Self/Other schemas (both of which I will later explore in more detail). For Derrida, hospitality, which is deemed of the name, is open to any possible futures. The possible future

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[10] These are approaches that I will not be addressing in detail in this thesis, for reasons I explain in the second chapter.

proposed here is not the overarching form of a Kantian transcendental ethical structure or an eternal renewal of the exclusion-resistance-survival biopolitical framework, but a radically open-to-the-Other future.

Understanding hospitality in these terms leads to a distinctive ethics of hospitality, which functions as a way of thinking about the relationship between representation and humanisation, of being alert to what is precarious in another life and of responding to the "missing" Other or the "unmissed" Other, i.e., an Other who may be present in the Western imaginary, but who, nonetheless, does not possess any clear status; who is either "illegal" in her presence, existing in a legal vacuum, or figure of destitution / liminality; the Other defined by various theorists as the ungrievable and unmourned life (Butler, 2006), "supernumerary" (Davis, 2006), "human refuse" (Bauman, 2003), "bare life" (Agamben, 1998) or "pariah" (Varikas and Wacquant, 2007); the Other in sum as an ethically non-recognised subject. For the needs of the current research project, the focus of the "unmissed" Other will fall upon the irregular, undocumented migrant, clarifying first, however, the need for a new and broader category addressing the liminal and non-categorisable in IR.

Finally, I am testing these two, final aspects of my argument, the Levinasian ethical encounter and the autoimmunitary character of hospitality in what I call the camp for strangers. Seeing this camp as a result of a new security context and a reaction to the ethical vacuum created by this securitisation, defined by the revolution in surveillance techniques and technologies, their fusion with military and police practices and the emergence of a discourse that connects flows of population with global threats like terrorism or pandemics of contagious viruses, I explore how the reconsidered theorisation of hospitality as autoimmunity can still be found in the life inside the camp, through assumptions of ethical responsibility at the individual level and acts of solidarity akin to the existence of open borders.

I present below the main themes of my study.

The who of hospitality

- ### Xenos / Stranger / Foreigner/ Abject Other

> "What does 'foreigner' mean? Who is foreign? Who is the foreign man, who is the foreign woman? What is meant by 'going abroad', 'coming from abroad'?"
>
> Derrida, *Of Hospitality*

> "To approach the stranger is to invite the unexpected, release a new force, let the genie out of the bottle. It is to start a new train of events that is beyond your control..."
>
> T. S. Eliot, *The Cocktail Party*

The stranger has always seemed to be an unsettling figure for the established order. Arriving with questions, posing questions, prompting the other to pose questions, her mere presence, in all possible disguises, suffices to challenge the existing order (Dikeç, 2002). From Plato's *xenos* to *L' Étranger* of Camus, from Ruth the Moabite to the French *sans-papier*, the stranger seems to endanger the existing order, posing a threat to citizens and kings and presenting them all with important duties from the moment she arrives at a state's borders. The duty of hospitality towards the stranger, a duty but also a right, therefore became from very early on a custom for societies to reckon with. In the context of this thesis, I am only interested in the modern understandings of the stranger, which focus on the uncategorisable trait of Otherness; I will thus skip the examination of its etymological background and historical evolution to which a separate section is dedicated in chapter one. I will only note here that the concept of *xenos* corresponds best with the synonymous French term *étranger* and the German *der Fremde*, which in English needs to be translated by two distinct terms: stranger and foreigner. To avoid any misunderstandings further on, it is very important to state at this point that the terms foreigner and stranger are used interchangeably in the body of this thesis following the semiology of the xenos and *étranger*. The stranger will act as the umbrella term for the legally and ethically unidentified Other, beyond attributions of citizenship, group, religion and community belonging, while it should be considered as corresponding with the undocumented migrant for issues of clarity. In the terms of this thesis, persecution, marginalisation, exclusion and violence as well as her treatment as a problem by IPT plague the stranger by definition, for reasons briefly explored below.

The 20th century starts with Simmel's sociological study of the stranger (McLemore, 1970), in which it is defined as a distinct category, which counter-intuitively does not

outline the entirely unknown Other but instead the non-integrated or non-assimilated in a society or community. Thus issues of belonging, which are always to be adjudicated by the sovereign power of the host and other decision-makers, are attached to the figure of the stranger from the start. Integration and non-assimilation are understood both in spatial and relational terms, i.e., both from where the stranger stands on the inside/ outside divide but also by the relation (of proximity or distance, familiarity or alienation) to the Self. "The stranger is a relational figure constituted in a spatial ambivalence between proximity and distance" (Koefed and Simonsen, 2011:346). Therefore, the question of belonging is closely linked not so much to questions of identity or other affiliations but to relationality with the Self. The question of proximity and distance, along with a certain spatial and relational ambivalence, is what constitutes the stranger (see 1.3.1 for more on proximity, distance and ambivalence as these derive from the work of Simmel and Bauman). As a result, it is the encounter of the stranger with the Self that according to Simmel, Bauman and others assigns to her a meaning: without it, the stranger would be empty of meaning or at best "undecidable". Neither friend nor enemy, the stranger unsettles categories and is more dangerous for that:

> The threat [she] carries is more horrifying than that which one can fear from the enemy. The stranger threatens the sociation itself – the very possibility of the sociation (Bauman, 1991b:55).

This unsettling of categories carries risks. Causing intensive attempts to recognise and to assign identity and appropriate space to the stranger, it often conceals exclusion, since it is a one-way movement: it is only the Other that is recognised and potentially legitimised (or not) by the Self, and not the other way around. Current uses of the term, which interest me in this study, extrapolate from this assignation of identity and space, and see strangers in absolute terms of safety and danger: strangers are figures "who pose danger by their very presence in the streets", constituting what Ahmed calls the "stranger danger" (2000:21). Since they are empty signifiers, neither heard nor seen, in need of recognition, they only acquire meaning upon their encounter with "us", the Self. It is through this encounter that the space is defined and boundaries are established: "through defining strangers as dangerous and exercising hate" (Ahmed, 2000). But why hatred?

> [Strangers] allow the demarcation of spaces of belonging; by coming too close
> to home, they establish the very necessity of policing the borders of knowable
> and sustainable terrains (...) it allows us to share a fantasy that, in the co-
> presence of strange and alien bodies, we will prevail (2000:3).

Policing, borders and prevailing on the stranger automatically establish a relationship of violence. The stranger is mainly understood and embodied through being expelled. Expulsion allows both for the stranger to be embodied and recognised and for the community to retain its purity (Ahmed, 2000), fulfilling in a way the simultaneous construction of spatial identities and spatial formations observed by Henri Lefebvre (1991:170), while also proving R.B.J. Walker right for showing how this inside/outside opposition both serves as the limit of the political imagination and the source of its coherence (Bigo, 2006:13).

It is this context that engendered a vast range of subgroupings of the figure of the stranger: the abject Other, the missing missing (see Edkins, 2011), the useless mouths (also in chapter two), the non-insured surplus life (Duffield, 2007:19), the bare life (cf. chapter two and partly in chapter three), the liminal figure (Mälksoo, 2012), the undecidable (Bauman, 1991a) – to mention only a few of many. All subgroupings symbolise essentially the abject Other and stranger, which has

> only one quality of the object – that of being opposed to I. If the object,
> however, through its opposition, settles me within the fragile texture of a
> desire for meaning, which, as a matter of fact, makes me ceaselessly and
> infinitely homologous to it, what is abject, on the contrary, the jettisoned
> object, is radically excluded and draws me toward the place where meaning
> collapses (Kristeva, 2012:84).

Taking the undocumented and not the "illegal" migrant[11] as the personification of the stranger as described above, I agree with Simmel, Ahmed and others that the stranger cannot be understood only in ontological terms but is produced instead through

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[11] See Scheel and Squire (2014) for the use of the term illegal and the association of migration with criminality and my relevant discussion in chapter two.

embodied encounters. I also believe, as they do, that it is through the encounter that meaning is assigned. However, with this thesis and the ethical encounter as understood by Levinas, discussed in chapter three and holding centre stage in the ethics of hospitality, I would like to challenge the perception of meaning-assignment as a one-way movement. On the contrary, the process of giving meaning through relationality, I argue, can and should be multi-layered and, by extension, the Self/Other relation should not be mainly seen as one of danger, enmity and abjection. By reconsidering issues of subjectification and favouring the constant negotiation of the decision and responsibility affecting the Other, the ethics of hospitality advocated in this thesis is to my understanding the approach best positioned to address the troubled relation with abject Others.

- **Self/Other**

I do not pretend I can exhaust this vast topic in this introduction (or this thesis for that matter), but for the needs of my discussion later I will briefly refer to some tenets of the Self/Other relationship. Focusing on what is important for the ethics of hospitality debate, in chapter three I discuss in greater detail the aspects of Self/Other relationality as these are informed by Hegelian and Kojèvian scholarship; by the existential account of the subject in Sartre; and by the I/Thou relationality of Buber, in order to reach its counterpart in Levinas. My main thesis is that Hegel's, and by extension Kojève's, lordship/bondsman schema, with its emphasis on recognition and survival, still informs in one way or another most of the current discussions around subjectivity and relationality both in analytical and Anglo-Saxon philosophy as this is explored in chapter two. The influence of this binary understanding is omnipresent: from Sartre's understanding of self-awareness established through the gaze of the Other to postcolonialism's emphasis on recognition and resistance, a conflictual understanding of Otherness is inspired by a master/slave dialectic. I mention Sartre and postcolonialism here not accidentally, but because they are relevant to the discussions of subjectivity and dualism explored in chapters two and three – respectively, the biopolitical understandings of hospitality and Levinas' conceptualisation of Otherness. No matter how essential this binary may be in postcolonialism's critique of imperial domination, the relation between colonisers and the colonised, the importance of the recognition of the colonised Other and the biopolitical understanding of the abject other, I argue that this master/slave dialectic

not only fails to empower self-becoming or even essentially challenge established categories in the context of hospitality ethics, but also engenders violence and very strictly defined hierarchies.

The what of hospitality

- **Injustice**

In his ten-word telegram addressing the ten plagues of the "new world order", Derrida identifies them to be: unemployment because of a deregulated worldwide market; massive exclusion of homeless citizens from any participation in democratic life; the ruthless economic war mainly in the developed world; the inability to master contradictions in the concept, norms and reality of the free market; aggravation of foreign debt and other connected mechanisms; the arms industry and trade; the dissemination of nuclear weapons; inter-ethnic wars; growing worldwide power of super-efficient and properly capitalist phantom-States; and the present state of international law and its institutions (1994:100–1). From the homeless to the citizens that suffer under deregulated markets, to victims of war, Derrida positions the woes of the world on the basis of the effect they have on the Other. This Other is the disenfranchised, the citizen who has fallen through the societal net, the uncategorisable stranger. In addition, Derrida is not only interested in the impact of these plagues on democracies and democratic politics, but also (and perhaps mostly) in what kind of justice is demanded by these plagues and how they can be faced. For him, this is not a traditional understanding of justice, with its legal context and apparatus. Instead he talks of a justice to-come, which challenges the violent authority and foundations of the law and which can answer to the call of the Other opening up to all possible outcomes. Despite the dangers such an open-endedness entail (the worst may arrive; see *le pire* in section 4.2), Derrida still stacks his hopes on it in defiance of traditional and dogmatic understandings of right and legality that have already allowed the plagues to take place. For this thesis, the "plague" is the usually violent or repressive treatment of the stranger, more specifically as this has come to be symbolised in the current refugee "crisis".[12]

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[12] Crisis is presented in quotation marks because the term will be debated in the last chapters. It will be asked whether it is really a product of critical times or is only treated as such by the media and the political infrastructure (See Postel, Rathisanamy, & Clemens, 2015).

As with the master/slave dialectic, Derrida finds the law to be caught in a metaphysics of presence, where the struggle for the just is clear-cut, the procedure reduced to "sanctioning, restituting and doing right" on a course of continuous betterment till the end of historic time. Justice pertinent to hospitality, immigration and border crossings are perceived in the same way: a linear progress of the law ensures (or is supposed to ensure) the procedural accommodation of hospitality needs. Following the Second World War and the great wave of refugees that it caused, treaties are signed, categories of strangers are more clearly defined and the relevant law is fine-tuned. Leaving aside for a moment the question of the effective application of such law, what does the lawmaking of procedural hospitality do other than establish a framework that more often than not fails its objects? Extensive bureaucracy, misemploying of categories with an aim to exclude, depersonalisation of procedures, militarisation of practices – these are only some of the failings of the law of hospitality. The admission that justice and its procedures will always have failures, will always generate violence, but is nevertheless on a course of constant improvement – this admission may ring true, but is it enough? I argue that such failures are intimately related to the skewed relation with the Other and have little to do with a loosely understood betterment of law through trial and error.

"Can one not yearn for a justice that one day would finally be removed from the fatality of vengeance?" asks Derrida in the *Specters of Marx* (1994:15). This precarious and unjustifiable notion of justice (Kellog, 2010:92), the accomplishment of which remains impossible, mirrors the conceptualisation of hospitality. Hospitality and justice, intertwined and simultaneously the two sides of the same deconstructive coin, are "impatient, uncompromising, and unconditional" (1994:31). Always in contrast with the law in the case of the first, and with the laws of hospitality in the case of the second, they are interested in addressing the violence inherent in the law and its practices. The inherent injustice in the laws of hospitality, i.e., the injustice to be found in the practical implementations of the law (singular) of hospitality, is the *what* of this section in which the ultimate aim is to revise and suggest a distinctive ethics of hospitality. Whether these laws are construed as historical institutions or products of need (for example, the need to curb migration for economic reasons), their processes can "be subjected to deconstruction, which either discovers the violence of origins in daily operations or unravels the ordered bi-polarities (fact-values, public-private,

objective-subjective) and shows that they cannot stabilize the legal system" (Douzinas, 2005:178). The ethics of hospitality I argue for here is an answer to the injustice of the current refugee crisis.

- **Violence and Biopoliticisation of Hospitality**

In examining the death of a "failed" asylum seeker during his deportation, law scholar Peter Langford talks of the violent hospitality practices upon application of the law, seeking to locate where force of law becomes law of force and where the divergence of legal norm from the application of a sanction takes place. He finds that

> in relation to the determination of this point of divergence and, with it, the designation of those who have applied force as having done so beyond that envisaged by the force of law, the recent history of the instances in which the legal system has been called upon to engage in this determination have failed to clearly and transparently define this boundary (2012).

Not only that though: responsibility, in similar cases of "failed" asylum seekers, undocumented immigrants and general strangers under no protective framework (national or otherwise), is rarely located.[13] Measures taken do not match the severity of similar events and remain inconclusive.[14] More often than not, especially in issues of security, private security firms are assigned to the same tasks, rendering procedures even more opaque. The same happens for the boundary mentioned above by Langford: in what he calls "a double movement", both boundaries between norm and application of law, on one hand, and between state and private responsibility, on the other, are blurred. This is related to the fact that current hospitality practices have taken a turn for the worse. Although, as argued earlier, the theoretical challenges that the movement of individuals present for IPT are nothing new, what is novel is the

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[13] See the cases of Joy Gardner and Jimmy Mubenga, but also Lampedusa and Farmakonisi (the latter to be discussed in chapter four).

[14] In the case of Gardner's death, no public official was found guilty and the only effective measure taken involved the disbanding of the Metropolitan Police Special Immigration Unit and the transfer of responsibility for these services to a private security firm (Mills, 1999). Similarly, in the case of Jimmy Mubenga, where an Angolan deportee died after being restrained by privates security guards on board a British Airways flight, all parties involved were cleared of manslaughter (Taylor and Booth, 2014). While anecdotal, these developments mirror a pattern of action taken in similar cases.

increasingly militarised hospitality framework that has emerged.[15] The constellation of new or older but now fortified techniques and dispositifs, often related to the private sector, confirms the materialisation of a strengthened overarching security narrative and a subsequent militarisation of the treatment of strangers, which is often intertwined with a postcolonial state of affairs.

With "recent trends of pushing asylum seekers into lower protection statuses in times of economic crises or when destination countries perceive themselves as being overburdened" (Neumayer, 2005:44) and in a world where states are conditioned "by an unequal capacity to provide the same socio-legal and economic framework for their populations" (Langford, 2012), and where the recognition and protection of "failed" asylum seekers, undocumented migrants and others remain, as with all international legal instruments, in the form of treaties and their implementation at the discretion of the state, it is unclear to me how traditional IR approaches and current ethics of migration can effectively argue for the upholding of the current theoretical framework. An approach which acquires its authority by maintaining the importance of the legal hospitality framework (the treaties and their implementation just mentioned) is itself part of the problem.

An affirmative, autoimmunitary ethics of hospitality

Why is a deconstructive hospitality approach important?

> While it is well established that seemingly neutral and inclusive legal and political categories and representations are always, in fact, partial and exclusive, among Derrida's most potent arguments was that the exclusions at work in every representation are not accidental but constitutive (Kellog, 2010:2).

Using the term "fabulous retroactivity" Derrida suggests that concepts like hospitality (but also democracy, justice and so on) are presented by modern philosophy as foundational. As such, they cannot be challenged since they are part and parcel of

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[15] A militarised hospitality framework, which in this thesis is symbolised in the figure of the camp, (detention camps, "closed hospitality centres", state sanctioned illegal push-backs of refugees, relegation of hospitality practices to private companies, policies inspired by the concept of "Fortress Europe", etc).

human development and society. In the case of hospitality, things are slightly worse, since issues of communities and borders, economic considerations and costs make this "foundationalism" even more complicated. A deconstructive revision of hospitality as a foundational philosophical concept as advocated in this thesis is thus absolutely necessary. Re-addressing the *who* of hospitality, namely the stranger, symbolised in the figure of the undocumented migrant, and the *what* of hospitality, i.e., exploring anew the relation of the Self with the Other and the injustice and violence this relation entails, is, I argue, an intellectual imperative both for IR and IPT.

This can be done by an autoimmunitary ethics of hospitality, which challenges immunisation and its purpose of creating an absolute and safe boundary and border around the Self. Such a boundary is indeed illusory. Autoimmunity is in itself a proof of this illusion, constituting the threshold where inside and outside meet, where an attack on the Self, the body (politic) but also on the immune defences themselves is possible. The relationship between Self and Other in the context of hospitality is not anymore one of exteriority or contradiction. Instead, such a relationship becomes ethical in the Levinasian sense and, supported by the discussion of fraternity in the way the ethical responsibility addresses more than one Other, reconfigures autoimmunity in an affirmative way and overcomes its dangers. Autoimmunitary hospitality, as I will I argue in chapter four, helps us, thus, overcome the undecidable and undermine the possibility for the worst violence.

Outline of Chapters

As I have already roughly outlined, the first chapter follows the conceptual evolution of hospitality up to Kant. From the 20th century, I have chosen to focus only on two instantiations of biopolitical theoretical approaches in an attempt to better examine the practices of excluding the Other. The shorter second part of the chapter explores the figure of the Other, through the notions of proximity and belonging and through her possible incarnations, i.e., the categories of legal, illegal and undocumented Other. I then turn to the abject and liminal Other of hospitality.

The second chapter explores the normative turn in IR literature with a focus on the relation between IR and ethics. I then focus on specific debates relating to hospitality:

namely the rights of free movement and exit on the one hand and the contribution of distributive justice and justice as equality and membership on the other. In this chapter I argue in favour of poststructuralist ethics as the IR strand that can best address the failures in hospitality. I explore this through the lens of subjectivity and responsibility and I then focus on the specific contribution to hospitality.

The third chapter follows up on my discussion about poststructuralist renderings of subjectivity by focusing on the work of Emmanuel Levinas. I explore his conceptualisation of the ethical encounter with the Other and I address the possibility to overcome the stumbling block of the arrival of the third through Levinas' understanding of fraternity.

The following chapter, chapter four, starts with Derrida's own understanding of how to bridge the ethical and the political: namely by lingering on the threshold of undecidability. Trying to infuse this undecidability with the fraternity explored before, the chapter outlines the contours of an autoimmunitary ethics of hospitality, which departs from Derrida's own conception of autoimmunity aiming to overcome the undecidable and choosing the opening up to the Other.

My fifth and final chapter looks into applying this reading of autoimmunitary hospitality on the camps for strangers, i.e., the makeshift, self-managed encampments sustained by the enactment of the ethical responsibility of the host-Self. Contrasting it to detention camps, I am inquiring into the forms autoimmunitary hospitality can take.

1 / A CONCEPTUAL HISTORY OF HOSPITALITY

"[A]ll concepts in which an entire process is semiotically concentrated elude definition; only that which
has no history is definable"
F. Nietzsche, *On Genealogy of Morals*

"If we are going to understand any of the concepts we use to organise our social, moral, and political
world, we shall have to study them historically. If only because, as Nietzsche says in a wonderful phrase,
the concepts we have inherited – and the interpretations we place upon those concepts – are just frozen
conflicts, the outcomes of ideological debate. We just get the views of the winners, so that historians
always have to engage in an act of retrieval, trying to recover wider and missing structures of debate."
Quentin Skinner, "Concepts only have histories"

Introduction

What is hospitality? Is it possible to historically define it? And why is it important to do so? This thesis assumes that not only is it important to establish a conceptual history of hospitality, but that, given the current political environment – laden with hospitality crises – such a history becomes urgently necessary: that it is vital to develop an eye for recurring patterns, sets of power relations and the treatment of the Other. As I am arguing elsewhere in this thesis (chapter two), I believe that if there is one question the debate around ethics needs urgently to answer, then it should be the question of hospitality – and the conceptual history of the term is an important constitutive element of this question. However, the exact opposite could also be argued: that it is precisely because of the challenges posed on the practical level that the examination of hospitality as a general concept can be overlooked, and that focus should be placed instead on empirical reality and policy considerations, addressing the needs deriving from legal and illegal bordercrossings, the flight of people, their acceptance and integration in host societies, etc. These needs are imperative and happening in actual time; therefore a conceptual history of hospitality has nothing to teach us.

It is the idea underlying both assumptions described above, namely that the history of a concept can (or cannot) be used to vindicate the present, which needs to be further explored. Even more so in the case of hospitality where, contrary to conventional conceptual histories, which usually read as triumphalist accounts, advancing progressively upwards across time, from the dark ages of superstition to

Enlightenment and scientific mastery (Donnelly, 1982:364), in the history of hospitality there is a great temptation to follow a reverse direction. Such an analysis would follow a supposed – and often lamented – regressive process, according to which hospitality embarked from pure beginnings (e.g. god-protected, all-encompassing hospitality obligations towards the strangers in ancient societies) to become increasingly restricted through time due to economical (e.g. first colonies), national (advent of the nation-state) and other interests. Below I briefly address these problems affecting the histories of concepts before moving on to look at the conceptual history of hospitality, believing that the consciousness of the history of a concept, to paraphrase Gadamer, "becomes a duty of critical thinking" (2007:21) and can constitute "an alternative approach to some of the seminal questions within the field of IR, capable of informing and historicising our present debates" (Jordheim and Neumann, 2011:155–6). To do so I choose to focus on the approach of German conceptual history, with Reinhart Koselleck's history of concepts (*Begriffsgeschichte*)[16] as its central node, inquiring into the ambiguity of the concept of hospitality, the role of the central authority governing it and into the exclusion of Otherness.

I find that hospitality has traditionally been defined by a hierarchical set up and that, despite its religious provenance, hospitality has been often seen as charity. In addition, I show that it has waxed and waned depending on the territorial politics of the time. The who of hospitality as in the "object" of hospitality is also very important and crucial to my discussion. For this reason the third and last part of this chapter is dedicated to the Other of hospitality: I first examine her along the axis of proximity and belonging before looking into the standard conceptual categories informing our contemporary debate. Finally, I suggest that there is the abject Other, who is always

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[16] Koselleck's history of concepts (*Begriffsgeschichte*) has developed as an indication of limitations and problems in traditional social history, as "a critique of a careless transfer of modern, context-determined expressions of constitutional argument to the past" (Koselleck, 1982:415 quoting Böckenförde), highlighting at the same time the danger of treating ideas as transcendental constants despite their different historical occurrences. *Begriffsgeschichte* should not be confused with linguistic history (or as Koselleck himself calls it, "the historical-philological method") as the former is more rigorously bounded, breaking the circular movement from word to thing and back (Koselleck, 2002:84). The history of concepts breaks this circular movement by taking into account the tension between a concept and its materiality, the alternation, as Koselleck characterises it, of the semasiological approach with the onomasiological. "Without the invocation of parallel or opposed concepts (…), without registering the overlap of two expressions it is impossible to deduce the structural value of a word as a "concept" either for the social framework or for the disposition of political fronts".

there but simultaneously conspicuously absent in IR and IPT discussions. I contend that this figure is very crucial, and more central to the debate about ethics of immigration, bordercrossing and hospitality than traditional IPT and IR schools treat it as being; something I will be addressing in chapter two. This chapter is therefore structured in the following manner: a brief rendering of the conceptual history approach, followed by the history of the concept of hospitality up to Kant. I then turn to the biopolitical face that hospitality has acquired in the 20th century. This is important because it introduces the theoretical contours of the issues an autoimmunitary ethics of hospitality seeks to re-address. Then, and as mentioned above, I conclude with a detailed account of the Other as an object of hospitality and liminal figure.

1.1 From a history of ideas to a history of concepts

There are many possible ways to approach the history of a concept, and especially the concept of hospitality, with a view to address these problems. Michel Foucault's genealogical approach offers us an insight into how different discursive formations are shaped and transformed by power, whereas Reinhart Koselleck's configuration of the history of concepts focuses on the centrality of concepts in the constitution of society. Skinner's approach, on the other hand, establishes that all normative vocabularies are ideological in the sense of implying a moral perspective while arguing that the contested and historical character of all normative concepts implies that provocative turns against commonplace evaluations are always possible.

While the differences of these main approaches are great, and are located not only in their definition of what a concept is but also in their account of the way in which such definition should be attempted, they share some basic characteristics: both involve second-order observation and are anti-essentialist. Both argue that reality does not contain any essence requiring observation of the first order, and both reject an ontology of action; while neither see action as an objective point of reference, being instead a discursive attribute for Foucault and a semantic one for Koselleck. Furthermore, they reject what Andersen calls philosophy of consciousness (Andersen, 2003: xvi), i.e., the unity of a subject and its influence on a concept's continuity. Foucault does so by decentring the subject into numerous discursive subject positions,

while Koselleck does so by making the formation of ideas into a presupposition of the formation of subjects. Similarly, Skinner is against the studying of concepts with the aim of better understanding our current predicament; he argues instead that to demand from the history of thought a solution to our own immediate problems is to commit not merely a methodological fallacy, but something like a moral error (1969:53). However, such study can provide us with a key to self-awareness. Finally, neither author considers his approach to be critical of mainstream thinking or to pursue an inherent truth. "[They do not believe] that there is a place, an argumentative platform, from which one can be critical in any universal sense" (Andersen, 2003:xvi.). For Foucault, every truth is related to power and founded on an injustice, while Koselleck considers criticism as only another concept to be historically and conceptually analysed (Andersen, 2003:xvi-xvii).

A central concept is not discourse, discursive construction, statement or sentence. While a word in use can become unambiguous, a concept must remain ambiguous in order to be considered as a concept, and so while the concept is bound to be a word it will also always be more than that: "a word becomes a concept when the plenitude of a politico-social context of meaning and experience in and for which a word is used can be condensed into one word", signifier and signified coinciding insofar as the diversity of historical reality and experience is packed into a single term (Koselleck, 1982:419). Such coincidence is for Koselleck almost always defined by a binary, counter-conceptual configuration, and this is the last element I would like to address: the us-them, Self/Object configuration as it appears in the exploration of a concept's history. Discussing counter-concepts in his book *Futures Past* (2004:155–191), Koselleck subjects to historical-semantic analysis the distinction between us and them. Though not itself temporal, this bipolar concept is basic to social reality and is always mapped onto some kind of temporal conceptual grid. Koselleck points to the general importance of this concept for any notion of group identity, noting that it is always manifested concretely in relation to some term such as "nation", "class", or "church", and must be studied accordingly. Then he examines three important and striking exemplifications of the us-them distinction: between Hellene and Barbarian, between Christian and Heathen, and between the human and the sub- or nonhuman (*Mensch und Unmensch*, *Übermensch und Untermensch*). These classifications have many similarities: each is universal, in other words it applies to all people; in each case it is

disparaging and asymmetrical or non-recipocal – those classed as "them" by "us" would not accept being classed as they are. Each of these pairs has undergone internal changes throughout its own history; each has had violent historical consequences; each involves groups in close social and political contact with each other over wide geographical areas. The three divisions have also overlapped and interpenetrated in interesting ways and it is the totality symbolised by the last one, humanity (*Menschheit*), taken up early by the Stoics as *genum humanum* (ibid.), which will be useful in discussing hospitality as a mirror to the exclusion of the Other.

How unambiguous is the concept of hospitality? As will be seen below, hospitality has over time interchangeably broadened and narrowed its remit, changed and reconfigured its distinguishing criteria (from race, religion and community belonging to nationality to citizenship to economic status, etc.), risen and declined in importance (from religious individual obligation to a responsibility relegated to central authority, etc.). However, there is a constant in the politico-social context of its existence, which brings the signifier and signified into a shared position: its dispensing agent. A central authority, mostly the state, is the one deciding not only the form that hospitality may take but also the criteria of acceptance of the Other, criteria whose number, characteristics and form have constantly varied depending on synchronic variables that are mostly irrelevant to considerations of Otherness and ethics. This constant is the "coincidence" Koselleck speaks of and it is based, in the case of hospitality effectively by definition, on the exclusionary binary of "us" versus "them". It is this counter-conceptual configuration of hospitality's concept that I would like to first explore and in later chapters challenge. For the time being, anti-essentialism, configuration of relations of power with an eye to the exclusion of the Other and conceptual history as an instrument for self-awareness are the main three axes according to which the following study of the history of hospitality will play out.

1.2 A conceptual history of hospitality to date

Hospitality is often defined along the lines of offering or affording welcome, protection, or entertainment to strangers, visitors or guests. It becomes international when it is extended to members of 'out-groups' of different cultures and communities. Looking at the concept's history, we encounter a variety of attitudes towards

strangers, from open hostility and mistreatment to enthusiastic reception into one's household or community, veneration of the stranger as deity, utilitarian reciprocity, and protection of the helpless and the persecuted, which amounts to a form of asylum. Hospitality granted or denied to unknown visitors is a stock component of many legends and stories in various cultures (Cavallar, 2002:71), often related to the foundation of states through the figure of the foreign-founder (Honig, 2001). Hospitality has been an object of wide study, connected with the stoic-cosmopolitan belief in a universal commonwealth, categorised under ethics (Kant) or seen straightforwardly as its synonym (Levinas). It has been linguistically deconstructed with the aim of emphasising its inherent contradictions (Derrida) while it is in practice connected with the advocacy of free trade (by natural law lawyers), with rights of sanctuary (by theologians), and with asylum and immigration (by modern legal theorists). In most of these analyses, there is an inherent tension in the effort at bringing together the unconditional theoretical claim of hospitality and the practical societal, state and political needs.

This chapter sketches the conceptual evolution of the term in western political thought, choosing to address defining moments in time. It will start by describing the forms of hospitality in Ancient Greece and Rome and then its form according to the biblical teachings and in the context of Christianity. It will then briefly look at the right of sanctuary – the right of the persecuted and fugitives to ask for protection – focusing on its role during the Middle Ages, before moving on to modernity and hospitality's legal treatment with the advent of the first indices of what is to become international law. Then the discourse of hospitality under the French Revolution will be examined, a moment chosen as representative of what Koselleck calls in his temporal categorisation of concepts *Sattelzeit*, i.e., the time between 1750–1850 when political and social vocabularies seem to have transformed at an accelerated speed and in certain specified directions, with resulting changes in language paralleling rapid transformations in the structure of government, society and true economy (Lechmann and Richter, 1996:11).

1.2.1 Hospitality in the ancient world

1.2.1.1 Greece and Rome

In the extant studies on hospitality there is often reference to L. J. Bolchazy's comparative research (1977) on the laws regulating hospitality in the ancient world (see Baker, 2011a; Hefferman, 2014). According to him, the main characteristic of ancient societies that instigated the custom hospitality has been indeed xenophobia (Bolchazy, 1977: i). This xenophobia stemmed from the fear of the new and from the belief that strangers possess potentially harmful magico-religious powers. Hospitality and subsequently its laws was a way to tackle this belief, and in the case of Rome, the *ius hospitii* showed a humanistic evolution that is supposed to have predisposed the Roman world to accept the ethical concepts of late Stoicism and nascent Christianity. In what seems clearly to be a rather precarious analysis, Bolchazy provides us with an evolutionary schema of the concept, which involves seven stages: (1) avoidance or mistreatment of strangers; (2) *apotropaic* hospitality (ritual disenchantment of strangers' magical powers or "ceremonial purification", as Baker describes it (2010b:39); (3) Medea's category of hospitality (kindness to ensure the friendly use of strangers' magical powers); (4) theoxenic hospitality (kindness to strangers who could be gods in disguise), prefiguring the later Stoic and Christian teachings of the "brotherhood of man" and the following stage; (5) kindness in accordance with divine law; (6) contractual hospitality, which involves "arrangements of guest-friendship, motivated by elite self-interest to protection and representation in foreign lands" (Baker 2010b:39); (7) altruistic hospitality to anyone in need (as a distinguishing feature of civilisation in contrast to barbarism).

Despite some interesting elements, however, one should be wary of the evolutionist assumption made by Bolchazy and his unilinear development of hospitality through parallel stages. While his use of comparative material (he maintains he is drawing on comparative evidence from Greece and modern "primitive societies") to talk about a social institution such as hospitality is common, the fact that he lacks any sufficiently sophisticated methodology seems to undermine his project (Saller, 1979: 467). The definition of the hospitality is barely discussed since the concept is implied to be timeless, with no or little variation over its different stages. Its evolution is by definition linear, with no ruptures or shortcomings, and triumphalist, moving away

from times of barbarism towards a more complete and purer future state. A certain essentialism is not avoided, while the issue of power in relation to the configuration of hospitality is never addressed. Nevertheless, his analysis makes for interesting reading, especially with regards to his argument that fear towards the stranger is the driving force behind hospitality and its practices (also argued in Baker 2010b: 40).

Sustaining the implication of Bolchazy's argument about hospitality's ennobling character, it has been observed that hospitality was considered as "a barometer of civilisation" playing "an important humanising role in ancient Roman culture" (Newlands and Smith, 2010: 30). It is often noted that in classical times, hospitality was a sign of civility (Richard, 2000:5);[17] a particular duty of the well off, with lavish hospitality functioning as a status symbol. "Hospitality is a characteristic of the person who is *eleutheriotes*, a person of liberality" (Newlands and Smith, op.cit.). Because of this and hospitality's close relation with religious duties, hospitality seems to have maintained a similar virtuous status across the time and space of western antiquity.

According to the terms of hospitality, the foreigner/stranger is to be respected by the community receiving her, the members of which have certain obligations of welcoming her. As early as the Homeric period, the host as well as the suppliant are protected by Zeus Xenios[18] and Athena Xenia and, as proclaimed in the *Iliad*, it is a religious offence to mistreat a host. Hospitality is *Xenia*, the code of guest-friendship defining the inter-city, -state and -household relationships.[19] In the *Odyssey* the hospitality and its rituals constitute the type-scene par excellence, around which the epic poem is organised: there are at least twelve elaborate hospitality scenes (Reece,

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[17] Interestingly enough, William Smith's *A dictionary of Greek and Roman antiquities*, first published in 1842, makes the opposite, rather oxymoronic, argument: "Hospitality is one of the characteristic features of almost all nations previous to their attaining a certain degree of civilisation. In civilised countries the necessity of general hospitality is not so much felt" (1875:619-621). Here Smith seems implicitly to equate civilisation with security. He must have found that ancient nations failed to provide the latter consistently, and that it is from this that there follows their need to provide hospitality instead – at least if one is to judge by the fact that without explaining this point he embarks immediately upon an exposition of hospitality practices in Ancient Greece and Rome.

[18] Xenios/ Xénia is the adjective of the noun *Xenía* (Greek: ξενία, translated as "guest-friendship", accents only used here to emphasise the difference in pronunciation), the ancient Greek concept of hospitality, the generosity and courtesy shown to those who are *Xenoi* (plural form of *Xenos*), strangers and/or foreigners. Gods with this epithet were considered as patrons/protectors of hospitality.

[19] The practice of hospitality involved both material and non-material rituals, such as, respectively, the exchange of gifts and provision of shelter and certain rights, with the aim of engendering a reciprocal, two-way relationship between guest and host.

1993). The rituals involve many details and slight variations; however, *Xenia* placed under the protection of Zeus Xenios consists mainly of the exchange of gifts between the contrasting parties, who declare their intention of binding their descendants by this pact (Benveniste, 1973:77). These gifts could often be *tessera hospitalis*, a pledge of hospitality and friendship, a token of which half was kept by each of two parties. Findings suggest that similar objects were not only used in the Greek region but also in the Roman Empire (Nybakken, 1946:251) and Celtic European regions.

Theoxenia (meaning giving hospitality to the gods), i.e., the appearance of gods to mortals in the guise of foreigners and/or beggars, is a common plot pattern, even a folktale motif, in ancient literature, and in the case of Homeric epics it is met more than once. In every case that a host proves to fall short of his hospitable obligations, he is punished by the gods accordingly, the inhospitable thus becoming synonymous with the impious (Reece, 1992). *Proxeny*, on the other hand, a custom that was institutionalised during classic times, involved the office of a person chosen by a foreign community to represent it in her own country, guard the interests of the said community and protect its members when they travelled in her country – a kind of a modern ambassador called *Proxenus* (Mack, 2015).

However, the welcome to the stranger did not render her equal to a citizen. Fustel de Coulanges notes in *The Ancient City* that strangers could not worship in public and people who did not worship were not citizens (1955: 193). Therefore, religion would provide strangers with protection but it would also contribute in keeping them at the periphery of the community. "The slave in certain respects was better treated than [the foreigner] was, because the slave, being a member of the family whose worship [s]he shared, was connected with the city through [her] master; the gods protected [her]. The Roman religion taught, therefore, that the tomb of the slave was sacred, but that the foreigner's was not." The distinction between citizen and foreigner was stronger than the natural tie between father and son (Coulanges, 1955: 197). If a father became citizen after his son was born, the son remained a stranger to the community, in a way a foreigner to his family, and was not able to inherit. By not partaking publicly in the religion, the stranger did not partake in law: if he had committed a crime, he was treated as a slave, and punished without process of law, the city owing him no legal protection. If there was a need for special laws applying to a stranger, an exceptional

tribunal had to be set up. "At Rome, in order to judge the alien, the pretor had to become an alien himself – *proctor peregrinus*. At Athens the judge of foreigners was the polemarch – that is to say, the magistrate who was charged with the cares of war, and of all transactions with the enemy" (Coulanges, 1955: 196). From mid-5th century and according to Pericles' law, conditions of citizenship became even stricter than before, asserting now that no one could be a citizen unless both of his parents were of Athenian descent (Kristeva, 1991: 41-50), establishing *isogony*, i.e., the equality in / because of birth.

The strangers who decided to stay and become residents, whose craft or business was deemed useful to the polis, belonged to the category of metics. They had to pay a residency tax but enjoyed no property ownership (unless they were granted special exemption) or voting rights; legal protection was provided by a citizen, usually a politician, who became their patron (*prostates*). By choosing a citizen as a patron, the foreigner became connected with the city (Coulanges, op.cit.) and without one she was vulnerable to persecution. She could then participate in some of the benefits of the civil law, and her protection was secured. The French historian Marie-Françoise Baslez calls the metics the "*homo economicus*" of the Greek city-state (1984) because of their contractual dealings with the polis: they would be artisans, farmers, bankers, shippers but also intellectuals such as Lysias and Aristotle. The distinctive legal status of the metics was modified once they were able to act in court without their patron in the 4th century BC and it disappeared when the use of purchasing citizenship became common in the Hellenistic period (approx. 320–31 BC).

In opposition to classical Athens, there are the Doric city-states such as Sparta, which excluded all strangers lest they taint the native character and way of life by their mere presence. With the exception of specific friends and allies, all other strangers were to be shunned through a body of laws known as *xenelasia* (expulsion of strangers) (Figueira, 2003). *Xenelasia* was also followed in Crete. This focus on homogeneity is admired by Machiavelli and is seen as among the main reasons of the longevity of the Spartan "republic" (Machiavelli, 2008:47).

In Rome, hospitality occupies an equally important place. For Cicero and Livy, hospitality and the lack thereof is an important signal of relationality. Betrayal of

hospitality brings dishonour (Tacitus, Ann. 15.52.1). In Rome there are laws about the conduct of disputes with foreigners, while accommodation might be offered privately (*hospitia privata*) or publicly (*publica foedera*). Hospitality sometimes involves patronage and control by the rich (*hospitium publicum*). However, more interesting is the *hospitium privatum*, which with the Romans seems to have been more accurately and legally defined than in Greece. The character of a *hospes*, i.e., a person connected with a Roman by ties of hospitality, was deemed even more sacred, and to have greater claims upon the host, than that of a person connected by blood or affinity (Peachin, 2011). The relation of a *hospes* to his Roman friend was next in importance to that of a *cliens*, a dependent person (even a Roman citizen) having a patron. According to Massurius Sabinus, a *hospes* had even higher claims than a *cliens*. The obligations of hospitality that a Roman possessed in relation to a foreigner were as follows: to receive in his house his *hospes* when travelling, to protect her and, in case of need, to represent her as his patron in the courts of justice. Private hospitality thus gave to the *hospes* the same claims upon his host which the *cliens* had on his patron, but without any degree of the dependence implied in the relation between *cliens* and patron, called *clientela* (Smith, 1875:621). Private hospitality was established between individuals by mutual presents, or by the mediation of a third person, and was hallowed by religion; for *Jupiter hospitalis* was thought to watch over the *jus hospitii*, as Xenios Zeus did with the Greeks, and the violation of it was as great a crime and impiety at Rome as in Greece (Jipp, 2013: 112–115). When hospitality was formed, the two friends used to divide between themselves the *tessera hospitalis* mentioned above, by which, afterwards, they themselves or their descendants – the connection was hereditary as in Greece – might recognise one another. From an expression in Plautus (*deum hospitalem ac tesseram mecum fero*) it has been concluded that this *tessera* bore the image of *Jupiter hospitalis* (Phillipson, 1911:218). Hospitality, when thus once established, could not be dissolved except by a formal declaration (*renuntiatio*), and in this case the *tessera hospitalis* was broken to pieces. Hospitality was at Rome never exercised in that indiscriminate manner characteristic of classical Greece, but the custom of observing the laws of hospitality was probably common to all the nations of Italy (Jipp, op.cit). In many cases it was exercised without any formal agreement between the parties, and it was deemed an honourable duty to receive distinguished guests into the house. There also seems to have existed a custom similar to *Proxeny*, involving the granting of the honour of *hospes publicus* to a distinguished foreigner by

a decree of the senate. Whether such a public *hospes* undertook the same duties towards Roman citizens as the Greek *proxenus* is uncertain (Mack, 2015). Public hospitality was, like the *hospitium privatum*, hereditary in the family of the person to whom it had been granted. The honour of public *hospes* was sometimes also conferred upon a distinguished Roman by a foreign state (Smith, 1875:621).

Contrary to this narrative of well-established and commonly accepted hospitality rituals, Gideon Baker argues that even from ancient Greek times, hospitable practices are not as universal as they are usually presented as being: what we have come to consider as universal rituals of hospitality were in reality practiced mainly by the elites, "in an aristocratic independence of communal obligation which was itself suppressed by the rise of the Greek Polis" (Baker, 2010:40). Aristocratic elites, Homeric warrior-kings etc., offered hospitality to their social class fellows because they could afford to do so without putting their status in peril. For the lower classes, on the other hand, things were different: respecting hospitality rituals usually meant putting a lot at stake, so they did not. Their history was, however, neglected.

> [I]n part because it is the fearful history of the little people who have always risked more in offering a welcome to the stranger but whose stories are marginal; in part because it has been overwritten by an elite hospitality which itself reflected a shift away from communal fear of strangers [in early times before the establishment of hospitable practices] to elite fear of the mob (Baker, 2010b:42).

Hospitality practices become, therefore, more cosmopolitan but at the same time less popular, argues Baker, pointing to "a radical disjuncture, beginning with xenophobia and ending with elite xenophilia" (ibid. 40).

This could appear to be a plausible conjecture, since in attempting a conceptual history of the term there should not be such a thing as a linear development in the evolution of concepts like hospitality, nor inviolable identities or lofty origins. It would therefore not be unreasonable to assume that the lower classes felt and acted differently towards hospitality due to their lack of abilities or the danger it posed for them. However, this hypothesis, borrowing heavily from Foucault's genealogical

approach, as admitted by Baker himself, and not based on any concrete scholarly references, seems also not to take into account the important role that religion played in these societies' everyday life. Public life, the *agora*, customs, farming, entertainment, family life, etc., were unbreakably linked to the religious life of the individual, citizen or not, wealthy or worse off. Even if the lower classes had to risk more by offering hospitality, to the point of jeopardising even their own survival, opting out of what was seen as an obligation to god was not really an option. In addition, stories of what Baker calls "the little people" abound both in the *Iliad* and the *Odyssey* and Livy and Cicero, as well as other oeuvres of the ancient Greek and Roman period such as theatrical plays and poems, and all point towards the respect that was commonly held for hospitable practices and obligations. Finally, the lack of sources directly emanating from the "little people" render this assumption not only difficult to support but suspect of projecting current predicaments onto old practices (i.e., xenophobia deriving from the "little people's" inability to conform to hospitality demands), using in essence just that historico-methodological fallacy that Skinner warns us against.

1.2.1.2   Biblical teachings, Stoicism, Christianity

In the traditional juxtaposition between Athens and Jerusalem,[20] the early myth of autochthony[21] associates Athens with rootedness and opposes the wandering and rootlessness of the Jerusalem "model". This opposition juxtaposes also the myth of autochthony that sees the people of Athens as the indigenous children of the earth against the Hebrew biblical master narrative, where under God's command Abraham was obliged to leave the promised land and with it "his country, his kindred, his father's house unto the land of Canaan". Abraham laments: "I am a stranger and a sojourner" (Genesis 23.4). However, what the conflict between autochthony and promised land reveals is, first, the centrality of one particular land to both worldviews and, second, the shared purpose of the two myths in securing a relationship between people and land. But whereas autochthony derives its legitimacy from a natural or

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[20] See, for instance, Leo Strauss' essay "Jerusalem and Athens" (1997:377–405) where he argues that the western man is constituted both by Greek thought and biblical Jewish faith. See also Emmanuel Levinas' *Difficult Freedom* (1990), for the relationship between Greek and Hebrew.

[21] Autochthony, initially used by Homer and defining the quality of being an original inhabitant of a place (*auto* – self, *kthon* – soil, earth, as in sprung from the earth) was for Athenias the proud myth of being locals and not settlers, a quality that explained in the 5th and 4th century their superiority both politically (rise of democracy) but also in terms of might (the Athenian empire).

historical relationship between land and people, the myth of a promised land gets its force from positing a contractual relationship between land and people, a relationship governed by Providence. In religious terms, autochthony is polytheistic while the promised land is monotheistic; both define the value of land for the people, polytheism from below and monotheism from above. How does this difference, however, affect hospitality?

In the Bible there are incidents, used also by Levinas in his discussion of the face of the Other and by Derrida, which appear as exemplary instances of selfless, unconditional hospitality. Abraham in Genesis 18.2 runs from the entrance of his tent and "bows down to the ground" in a primal gesture of hospitality as subservience to the other, to the strangers in recognition of their alterity and of the elsewhere from which they come. Derrida sees this event as an excellent example of hospitality in Abrahamic religions (2008), an account that would support Levinas' contention that "the relation with the other is accomplished as service and hospitality" (1969:300). The biblical narrative continues with Abraham's intervention on behalf of the righteous in the sinful city of Sodom (Genesis 18.16–23). This plea is followed by Lot's serving as host to the strangers and his effort to protect them from the sexual desires of the citizens of Sodom by offering them his virgin daughters in their stead (Wyschogrod, 2003:37). Also in the Old Testament many laws specifically require hospitality and concern for strangers in particular: "if you have resident strangers in your country, you will not molest them. You will treat resident strangers as though they were native-born and love them as yourself for you yourselves were once aliens in Egypt" (Leviticus 19:33–4).

However, the acceptance of the strangers is closely linked to them being able to convert. The Hebrew Bible has several terms that recognise different kinds of "strangers". At the one end of the spectrum lie the native Israelites or *ezrach*, and at the other the *nokrim* and *zarim*, foreigners or aliens. These were often regarded "with a mixture of suspicion, fear and loathing as possible enemies, oppressors or plunderers, with whom it was wrong to mix too closely or pursue military alliances" (Spencer, 2004:86). Between the two terms, which might be translated as natives and foreign nationals, there lay the *ger* (*gerim* in plural) and the *toshav*. *Ger* is usually translated as stranger or sojourner but is a more subtle concept than those terms suggest.

Throughout the Old Testament, *gerim* are often mentioned alongside hired hands, the poor, widows and orphans, implying that they were vulnerable or even dependent, but the main nuance was that they were there to stay (contrary to *nakrim* and *zarim*) alongside and sometimes with the *ezrach* (Spencer 2004:85–7). Kristeva notes that *ger* includes also the idea of the "convert", so sometimes it would be translated as "proselyte". *Ger-toshav* would be a resident foreigner while *ger* would refer to conversion-naturalisation. In both cases, however, the respective foreigners partake the spirit of Judaism and obey the Mosaic laws (1991:68–9).

On the contrary, *philoxenia*,[22] religion or identity notwithstanding, is a virtue among the Stoics, as mentioned by Bolchazy among others. For the first time, the city-state is proclaimed to be able to embrace the far-limits of the world: "I am a man, and nothing human is foreign to me", attributed to Menander, is taking up by later Stoics and transformed into *caritas generis humani*, i.e., Cicero's articulation of the bond between all humans despite borders, race and religion, and thus, in a way, into the first political cosmopolitanism (Kristeva 1991:56–7). Stoicism foreshadowed some aspects of Christianism with regards to hospitality. In Christian hospitality, Arterbury sees little that is distinct from the general practice of hospitality in the Mediterranean world: "as one would expect, Christian hospitality largely functioned as the continuation of either Greco-Roman hospitality within a Greco-Roman context or Jewish hospitality within a Jewish context. Thus, for the most part, early Christian hospitality was in continuity with the broader Mediterranean social convention of hospitality" (Arterbury, 2005: 94). Christly love, St Augustine's brotherhood with the neighbour and pilgrimage (this last becoming a fully-fledged practical activity) lead Christianism to elaborate a hospitality code (Kristeva, 1991:85). Some practices distinctive to Christian hospitality, however, include "Christians first attempting to locate fellow believers in a particular region in order to request hospitality from them"; prominent recipients of Christian hospitality being the poor, widows, and especially traveling missionaries; and women, widows, and especially bishops being prominent hosts (Arterbury, 2005: 96–97). As Cavallar notes in his seminal book *The Rights of Strangers*

> Christianity supported many beliefs of Stoicism, such as the vision of a universal community. As in the case of some Stoics, the overall picture is

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[22] *Philoxenia* is the current, modern Greek word for hospitality.

ambivalent. On the one hand, St Paul endorsed the vision of a universal brotherhood where all differences – such as the Greek and Jew, barbarian and Scythian – disappear. But Christians also kept widespread distinction between the civilized Greeks or Romans and the "pagans" alive – the latter were often identified with the "barbarians" outside "the world" (Cavallar 2002:62).

The Christian church will be the main agent of hospitality all the way up to and during the Middle Ages, inheriting the responsibility of "pagan" or polytheist sacred places to offer the right of sanctuary. Along with the right of sanctuary and the preceding Stoic, Roman and later Christian conceptions of hospitality, a legal framework, which will enfold the modern legal discussion on hospitality, is also bequeathed to modern times. Both will be examined briefly below.

1.2.1.3   The right of sanctuary: hospitality in the Middle Ages

The general idea of protection or asylum afforded to fugitives is one, undoubtedly, of exceedingly ancient origin (Shoemaker, 2011). It is often connected with the beginnings of city-states and new communities. Romulus, the mythical founder of Rome, for example, is said to have made the Palatine hill an asylum for fugitives, a myth to which the Romans clung with pride, believing that their ancestors had been a mixed concourse of outlaws and refugees (Lee-Stecum, 2008). Trenholme observes with regards to this myth that "it probably did not have any greater significance than that in new communities fugitives and criminals were not unwelcome, as they would increase the male population" and that the story of asylum was a later addition of some historian (Trenholme, 1903:3). Plutarch does not make this differentiation when he notes in his *Romulus* that as soon as the foundation of the city was laid "they opened a place of refuge for fugitives, which they called the temple of the Asylean God. Here they received all that came, and would neither deliver up the slave to his master, the debtor to his creditor, nor the murderer to the magistrate" (Plutarch, 1928:16).

Cities of refuge exist even earlier than this in the Middle East. In the beginning, there were three such Hebrew cities, which later become six, three on either side of the

Jordan. Biblical references[23] to the use of asylum indicate fugitives seeking the protection of the altar, thus implying the existence and recognition of sanctuary afforded by religion (the case of Adonijah in the Kings James' version). The use of temples as asylums was very common in ancient Greece where almost every temple afforded protection and people who took refuge there were considered suppliants (Gorman, 1994 and others). Disrespecting this asylum was considered an outrage that would be properly punished by the gods, as evidenced in the myth of the Cylonian shame.[24] With Romans, efforts were made to better regulate and limit the right of asylum. Tacitus in his Annals (III:60) tells us that in the time of Tiberius all the so-called asylums of Greece were ordered by the Roman Senate to produce legal proofs of their right to exercise the privilege of protecting criminals, resulting in the closure of many (cited in Trenholme, 1903:6). The use of temples was less often resorted to under the Roman Empire as "Roman law (...) took little or no account of religious sentiment when it came in conflict with the proper punishment of evildoers and criminals", while asylum was only afforded after formal inquisition could be made and judgment, based on evidence, given (Trenholme, ibid.). Slaves and fugitives, who wished for protection, could generally flee for safety to the statues or busts of Caesars while criminals would never flee to the Capitol. In all cases, asylum seemed to give suppliants time before trial or final decision of their case: "a development more consistent with the Roman idea of the state, and with Roman law and custom" (Trenholme, 1903:6).

This would again be reversed and asylum would become more encompassing with the advent of Christian churches, especially after Constantine's Edict of Toleration in 313 AD, which would later be expanded by special laws concerning church asylums promulgated by Theodosius the Great and Theodosius the Younger in the late 4th and 5th century (Trenholme, 1903:7). In relation to this practice, attested by St. Ambrose, St. Gregory Nazianzen and Ammianus Marcellinus, the earliest recognition of asylum

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[23] In three passages: Exod 21, Num 35 and Deut 19. The second prescribes the cities appointed as asyla, calling them "cities of intaking" for possible criminals. The third passage "stresses the responsibility of the community to establish easily accessible asyla (...). The humanitarian purpose of these laws is obvious" (Greenberg, 1959:125)

[24] Following their failed coup, Cylon of Athens and his supporters took refuge in a temple on the Acropolis. While Cylon and his brother escaped, his followers were cornered and according to Plutarch and Thucydides (1.126), they were persuaded by the archons to leave the temple and stand trial after being assured that their lives would be spared. They were, however, killed instead and, as a result, the leader of the Athenian archons who ordered the killing and his family were exiled and said to be cursed by the gods for violating the laws against killing suppliants.

granted by the Church dates from a constitution of 21 November 419 (Vauchez, 2000:126). Inspired by the Augustinian idea of pastoral duty, where bishops had to plead with secular authorities to stay the execution of criminals, sanctuary was provided in order to give sinners the opportunity to do penance and avoid everlasting damnation, and also to refugees and others in search of clemency. This kind of "episcopal intercession on behalf of sanctuary-seekers resonated with late Roman aristocratic traditions of intercession on behalf of supplicants, and the institution was therefore to some extent in harmony with its broader cultural and legal context" (Lambert, 2013:120).

At first, certain kinds of offenders were excluded from the right to asylum (such as debtors to the treasury or Jews who pretended to be converts, excluded by Theodosius the Great, or murderers, adulterers and rapists, debarred from asylum rights in Justinian's *Novella*)[25] and the churches themselves were under a lot of strain, since great men often put themselves under the security of the asylum to avoid persecution, leading Charlemagne and others to make further efforts in restricting asylum during the 8th and 9th century. Despite this, the medieval Church soon was able to grant an extensive right to asylum,[26] establishing it in Europe as a Christian custom and institution. More concretely, the development of the cult of the saints and their relics, which offered a more immediate protection than the divine one, entailed a renewal of the right of asylum, "since the saint was thought to protect the places that were consecrated to him". In this way, the church, the monasteries and their often extensive properties enjoyed privileged status (Vauchez, ibid.), strengthened further over time by provincial and church councils (e.g. Clermont 1095; Reims 1131, Pisa 1134; second Lateran council 1139 – among others). In the early middle ages sanctuary functioned mainly in the context of feud, facilitating the enforcement of truces and peace (Lambert, 2013) and for this reason, Shoemaker argues, it was "a crucial feature of royal law" (2011:92), which contrary to older scholar assumptions supplemented central secular power (i.e., a state's government) rather than undermining it. Thus, the institution of sanctuary coexisted harmoniously with contemporary legal cultures and

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[25] Novella, XVII, c.7

[26] As early as 441 AD the Council of Orange ordered that no fugitive seeking sanctuary should be surrendered, while the Synod of Orleans in 511 extended the privilege to the Bishop's residence and thirty-five paces beyond the walls of the building – the *triginta eccleciastici passus* (cited in Trenholme, 1903:9)

within the broader medieval cultural context.

As stated by Jean-Loup Lemaître in the *Encyclopedia of the Middle Ages* (Vauchez, 2000:127), the right of asylum remained undisputed in the Middle Ages and was recognised by lay jurists such as Beaumanoir, but it was progressively called into question, notably by city authorities, and was flagrantly breached in the 16th century, a demise reflecting "a significant shift away from medieval understandings of crime and punishment" (Lambert, 2013:121). Some scholars (Shoemaker, for instance) consider this demise to be linked to canon law's development of a "new deterrent-oriented approach to penal law" where "the interest of authority in certain and exemplary punishment swept the field and the venerable privilege [of sanctuary] was no more" (2011:173). While the close relation between a sovereign and a religious understanding of sanctuary/asylum-granting is debated (see for instance Lambert, 2103:122), it makes sense that the strengthening of a clearly territorially-demarcated state in late medieval times not only undermined customs of religious provenance but also involved an increasingly exclusionary tendency in the treatment of Others, whose status was considered impure (i.e., they were either criminals or foreigners).

1.2.2   Hospitality in modern times and up to the French Revolution

1.2.2.1   Attempts for a legal definition

Classical antiquity and the Middle Ages laid the foundations of the modern European idea of a global legal community (or *Rechtsgemeinschaft*, as Walter Schiffer called it) of humankind (*magna communitas humani generis*) (Schiffer, 1954:99–108). The idea encompassed two elements: the concept of a law of nature or natural law (*ius naturale*, *ius naturae*), and the notion of a law binding all humans (*ius gentium*, literally the law of nations or peoples, *droit des gens*, *Völkerrecht*) (Brown, Nardin and Rengger, 2002:311–324).

The notion of *ius gentium* was first used by Cicero and was taken over by various Roman jurists, the statements of which, despite not fitting together, were incorporated into the emperor Justinian's *Digest*. The *Digest* would influence and shape almost all early modern European international lawyers: *ius gentium* would be used by Francisco

de Vitoria, later translated as "law of nations", while Jeremy Bentham would come up with the neologism "international law" (to become prominent after the 1840s) and Immanuel Kant would suggest the use of *Staatenrecht* or *ius publicum civitatum* among other recommendations, which would shift the scope and meaning of *ius gentium*. Independently of its shifts and evolution, it is important to note that the main idea behind *ius gentium*, an otherwise legally polysemic term, is "the idea of a legal commonwealth, a 'law common to all humans' (*ius commune omnium hominum*)" (Cavallar, 2002:64–5). It is under this law common to all humankind that hospitality is examined. Legal authors such as the aforementioned, but also Hugo Grotius, Pufendorf and Emmerich de Vattel, developed in the 16th, 17th and 18th centuries distinct arguments and doctrines in the context of *ius gentium* and hospitality. These were often designed to support claims overseas (see the cases of Vitoria and Grotius), were sometimes influenced by Christian teachings and tended to equate commercial with civilised societies and contrast them with barbarian or uncivilized ones; they were thus overall "both teleological and utilitarian and presuppos[ed] a thick concept of good" (Cavallar, 2002:254).

The early 16th century Spanish scholastic Francisco de Vitoria is the first to turn hospitality from an ancient Greek and Roman custom to a right under the law of nations (Pagden, 2003:186). Vitoria claims that there is a right "of natural partnership and communication" as part of the law rooted in the notion of a global moral commonwealth. This encompasses the right to travel (*ius peregrinandi*), the right to dwell in the countries or territories visited, the right to trade, the freedom to use common property, the *ius solis*, or freedom of residence, nationalisation and citizenship and the negation of a right of expulsion without just cause (Cavallar, 2002:107–8). In his *Reflectiones Theologicae*, he argues that the Spaniards had a right to go to the Indies and live there "because it has been the custom from the beginning of the world for anyone to go into whatever country he chooses [since all things were held in common], and prohibition of entrance is violent measure not far removed from war" (Sibley, 1906:1).

Vitoria's right of natural partnership is severely criticised by Samuel von Pufendorf, who argues that it does not apply in the case of a multitude of immigrants whose object is to effect a permanent settlement, and whose intentions are dubious and

hostile (Sibley, ibid.). Pufendorf's own emphasis on state sovereignty has an impact on the notion of hospitality as, unlike Vitoria and Grotius, who will be examined later, he stresses the right of any community to refuse visitors (Cavallar, 2002:201). On the subject of the right of asylum, Pufendorf observes that "humanity, it is true, engages us to receive a small number of men expelled from their home, not for their demerits or crime", especially if they are eminent for wealth or industry, and not likely to disturb our religion or our constitution. But when it is the case of a multitude of immigrants seeking admission into the territories of a State, he considers the risk is so great that it may affect the very existence of that state, reducing it to the same deplorable state as the political offender for whose benefit the right of asylum exists. The danger of espionage by aliens should also be considered (*Of the Law of Nature and Nations* cited in Sibley, 1906:6–7).

Grotius, on the other hand, agrees with Vitoria, arguing in favour of the rights to travel and to trade, naming the first one "the law of human fellowship". In *De Jure Belli ac Pacis*, he discusses the subject of foreigners and immigration along with the right of expulsion. Drawing on Vitoria and on a rich European tradition favouring hospitality and commerce, he argues that while various conditions and precautions could be imposed to protect the owner when someone wanted to pass over a territory under a *dominium* of a people, banished persons may seek a new home in the territories of other nations, and that their right to do so may be asserted by force if necessary. Therefore the right of passage is as with Vitoria perfect and enforceable (Sibley, 1906:3; Cavallar, 2002:147).

To conclude with one last legal theorist representative of the different approaches to hospitality, Emmerich de Vattel argues in his *The Law of Nations or the Principles of Natural Law* (1758/1844) that "it belongs to every free and sovereign State to decide in its own conscience what its duties require of it, and what it may or may not do with justice" (Book 3, Ch.12 in Brown, Nardin, Rengger, 2002:375). Like Pufendorf, Vattel states that a nation has the right to expel the foreigner or even detain her, as immigration may become a source of danger because of the facilities it affords for espionage (1844:375). Finally, Vattel rejects in the *Law of Nations* the idea of a universal commonwealth (1844:x–xiii) because "he thinks it undermines the indispensable distinction between voluntary law (*droit des gens volontaire*) and

necessary law (*droit des gens nécessaire* or "the inner law of conscience")" (Cavallar, 2002:307) favoured by his predecessors; a distinction which should be maintained so that "we may never confuse what is just and good in itself with what is merely tolerated through necessity" (cited in Onuf, 2009:340).

Interpreting Cavallar's study, Gideon Baker proposes that there are two axes coordinating the evolution of a law of hospitality from Vitoria up to Kant: "this early modern tradition of thought was bounded by two poles – right of communication and right of property", which constituted the law of hospitality while all at the same time threatened to unravel it (2011b:1423). The itinerary of the hospitality law is, as the preceding discussion indicates, not straightforward: from Vitoria and Vattel, who dither between property and communication as the core of a law defining hospitality, failing to anchor it convincingly in either, to Pufendorf and Kant, who succeed in doing so, robbing it however of its innate character. According to Baker, the importance of hospitality to early modern accounts of the international stemmed from the widely held view that, as an outworking of innate human sociability, there was a natural right of communication. Hospitality, the welcoming of the stranger, was thereby seen as a key tenet of the law of nature and nations (2011b:1425).

Based on communication, Vitoria takes as a given that language and friendship indicate that human beings are meant for social life. His understanding of a right to hospitality derives, thus, from "natural partnership and communication", a precept of "the law of nations" "which either is natural law or derives from it" (Cavallar, 2002:278). Vattel, on the other hand, establishes that property comes before hospitality. In his chapter "Rules with respect to Foreigners" (1844:171–177), he draws a distinction between the requirements of "humanity and justice" and the "rules of the law of nations", emphasizing the overarching importance of the latter (Baker, 2011b:1428-1430).

Baker underlines the tensions running through both these arguments, which he qualifies as inadequate to support a coherent law of hospitality. He then turns to Pufendorf and Immanuel Kant, considering them as the first theorists to lay the foundations of a hospitality law, even in a negative or ineffective way, again along the lines of property and communication. In the case of the former, Pufendorf is seen as

the first of the natural lawyers to stress the right of any community to refuse visitors (2011:1433–1437). Basing his arguments on property, Pufendorf seeks to move international hospitality from a perfect to an imperfect duty analogous to friendship – while it may be desirable, it is not enforceable, no right comes attached to it (Cavallar 2002:201). Hospitality is therefore turned into charity. In the case of Kant and his Third Article of *Perpetual Peace*, on the other hand, the "right of resort" or visitation echoes the right of communication upheld from Vitoria onwards. I return to Kant in 1.2.2.4.

1.2.2.2   Enlightenment and Hospitality: Imperial Gaze?

"Hospitality is therefore naturally lost in Europe", concludes Louis de Jaucourt, one of the most prolific Encyclopaedists, in the relevant article on Hospitality in the *Encyclopaedia, or a Systematic Dictionary of the Sciences, Arts, and Crafts* (1765:314) of the French Enlightenment, after having described in great length its glorious past. The reason is that Europe's population has been transformed by the 18th century into a population of travellers and traders, and the security of vessels, vehicles and roads, the ease of movement and trading and the hostels to be found along the way have replaced the generous assistance, "the act of humanity", that the hospitality of the ancients used to provide. The issue of security suggested by Smith (fn 17) is resonant here. It is commerce, and the profit it provides, that has broken the charity that hospitality once stood for.[27] In the past, according to de Jaucourt, hospitality was part of natural law as long as it fulfilled three criteria: that it was offered to a stranger ("someone away from his fatherland"), who was presumably decent or at least not likely to cause us harm, while there could be no question of profit by the act of hosting her.

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[27] My rendition of this French article: "*L' hospitalité* s'est donc perdue naturellement dans toute l'Europe, parce que toute l'Europe est de venue voyageante & commerçante. La circulation des especes par les lettres de change, la sûreté des chemins, la facilité de se transporter en tous lieux sans danger, la commodité des vaisseaux, des postes, & autres voitures; les hôtelleries établies dans toutes les villes, & sur toutes les routes, pour héberger les voyageurs, ont suppléé aux secours généréux de l'*hosp talité* des anciens.

L'esprit de commerce, en unissant toutes les nations, a rompu les chaînons de bienfaisance des particuliers; il a fait beaucoup de bien & de mal; il a produit des commodités sans nombre, des connoissances plus étendues, un luxe facile, & l'amour de l'intérêt. Cet amour a pris la place des mouvemens secrets de la nature, qui lioient autrefois les hommes par des noeuds tendres & touchans. Les gens riches y ont gagné dans leurs voyages, la jouissance de tous les agrémens du pays où ils se rendent, jointe à l'accueil poli qu'on leur accorde à proportion de leur dépense. On les voit avec plaisir, & sans attachement, comme ces fleuves qui fertilisent plus ou moins les terres par lesquelles ils passent". (*D. J.*) *Encyclopédie,* 1751–1772, 8:314.

This seems to be a common perception among 18th century writers. Diderot, in another collaborative work, the *History of the two Indias* (1770, *Histoire des deux Indes,* essentially an encyclopaedia of commerce between Europe and the East, which proved to be very popular at the time), remarks that the profit made makes the provider of hospitality, the host or innkeeper, "*ni votre bienfaiteur, ni votre frère, ni votre ami*": not a foreigner's benefactor, brother or friend. Instead, the "cash nexus" makes the host a kind of servant. When the stranger leaves, writes Diderot elsewhere, in the usual lyrical language of the time, the host, who only cares about money, will no longer remember her (Diderot, 1995:686).

Parallel to this account of hospitality, as a custom that is now in decline, the 18th century and especially the Enlightenment establishes an idea which despite its old origins only now gains traction: that of the stranger as the noble savage. From Alexander Pope to Benjamin Franklin and romantic primitivism as a reaction to Hobbes' brutish state of nature to Montesquieu's *Lettres Persanes*, the foreigner is here presented as an uncorrupted and essentially harmless Other to the Self, someone that, despite being morally superior, the Self could and probably should civilise, since this nobility is based on "an apparent absence of traits such as property, formalised law or class divisions" (Ellingson, 2001:27). This civilising mission, which already underlies some of the legal thinking accompanying colonisation, as seen in the previous section, is not really challenged by the Enlightenment, which seems to be harbouring orientalist or at least "proto-orientalist" prejudices.[28] This observation upsets the traditional, linear understanding of a triumphant liberal evolution of the political:

> one of the filtering devices that we use to control entry into the stories we tell
> ourselves about the eighteenth century is our sense of 1789 as a culmination of
> Revolutionary political thought and rejection of the Old Regime (Still,
> 2011:284).

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[28] Klausen in his review of Judith Still's book *Hospitality* notes that "it is misleading, to attribute Orientalism to the eighteenth century", reminding us of how Edward Said points mostly to the nineteenth-century discourses of the civilisational inferiority of the Other (2012:267). Judith Still emphasises that the Enlightenment's imaginary of Otherness in the East (but the argument about Otherness can be made more generally) was more plural and ambivalent (2011).

"[T]riumphalist celebrations of the allegedly liberal, tolerant universalist humanism of the philosophes" therefore need to be corrected. I am attempting to do the same with the "culmination" of their thought: the French Revolution.

1.2.2.3   Hospitality under the French Revolution.

> L' étranger? Expression barbare dont nous commençons à rougir et dont nous laisserons la jouissance à ces hordes feroces que la charrue des hommes civilisés fera disparaître sans effort,[29]

states Anacharsis Cloots, a Prussian baron but French citizen since 1792 and representative of the Oise region at the French National Convention.[30] Cloots made his point in 1793, when he intervened in the constitutional debate in order to defend his project for a universal Republic of humankind, arguing in favour of banning the barbarous expression that was the term "foreigner/stranger" (Wahnich, 1997:7). The founding principles of his project are simple enough: the only legitimate sovereign is humankind; the only legitimate law is the *rights of man* inherent in nature; borders are artificial. At the moment where the French constitution is debated in the context of the universality of law and rights, for Cloots' universalism the word "foreigner" is indeed a barbarous expression.

While liberty, equality and brotherhood among all members of humankind despite nationality are only alluded to at this stage (both in the 1791 Constitution as well as in Robespierre's draft Declaration of 1793; they only become the French national motto in the 19th century), they exist as an inspiring slogan in the first years of the revolution. Seen in conjunction with the second article of the *Déclaration des droits de l'homme et du citoyen*, which, connected with the extradition of criminals, prescribes the "resistance to oppression" – and constitutes in this way, according to Noiriel (1991:32), "a negative version" of the right to asylum – one comes to the conclusion that hospitality duties preoccupied the national convention deputies early on during the Revolution. Looking at the parliamentary archives of the period, we do indeed see

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[29] "The foreigner? A barbarous expression for which we begin to blush and the joy of whose use we will leave to these ferocious hordes that the civilized men's plow will make disappear effortlessly", *Archives parlementaires* [French Parliamentary Archives], vol. 63, p.396, 26 April 1793, my translation.

[30] The National Convention (*la Convention Nationale*) was the single-chamber assembly from September 1792 to October 1795 during the French Revolution, which among other things ratified the abolition of slavery in the French colonies.

that following a lengthy debate, the Montagnard Constitution on 24 June 1793 proclaimed for the first time that the French people "would give asylum to foreigners who, in the name of liberty, are banished from their homelands", while refusing it to tyrants (Article 120). For Robespierre, the right of asylum has to do with "the most important question of public law",[31] while in April 1793 he insists at the Girondin committee on the need for amendments and for the addition of further articles involving the right of asylum in connection with resistance to oppression.[32] In theory at least the convention and resulting constitutions seem to prove Saint Just's affirmation right:

> The French people declare it to be the friend of all peoples; it will religiously respect treaties and flags; it offers asylum in its harbours to ships from all over the world; it offers asylum to great men and virtuous unfortunates of all countries; its ships at sea will protect foreign ships against storms. Foreigners and their customs will be respected in its bosom (Duval, 1984:441).

Albert Mathiez notes that this take on asylum should not be surprising given France's history towards hospitality. "Revolutionary France showing itself to be welcoming to foreigners has only followed monarchic France's tradition" (Mathiez, 1918:8, *my translation*). This is proven for Mathiez by the great number of foreigners who were present in important roles even before the grandiose proclamations of the French Revolution in 1789, roles that were key for national independence: as soldiers but also as superior officers (Baron Grimm), principal ministers in the last government of Louis XVI (Necker), etc. "If there were so many foreigners in military posts, this was because, under the Ancien Régime, the state may have had rights over the budget but not over the persons", while "the king was mainly an entrepreneur responsible for the national defence"(Mathiez, ibid.). However, Mathiez seems not to notice that this is not really hospitality at all, since it involves payment for services rendered, something that was very common in empires and kingdoms.

Independently from the French past and the existence or not of a tradition of

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[31] A.P. t.23, 5 March 191, p.695, cited in Noiriel p.33

[32] As well as on related issues of individual rights. Archives Parlementaires, t.63, annexe p.197 *sq.,* 22 April 1793

welcoming foreigners, the right of asylum is, however, flouted in practice. From the same year, 1793, the antagonism between the two main proclaimed requirements of the Revolution becomes evident, heightened by the declaration of war between France and Austria: the generous welcome towards the persecuted of the whole world versus the exclusive defence of the nation's citizens (Noiriel, 1991:34). Soon enough, the French Revolution's fundamental tension between the universality of humankind and the need for anchoring citizenship tips the scales towards the latter. With the advent of the revolutionary concept of the "sovereign people", "the individual is identified with her homeland and all citizens are summoned to defend it" (Noiriel 1991:34–5). As a result, all foreign nationals are suspect, potential enemies and traitors, able to harm the revolution's project. "From the February of the same year, the 'universalism' of the Revolution's beginnings gives its place to a virulent nationalism, illustrated in the multitude of measures taken against the foreigners" (Noiriel, ibid.). In August, Garnier de Saintes proposes a decree, according to which all foreigners "who obtain a hospitality certificate will be required to wear on the left arm a tricolour ribbon on which the word hospitality along with the name of the nation they were born in will be written". In December (6 Nivôse year II), foreigners, such as Anacharsis Cloots and Thomas Paine, are excluded from representation; in May 1794 (6 Prairial year II) English persons are accused of crimes against humanity (Wachnich, 1997:10–11). "From now on, every internal or external crisis will be translated in a doubling of mistrust and harshness towards the foreigners", notes Mathiez (op.cit). Citizen committees are placed in every commune to verify the foreigners' loyalty and situation. Destitute and bad patriots are expelled; some are sent to the guillotine (Cloots) or are imprisoned (Paine); those authorised to stay in France have to carry special safety cards (*cartes de sûreté speciales*. Noiriel, 1991:35–6). Of course these measures concern mainly the foreigners who arrive in the country after the declaration of war and are not always equally applied if at all. The Montagnards themselves consider them transitional, a necessary part of the emergency laws. They are indeed abandoned after the Terror, along, however, with any references to the "right of asylum" (Noiriel, 1991:36).

With regards to this Sophie Wahnich, writing in *L'impossible citoyen*, her study of the foreigner/stranger in the French Revolution's discourse, observes contrary to Albert Mathiez that there is a xenophobe past, a past of exclusion of the foreigner/stranger

Other, which is inscribed in the heart of the revolutionary episode (1997:10). This translates into the oxymoron that can be found in the revolutionary discourse. A language of friendship, hospitality and brotherhood, such as Saint-Just's imperative "you must create a city, i.e., citizens who are friends, who are hospitable and brothers", rubs shoulders at the same time with the exclusion of nobles and strangers: "Ban the residence in Paris to all nobles, to all foreigners: the court was in the past banned to plebeians".[33] In the same movement Saint-Just manages to set out both the normative values of social and political ties and the practical frontier of the revolutionised city. "The noble and the stranger cannot be the friend, the host, the brother". On one hand, there is the unlimited political subject and on the other, the sovereign nation, the uncertain search of a determined community (Wahnich, 1997:9–17): hospitality and suspicion, friendship and treason, brotherhood and exclusion.

1.2.3   Kant

> [H]ospitality means the right of a stranger not to be treated as an enemy when
> he arrives on someone else's territory (Kant et al., [1795] 1991:105)

Picking up from the equation of hospitality with charity in the 16th century, and Vitoria's attempt in the 17th to base it on the right of communication (discussed in 1.2.2.1), Immanuel Kant is essentially the one who brings the term of hospitality back to the fore in the late 18th century: all subsequent and current references to hospitality in IPT and IR tend to relate to him and his essay "Toward Perpetual Peace" (*Zum ewigen Frieden*, 1795). There he offers a set of six "preliminary articles" that have the aim of reducing the likelihood of war, but which cannot avert it altogether. Then, in order to establish permanent peace, Kant adds three more articles, this time "definitive". While the first two concern, respectively, the type of constitution a state needs to have and its participation in a union with other states, the third definitive article supports a cosmopolitan right of universal hospitality. Frequently uncommented upon (Benhabib, 2004b:26), the third article with the title *Das Weltbürgerrecht soll auf Bedingungen der allgemeinen Hospitalität eingeschränkt sein* (Cosmopolitan Right shall be limited to Conditions of Universal Hospitality) (Kant, 1991:105–108) is the only right Kant designates as cosmopolitan (*Weltbürgerrecht*).

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[33] AP, vol.88, p.545, germinal an II

Written following the 1795 Peace Treaty of Basel, which ended the war between revolutionary France and Prussia, Kant's suggestions for reaching perpetual peace "envisioned a harmonious coexistence of territorial states on the basis of human commonalities, including the fact that everyone was originally a foreigner (xenos) on earth" (Kim, 2011:13). Since interaction among human beings has increased to the point that they have "entered in varying degrees into a universal community (...) a violation of rights in *one* part of the world is felt *everywhere*" (Kant et al., 1991:107–8, his emphasis). At this level of universal interaction, the right of hospitality is a very essential element of perpetual peace. Men have such a right

> by virtue of their communal possession of earth's surface. Since the earth is a globe, they cannot disperse on an infinite area, but must necessarily tolerate one another's company. And no-one originally has any greater right than anyone else to occupy any particular portion of the earth (Kant et al., 1991:105–6).

Thus two dimensions are clear: first, this is not a question of philanthropy or charity but of right; and secondly, boundaries between inside and outside or private and public as well as questions of origin are not to be considered hospitable.

For Kant, the universal nature of the right of hospitality stems, on the one hand, from the law of nature seen earlier (*ius naturale*) aiming at "the preservation of one's own nature, which is to say, one's own life" (Lambert, 2003:17), and, on the other, from *Gesellschaft*, i.e., society,[34] where there is "a right of temporary sojourn, a right to associate or to visit (*zugesellen*), which all men have" (Kant et al., 1991:103). Said right "can be understood as belonging to the class of rights pertaining to immunity" (Lambert, op.cit), since strangers are immune from being treated with hostility or from being considered as an enemy immediately upon arrival, even if they end up being refused reception. The status of the stranger could be defined as hostile, only after/ if she fails to respect the conditions of hospitality, that of "behav[ing] in a peaceable manner in the place s/he happens to be in" (Kant, 1991:106).

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[34] Perhaps foreshadowing the *Gemeinschaft–Gesellschaft* (community-society) debate between German sociologists Ferdinand Tönnies and Marx Weber in early 20th century, "Kant saw society as sadly becoming an end in itself rather than the means to a common end" (Elliott, 2012:309) and life in society as corrupting human beings and their good moral dispositions (Zöller, 2015 :43).

Violence is thus foreseen, as Kant makes allowances for the guest to be refused as long as this does not put her in peril ("[h]e can be indeed turned away, if this can be done without causing his death" (Kant et al., 1991:105)),[35] but provided that he is peaceful, the stranger should ideally be welcomed. But even as a peaceful presence, a world citizen is, for Kant, by nature entitled to a right of visitation,[36] not to the right of an unconditional hospitality. According to Kant, becoming a permanent visitor (*Gastrecht*)[37] involves the draft of a friendly agreement, "a special contract of beneficence" (*wohltätiger Vertrag*), in order to become a fellow inhabitant and "a member of the native household" (*Hausgenossen*) (Kant et al., 1991:106). Since the surface of the earth is restricted, however, human beings need to conceive of world citizenship in terms of *Besuchsrecht*, a right of visitation and association (Kant, ibid.), "which is alternatively grounded in social responsibility and universal morality" (Kim, 2011:14). While this understanding of a visitor's rights positions Kant as a critic of colonial practices[38] – where, when it comes to a foreign visitor, members of communities have to subordinate their decisions to rational conceptions of *Sittlichkeit* (morality) "instead of reifying the symbolic power of culture, language and ethnicity" (Kim, ibid.) – this still fails to address the needs of those who arrive at the borders. The cosmopolitan right of hospitality can be seen in essence to be "limited to a right to offer to engage in commerce, not a right to actual commerce itself, which must always be voluntary trade" (Rauscher, 2012). Settlement, the recognition of individual problems of the foreigner at the border and provision for her long-term needs constitute another matter entirely.

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[35] This is essentially the basis of the right of non-refoulement officially enshrined in Article 33 of the 1951 Convention, the Convention Relating to the Status of Refugees, and is also contained in the 1967 Protocol Relating to the Status of Refugees as well as Article 3 of the 1984 Convention Against Torture.

[36] A *right of resort* is the translation used in the CUP publication of Kant's *Political Writings* (tr. by H.B. Nisbet, 1991) used in this thesis, but I am opting instead for the *right of visitation* most commonly used. (*Besuchsrecht* has also been translated as "right of temporary sojourn").

[37] As above, I am opting for *right of permanent visitor* instead of the expression *right of guest* that Nisbet uses to render *Gastrecht.* Permanent visitor is also the choice of Benhabib (2004) and Onuf (2013).

[38] In the edited volume on *Kant and Colonialism* (2014), one can see that Kant's respective remarks may be critical, especially in *The Metaphysics of Morals* and *Toward Perpetual Peace*; however, this has not always been the case. In earlier works, such as *Idea for a Universal History with a Cosmopolitan Aim* (1784), "his remarks on colonial practices and slavery were at best neutral and often suggested that he regarded these practices as tolerable, maybe even necessary moments of the process of cultural and historical progress" (Khurana, 2015). For more, see the introduction to the edited volume as well as the chapters by Pauline Kleingeld and Lea Ypi.

Such definition of a right is, as is to be expected, conflictual by nature. It is one thing to overlook community identity, its cultures, languages and myths, and to draw instead upon reason in order to challenge the warlike nature of the state, for example by suggesting a federation of enlightened republics; but without inquiring into the needs of the individuals who are taken under the care of the host, the right of hospitality is rendered feeble if not meaningless. The element of unchecked sovereign power in the Kantian conception makes Samuel Moyn point out that the right of hospitality amounts to "a wholly minimal *Weltbürgerrecht* or 'world citizen law' that envisaged no more than an asylum right for individuals out of place in a world of national states" (2010:28). Similarly, Jürgen Habermas suggests Kant cannot have "*legal* obligation in mind" and that he glosses over the problem of defining the "legally binding character" or the "moral self-obligation" of an international alliance (Kant, 1998:169–170, his emphasis).

What is more, Kant does not believe that hospitality firmly complies with the categorical imperative or indeed any other ethical consideration. Since it derives from the idea that humans cannot disperse across the surface of the globe in order to avoid each other, and therefore must tolerate the presence of one another, "the 'right to associate' does not practically originate from a positive and gregarious spirit, but rather is something that only gradually develops in Man, begrudgingly, as a spirit of toleration" (Lambert, 2003:20). In other words, withdrawal and distance from the Other seem to be a human being's natural inclination. In addition, Kant's understanding of an ethical state (*ethischer Staat*) coincides with that of the church, which is not only to be ideally constituted in such a way as to combat the demoralising or corrupting effect of society (something that traditional churches fail to do (see fn 34), but also and most importantly is to bear at least some resemblance to the juridico-political state (Kant, [1793]1960:92). Such an "ethical society", composed by a community of members affirming each other's worth and supporting each other to act morally, takes the visible form of a church not because ethical laws have originated in God's commands but because human beings are to perform their ethical duties as meticulously as if they were god given (Sullivan, 1994:86–7). The resemblance between the ethical and the juridico-political states lies in "the common character of their legislation and laws being "public"" (Zöller, 2015:43). However, the resemblance

here ends since

> juridico-political (*rechtlichbürgerliche Gesellschaft*) society is concerned with the outward comportment of its citizens and operates with the means of external constraints. By contrast, "ethico-political society" (*ethischbürgerliche Gesellschaft*) concerns itself with the moral "conviction" (*Gesinnung*) of its citizens and is essentially free of constraint (*zwangsfrei*). According to Kant, establishing an ethical state in a given community presupposes the institution of a juridical state in and among that community, to which the ethical state adds, other than its public character, its proper principle of civic unification, viz., *"virtue" (Tugend)*".

The use of hospitality in this context is odd (Benhabib, 2012:79). Caught among the obligation to tolerate the Other because of the earth's surface being limited; the Other's right to hospitality; and the virtue that the ethical society assigns to the juridical sovereign state, which in turn is responsible for the legal contours of hospitality, the Other is from the outset met with and defined by enmity. "The obligation to tolerate and the right to hospitality both imply that the other is originally regarded with feelings of animosity that a set of laws is now meant to pacify" (Minkkinen, 2009:94). From the moment the Other makes a claim beyond a temporary sojourn, she becomes an enemy to the Self and the community. Even if Kant's cosmopolitan approach undermines the traditional particularistic attachment to the nomos of the earth of the sovereign nation-state – and does so, for the philosophy of his time, in a revolutionary fashion – it still fails to focus on the intricacies of the right-bearing subject. What of the powerless Other who is supposed to bear the right of hospitality when she arrives at the border? If they do not belong elsewhere, i.e., they are not citizens of another state, or have no documents, or are not willing to belong, does the right of hospitality given to them carry equal weight? In addition, what if the claims the Other is making relate to the receiving community's responsibility for her visitation (because of the receiving community's economic, military, hostile or other previous activity) (Sassen, 2007:441)? These and other questions point to the restricted nature of the right of hospitality and its lack of connection with ethical considerations of Otherness. They show how one might go about considering the complexity of the Other's claims and identity despite the

cosmopolitan imaginary's assumption that no such complexity truly exists. I argue that if hospitality were to be considered as an ethical concept, it should not be so closely linked to community belonging, to the centrality of the host and the institution of the state.[39]

1.2.4 Hospitality: a biopolitical turn?

After Kant and with the strengthening and improvement of the administrative organisation of the nation-state going hand-in-hand with the birth of independent states in 19th and early 20th century Europe following the fall first of the Ottoman and later of the Austro-Hungarian empires, we observe a turn towards a more biopolitical understanding of hospitality. Censuses, metrics, passports and other identification documents experience a great proliferation from the late 19th century to the First World War and even greater systematisation after that (Torpey, 1999). Following the dramatic easing of restrictions of movement after the Napoleonic wars during the mostly peaceful European 19th century, "paper walls" are increasingly raised against migration, mainly affecting migrants from the non-Western world[40] but also any Other who may be considered undesirable by the receiving states.

Below, I explore briefly two crucial scholarly moments describing this turn that I think best help us understand the biopolitical understanding of hospitality and Otherness. The first is Michel Foucault's observations on the birth of biopower and biopolitics and the second is Hannah Arendt's ruminations on the results of the lack of hospitality in the European 20th century: the stateless Other, the horrific violence that was experienced by this Other during the Second World War and the framework of rights that seeked to redress it.

1.2.4.1 Foucault and biopouvoir

Michel Foucault first discusses the term biopower (*biopouvoir*) in the first volume

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[39] Saskia Sassen makes a similar argument in the context of "democratic iterations", i.e., democratic participation of the powerless Others in society (Sassen, 2012:103).

[40] Torpey focuses on the US restriction of entry to massive migrant flows from China in late 19th century while Radhika Viyas Mongia's exploration of the use of passports as the Canadian government's instrument of control and deterrence towards specific subjects of the British Empire, namely Indians, at the beginning of the 20th century, makes an interesting read with respect to the connection between race and mobility (1999).

of *The History of Sexuality, The Will To Knowledge* (1998 [1976]) and at his 1979 series of lectures at the Collège de France with the title "La naissance de la biopolitique", which due to his early death have remained largely unpublished. There he attempts a historical analysis which leads to the current practice of modern states and their regulation of their subjects through "an explosion of numerous and diverse techniques for achieving the subjugations of bodies and the control of populations, marking the beginning of an era of biopower" (Foucault, 1998:140). According to him (Foucault, 1998:135–159), the power over life (take a life or let live), which until the 17th century belonged to the sovereign, has shifted towards the "power to *foster* life or *disallow* it to the point of death", towards "a power that exerts a positive influence on life, that endeavours to administer, optimize, and multiply it", and it has evolved along two basic poles. The first pole focused on the body as a machine and involved "disciplining, optimization of capabilities, (...) increase of usefulness, (...) integration into systems of efficient and economic controls" (Foucault, 1998:138–9) and was represented by schools, universities, workshops and the army. The second focused on the body as species and its biological processes: propagation of the species, mortality, life expectancy, longevity. Demographics, birth rates, migration controls, public health, housing, etc., were just a few of the aforementioned diverse techniques used to control and modify the processes of life.

Thus, the power over life, biopower, was organised around these two poles and these techniques. The timing of this shift was not accidental either, as it took place along with the development of capitalism: "the controlled insertion of bodies into the machinery of production and the adjustment of the phenomena of population to economic processes" (Foucault, 1998:140–1) were indispensable for capitalism's existence. "Life" and "living being" (*le vivant*) come to the forefront of political regulation and new economic strategies. With the rise of capitalism, the "Western man gradually learns what it means to be a living species in a living world, to have a body, conditions of existence, probabilities of life, an individual and collective welfare, forces that could be modified..." (Foucault, 1998:142). This fact, that life and its reproductive and other bodily processes become regulated at the same time as they come to occupy the epicentre of political life, is something radical new. "For millennia, man remained what he was for Aristotle: a living animal with the additional capacity for a political existence; modern man is an animal whose politics places his existence

as a living being in question" (Foucault, 1998:143).

The repercussions of this shift included ruptures in the pattern of the scientific discourse, the proliferation of technologies and regulations regarding the body, its health, living conditions, etc. Most importantly, though, biopower has affected the juridical system. With the continuous need for regulatory and corrective mechanisms, the law and the judicial institutions had to be "increasingly incorporated into a continuum of apparatuses (medical, administrative, and so on)" and become adjusted to a new right: "the 'right' to life, to one's body, to health, to happiness, to the satisfaction of needs" (1984:267) even if in the end, death is administered. How does this affect hospitality?

Citizenship, migration controls, surveillance, productivity and health metrics of prospective labour migrants, medical screenings (Wiebe, 2008), eugenics guidance regarding reproduction – these are only some of the biopolitical instruments that have made possible the differentiation and regulation of populations in favour of the nation-state's social and territorial demarcation. While Foucault is mainly focusing on the biopolitics within the state,[41] his considerations apply to migration and issues of hospitality as well. Such instruments ignore the suffering and the violence migration entails, which in turn "arise from bordering practices that police us/them relations inherited in the colonial present" (Bagelman, 2015 referring to Foucault's 1979 interview on the Vietnamese refugee problem). They are, however, taken up and inscribed in the laws of hospitality, especially after the Second World War and the massive population movements it caused, as can be seen in the post-1948 legal framework and the language of rights referring to migration flows, asylum granting and refugee assistance. These rights interest Hannah Arendt in her discussion about statelessness and the importance of the human rights framework for hospitality, to which I turn next.

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[41] Foucault's interest in refugees and migration has been more apparent in his presence as an activist in the late 70s and before his death (see Open Democracy's 13 November 2015 articles on the issue and especially Colin Gordon's "The drowned and the saved: Foucault's texts on migration and solidarity").

1.2.4.2   Arendt and declarations of rights

Hannah Arendt was able to examine first-hand the biopolitical turn in the treatment of the Other that Foucault would formalise a few decades later. Having been stripped of her citizenship in 1938, interned in a French "enemy alien" camp in 1940 and forced to witness the deaths and disappearances of family, friends and colleagues, Arendt theorised the biopolitical aspect of totalitarian politics, which were based on the extermination of "superfluous" individuals (Arendt, 1976: 459) even if she never used the term "biopolitics". Contrary to traditional understandings that have her separating politics from biological life, in which her concept of "natality" relates to Heidegger and the existential analysis of human life,[42] recent scholarly conjecture situates this concept within the discourse of biopolitics (e.g. Vatter, 2006; Blencowe, 2010). This more recent scholarship argues that "she has developed some of the most critical insights into the primacy of life in modern society and the reduction of people to mere living things in 20th-century totalitarianism" (Braun, 2007:5), not only in *The Origins of Totalitarianism* but also in *Human Condition* and elsewhere. What is more important in this debate, on which I cannot expand here, is the proof that Arendt was among the first contemporaries of the Nazi camps and the Holocaust in general to realise the "dark sides of the modern project" (Braun, 2007:7) apparent in the atrocities and violent treatment of Otherness. "Natality" appears as a positive or affirmative aspect of biopolitics; an aspect that can counteract and break away from the controlling and violent or negative aspects of biopolitics as these are manifested in the exclusion and inhospitable treatment of the Other not only in the totalitarian regimes of the 20th century but possibly in the future.[43]

In this inhospitable environment, Arendt argues for the need to consider the plight of the Other as refugees. "In the first place, we do not like to be called "refugees". We ourselves call each other "newcomers" or "immigrants"", she states in a 1943 essay (Arendt, 1996:110), pointing to the problem of discourse in categories of hospitality (See 1.3.2); and a few years later she describes in detail how the disintegration of empires in the interwar period has created two novel groups of people – the minorities

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[42] See Braun, 2007; Schwarz, 2013; Vatter, 2006.

[43] "[D]uring the 1950s (…) Arendt became convinced that totalitarianism is a new, but "essential" form of government, whose possibility therefore must correspond to some "basic experience" of human beings, and hence is inherently repeatable" (Vatter, 2006:145). See also Arendt, 1976:472–474.

and the stateless – and how the law in the form of the so-called Minority Treaties failed them, rendering them vulnerable to violence and invisible (Borren, 2008). Arendt is the first writer to notice so soon after the Second World War the tension between the political practice and the ethical obligations towards the stranger, at least as these are stated in international law. While the "universal ideal" of the 1948 Declaration of Human Rights has been criticised for as long as it has existed, Arendt described as early as 1951 human rights as a paradoxical project (1976:355), where "the modern nation-state system is based on the contradiction between human rights and the principle of national sovereignty, which therefore, inevitably, breaks down" (Borren, 2008:215). The stateless refugee is the figure best exemplifying this breakdown.

It is in "The Perplexities of the Rights of Man" in *The Origins of Totalitarianism* (Arendt 1976[1951]:290-302) that Arendt embarks on her critical analysis of human rights. Having indicated elsewhere the perplexities arising from the groundlessness of modern declarations of rights (Arendt, 1990[1963]) – that, since divine authority as a source of legitimation cannot be summoned anymore, "secularization in the modern age leaves political actors with the problem of finding a new authority for the laws, rights and institutions they establish" (Gündoğdu, 2012:6) – she argues here that despite the proclamations of their universality, human rights are *not* "independent of human plurality" and are *not* possessed by human beings "expelled from the human community". Whereas they are supposed to have been created for the people who had nothing left but their humanity after having fled persecution and become stateless, in order to indicate their inalienable dignity that no power would deny, these ideal universal rights were in practice assigned to the political infrastructure of nation states. "The idea of universal human rights was immediately linked to the power of the nation state; it is the nation state that determines who has the right to have rights and who does not". The risks of this situation are well known:

> It is quite conceivable, and even within the realm of practical political possibilities, that one fine day a highly organized and mechanized humanity will conclude quite democratically – namely by majority decision – that for humanity as a whole it would be better to liquidate certain parts thereof (Arendt 1976[1951]: 299).

Put simply, Arendt considers the Universal Declaration of Human Rights to be part of a movement of expansion of state power over private life, notwithstanding the declaration's good intentions. State power intrudes further into the zone of private life and the Universal Declaration of Human Rights, instead of providing rights to the rightless, leads to the opposite result: the refugees and strangers in general are further submitted to the control of policing and other power mechanisms of the nation state. By completing the "organization of humanity" we succeed in throwing refugees "in the midst of civilization" back upon nothing but "their natural givenness" (ibid. 302), leaving them completely powerless in the face of the power of the state.

For Arendt, the critical discussion of human rights should work mainly as a political critique of the incapability of human rights to provide rights for stateless refugees in particular and for the non-status stranger in general, aiming always, however, at the inclusion of the stateless refugees and non-status strangers in the political community in such a way that the "right to have rights" would be safeguarded. Ayten Gündoğdu in her recent works (2012, 2015) focuses on this exact aim, arguing that that which in "The Perplexities of the Rights of Man" seems initially to be a paralysing aporia regarding the practice and the implementation of human rights, is actually a positive aporetic thinking that can lead to a reinvention of human rights, which in the future may become more effective for the invisible and excluded Other. However, it was and remains obvious that, as in the case of the Second World War, state-centred politics not only fail the stranger Other but also expose her to an increasingly militarised and exclusionary set of biopolitical practices, such as those seen briefly in the introduction. I argue that this happens because no matter what the framework, human rights-based or otherwise, violence ensues from the way in which relationality towards the stranger Other is established. As long as the Other is considered in a polarising and antagonistic way or in a trivialising, silencing manner, such occurrences of violence will not be addressed.

In what immediately follows I examine exactly this: the ways the Other has been theorised, categorised and understood in approaches to hospitality.

1.3 Hospitality and the Other

When attempting an historical approach to the linguistic and etymological evolution of *xenos* and *hospitality*, an innate conflict becomes immediately apparent: a not always latent tension between the dictum and the praxis of hospitality mirrored in the mere components of the word. This intrinsic tension constitutes the indecisive nature of the word, what Derrida calls the term's *undecidability* (1972:53). I would like to argue that the undecidability observed at the linguistic and etymological levels in a way symbolises the disparity evidenced between the acts of hospitality and the ethical narrative enfolding them, i.e., the contrast between the shunning of the stranger by agents of hospitality and the ethical discourse used by them at the same time in order to claim that they do nothing of the sort.

Looking back at the history of the term, it seems clear that the notion of stranger is not defined in the ancient civilisations by fixed criteria. In purely etymological terms, the root of all relevant words lies in the Proto-Indo-European **ghos-ti*,[44] which means stranger, guest or host; properly "someone with whom one has reciprocal duties of hospitality". **Ghos-ti* evolved into the Latin root *hostis*, meaning enemy army, where the adjective "hostile" finds its origin, as does the word "host", both with the meaning of multitude but also with the meaning of someone who provides hospitality. From **ghos-ti* also comes the Greek word *xenos*, which has the interchangeable meaning of guest, host, or stranger, always denoting the outsider, the visitor of the city.

Benveniste, looking at relevant derivative terms, notes that they belong to a moral vocabulary "permeated by values which are not personal but relational" (1973:280). Therefore, rather than denoting psychological states, relevant vocabulary refers to the reciprocal duties and obligations that transcend the meeting with the stranger, aiming at "the accomplishment of positive actions which are implied in the pact of mutual hospitality" (ibid.). "*Xenos* indicates relations of the same type between men bound by a pact, which implies precise obligations that also devolve on their descendants", relations binding kings as well as private people (Benveniste, 1973:77). The same seems to apply partly for Latin. However, in the case of Latin things prove to be more

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[44] When an asterisk is placed before a word, it shows that it is constituted, i.e., its existence has been deduced by linguistic scholars and there is no written evidence to prove the existence of the word. (Lashley et al., 2007: 17).

complicated given that the word for guest, *hospes*, appears to hold a double meaning, i.e., both guest and enemy. Being a compound word, *hospes* originally comes from *hostis*, which is also the root of Gothic *gasts* and Old Slavonic *gostĭ*, the predecessor of the modern word guest. So *hostis* had initially meant a stranger and a guest while also conveying the notion of equality by compensation: "a *hostis* is one who repays my gift by a counter-gift" (Benveniste, 1973:71). He is not a stranger in general but one bound in a relation of equality and reciprocity with the citizens of Rome due to the rights given to him. Benveniste surmises that it is when reciprocal relations between clans were succeeded by the exclusive relations between civitae that the classical meaning of "enemy" must have developed. In order to explain this connection, it is usually supposed that both versions of *hostis* derived their meaning from stranger, with the notion of "favourable stranger" developing into "guest" and that of "hostile stranger" into "enemy". For this reason, Latin coined a new name for "guest": **hosti-pet-* , i.e., *hospes*, with the second component (**pot-*) signifying master. This is where the noun hospitality would finally come from (Benveniste 1973:71–83). It is this innate conflict of the word, the "double bind" and "the troubling analogy in their common origin between *hostis* as host and *hostis* as enemy, between hospitality and hostility" – this *aporia* – that Jacques Derrida underlines in his neologism of *hostipitality* (Derrida, 2000a: 15).

To summarise, a stranger is someone born elsewhere, whose identity is defined from (place of) birth rather than death and who enjoys some specific rights: this is shown by the Greek *xenos*, meaning both "stranger" and "guest", that is to say, the stranger who benefits by the laws of hospitality. There are other definitions available: the stranger is "he who comes from the outside", Lat. *advena* or simply "he who is outside the limits of the community", Lat. *peregrinus*. Therefore, there is no "stranger" as such. In the diversity of notions, the stranger is always a particular stranger, bearing a distinct status. All in all, the notions of enemy, stranger, guest, which for us form three distinct identities – semantically and legally – present in the Indo-European languages close connections. (Benveniste, 1969:360–1)

Studies on Plato's work and on his use of the figure of the *xenos*, the stranger, often point to the reflective use, especially towards his later works such as the *Sophist* and *Statesman (Politicus)*, of the enigmatic figure of the anonymous *xenos*. The stranger in

these later works substitutes Socrates in the role of the dialogues' "gamemaster". In the case of the *Sophist* the stranger is a visitor from Elea, the hometown of Parmenides, who undertakes to question Parmenides' *logos*, to pose, as Derrida points out, the fearful and possibly parricidal question.

> As though the Foreigner had to begin by contesting the authority of the chief, the father, the master of the family, the "master of the house," of the power of hospitality (2000b:5).

"The Foreigner here figures, virtually, a parricide son" (2000b:11). In the *Statesman*, the same stranger fulfils once again the role of the person posing the leading question to open the great debate of what constitutes the political being. This new role for the stranger takes place alongside Plato's shift of focus away from the Parmenidean being and ontology towards the non-being and the distinctive dignity of the Other. So the "strangeness" of the main protagonist of the platonic dialogues "meets the [O]therness as a generic category of all, true or false, thought and discourse inaugurating, thus, a philosophy coming from elsewhere (*venue d'ailleurs*) and a novel way of showing that it is not possible to think of the Same without thinking of the Other". We have therefore for the first time "a philosophy of the Stranger (...) in sum, the question of the stranger and the Other becomes a philosophical issue as such (Joly, 1992:14–5; *my translation*).

In contemporary political theory, Bonnie Honig makes a similar argument regarding the foreigner as a philosophical issue, in her book *Democracy and the Foreigner* (2001). *"How should we solve the problem of foreignness?"* has been for Honig *the* main question of political theory for a long time, and it continues to motivate contemporary discussions of democracy and citizenship, with experts trying to find the "correct balance" between social unity and democracy. From experts in migration to economists to legal scholars and philosophers, foreignness, Honig argues, is reiterated as a "problem" that needs solving (Honig, 2001:2). The same goes for the different answers to the problem: from *xenophobia* and strict regulation to multicultural arguments for broader inclusion of the foreign Other and inquiries into diversity, the various debates "treat foreignness as a necessary evil and assume that we would be better off if only there were enough land for every group to have its own nation-state",

differing only in their estimate of this evil and threat (Honig, ibid.). I will consider these different evaluations in three parts, focusing first on the main characteristics defining the stranger and foreign Other (proximity and belonging); her legal categorisations in the context of hospitality; and finally the abject Other and her different forms that will interest me in this project.

1.3.1 Proximity and belonging: fear of the stranger constituting the inside

The figure of stranger as the Other would be taken up by theorists in the 20th century. In the field of sociology, Georg Simmel is the first to formulate a theory of strangerhood. In 1908 he suggested that *Der Fremde*

> [is] the stranger as a modern character-type – she who comes and stays, who may be offered the provisional or probationary belonging of assimilation, (…), that kind of belonging at the behest of the host which is always tentative, always open to suspension at the will of the host (Beilharz, 2000).

According to Simmel, strangers are not, as common sense might have it, those who are not known but are instead those who have been encountered but have not been fully assimilated into the community. "If wandering, considered as a state of detachment from every given point in space, is the conceptual opposite of attachment to any point, the sociological form of the "stranger" presents the synthesis, as it were, of both of these properties" (Levine, 1971:43). The stranger is close to us, insofar as we feel between her and ourselves common features of a national, social, occupational, or generally human, nature. She is far from us, insofar as these common features extend beyond her or us, and connect us only because they connect a great many people (Wolff, 1950:402–408). The stranger also brings into our spatial circle certain qualities that are not, and cannot be, indigenous to it. "The stranger, therefore, is an element of the group itself, not unlike the poor and sundry "inner enemies" – an element whose membership within the group involves both being outside it and confronting it" (Levine, 1971:144). The nature of "our own spatial circle" is the absolute test that defines the stranger, empowering her existence as such by bringing her near to the borders of our circle but negating her at the same time as well, i.e., putting her in the distance. Simmel argues that "between these two factors of nearness and distance (…)

a peculiar tension arises, since the consciousness of having only the absolutely general in common has exactly the effect of putting a special emphasis on that which is not common" (ibid. 148).

Based on Simmel's authority, relevant literature has often reformulated the figure of the stranger through specific types of actors (Marotta, 2000:121), mainly situated in the first half of the 20th century. The Simmelian stranger has been the basis for Park's "marginal man" for example: the person condemned to live at once within two different and antagonistic cultures, the individual "who lives in intimate association with the world about him but never so completely identifies with it that he is unable to look at it with a certain critical detachment" (1950:356). Margaret Mary Wood and Alfred Schütz also based their "newcomer" on Simmel's stranger, defining her as "(…) an adult individual of our times and civilization who tries to be permanently accepted or at least tolerated by the group which [s]he approaches" (Schütz, 1944:499), with Schütz's "principal, though special, example of the "stranger" [being] the immigrant" (McLemore, 1970:91). In a similar vein, we find Paul Siu's "sojourner" who, comparable to the "marginal man", "is treated as a deviant type of the sociological form of the "stranger", one who clings to the cultural heritage of his own ethnic group and tends to live in isolation, hindering his assimilation to the society in which he resides, often for many years" (Siu, 1952:34) and Stonequist's notion of "the cosmopolitan individual" or "the international mind", also deriving from the marginal man theory.

Guided also by Simmel and "utilis[ing] French poststructuralists such as Foucault and Derrida" (Marotta 2000:132), Zygmunt Bauman suggests in his theory of the "stranger" (1991; 1993) that the stranger is not one marked by particular existential propositions (such as the "stranger" of Albert Camus) but is rather the product of his position within modern society; she is the postmodern stranger. Bauman's stranger is a figure created by society insofar as it attempts to cognitively order physical and social space, thus creating a form of human waste. Rather than being a friend or an enemy, Bauman's stranger is the individual who fits neither of these categories, remaining suspiciously undecidable, an idea pointing towards the Derridean *aporia* or, as mentioned earlier, the term's "undecideability".

Friends and enemies work together as insiders and outsiders, whereas strangers inhabit the liminal zone in between (...). Following Simmel, Bauman identifies friendship and enmity as forms of sociation. Strangers are different because they represent the undecidable, the unclassifiable, a walking contradiction (Beilharz 2000:109–10).

The stranger therefore produces fear in her very being. She is a frightening figure because she is not part of the (modern) order of society and does not fit within a preordained position, i.e., her ambivalence creates fear as society continually fails to pin down this conspicuously unknown element (ibid.).

Beilharz looks at the intricate relationship and affinity of Bauman's work with that of Claude Lévi-Strauss and highlights the two alternative but also complementary strategies, which modern societies deploy opposite the stranger:

One was *anthropophagic*, annihilating the strangers by *devouring* them and then metabolically transforming into a tissue indistinguishable from one's own. This was the strategy of *assimilation*: making the different similar; smothering of cultural or linguistic distinctions; forbidding all traditions and loyalties except those meant to feed the conformity to the new and all-embracing order; promoting and enforcing one and only one measure of conformity. The other strategy was *anthropoemic*, *vomiting* the strangers, banishing them from the limits of the orderly world and barring them from all communication with those inside. This was the strategy of *exclusion* – confining the strangers within the visible walls of the ghettos or behind the invisible, yet no less tangible, prohibitions of *commensality, connubium* and *commercium*; 'cleansing' – expelling the strangers beyond the frontiers of the managed and manageable territory; or, when neither of the two measures was feasible – destroying the strangers physically (Bauman, 1997: 16).

This exclusion, Beilharz notes, can be seen applied in "such institutions of separation called concentration camps, more specifically death camps (in Nazi Germany) or detention centres (in contemporary Australia)" (Beilharz, 2000:120). The postmodern state, however, uses different strategies that are no longer premised on fitting in or

keeping out but on keeping the stranger moving or consuming; failure in this respect, as is common, turns strangers into servants and parasites living at the host's expense, seen to invade their community.

Returning to the theme of fear, a review of 20th century sociology makes it clear that theorists from Simmel and Park in the early 20th century to Ulrich Beck and Bauman towards its end have emphasised the social psychological disturbance, the fear, caused by the figure of the stranger and the insecurity of relations with her. The stranger, the outsider, the Other threatens to wreak havoc on the social order, "from the imagined community of the nation to that of the familiar neighbourhood. Individual strangers are a discomforting presence" (Sandercock 2005: 221–2). More concretely, fear is caused by the ambivalence of the stranger figure, as seen briefly above, i.e., the difficulty of categorising it under the heading of friend or enemy. It derives from the stranger's ambivalent condition of being both an insider and outsider. This sociological take on the stranger, focussing on fear, is mirrored in psychoanalysis' conception of the uncanny; there Freud explores how the self is repulsed by an object (for my purpose I identify the object here with the stranger Other; see also Kristeva, 1991) despite recognising it at the same time as familiar or even attractive. This incongruous yet familiar, fearful yet congenial reaction of the self towards the stranger creates a cognitive dissonance that leads to the rejection of the object (Freud, [1919] 2004:74–101). This brings to mind Honig's argument about the pull and push relation between us and the foreigner: how on one hand the foreigner and stranger is a problem to be solved while at the same time we use the Other instrumentally to define ourselves and to re-found, constitute and demarcate our democracies (Honig, 2001).

The fear aroused in the host group and its variations serve as a basis for ranking the strangeness of the outsider. The greater the fear the Other arouses in the self, argues Bülent Diken, the greater the degree of strangeness that is imparted to the Other; therefore the category of the stranger cannot be an essentialist one (quoted in Marotta 2000:123). Bauman seems to agree that the constitution of strangerhood is related to fear, but in his view fear is not the key to unravelling it (*ibid.*) Nevertheless, as Beck notes (1992:130), the fear is conjoined with fascination; "the very strangeness of strangers is not only frightening but enticing" (Sandercock, 2005:222).

Thus fear, which has been at the epicentre of a social theory of Otherness, breeds exclusion while at the same time maintaining the Other as the opposite against which a society constitutes itself. This exclusion strategy uses the figure of the stranger as a scapegoat, a necessary use in the construction of an identity claim. Identity construction of the community, but also of the self, is based on the ability to explain its lack of fullness and completeness; and the stranger thus operates as an agent of this lack. "Scapegoating, the sinister type of difference as exclusion and demonisation, always remains a real possibility inscribed at the core of any identity claim" (Stavrakakis, 2007:195). In scapegoating, the Other is accused of stealing "our" *jouissance*: "every identification is bound to produce its obscene Other (...) hated because he is fantasised as stealing our lost enjoyment" (Stavrakakis, 2007:202). Girard also considers scapegoating as a mechanism strengthening the community through identity-formation, but also though the alleviation of internal strife and violence (Girard, 1986). As a result, and contrary to contract theories that consider that the social contract puts an end to communal violence and internal antagonism,[45] Girard argues that, paradoxically, the solution to these antagonisms is instead found in the displacement of this violence onto a single individual, who thus functions as a scapegoat and a specified enemy. Communal violence, even in a lesser dose, exerted on an excluded Other brings the community together and strengthens it (1977:79–80; 259).

1.3.2 The issue of categories. Legal, illegal, undocumented Other

"Therefore, there is no 'stranger' as such. In the diversity of notions, the stranger is always a particular stranger, bearing a distinct status". This is what Benveniste told us earlier (1969:360). Having argued in the introduction that the status Benveniste is talking about translates into categories of Otherness that are often misemployed and exacerbate violence, and also that a new category addressing the liminal and non-categorisable is slowly emerging in IPT and IR, I return here to the traditional categories of strangerhood used in the debate of hospitality, before clarifying the type my thesis will be using in order to configure the Other, in the context of its proposal of a different conceptualisation of the ethics of hospitality.

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[45] Girard cites the Hobbesian "violates threatens to break out, thus humans are forced to cooperate" (1996).

The three main categories legally recognised and widely used are those of asylum seekers, refugees and (economic) migrants. Overlapping to some extent, they are often used interchangeably, erroneously and / or with much confusion in the media and in public debate, as the current refugee crisis has shown us (UNHCR, 2015a). Asylum seekers are the persons who have applied for asylum under the 1951 Refugee Convention on the Status of Refugees, on the ground that a return to their country of origin will endanger their lives, there being a well-founded fear of persecution on account of race, religion, nationality, political belief or membership of a particular social group. An asylum seeker is considered as such for as long as her application or an appeal against refusal of her application is pending. The term refugee designates an asylum seeker whose application has been successful. In its broader context it means a person fleeing armed conflict or persecution as defined by the 1951 Refugee Convention. Asylum seekers who, through proper procedures, are not judged to be refugees, nor in need of any other form of international protection, can be sent back to their home countries (UNHCR, 2006).

> During mass movements of refugees (usually as a result of conflicts or generalized violence as opposed to individual persecution), there is not – and never will be – a capacity to conduct individual asylum interviews for everyone who has crossed the border. Nor is it usually necessary, since in such circumstances it is generally evident why they have fled. As a result, such groups are often declared "prima facie" refugees (ibid).

Finally, (economic) migrants are considered to be the people that choose to move not because of a direct threat of persecution or death, but mainly to improve their lives by finding work, or in some cases for education, family reunion, or other reasons. Migrants, contrary to the previous two categories, face no impediment to be returned to their home countries, as it is assumed that they continue to receive the protection of their state's government.

The international law protecting refugees and defining the movement of people, namely the 1951 Refugee Convention, its 1967 Protocol and other legal texts, such as the 1969 OAU Refugee Convention, has permeated regional and national law and practices. As mentioned above, one of the most fundamental aspects of this body of

law involves the principle of *non-refoulement*, i.e., of not expelling or returning refugees back to where their life and freedom would be under threat. Other aspects of protection include the fair and efficient access to asylum and ensuring respect for refugees' basic human rights in order for them to live in dignity and safety while receiving countries are helping them to find a longer-term solution. Host countries bear the primary responsibility for this protection with UNHCR's advice and support.

> The definition of the "refugee" [in the Refugee Convention] reflected the universalistic aim of "protecting" the stateless, being broader than the status of "political refugee" that had previously been in use, and that international institutions refer to as "conventional" (Agier, 2011b:11).

Here Michel Agier suggests that the main element of protection has come to be replaced by an ever more dominant function of control. This is evident not only in the management of camps, on which topic Agier is an expert, but also in the application of asylum policies. Given states' reluctance, especially in times of economic crisis or due to the intensification of anti-immigration politics at home, the rate at which states have granted asylum has fallen over the last twenty years to its lowest modern level, at least in the European space. It may have picked up slightly recently following the great increase in applications due to the Syrian civil war,[46] but until then the proportion of positive decisions to grant asylum in the majority of EU member states, with the exception of Sweden and Germany, has in the last 15 years been constantly lower than 10%, with many countries scoring near 0% (Luxembourg, Ireland, Hungary among others) (Nardelli, 2015 quoting Eurostat).[47] In addition, the disparities among national asylum systems (EurActiv, 2016),[48] where the legal requirement of a maximum 35 days to analyse asylum requests is rarely met,[49] institutional failures,[50] variation of asylum-

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[46] The number of first-time asylum applicants increased by more than 130 % in the fourth quarter of 2015 compared with the same quarter of 2014 (Eurostat, 2016).

[47] Refugee recognition rates appear to be very low in some EU countries and very high in others. In 2014, positive decision rates for Eritrean nationals varied from 26% in France to 100% in Sweden, while rates for Iraqi nationals ranged from 14% in Greece to 94% in France, according to the Annual Report 2014/2015 of the European Council on Refugees and Exiles (ECRE, 2016).

[48] From refugee recognition rates to amount of financial help, housing support, to right to family reunification, etc.

[49] The real average is one year (EurActiv, 2016).

[50] For instance, at the end of December 2015, the British Home Office had to recognise a bigger than ever backlog in pending decisions (initial decision, appeal or further review) for asylum applications received since April 2006 because of a restructuring of the UK Border Agency and a

granting depending on individual adjudicators, i.e., judge and court panel preferences (Hangartner et al., 2015), the lack of proper data[51] along with common cases of violence and illegal pushbacks,[52] all create a real picture which is the very opposite to what the law foresees.

I do not consider this to be accidental or a result simply of malfunctioning bureaucracies, mere human error or weakness. The body of hospitality law with its relation to the state, which must be maintained in order for it to be implemented (see Arendt's critique earlier), as well as its intricate connection with violence as the source of its own making[53] is the reason for the exacerbation of the Other's vulnerability and for her exposure to violence and possibly death. Recent policies and policy changes surrounding asylum and their official discourse (of the so-called "Fortress Europe" kind) create "a new social category of asylum seeker, increasingly portrayed as 'undeserving' in contrast to the 'deserving' refugee" (Sales, 2002:456). With "mainstream political debate hav[ing] been predicated on the notion that the majority of asylum seekers are 'bogus'" (Schuster and Solomos, 1999:64); with state policies

decrease in staffing levels (British Refugee Council, 2016).

[51] Little official detailed data is available and there are only a few large-scale quantitative studies. The data usually involve asylum seekers arriving and declaring themselves principal applicants, with no or limited date on the dependants accompanying them. Therefore, we can use the data to calculated the number of applicants who were or were not recognised as refugees, who were or were not given leave to remain. "We do not have information on the number of refused asylum seekers in the country at any one time, or on the number of those who entered the country as principal applicants for asylum and their dependants who remain in the country" (Aspinall and Watters, 2010:v).

[52] Border guards injuring and pushing back potential asylum seekers at the Turkish border with Syria; using rubber bullets against them at the Greek Border with Fyrom; asylum seekers trapped in no man's land in Hungary' asylum-seeking, migrant and refugee women facing higher levels of violence than native born women in Wales due to a variety of factors, such as age, language barriers, vulnerability, isolation, and poverty, are only a few of the acts of violence that have been recorded by NGOs in April (for instance Human Rights Watch, 2016a and others).

[53] I am referring here to Walter Benjamin's understanding of the law as produced through violence. In his *Critique of Violence* (2007), where Benjamin considers the legitimacy of violence and whether violence itself can ever be considered just, he explores natural law (which suggests that the justness of ends guarantees the justness of means) and positive law (which suggests that just means will always produce just ends), and finds them both lacking, since they are part of a tautological logic of means and ends used by the political state to justify its monopoly on violence. Since "the most elementary relationship within any legal system is that of ends to means", a standpoint outside both positive legal philosophy and natural law, from which acts of violence "within the sphere of means themselves" could be considered, must be found (2007:207–9). Looking for such a standpoint, Benjamin notes that the state's legal authority is based on the distinction between lawmaking or founding violence (*Rechtsetzende Gewalt*) and law-preserving or conserving violence (*Rechtserhaltlende Gewalt*), while the state itself is founded by an original violent act that precedes any state violence. Among these aspects of state violence, individual violence is prohibited not because it poses a threat to a certain rule or law but because it threatens the juridical order itself, putting the state monopoly in peril (2007:300).

increasingly preoccupied with control; with no national systems for the settlement of refugees; with the existing support systems, welfare or other, serving to isolate asylum seekers from mainstream society and promote intense social exclusion (Sales, 2002:457);[54] and with any inclusionary practices for officially recognised refugees limited or dependent on voluntary initiative (UNHCR, 2013), refugees, asylum seekers and migrants are legally failed on purpose.

Failures in and outside the law are further aggravated by more problems in terminology. Apart from the difficulties posed to the law and the broader hospitality framework by mixed migration (UNHCR, 2007),[55] other terms complicate the terminology issue further. The qualitative differentiation among "forced", "illegal", "irregular" and "undocumented"[56] migration denote, I believe, the slipperiness of terms and categories. Scheel and Squire, for instance, underline the less restricted agential capacity implied in the term "illegal migrant" through its assumed (yet contestable) illegitimacy in comparison to forced migration.

> The association of migration with criminality has occurred across wide-ranging regions, particularly since migrants increasingly resort to the services of smugglers under conditions marked by the closure of legal migratory options. In the UK and elsewhere, an emphasis on illegality has been more popularly adopted as a term of abuse, and widely conceived of as antithetical to the victimhood associated with forced migration. "Forced migrants" on this reading are not the same as "illegal migrants": the former are victims of their

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[54] As in the case of Britain through the voucher system and compulsory dispersal (Sales, ibid).

[55] UNHCR is using this term to refer to migrants and refugees travelling together, increasingly making use of the same routes and means of transport to get to an overseas destination, usually in dangerous and lethal ways. Locating endangered mixed migration movements in the Mediterranean basin, the Gulf of Aden, Central America and the Caribbean, South-east Asia and the Balkans, UNHCR launched in 2007 a 10-Point Plan of Action on Refugee Protection and Mixed Migration in order to help states address the resulting challenges.

[56] The International Organisation for Migration defines irregular migration in its glossary as the:

"Movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is entry, stay or work in a country without the necessary authorisation or documents required under immigration regulations. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfil the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term "illegal migration" to cases of smuggling of migrants and trafficking in persons." (IOM, 2015 available at https://www.iom.int/key-migration-terms)

circumstances, while the latter are deemed culpable for rendering the task of governing human mobility increasingly difficult (Scheel and Squire, 2014:188, I have removed all references).

One cannot help but think (as Scheel and Squire do, but also Zetter, 2007, Karakayali and Rigo, 2010, to whom, among others, they refer) that such labelling does not correspond to distinct social groups with separate characteristic figures. Leaving alone for the moment the question whether the Others thus labelled consider themselves to be what the label defines them as, different terminology, such as the one sampled above, corresponds more to "certain constellations of migration policy" (Karakayali and Rigo, 2010:129) and statal bureaucratic needs than it does to reality in itself. State mechanisms biopolitically observe, problematise, target and actively produce (Scheel and Squire, 2014:189) forced or illegal, labour or irregular or other migrant identities from a topdown position and according to political and bureaucratic needs.

Chadran Kukathas's inquiry into the morality of making such shady distinctions (2016:255) is resonant here. While his questioning is mostly focused on the moral distinction between refugees and immigrants, finding fault with the language of the 1951 Convention and other UN legal texts, and concluding that the distinction is impossible (Kukathas, 2016:261), I believe that his doubt can be validly extended to all distinctions and categorisations affecting the ethics of hospitality. How is it ethically defendable to unquestioningly uphold a system based on a biased prevalence of the host/ protection providing Self towards a stranger/ protection receiver Other? I think it is not. As such, the Other remains an ethically non-recognised subject.

Having proven that categories are slippery, overlapping and permeable; that they are constructed in the benefit of the provider of protection and not for the Other who needs it; and that protection has receded, giving its space to vitiated practices of control (Agier, 2011b:11–12) which put the Other, stranger, foreigner, migrant of any stature in peril of death, I think it is fair to say that we are left with no ethics of hospitality worthy of the name. It is true that challenging or doing away with categories may risk a further blurring in the accountability of said violent practices. However, it is ethical to cultivate an ethical sensibility towards the Other "by asking questions about things that still do not have a name" (Papadopoulos, Stephenson and

Tsianos, 2008:xiii). In the following section I ask the question of the Other who has no name.

1.3.3 Abject other and biopolitics

What is this ethically non-recognised subject? As seen earlier, Bauman thinks that she is a figure who does not hold any particular existential traits but is instead constituted by the self and modern society (Bauman, 2003). As such she is considered to be a form of human waste, supernumerary, a scapegoat and a pariah to the society, bare life caught between the inside and the outside of the sovereign state, the *Muselmann* of the camp, a person able to go unmissed or be categorised in a multitude of ways that do not correspond to her own perception of self or even her objective external state. She is the abject Other.

In a contrapuntal movement to Lacan's "object of desire", where an object enables the subject to coordinate her desires and to create meaning, and thus allows the intersubjective community to exist, Julia Kristeva (1982) describes the abject as something beyond the subject/object binary, and she points to a threatened breakdown of meaning and of community caused by this exact lack of binary distinction. With no distinction between subject and object or between Self and Other, the abject is neither object nor subject and as such "is radically excluded" (Kristeva, 1982:2). It is linked to "what disturbs identity, system, order. What does not respect borders, positions, rules" (1982:4).

> Abjection suggests rejection of all that which horrifies in the self and in other. It might be located in art, just as it is manifest in racism and xenophobia, in representations of the "monstrous" other, in the dehumanising spaces of incarceration wherein the other is the very corporeality of rejection and denial (Jabri, 2009:231).

Moving away from these psychoanalytic connotations and focusing on political and ethical theorisations, the figure of the abject Other can be seen in the liminal figures[57]

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[57] Liminality is a concept borrowed from an earlier work by Arnold Van Gennep (1960), who discussed the in-between moments of rites of passages in tribes, developing the idea at great length and in multifaceted ways that cannot be fully explored here. The main idea is that liminality, along

explored extensively in the biopolitical framework, as in the case of Agamben's bare life.

Agamben catches up with this biopolitical configuration of the abject Other, following up on Arendt's hints concerning the link between the rights of man and the nation-state and her critique of the human rights declaration, which he will later elaborate in his consideration of the birth-nation and man-citizen link, seeing in them the originary figure of the inscription of natural life in the juridico-political order discussed earlier in this chapter (Agamben, 1998:127). However, while, as has been seen already, for Arendt the critical discussion of human rights aims at the eventual inclusion of the Other in society, for Agamben the situation is different: "the instrumental emphasis on the rights of man and the rapid growth of declarations and agreements on the part of international organizations have ultimately made any authentic understanding of the historical significance of the phenomenon almost impossible" (Agamben, 1998:127). Humanitarianism and relevant declarations present human rights as "proclamations of eternal, metajuridical values binding the legislator (in fact, without much success) to respect eternal ethical principles", keeping us from seeing them in their true historical dimension regarding the role they play in the nation-state: that of inscribing "bare life" "in the nation-state's juridico-political order", making it therefore part of the structure of "the earthly foundation of the state's legitimacy and sovereignty" (ibid.). "Whereas Arendt sees potential in a different adaptation of human rights, Agamben sees human rights as part and parcel of a totalizing infringement of the political sphere over 'bare life'" (Hemel, 2008:18).

Agamben argues that the figure of the refugee, being excluded from humanity, is no longer an exception in our current paradigm. On the contrary, "man-as-citizen is completely taken up in an omnipresent power-structure determined by the nation state": because the power situation determines our very structure of being, the refugee shows how our current paradigm is dominated by a hold over life that actively strips the excluded of their right to be human (ibid.).

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with marginality and structural inferiority, constitutes and provokes cultural forms, which in turn provide men with templates of models which reclassify man's relationship with society, nature, and culture, inciting him to action as well as thought.

The concept of the refugee, (and the figure of life that this concept represents) must be resolutely separated from the concept of the rights of man (...). The refugee must be considered for what he is: nothing less than a limit concept that radically calls into question the fundamental categories of the nation state, from the birth-nation to the man-citizen link, and that thereby makes it possible to clear the way for a long-overdue renewal of categories in the service of a politics in which bare life is no longer separated and excepted, either in the state order or in the figure of human rights (Agamben 1998: 134).

Inclusion and integration in a host community is no longer possible in modernity: "we are all refugees". Since birth is automatically linked with state/ nation/ territory, "there is no autonomous space within the political order of the nation-state for something like the pure man in himself"; nativity or birth (that is, bare human life) is made into the foundation of the nation-state's own sovereignty (Agamben, 1995:116).

According to Agamben, a long procedure, dating back as far as 1679 and the writ of *habeas corpus*, where the lives of individuals became increasingly inscribed within the state order through diverse biopolitical techniques,[58] gave birth to *homo sacer*,[59] a Latin term for "the accursed man", a figure of archaic Roman law, which for Agamben designates an individual that may be killed by anyone without any legal repercussions since he or she had already been banned from the juridical-political community. This "sacred man" is reduced to mere physical existence, thus embodying the concept of

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[58] Like the ones described by Foucault, whom Agamben relies on heavily, and seen earlier in this chapter: techniques that influenced the instruments of regulation (e.g. the police, prison system) and of the technologies of the self (health, reproduction).

[59] Homo sacer and bare life are the main Agambenian concepts and belong to what is known as the Homo Sacer series, which consists of four volumes and eight or nine books in total (not written in a strict chronological order). The series shows Agamben's insistence on working out the contours of his biopolitical project. His first reference to homo sacer is in *Language and Death* (1982/2006). The Homo Sacer series contains:

     I: *Homo Sacer: Sovereign Power and Bare Life* (1995/1998)

     II, 1: *State of Exception* 2003/2005)

     II, 2: *The Kingdom and the Glory: For a Theological Genealogy of Economy and Government* (2007/2011)

     II, 3: *The Sacrament of Language: An Archaeology of the Oath* (2008/2013)

     II, 5: *Opus Dei. An Archaeology of Duty* (2012/2013)

     III: *Remnants of Auschwitz: The Witness and the Archive* (1998/1999)

     IV, 1: *The Highest Poverty. Monastic Rules and Form-of-Life* (2011/2013)

     IV, 2: *The Use of Bodies* (forthcoming)

     (II, 4 is missing without being clarified whether it is to be expected)

"bare life" and providing the basis for the rule of sovereignty, since the sovereign body does not decide simply over the life and death of human beings as in the past, but over who will be recognised as a human being at all.

Understood in this way, biopower and its politics, biopolitics, extend a long way back, like a river running "its course in a hidden but continuous fashion" (1998:21) before they surface in the 20th century's totalitarian regimes and later in its mass democratic states. In the case of the camp, bare life is incarnated in the figure of the Muselmann, the Nazi concentration camp internee who had reached such a state of physical debility that "one hesitates to call them living: one hesitates to call their death death" (Levi, 1989:90, also cited in Agamben, 1999:44).[60] As is to be expected, this long procedure does not stop here. If the stranger, the stateless, the refugee are the *homines sacri par excellence*, this does not mean the remaining categories have escaped such danger. For Agamben (1995), we are all in essence and in a latent form refugees and *homines sacri*, exposed to the violence and arbitrariness of sovereign power. From this perspective, "all citizens can be said (...) to appear virtually as *homines sacri*" and their production as such is a constitutive but unrecognised part of politics (Agamben, 1998:111).[61] Even citizens, the people of a state and within a state, are not exempt. Citizenship or other rights do not shield them from the biopolitical fate of naked life. We are all refugees (Agamben, 1995).

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[60] The full quote being: "The *Muselmänner*, the drowned form the backbone of the camp, an anonymous mass, continually renewed and always identical, of non-men who march and labour in silence, the divine spark dead within them, already too empty to really suffer. One hesitates to call them living: one hesitates to call their death death" (Levi, 1989:90).

[61] As Edkins and Pin-Fat note, the way Agamben relates bare life to Foucault's biopower has been contentious (Edkins and Pin-Fat, 2005:6). Many scholars (Lemke, 2005; Ojakangas, 2005; Dillon, 2005; Bull, 2007) have been critical of the use of "*biopouvoir*" by Agamben, focusing on the difference between Agamben's and Foucault's use of the term with regards to sovereignty. Apart from considering biopower and biopolitics to be more recent than Agamben does, Foucault distinguishes between biopolitics and sovereignty, highlighting the importance of the former to stress the productive capacity of power, which cannot be reduced to the ancient sovereign "right over life and death" (Lemke, 2005:3, Ojakangas, 2005:6). Foucauldian biopower is about optimizing life, rendering it healthier and more productive and useful, not reducing it to bare life, but instead focusing on the productive value of individuals and populations. This kind of life cannot be grasped by the Agambenian notion of bare life: given that for Foucault life is the object and the subject of biopower, it is everywhere, from the nutritive life to the intellectual life, from the biological levels of life to the political existence of man. Consequently, sovereignty and bio-power are antithetical and cannot converge as they do in Agamben's schema: "biopower is the antithesis of sovereign power, its concept of life is the antithesis of bare life", argues Ojakangas (2005:11). The modern paradigm for Foucault could not therefore be the concentration camp. If a paradigm had to be found, this could perhaps be the welfare system.

Conclusion

The conceptual history attempted does not yield the evidence to support either a narrative of progress in the implementation of more open and welcoming hospitality practices, nor an opposite regressive route. Traditionally under the auspices either of the religion or the state, the concept of hospitality has been legally defined by natural law scholars often in relation with the notion of a global moral commonwealth. In this context, it needed to fulfil certain criteria, among which there was the lack of any danger that the foreigner, to whom hospitality is offered, could harm us. Embedded either in property or communication, in the universal brotherhood of the French Revolution or in the Kantian cosmopolitan right, hospitality is caught in a constant antithetical relation between the theory of an opening to the Other and an exclusionary praxis.

The creation of a stranger Other, constitutive of Self identity is accentuated in the 20th century by a biopolitical turn in matters of hospitality. The categories of Otherness that ensue in IR and IPT remain in need of clarification with an eye to address the non-ethically recognised subject who, as such, is more vulnerable to violence. Having discussed the abject liminal Other and her biopolitical nature, and some of the critiques against the intricacies of Agamben's definitions, which I cannot examine in further detail here, the need for the theorisation of a liminal and not clearly categorisable Other is, I believe, already evident. The category of liminal and abject figures who are "considered to be of no use to us, only burdening us with obligations, like useless mouths" (De Beauvoir, 1983) and who are depersonalised and excluded, is what different terms, like the ones already mentioned, but also Edkin's *missing missing* (Edkins, 2011), *the non-insured surplus life* (Duffield, 2007), the *liminal figure* (Mälksoo, 2012) and the *undecidable* (Bauman, 1991), are trying to convey. The multitude of these terms, which keep cropping up in contemporary theory, point, I believe, to the need for a new and broader category of the liminal person in society. Such a broader category is also necessary if the ethics of hospitality that I am proposing is to make sense. Given the current lack of such category, I will be referring to the figure of the irregular and undocumented migrant when I use "the Other" in the rest of this work (as I have already indicated in the introduction). In the following chapter, I am looking at issues of exclusion but also of subjectivity, constituted by a relation of responsibility towards the Other in IR and IPT ethical thinking.

2 / THE NORMATIVE TURN IN IR. THE ETHICS OF HOSPITALITY IN IR LITERATURE

Introduction

Explicitly or implicitly prescriptive, normative theory is mainly concerned with interpreting, challenging and ideally improving the organisation and conduct of international actors, i.e., states, institutions and individuals (Hutchings, 1999:1–27). There has been a lot of debate about the normative aspects of International Relations (IR) and whether there has been a recent revival of interest in ethical arguments in the discipline. From "old agenda" concerns such as war and violence to "new agenda" ones such as questions of international distributive justice (Brown, 1992:3) and for reasons ranging from strictly national interests to global interdependence, the premise is that international actors are faced with the essential ethical question: what ought we to do in circumstances like these? (Frost, 2008) Despite historical developments, new forms of warfare, different kinds of crises and the changing hierarchy of international concerns, the ethical "ought to" question traditionally refers to states, institutions and individuals as citizens (a state's own or foreign). With regard to border crossing and hospitality in general, ethics of migration, ethics of movement and membership are the usual normative categories that encompass them. The main issues involve questions of rights (immigration and / or free movement as human right), state responsibility and special obligations deriving from international law, issues of citizenship and selection criteria for membership, and the issues of categorisation of migrants, like the ones addressed in 1.3.2 above with an emphasis on labour migration.[62] Liminal, abject figures such as the ones also seen in the previous part, which are central to the ethics of hospitality, are rarely taken into account in the chief IR debates; and this is something I will be addressing later in this chapter.

First, I believe it is necessary to start by exploring what has come to be called the normative or the ethical turn in International Relations, and to seek to address the lack of any extensive reference to the ethics of hospitality. This will be done in the first

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[62] A random check of the most recent volumes on matters of migration, such as Sarah Fine and Lea Ypi's *Migration in Political Theory: the Ethics of Movement and Membership* (2016) and Alex Sager's *The Ethics and Politics of Immigration* (2016) (as well the slightly older but seminal *The Ethics of Immigration* by Joseph Carens (2013)) present and focus on these exact topics.

section of this chapter. The rest of the chapter will attempt to justify the use of poststructuralist approaches in the body of the thesis, focusing on issues relevant to hospitality and making the case against human rights and neo-Kantian ethics literature, critiquing their failure to properly consider hospitality and arguing in favour a poststructuralist approach. It will proceed in five stages. It will first look at ethics in IR and the supposed unease (Nardin, 2008:594) with which mainstream IR engages with ethics beyond the level of simple prescription. In continuing, I will be focusing on the specific relation of IR and IPT with borders and on rights relating to movement of persons. Moving on from borders and rights of movement, in the third part I will look more specifically at other neo-Kantian approaches that contribute to the question of hospitality, namely distributive justice and justice as equality and membership. The fourth part will present the poststructuralist approach to ethics and hospitality, suggesting that it rectifies what seems to be missing from the previous ethical approaches, namely the consideration of an ethical subjectivity deriving from the relation with the figure of the stranger Other and the responsibility towards her. Recognising its importance for my own project, I focus in the conclusion on what I consider the two main drawbacks in IR poststructuralist thought when it comes to creating a proper ethics of hospitality: the way in which it deals with the third in Levinas and its insistence that, for hospitality to matter, there must first exist a border – a view which discounts the possibility of an autoimmunitary ethics of hospitality.

2.1 IR and ethics

The speculation about the normative turn in IR is vast. Depending on the approach, the normative or ethical turn is still underway; never took place; happened 30 years ago; in the years after the fall of the Berlin Wall; or post-9/11. Stanley Hoffmann positions it in the mid-1980s (1988:28), Mervyn Frost, writing in 1998, thinks that it still has not been taken, but that the then-recent developments "may have opened up the possibility for the taking of the normative turn", (1998:119) while Chris Brown has often argued that there is not really a turn to be taken. Contrary to appearances, argues Brown, the idea that the normative turn is something new is in itself problematic: IR has always been imbued by ethical concerns, as can be seen both by the English School and Morgenthau's fifth principle of political realism.[63] The idea of

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[63] The fifth principle of political realism stipulates: "Political realism refuses to identify the moral aspirations of a particular nation with the moral laws that govern the universe. As it distinguishes

such an ethical turn is more a reaction to Waltzian structural realism and the anarchic *problematique* than anything else.[64] Having said that, Brown does admit that ethics "as a project" has shifted from the margins of IR theory towards a more central position (Brown, 1992), but he believes that it still remains far from the centre, since IR scholars in their discussion on a range of issues "for the most part" keep "(…) their ethical stances concealed under a disguise of scientific objectivity" (Frost, 1998:119).

Increasing preoccupation with individual human rights, issues of distributive justice, humanitarian intervention, immigration and as of late with terrorism is suggested to be the force behind this normative turn. Whilst such reorientation would seem normal, since "humans are always confronted with the imperative of [ethical] action" (Frost 1998:122), this could not be said for mainstream IR scholarly work. The positivist bias in the discipline, which relies on a strong fact vs. value distinction, has tended to set the task of IR scholars: that task is to explain events in world politics through the use of "covering laws, which are grounded, in the final instance, in observable factual data" (Frost, 1998:123). This is the scientific objectivity mentioned above. In addition, a general scepticism in the discipline with regards to the epistemological status of value judgments, which are "generally presented as being subjective, arbitrary, relative, and not based on anything approaching the firm foundation of observable

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between truth and opinion, so it distinguishes between truth and idolatry. All nations are tempted- and few have been able to resist the temptation for long-to clothe their own particular aspirations and actions in the moral purposes of the universe. To know that nations are subject to the moral law is one thing, while to pretend to know with certainty what is good and evil in the relations among nations is quite another. There is a world of difference between the belief that all nations stand under the judgment of God, inscrutable to the human mind, and the blasphemous conviction that God is always on one's side and that what one wills oneself cannot fail to be willed by God also.

The lighthearted equation between a particular nationalism and the counsels of Providence is morally indefensible, for it is that very sin of pride against which the Greek tragedians and the Biblical prophets have warned rulers and ruled. That equation is also politically pernicious, for it is liable to engender the distortion in judgment which, in the blindness of crusading frenzy, destroys nations and civilizations-in the name of moral principle, ideal, or God himself.

On the other hand, it is exactly the concept of interest defined in terms of power that saves us from both that moral excess and that political folly. For if we look at all nations, our own included, as political entities pursuing their respective interests defined in terms of power, we are able to do justice to all of them. And we are able to do justice to all of them in a dual sense: We are able to judge other nations as we judge our own and, having judged them in this fashion, we are then capable of pursuing policies that respect the interests of other nations, while protecting and promoting those of our own. Moderation in policy cannot fail to reflect the moderation of moral judgment" (Morgenthau. 1978:13-15).

[64] See King's College London New War Studies at 50 podcast, 'Ethics and War Studies' with Chris Brown and Mervyn Frost, May 2012, available at http://warstudies.podomatic.com/entry/2012-05-25T05_43_35-07_00, last visited on 18 January 2013.

data which underpin factual judgments" (Frost, 1996), have undermined discussions about the relation of ethics and IR. Statements and work in ethics were and sometimes still are considered "soft" in a broad sense since they cannot be empirically tested. Thus, the tendency to rename UK higher education courses on "ethics" as "international political theory", as if these were synonyms, ought to come as no surprise. Finally, mainstream IR's focus on a Hobbesian understanding of sovereignty tends to juxtapose "ethics" with "international affairs", which are consequently defined in mutually exclusive terms (Walker, 1993).

However, such an approach is often criticised and is found to be lacking. Interpretations of world affairs and international-relations studies, which do not take into account the norms of the actors being studied, are considered deficient, while norms are presented at the same time as important variables, which should not be overlooked. Emphasis on moral duties and obligations, the freedom of the moral agent and voluntary actions – i.e., the use of a Kantian or deontological theoretical framework – to deduce said norms is also deemed problematic. This is not only because "the inclusion of norms in explanations still falls short of a serious engagement with normative questions" (Frost, 1998), but mainly because such law-based approaches presuppose that norms are universal and inherently moral by definition. This Kantian view of a universal moral system is materialised in the form of rights, which in their turn are safeguarded by states.

Considering both approaches, Terry Nardin maintains that IR shows a certain unease in regards to ethics (2008:594–611). For Nardin, it should be considered as a subfield of IR, and he argues that its presence in the field is rather recent (though he avoids speaking of turns and exact dates). Instead he presents international ethics (all lowercase) as a relative newcomer to the field of IR, with the first books dealing specifically with the subject appearing only in the mid-1980s, consolidating a literature that had earlier begun to accumulate as a reaction to substantive questions posed by events such as the Vietnam War and famine in Africa.[65] Given this fact, international ethics in IR constitute, according to Nardin, a branch of applied ethics,

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[65] Nardin mentions Beitz et al. in 1985 as the first edited volume speaking of IR and ethics per se; the previous literature is asserted to consist of Wasseerstrom, 1970; Cohen, Nagel, & Scanlon, 1974; Walzer, 1983 among others.

whose aim is to guide and advise public policy. This, as he himself recognises, is problematic. The reason why is that it turns ethics into a technical subject where philosophers become "possessors of the relevant expertise" and political philosophy a mere extension of moral philosophy, what Bernard Williams calls "political amoralism" (2005). Other problems lie in the implication that "public policy should be guided and judged by the same principles that govern individual conduct" and that the aim of international ethics scholarship "is to prescribe rather than to understand" (2008:595–6).

In his discussion Nardin seeks, as others have done, to explore the possible basis of ethics: interests, agreement, rights and morality. Recognising that "the language of rights is vulnerable to inflation as interests are promoted to rights", he concludes that the most important, the superior basis for ethics is justice (2008:597–608), which is understood to be connected with *enforceable* duties towards others (my emphasis). Whilst he seems to recognise the limited scope of such understanding, he insists on this feature as distinguishing justice from beneficence (a duty but not a duty of justice since it is not enforceable) and from moral duties (which one may have but cannot be *compelled to perform* – Nardin's emphasis, 2008:601). The question of course arises: what of the duties that are not enforceable? Does their un-enforceability make them less ethical? And is it not enforceability defined by a legal framework that ethics should seek to inform? One cannot fail but detect a contradiction in Nardin's effort to marry a limited understanding of justice and justice as the best basis for ethics: "[Justice] is a discourse not about what is in fact lawful within a given legal order but about what moral prescriptions it would be proper to make legal" (ibid.). Therefore, questions intrinsic to hospitality such as sovereignty and its limits, cultural pluralism, freedom of movement, economic inequality and the use of force "can be brought within an integrated theoretical framework" (Nardin 2005; 2006, cited in Nardin, 2008:601). However, these prescriptions should be calculated against "inviting certain failure or incurring excessive costs". We come full circle to considering interests as the basis of ethics, despite the commitment to keep moral considerations "distinct from those of economics, strategy, and prudence" (2008:609).

In a very similar vein, Chris Brown adds another layer to the debate of normative prescriptions by emphasising the rift between cosmopolitan and communitarian

approaches (1992). Finding the label "ethics" problematic in itself and opting for IPT instead, Brown argues that cosmopolitanism is represented by Enlightenment thinkers such as Kant and has the rational individual and universal humanity as its ethical points of reference, whereas communitarianism is positioned within the counter-Enlightenment movements of Idealism or Romanticism and the writings of their authors such as Rousseau, Hegel and Mill, who see particular preestablished relations and communities, often in the form of states, as the core of and basis for ethics (Brown, 1992). As Fiona Robinson correctly notes, "the central normative debate in international relations has been, and continues to be, over our obligations, identities, and responsibilities as citizens of nation-states" and those as human beings (1999:73), underlying a "fragmented moral experience" of our "double existence as men [sic] and citizens" and "the dichotomy between citizenship and humanity" (Linklater, 1982:36–7). This dichotomy is for Brown an analytical classificatory tool ordering IR theory, which is more or less inclusive for the modern age (1992:27) and from which political theories and positions can be formulated (1992:75–6).[66] He tests this by applying it to what he considers the three main agendas of normative IR: state autonomy, distributive justice and the use of force (1992:102–3); normative IR and IPT are thus called to address specific dilemmas and actions through cosmopolitan and / or communitarians lenses, adjusting theory to a very specific, already pre-decided, binary framework. Explicit questions of Otherness, hospitality and borders do not appear in these three main agendas, either as primary or secondary concerns.

It would not be surprising to assume that such a binary set up is destined to result in a deadlock; Brown himself readily admits that reaching a decision is not only painstakingly difficult but more often than not controversial, since there is a real clash of values involved, rendering ethical questions regarding the use of violence and state autonomy (to name a few issues of the three main agendas) unanswerable (1992:126, 183). Robinson picks up on this, finding this dichotomy to "obscure any way of moving forward", offering us "neither an adequate method of critique nor a practical way forward" (1999:75). R.B.J. Walker similarly finds such debate to be "rather stale" (2003:273) where participants tend to forget how history and their own analyses are

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[66] Brown supports this by adding that "all variants of international relations theory can be seen as falling into one or the other camp without too much violence being done to the intentions of the theorist" (ibid.).

often constitutive of the problem they are trying to address (2003:283). That is to say, the respective cosmopolitan and communitarian narratives are historically and theoretically constituted as the mirror-opposite of each other, in such a way that the supposedly desired intersection between politics and ethics that they are attempting will always be impossible, especially given the fact that IR is firmly ethically situated within the principle of state sovereignty (Walker, 1993). For Walker, state sovereignty is conceived by IR theory as both a question and an answer (1993:66), "that is, both as an originating source of questions of normativity in the international realm, and an answer, already expressed within its ontological categorisation, that ethical possibility is situated solely in the sovereign realm of politics" (O'Louglin, 2014:31). State sovereignty

> embodies an historically specific account of ethical possibility in the form of an answer to questions about the nature and location of political community. Specifically, the principle of state sovereignty offers both a spatial and a temporal resolution to questions about what political community can be, given the priority of citizenship and particularity over all universalist claims to a common human identity (Walker, 1993:62).

As such, ethical responsibility and decision towards the Other is always circumvented by the limits of state action and borders: "within states, universalist aspirations to the good, the true and beautiful may be realisable, but only within a spatially delimited territory" (ibid).

Therefore, according to Brown's schema (the one generally accepted in mainstream IR theory), on one hand Kantian ethics "tells us what ought to be rather than what is", through pronouncements "suitable only for ideally rational, individuated, similar agents", and on the other, "communitarian ethics appears to tell us what is and, often, that this is indeed how things ought to be", showing "a disturbing moral complacency about the configuration of moral boundaries", with both approaches aiming in essence to make the case for universally applicable principles,[67] whether these are derived from

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[67] While ethics of the communitarian kind will not interest me here, it is worth highlighting that they too presuppose some notion of universal truth in their conception of the state as the most important community, whose members are united by a common moral identity. On this, see Robinson, 1999:73 but also Cochran, 1999.

a common humanity or from the ethical prioritization of one's own community.

Antifoundational approaches, like poststructuralism, attempt to transcend the cosmopolitan/communitarian binary and reconfigure the question of universality. Brown acknowledges this but dismisses them because, as he argues, "rather better reasons than those offered by Derrida or Barthes would be required before most people would be prepared to throw overboard the social thought of two-and-a-half millennia" (1992:235). While poststructuralism neither suggests the overthrow of philosophical social thought nor of course offer reasons for such an overthrow, Brown's is a quite common stance towards poststructuralism in IR, as well as in other disciplines: it has often been pejoratively associated with forms of relativism, scepticism and nihilism (Popke, 2003:299). In worse cases, it is seen as a self-indulgent practice in performative games of language, inconclusive or not up to the task of the ethical enquiry. The poststructuralist critique of foundationalism and universalism and its attempts to theoretically challenge or even dismantle "normative" understandings of ethics are the source of such critiques, which are not only harsh but which, more importantly according to this thesis, are missing the point. I argue that, as has been asserted elsewhere (Bauman, 1993; Braidotti, 2008), poststructuralism's sense of ethics lies exactly in this introduction of doubt and instability, in its focus on the undecidability of the ethical decision, and in its insistence on exploring the roles of multiplicity and power in meaning, reality, truth and knowledge. This does not mean that any possibility for the accomplishment of justice is foreclosed – another very common interpretation, this time also by readers sympathetic to poststructuralism (and deconstruction). Speaking of the impossibility of justice means for Derrida also committing to its possibility (Bankovsky, 2012:5); the impossibility referred to is another form of doubt and reflection, of putting justice into question by poststructuralism. As self-evident, value-free, objective, scientific and universalised, ethical paradigms are thus put into question and destabilised, with the aim of exploring the natural limits to our thought (Zehfuss 2002:246), resulting often in open-ended resolutions or what Campbell and Shapiro (1999:xi) refer to as "an ethics of encounter without a commitment to resolution or closure".

Poststructuralism, and poststructuralist ethics by extension, does all this

in order to show that these things [concepts considered natural and obvious] have their history, their reasons for being the way they are, their effects on what follows from them, and that the starting point is not a (natural) given but a (cultural) construct, usually blind to itself (Johnson quoted in Edkins and Vaughan-Williams, 1999:74).

As a result, all assumptions about and representations of reality are politically laden (Zehfuss, 2002:196–249). Poststructuralism emphasises this political character in order to undermine the rationalist-positivist bias of philosophical realism and traditional ethics. Using approaches such as the Foucauldian archaeology and genealogy (1977; 1989) and the Derridean deconstruction (1990), it seeks to unearth, trace and reconceptualise concepts, which are taken for granted, such as the state (Edkins and Vaughan-Williams, 1999:2–5), and the sovereign subject.

Conventional accounts of ethics in IR are seen thus to

depend on the notion of a prior and autonomous sovereign subjectivity (whether it be the individual, the state, or some other corporate actor) deploying either a supposedly universal moral code (the deontological view) or muddling through their situation in order to achieve what might be thought of as the best possible outcome (the consequentialist account) (Campbell and Shapiro 1999:viii).

Poststructuralist approaches challenge this unified conceptualisation of the sovereign and the ethical subject in numerous ways: whereas IR poststructuralist scholarship borrows mostly elements from Levinas' and Derrida's thought on the importance of identity, subjectivity, and difference (or *différance*) with regards to the Other, poststructuralist thought at large has much more to say about the subject, especially in its French "moment".[68] From "Deleuze's ethics of *amor fati* (1992; 1995), Irigaray's

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[68] Alain Badiou speaks of a French philosophical moment: "[W]ithin philosophy there exist powerful cultural and national particularities. There are what we might call moments of philosophy, in space and in time. Philosophy is thus both a universal aim of reason and, simultaneously, one that manifests itself in completely specific moments. Let us take the example of two especially intense and well-known philosophical instances. First, that of classical Greek philosophy between Parmenides and Aristotle, from the 5th to the 3rd centuries BC: a highly inventive, foundational moment, ultimately quite short-lived. Second, that of German idealism

ethics of sexual difference (1984), Foucault's search for the ethical relationship (1976; 1977; 1984a,b), (...) [to] the established tradition of Lacanian ethics of psychoanalysis, which defends intersubjectivity" (Braidotti, 2008:26),[69] the issue of subjectivity and especially ethical subjectivity stands at the forefront of the issues on which poststructuralism focuses. A poststructuralist ethical position, as I understand it, is not to be found (only, at least) in the realms of human rights, like the ones seen below in 2.2 or in distributive justice (2.3), i.e., in a liberal individual definition of the subject that exists before rules and norms are applied to her; on the contrary, I agree with Braidotti that such "a definition hinders the development of modes of ethical behaviour that respond to the contradictions of our era" (ibid.), contradictions emphasised in the issue of hospitality, as for instance the current "refugee crisis" accentuates. Instead, it lies in questioning, deconstructing and deterritorialising the mainstream visions of the said subject, in lingering on the threshold of the ethical decision and in conceiving responsibility through the addressing of the Other. "The ethics of poststructuralism is located in and through the construction of subjectivity" (Der Derian, 1997:58) and in a reconceptualisation of the responsibility to the Other.

I explore this in greater detail and in closer connection to hospitality in the last part of this chapter. Suffice it here to say that the reason I am basing my conceptualisation of an autoimmunitary ethics of hospitality on previous IR work on poststructuralist ethics is my belief that, at least in the case of hospitality, border crossings and treatment of undocumented or irregular migrants, traditional, normative IR approaches have to a great extent failed. I argue that having ethical concerns codified as applied ethics (in an advisory role to public policy) or in a legal apparatus (human rights, international law, etc.) may not have diminished the breadth of suffering, violence, brutality and conflict as much as possible – especially in times of crisis. More often than not, the plight of migrating individuals caught in such situations of extreme suffering is made worse by the fact that normative and legal frameworks of protection

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between Kant and Hegel, via Fichte and Schelling: another exceptional philosophical moment, from the late 18th to the early 19th centuries, intensely creative and condensed within an even shorter timespan. I propose to defend a further national and historical thesis: there was-or there is, depending where I put myself-a French philosophical moment of the second half of the 20th century which, *toute proportion gardée*, bears comparison to the examples of classical Greece and enlightenment Germany." (2005), last visited on https://newleftreview-org.gate3.library.lse.ac.uk/II/35/alain-badiou-the-adventure-of-french-philosophy on January 12th, 2016.

[69] See also Nancy (Fagan, 2013)

are at play. The increasingly militarised framework of current hospitality practices in the European space is a case in point: this framework is assisted and legitimised by a normative discourse of quotas and brain drain, categorising distinctions between refugees and migrants, and specific police-like forces like Frontex, all of which are based on a rather strict state-centred conceptual agenda. Different approaches that may challenge such normative human rights-based and applied ethics hospitality-apparatuses are often considered utopian and relegated to the level of the individual, as well as solidarity and voluntary networks. Before I return to this in 2.4, I will examine in more detail the approaches to hospitality, which I find lacking.

2.2 IPT and the case of borders

Issues of borders, especially in their relation with sovereignty, and issues of responsibility towards the stranger, whether individual, institutional or statal, have constituted important parts of on-going theoretical discussions in IR. The term hospitality rarely if ever appears,[70] despite the neo-Kantian nature of some of these discussions. Kant's understanding of hospitality is presented and briefly addressed (Benhabib, 2004b; Seglow, 2005; O'Neill, 2008) but is seldom followed up in contemporary IPT. Systematic discussions around hospitality are therefore rare, and in the attempt to elicit any indices of hospitality in contemporary political theory, one cannot but address ethics of migration, as well as the more general discussions taking place around it, such as those regarding border crossing and management, issues of citizenship, as well as issues of global redistributive justice, where hospitality may appear in the guise of issues of migration. In regards to this scarcity of analysis, Veit Bader suggests that

> historically, moral and political philosophers and political theorists have rarely discussed migration; none developed a coherent ethics of migration. Only in the past thirty years have theorists begun to think about the issue, but still we do not have any comprehensive and systematic treatment (2005:331).

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[70] Some exceptions are works by Dan Bulley (2006; 2009;), Gideon Baker (2009; 2010a; 2010b) and, without referring explicitly to hospitality, David Campbell and Michael J. Shapiro (eds.) (1999). I am referring here only to works addressing Derridean ethics of hospitality – not those undertaken under the umbrella of a Derridean homage (as for example M. Fagan et al (eds.) (2007) *Derrida: Negotiating the Legacy*).

Bader, like most other scholars that attempt a literature review of migration, starts off with Henry Sidgwick's early 20th-century "first systematic treatment of issues of membership, exit, and entry", i.e., his book *The Elements of Politics* (1908), only then quickly to jump to the 1980s in order to refer to the works of Michael Walzer, Joseph Carens and later on to John Rawl's *Law of Peoples*, the latter's implications for the global justice debate in general and the influence, positive or negative, on his "successors" in particular.

More concretely, when considering the debates around the ethics of migration, Bader (2005) distinguishes roughly between universalist (or moral cosmopolitan, globalist, impartialist) and particularist approaches, dividing universalist approaches into "(i) utilitarianism focusing on happiness, utility, or, more recently and promisingly, welfare or basic needs" (he is here considering Peter Singer and Robert Goodwin); "(ii) More deontological approaches, stressing different varieties of equal rights of all human beings, like libertarian property or natural rights or the different varieties of egalitarian liberalism or basic rights" (under this subcategory he is considering Hillel Steiner and Cecile Fabre for libertarian property, Anne Dummet for natural rights, John Rawls, Charles Beitz, Thomas Pogge, Brian Barry, Joseph Carens, Simon Caney and M. Freeman for what he calls "the different varieties of egalitarian liberalism") and, finally, Henry Shue for basic rights. He calls his third and last universalist subcategory "more duty- and virtue-oriented approaches like O'Neill's" (335). Particularist approaches are presented in an equally diversified manner in his article, but given that they stand opposed to issues of open borders and responsibilities/duties of hospitality, they will not be examined here.

While widely encompassing, Bader's categorization in a way fails to take into account the tensions among moral and legal cosmopolitanism, globalist and neo-Kantian subcategories of his "universalist" approach, whilst he does not sketch fully the theoretical move towards the prevalence of global social justice (such as the Pogge account) when addressing issues of hospitality in contemporary IPT. With the case for open borders waning (Carens' relevant article is now more than 25 years old, while neo-Kantians like Benhabib and O'Neill either fail to present a detailed alternative or fall silent, leaving only Philip Cole to the task) and with the discussion about free

movement becoming deadlocked in practical questions of quotas, policies, etc., the incorporation of migration issues into the global redistributive justice debate has come to appear as the only viable narrative.

As briefly mentioned above, it is not the aim of this work to analyse the case for closed borders. Taking for granted that ethics of hospitality is located within the discussions for (more) open borders, its aim is instead to focus on the weaknesses of these discussions, their contradictions and their overall problems. Therefore, the first part of the rest of the chapter will be structured along these lines: it will first look at what is considered to be the seminal works on (ethics of) migration in IPT (Walzer and Carens). It will next focus on the attempt to construct an ethics of migration around the right of free movement and the right to leave, and in continuation it will explore how issues of migration are incorporated in the discussions of global justice, other neo-Kantian approaches and Philip Cole's work.

2.2.1 *In the beginning was the border*

> Affluent and free countries are like elite universities; they are besieged by applicants. They have to decide on their own size and character. Whom should they admit? Ought they to have open admissions? Can they choose among applicants? What are the appropriate criteria for distributing membership? (Walzer 1981:2)

While the analogy drawn with universities might be considered contentious (as the ones with neighbourhoods and clubs, which Walzer also attempts in the second chapter of *Spheres of Justice*, 1983), International Relations theory of the communitarian lens seems to believe along the same lines that only "moral laws of commerce and war determine what we owe to outsiders" (Walzer, 1981:2), towards whom there are mostly negative obligations, i.e., not to harm, kill, rob, etc., while positive obligations extend only within established groups and communities. "The primary good we distribute to one another is membership in some human community" (1983:31). Even when a positive moral principle is to be recognised, as Walzer does in his contribution to the edited volume *Boundaries* (Brown and Shue, 1981), such obligations to strangers do not and should not exceed mutual aid or Good

Samaritanism (1983:33–4). Otherwise, communities are closed and self-sustained, made up from people committed to a common life. Responsibility towards the Other should therefore be calculated through policy prescriptions, quota policies, community interests, distribution of membership, granting of citizenship, obligations of host states towards source countries and vice versa, etc.

Spheres of Justice (1983), where Walzer has expanded on this approach to immigration, is largely considered to be the first scholarly IPT work to address issues of borders and migration, described as a "*locus classicus* for academic immigration sceptics" (Seglow, 2005:324) or as the first book "to break the deafening silence [on immigration] in contemporary practical philosophy" (Bader, 2005:335). His second chapter on membership, extracts of which we saw briefly above, positions Walzer as the main representative of the case for "the legitimacy of immigration restrictions" (Scheffler, 2007:105). While I think that assigning to Walzer this status should be open to debate and that it may be worth exploring whether it would be more productive to inquire into the theoretical possibility of seeing Walzer as a representative of a certain non-cosmopolitan view of global justice (instead of a supporter of states solely having broad and justified discretion over their immigration regimes),[71] this is not an analysis that can be undertaken here, nor is it necessarily relevant to the attempt at constructing an ethics of hospitality of the kind that I am envisaging.

Goodin finds another way to argue for closed borders away from "narrow communitarian values" (1992:10). Closed borders according to him are desirable, if not a natural consequence for living in "an imperfect world" (assigning silently open borders to a universalistic utopia): as Keynes was convinced of the need for barriers to free trade in favour of greater national self-sufficiency and state welfare, so do closed borders (admittedly a "second best proposition") allow countries to reach ideal conditions for its citizens and safeguard them from citizens of "other nations of the world that are not yet ready [to do so]" (1992:11). Summing up our brief, selective

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[71] If we were to look briefly at the main argument of Walzer's membership chapter, this could probably be encapsulated in the following essential sentence: "the members of a political community have a collective right to shape the resident population – a right subject always to the double control that I have described: the meaning of membership to the current members and the principle of mutual aid" (1983:52). Mutual aid, meaning of membership to current resident members of a community, who decide upon any new membership according to a right of internal choice – these are the main four principles defining the strict conditions of accepting the stranger.

overview on the case against open borders, its essence lies in legitimate states having a general right to political self-determination, which in turn involves a more particular claim to freedom of association. As a result, citizens of said legitimate states are morally entitled to determine whom they would like to let into their community, if they would like to invite anyone at all. Legitimate states are entitled therefore to unilaterally design and execute immigration policies of their own and consequently to a right to exclude (Wellman and Cole, 2011:155).

If the chapter on membership in *Spheres of Justice* is indeed the *locus classicus*, then Joseph Carens' article "Aliens and Citizens: The Case for Open Borders" (1987b) is the point of departure for cosmopolitans (Seglow, 2005:234), standing diametrically opposed to the former and criticising it in its last part. Examining the Nozickean, Rawlsian, and the utilitarian approaches to ethics, Joseph Carens (1987b) concludes that despite their differences, there is little justification in any of them for restricting immigration. On the contrary, he argues, "borders should generally be open and people should normally be free to leave from their country of origin and settle in another, subject only to constraints that bind citizens in their new country" (1987b:251). This is a goal toward which we should strive (1987b:270). He considers such an argument to be even stronger for people migrating from third world countries since citizenship in western liberal and affluent democracies is "the equivalent of feudal privilege – an inherited status that greatly enhances one's life chances" (1987b:252). His argument is examined briefly below.

Following Nozick's work and his interpretation of Locke, Carens finds a state's right to exclude the stranger using claims based on property rights to be unsustainable. The importance of natural law rights (such as the right to acquire and use property) lies with its assumption about moral equality: everyone has a right to property, and citizenship cannot undermine this right or give rise to any distinctive claim, even if citizens end up being disadvantaged by the presence of aliens as no one has a right to be protected against competitive disadvantage. The state exists only to "enforce the rights which individuals already enjoy in the state of nature" (Carens, 1987b:253), and since its land does not constitute collective property, it therefore cannot exclude anyone. Individuals themselves have the right to exclude other individuals (aliens or co-citizens) as far as their own property is affected (hence natural rights do not secure

the elimination of poverty or inequality), but they cannot do so as members of a collective.[72]

In regards to the Rawlsian approach, which he admits to be the "most illuminating" (1987b:252), Carens examines *Theory of Justice*'s original position, trying to apply it on a global level. He readily admits that the way he does this is far from Rawls' intentions, since in his work Rawls envisaged an explicitly closed system where questions of immigration could and would not arise (1987b:255). However, Carens considers that the Rawlsian "justification for an activist state with positive responsibilities for social welfare" can be applicable to a broader context and that this is warranted by the nature of the questions addressed, as well as the virtues of the Rawlsian approach as a general method of moral reasoning (1987b:255, 257). As a result, it is assumed that the two justice principles would again be chosen behind a veil of ignorance and would have to be applied globally, with the next task being the design of institutions to implement them. Given that the position assumed behind the veil of ignorance is the one belonging to the worst-off or the most disadvantaged, i.e., that of the alien who wants to immigrate, "one would insist [that] the right to migrate be included in the system of basic liberties". So, as the right to free mobility within a given society is taken as an important liberty, the same would apply for mobility on a global level, a comparative point that Carens also makes in an earlier work of his regarding the welfare state (see 1987a).

What about threats to the public order made by this liberty? Distinguishing between the ideal and non-ideal world of Rawls' theory, Carens considers that the unrestricted right to migrate can be sustained in both, even if the non-ideal provides more grounds for concern than ideal theory. More concretely, he argues that there is little room for restrictions on immigration in ideal theory, given simply that, if unrestricted immigration were to lead to chaos and the breakdown of order, those in the original position would endorse restrictions on it, even if the two principles applied. Rawls foresees that liberty may be restricted for the sake of liberty and this would be one of these cases. In "a world of just states with an international difference principle (...),

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[72] Nozick makes a small distinction for small face-to-face communities, which he distinguishes clearly from the state: such small communities may be formed by individuals that decide to bring their property together and take decisions in common (Carens, 1987b).

the likelihood of mass migrations threatening the public order of any particular state seems small" (1987b:259). More realistic concerns arise for non-ideal theory: vast economic inequalities among nations, disagreements about the nature of justice, high numbers of immigration and the need to protect oneself against a possible armed invasion or convert subversion are some of the dangers that Carens considers. Warning against the expansive use of the public order argument and the unrealistic hypothetical speculations of some of these concerns, Carens does recognise that some restrictions are likely to be justified. Nonetheless, even in this case, "priority should be given to those seeking to immigrate because they have been denied basic liberties over those seeking to immigrate simply for economic opportunities" (260–1). Impacts of immigration on the worst-off and of the kind envisaged by the brain drain hypothesis are seen to be contrary to liberal thought.

Finally, he reflects on some of the most common conventional arguments for restricting immigration under the light of the Rawlsian approach: a. citizens' greater entitlement to rights b. immigration reducing the economic well-being of current citizens and c. the effect of immigration on the culture and history of a society. He finds that all three are undermined, either by the primary goals of the original position in the case of a. (birthplace and parentage contingencies deemed arbitrary), or limited by the two principles in the case of b. (liberty and difference principle) or, in the case of c., not of relevant moral consideration unless there is a threat to liberal democratic values. According to Carens, preserving a distinctive culture is ruled out as a reason to restrict immigration if we are to follow Rawls' discussion on perfectionism (1987b:261–2). Utilitarianism, on the other hand, is not considered at any great length by Carens. He summarily decides that however a felicific calculus is to be considered (in economic or pleasure terms), the "raw data" and facts, with millions of poor and oppressed who only have to gain from immigration, prove that a utilitarian calculus could not but support an open borders approach to immigration.

What is interesting to note is the Rawlsian influence in both of these "extreme" cases against and for immigration: while Carens refers to Rawls' theory of justice as a support for open borders, Rawls himself cites approvingly Walzer's position, expressing support at the same time for "a qualified right to limit immigration" (1999:39 note). "On the other hand, Rawls suggests that immigration would cease to

be a problem in the 'Society of liberal and decent Peoples'" (ibid. 8–9), whereas Walzer insists that "immigration will remain an issue even after the claims of distributive justice have been met on a global scale" (1983:48)" (Scheffler, 2007:105). Rawls' influence, also prevalent in the discussion of global redistributive justice examined below, seems to constitute a trap for discussions of hospitality,[73] especially in Anglo-Saxon IPT which is defined par excellence by Rawls. His mono-dimensional understanding of community, with no consideration for power, gender, social relations or differences, and its taking for granted of a holistic acceptance of a greater good with no radicalization or indeed politics,[74] fails to take into account the multi-faceted demands of an ethics of hospitality. Rawls' assertion that "Unanimity is possible; the deliberations of any one person are typical of all" (Rawls, 1971:263) cannot of course be the case in reality. Focusing closer on the question of Otherness, the situation is further aggravated by Rawls' understanding of reciprocity (*citizens must reasonably believe that all citizens can reasonably accept the enforcement of a particular set of basic laws*). This leads to impartiality, which needs to be shared by everyone in order for one's responsibility towards the Other (and vice versa) not to be limited: all persons are functioning in the capacity of moral agents; hence, persons who are free, equal, instrumentally rational and reasonable are *all* expected to accept the content of justice. "This requirement provides a practical way of negotiating the obligation to respond to the needs of the particular Other and to the needs of all Others, including one's own needs", notes Bankovsky (2012:51). Finally, interrelated with the above is a last problem that lies with the Rawlsian focus on the "art of the possible". Deriving from the requirements mentioned just above is the fact that justice's conclusions can in a way be foreclosed: since we are all impartial and rational moral beings, abiding by the needs not only of the others but also our own, justice is always possible. However, this does not address the difficulty of conflictual claims of Others under a certain

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[73] And probably more broadly: despite the clarity and sturdiness of Rawl's work and the fact he reinvigorated the study of justice, I believe that the excessive dependence of mainstream Anglosaxon, liberal IPT on him and his work functions as an impediment to connections with issues relating to the primacy of community. See Anthony Lang's suggestion on how Rawlsian distributive justice remains disconnected from the wider sphere of the global economic order (2014).

[74] Considering the issues of public or common good and social welfare, the following comment by Dummett is particularly interesting: Dummett mentions the case *Van Duyn* v. *Secretary of State for Home Affairs*, where the European Court had to consider the case of a Dutch woman, a member of the Church of Scientology, who had been refused entry to the UK on the ground that her entry would not be conducive to the public good in the UK. "While the exclusion of this particular woman was upheld, the Court made clear that the British Home Secretary could not define the public good, as regards a Community national's entry, in any way except the definition of *ordre public* in the Community's law" (1992:177).

skewed status quo:[75] thus, instead of engaging critically with the possibility of injustice and with existing political systems, such a conceptualisation of justice may become a system's explication and justification (Shabani, 2003:104).

Poststructuralism is more successful in this, but I will return to it later. In the following section, I will instead focus on the two main rights that are marshalled when the case for open borders is made on the basis of a human rights approach. These are the right to free movement and the right to leave.

2.2.2 *Free movement*

In his 1908 book mentioned earlier, Sidgwick tried to address more systematically the issues of entry and exit along lines with which Walzer would agree: the right to leave is, compared with earlier consent theories, more restricted by arguments of expediency (1908:225, 213, 247) and emigration is governed by the military and population policies of empires (1908:213ff, 247). The individual right to entry and all attempts to impose upon states "as an absolute international duty, the free admission of immigrants" (1908:309f, 248), is rejected: "a state must obviously have the right to admit aliens on its own terms, imposing any conditions on entrance or any tolls on transit, and subjecting them to any legal restrictions or disabilities that it may deem expedient (…) it may legitimately exclude them altogether" (1908:248). However, the rigour of exclusion, "excluding them altogether", might be limited by distributive justice (1908:255) and be mitigated by "the practical allowance of free immigration" (1908:255): "the free admission of aliens will generally be advantageous to the country admitting them" (1908:310, 306f).

Much later, Goodin and Barry, in their 1992 edited volume on borders, explore free movement. In their work the inflow of people is seen against that of, and they consider that the argument for freer movement is liberal egalitarian in form (the premises are essentially egalitarianism and universalism) (1992:7). As such, their approach derives from the idea that life prospects should be roughly equal for everyone, where everyone is defined as people in general and not people of a certain political and civic definition. In this context, fre*er* (and not free) movement should be allowed a form of

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[75] Something that poststructural approaches, based on the Levinasian understanding of the obligation to respond to such claims, do.

compensation towards the less advantaged from richer countries, which have failed to honour the norms of international distributive justice.

Similarly to the work of Carens seen above (who also participates in Barry and Goodin's edited volume), Ann Dummett makes the case for the extension of natural law to the international sphere. If an alien is "someone who, by an accident of birth, born in the wrong place or to the wrong parents, is not a citizen" (1992:171), whatever applies for other accidents of birth (gender, colour, ethnic origin) should apply to an alien, too. Exclusion or unequal treatment due to lack of nationality should be condemned. Would such extension be possible? It would be, and there is actually, according to Dummett, a momentum in international theory that may culminate in the formalisation of a right to migrate. The freedom of movement already exists but "for a practical and not a logical reason" the international legal framework has chosen to keep it within national boundaries, due to the insistence of states. She rejects the Walzerian argument that distinctiveness of culture and groups depends upon closure, citing the case of the modern US as an example; nor does she accept that such distinctiveness based on the collective right of a community to determine its own character can stand above universal human rights and more specifically above the right to move freely (ibid). Like Carens, however, she also admits to the need for restrictions of movement imposed by the state if large influxes of people should jeopardise the human rights of other individuals, returning in a way to the impossible task of ethically squaring the circle that is the migration question.

Whilst elsewhere in the edited volume it is admitted that each theory of borders will allow for some differential treatment among different kinds of transnational movements (e.g. different rules will apply for transnational movement of cattle and people), there is in Goodin an overall presumption of symmetry: without adequate justification for any differential treatment, a symmetry is expected among different kinds of border crossing. No discrimination is allowed between human and finance capital, for instance, unless this is morally proven to be necessary (1992:14–15). As would be expected, of course, such discrimination is attempted by some of the contributors to the edited volume. Brian Barry argues that people and money "have such different characteristics that there is really no reason for expecting them to be treated in the same way" (1992:285). He supports this by pointing to what he considers

to be two important differences: movement of financial capital is made on the presumption that people on both ends benefit, while for that of human capital no such presumption can be taken for granted. Secondly, the influx of people can alter societies beyond recognition (according to Barry, this is not true of emigration), something that foreign financial capital does not do. In essence, Barry argues, consistency of policies affecting the movement of financial and human capital should be sought "at the level of principle and objective" and not of instruments. As with Walzer, the community has the final say in this (1992:285–7).

There are a series of criticisms to be made here. One obvious criticism arising in relation to this rather economistic approach, a criticism also levelled against distributive justice below, is the identification of rich countries with host countries, i.e., countries which receive large flows of migrants. On the contrary, resource-rich countries can and are often themselves hubs for emigration (Stiltz, 2016:67) due to political instability, undemocratic regimes, political or other kinds of prosecution, disrespect of minorities, etc. In addition, in this edited volume – though the point is not made explicitly – migrants are treated as if they were mostly, if not only, economic migrants; hence the close comparison with financial capital. Other categories (refugees, individuals fleeing persecution, or moving without a particular reason) do not seem to be part of the object of study. Furthermore, such a narrow economistic approach bypasses the economistic aspects of migratory flows and their control. On one hand, it is often proved that, contrary to popular (and populist, anti-immigration) legend, migrants contribute to the host economy. On the other, controlling migratory flows through border checks, supervision and other security measures is itself a "flourishing market" (Rodier, 2012: 13), with a security economy acquiring an increasingly important role every day (ibid.).

What is more important though is Goodin's and others' discussion of the concept of symmetry. Is it or is it not moral to expect entities that cross borders to be treated the same? Why should financial capital cross borders unencumbered while people should not, as Barry suggests? I find the explanations given in this respect problematic; they are definitely not informed by any kind of ethical consideration. The idea that foreign financial capital does not alter societies (while immigration surely will do), apart from

its lack of nuance,[76] historicity and basis in fact,[77] also betrays a certain political and ethical bias. The assertion that financial capital should be allowed to move more freely than individuals despite the latters' reasons, needs and / or suffering, is not necessarily embedded in ethical concerns either for the host community, for statal or individual responsibility, or for how to fulfil one's responsibility towards the Other. It instead discloses a belief in a liberal political and economic state system that by its robustness alone will improve living standards for everyone – no matter where they live and come from. As a result, a stark asymmetry is equally to be found between the policies that enforce the right to leave and the right to free movement. In the volume just discussed, both Carens and Goodin consider hypocritical the variety of standards – and therefore the variety of policies – by which states govern the two rights. They are right to do so: a right to emigrate cannot exist when one has nowhere to go. I discuss the right to leave below.

2.2.3   *The right to leave*

> [T]he right to leave does not imply the corresponding right to enter a particular country. Whatever the argument over the authority of the state to block emigration, there is little dispute over its right to limit *immigration*. The two issues are not symmetrical: departure ends an individual's claims against a society, while entry sets such claims in motion. Control of entry is essential to the idea of sovereignty, for without it a society has no control over its basic character. (Dowty, 1989:14)

Frederick Whelan addresses the right to leave in conjunction with the right to change one's nationality, both featuring in the Universal Declaration of Human Rights, in his seminal 1981 article. While he does not consider it to be among the most important human rights, he argues that, if we are to judge by the intensity of the desire to exercise it, or the suffering its infringement causes, then the right to leave is still very interesting, especially for its implications for some traditional concerns of political philosophy (namely state sovereignty and borders), as well as for the "project for a new

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[76] Immigration does not *have to* alter the host society, especially beyond recognition. And what of the case where the changes introduced are actually in the best interest of the host society?

[77] One does not have to look much further than the investment of foreign capital in London property to see how this has negatively affected a whole generation of local inhabitants and their ability to acquire (Hill, 2013).

world order" towards which its recognition in international law may incline (implied here is a cosmopolitan world order where borders will not matter) (1981:636).

According to Whelan (1981:639–640), the right to leave, i.e., Art.13(2), which stipulates that "everyone has the right to leave any country, including his own, i.e., that anyone (citizen or alien) may leave any country, at any time, for any reason", falls clearly in the category of the traditional type of civil rights. Despite its being presented as one of the "fundamental rights", it is newer than most of these.[78] Whilst the right to leave is thus put forward as a human right, it can also be considered to be an aspect of the liberty associated with natural rights, conceived by Whelan and an in general as "rights of fundamental importance, which individuals may be supposed to have had in a conceivable state of nature" (1981:640). The right to leave one's country is also reaffirmed later in the International Covenant on Civil and Political Rights and in other international human rights conventions. However, in 1963, and during the vote for the reaffirmation of this right, a report was published that concluded that said right is "by no means to be generally recognized" and that more people were "effectively confined" behind national boundaries now than ever before in history (UN Review 1962:30–32, quoted in Whelan, 1981:642). The tensions this right caused with the USSR and the Soviet bloc almost since its inception (see for instance the acrimonious disputes with the Soviet Jews in the 1970s)[79] are reflected in the 1975 Helsinki Accord, where, following proposals from communist states, there emerged a compromise; one that appears to indicate a retreat from the more sweeping "right to leave" of the UDHR and the Covenant. Facilitation of emigration is called for only in the special cases of family reunification and marriage between persons of different nationalities, and the stipulation that applications for exit permits should be examined "favourably and on the basis of humanitarian considerations" (Council of Europe, 2002:493–520) seems almost to conceive emigration as a matter of permission rather than as a human right (Leary, 1977:132; Whelan, 1981:643).

Discussing justifications of the right to leave (1981:647–650), Whelan finds tentative

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[78] Concerning this "newness", Whelan notes that a sort of predecessor of the right in question can only be located in the Magna Carta and in no other "famous documents that set forth the rights of persons against governments" (1981:640).

[79] See Aliyah, i.e., the mass immigration of Soviet Jews during the 1970s to Israel after the USSR lifted its ban on Jewish emigration.

support from the classical liberal period of modern political thought, namely Locke, legal theorists (such as Grotius, Puffendorf, Wolff, Burlamaqui, and Vattel) and finally Thommas Jefferson. As expected, all of them, and most emphatically the two first cases (Lock and legal theorists), argue along the lines of individual consent to the state and political power:

> the original moral status of individuals is as free and equal beings, in possession of certain natural rights, unattached and without ties or obligations to any political society; political ties are conceived as being established (legitimately) only on the basis of consent, real or supposed, and the members of the states thus formed always retain some degree of independence from and even claims against the state (1981:647).

Locke is among the few contractarian theorists to question the membership in and the obligations to society bequeathed to future generations by their ancestors, while the legal theorists find it difficult fully to defend a natural or fundamental right of emigration, since they are all essentially working on theories of state sovereignty, i.e., theories that attempt to sketch systematically the proper form and authority of the modern state and its relations with other states. Vattel is probably something of exception to the rule due to his effort to identify cases where such a right could be fully upheld (e.g. in this case of the failure of a society to meet its obligations or when the right to self-preservation is in peril, etc.). Jefferson on the other hand is the most outspoken supporter of emigration, relating it to the colonists and their natural right to emigrate from the British Dominions, and as a result to American independence (1974:4).

Arguments against the right to emigrate vary more in nature and content: Whelan for his part focuses initially on ancient writings (Plato's *Laws* and Cicero and the debt to the *polis* or political community deriving from political membership) and then on English legal and constitutional theory and Blackstone. He pays particular attention to the idea of emigration as a legal right that can be restricted or rescinded by a royal act, as well as the theory of "natural allegiance", i.e., the allegiance of a natural born subject to the state for the benefits enjoyed since birth (Whelan, 1981). Whelan finally examines policy restrictions of modern states that countered the right to emigration

and which fell under the category of mercantilist concerns (where emigration to some colonies is prevented, for example) and a broader utilitarianism that focuses on the strengthening of the state (1981:643–646).

Another very common point raised against the right to emigrate is the so-called "brain-drain" or "human capital flight", perceived as effects of labour mobility (Abella, 2013; Kapur and McHale, 2012 among others). According to those who subscribe to this theory, brain-drain causes issues of public health, as seen for example in the great outflow of medical professionals from Africa, a continent devastated by diseases and containing thirty-nine out of the forty-nine least developed countries in the world (Ypi, 2008:402). When applied to this issue of emigration, an egalitarian theory of justice would seem to require the placing of restrictions on the outflow of productive citizens wherever this results in harm to the sending societies. The higher the exit of a skilled workforce in a particular state, the more the welfare standards of the remaining citizens will be negatively affected. Ypi argues that a theory of justice in emigration must be able to give equal weight to the claims of outgoing migrants and to those of citizens in sending societies. For her, this does not mean abolishing freedom of movement altogether; it simply requires placing restrictions on emigration when it threatens to reduce the general welfare of citizens in the sending societies (Ypi, 2008:409). Stiltz considers this the "no right to renounce civic obligations" (Stiltz, 2016:66), i.e., that in many cases sending countries have invested in the training of professionals, "staff institutions and improved health, educational and development outcomes for their native population" (2016:67), an investment that professionals have to honour by not emigrating (or by accepting extraterritorial taxation if they end up doing so (Stiltz, 2016:75)). Carens addresses in a different manner the brain-drain hypothesis, suggesting that priority rights to migrate should be given to the least skilled, since their departure would presumably be less harmful to those left behind (1987b). He also argues that another result of this hypothesis might involve compensation to poor countries when skilled people emigrate. However, he opposes the implication "that we should actually try to keep people from emigrating (by denying them a place to go) because they represent a valuable resource to their country of origin", since this "would be a dramatic departure from the liberal tradition in general and from the specific priority that Rawls attaches to liberty even under non-ideal conditions" (1987b:261). It is unclear how such an implication can be avoided,

whether in his argument, Ypi's or Stiltz's.

As is obvious from the discussion so far, the main tensions that a right to emigrate brings out relates to the issue of individual consent versus traditional claims of states over citizens, and the implication of this for the international system as a whole: most importantly, the symmetry of said right with its "opposite", i.e., (a basic right to) immigration. Immigration and emigration are morally asymmetrical, Walzer (unsurprisingly) argues; the right to leave one country does not entail the right to enter another (any other) (1983:10). Whelan himself instead makes the point that such symmetry should not even be expected: the right to emigrate (and similar civil liberties) are not claim-rights, therefore it only imposes negative duties of abstinence from interference with other parties (1987:651). However, extended closed border policies would of course undermine completely the right to leave. How is this symmetry to be addressed?

Ypi (2008) promotes a "general principle of justice in migration", which consists of two parts: justice in immigration *and* justice in emigration. Justice in *immigration* indicates when restrictions on incoming freedom of movement are unjustified and provides a principled way of assessing the distribution of benefits and responsibilities between migrants and citizens of host societies. Justice in *emigration* indicates when restrictions on outgoing freedom of movement are unjustified and provides a principled way of assessing the distribution of benefits and responsibilities between migrants and citizens of sending societies. Justice in *migration* therefore identifies permissible and impermissible restrictions on freedom of movement and articulates how benefits and responsibilities should be distributed between all affected parties (migrants, citizens of host societies and citizens of sending societies). Hence, the general principle prescribes the following: if restrictions on freedom of movement could ever be justified, such restrictions ought to take equal account of justice in immigration and justice in emigration (2008:391).

As in the case of Walzer, there are objections to this principle. These usually deny the symmetry between entry and exit along three dimensions: the nature of free associations, the type of obligation that entry and exit call into question and the impact on community values. The latter being a traditional communitarian claim

against open borders, it will not be taken into account here. However, I would like to use it as a springboard for my own critique: under those schemes, whether strictly communitarian or less so, citizens remain obligatorily connected to their fellow countrymen simply because they share the same country of origin with no essential ability to cut these ties if they desire to do so (Stiltz, 2016:76). The arbitrariness of this obligation, which does not take into account the issue of individual self-determination and self-identification, fails also to address the danger this obligation entails. Contrary to the cases of clubs, universities, marriages (!) and other rhetorical schemas that supporters of the asymmetry tend to use, the asymmetry between the right to leave versus the right to move/enter leaves the right-bearer in a dangerous territorial and civic limbo. As Philip Cole astutely remarks

> There is a "space" of statelessness, but it is not one anybody would wish to enter – it is deeply problematic and dangerous, and nobody can develop their life prospects in that space to any degree. While it is plausible to suppose that the right of exit does not entail a right of entry into the other kinds of associations (...), in the case of the nation-state there is a need to enter another association in order to enact the right to leave, and so in this case it is plausible to suppose that the right of exit does imply the right of entry (Cole, 2011:204).

It is this stateless limbo that I find to be of great importance and that the human rights approaches seem so far to fail to address.

In addition, founding claims to exit on justice and on the interests both of the sending and the receiving states and, by implication, on their enforcement capabilities, is problematic. Judging by the externalisation of borders and border management under, for instance, the Fortress Europe concept already alluded to in this thesis and to be discussed in more detail in chapter five, it is obvious how such foundations can be easily undermined: state interests strictly understood, combined with continuing, colonial-like relationships between developed and less developed states (as seen in the European Neighbourhood Policy agreements with EU's Eastern Neighbours) or with states of the global south (as in the case of Italy and Libya and their Friendship Treaty of 2008 or the EU mobility partnerships) usually serve austere economic needs and anti-immigrant feelings in receiving countries, rather than addressing in any genuine

and fair way the need to implement the rights of free movement and to leave, such as have been discussed above. If we look at the Regional Protection Programmes (RPPs), for instance – programmes established by the EU in Eastern Europe (Belarus, Ukraine, Moldova), Tanzania, the Horn of Africa and North Africa (Tunisia, Libya, Egypt), "in a spirit of shared responsibility to a more accessible, equitable and effective international protection system", and not to be used as a "substitute for, or reason for denying, access to protection in Europe" – we find that these were deemed by the Red Cross, after almost a decade of close monitoring, to be ineffective. Despite some "protection dividends" for the countries that would have been sending immigrants to Europe were they not participating in the RPP, the challenges were great:

> limited to no increase of resettlement places (EU), limited project absorption capacity (Ukraine), limited integration opportunities coupled with the increasing phenomenon of racism and xenophobia (Eastern Europe), political instability (Libya, Egypt), insecurity (Kenya), large scope of needs (Horn of Africa) and lack of ownership of the project by local authorities (all places) (Faure-Atger and Red Cross, 2013:27–28).

If one's ethical focus is on the individual and the responsibility to her, as mine is in this project, then human rights approaches to the question of border crossing are proven at best inconclusive. Even if we agree to a bare minimum of rights, it remains unclear why the community's freedom of association and right to internal peace should be judged to be more important than an individual's minimal right to survival. In the face of circumstances that threaten the life of prospective irregular migrants, why should a community's concerns for the preservation of its identity and prosperity be judged on an equal level with a migrant's right to life? I would argue that it should not be. In addition, the asymmetry proposed by the ethics of migration approaches is further undermined by the fact that not enough evidence exists proving that more open migration policies would wreak havoc to receiving states, and by the frequent observation that people tend to be sedentary and unwilling to emigrate unless there are greatly pressing reasons, and that, even when this does happen, immigration contributes positively to the receiving societies (Dustmann and Frattini, 2014).

2.3 Other neo-Kantian approaches to hospitality

2.3.1 *Distributive Justice*

Distributive justice does not show much concern for liminal figures and abject Others. Concerns about migration and movement of individuals, on the other hand, are more common but still rather peripheral. However, their nature, defined usually by movements from the Global South or the conflict-stricken periphery towards a core of wealthier states, does present a certain interest, since distributive justice deals with problems arising from the distribution of benefits and burdens. Sager clarifies them below at a minimum level:

> a theory of distributive justice must identify the metric of justice (what is to be distributed, e.g., resources, welfare, capabilities), the principle or principles used for allocation (e.g., equality, sufficiency, priority, desert, entitlement), the site of justice (e.g., social, economic and political institutions, individuals), its scope (e.g., the community, state, world), and the conditions that give rise to claims of justice (e.g., the moral worth of all human beings, social cooperation, coercive institutions) (2012:58).

As Sager's exposition shows, the focus is metrics, and as such distributive justice's approach to immigration is utilitarian. Beitz does not accept this (1999:209 fn 49). However, when commenting on why closed borders are not, as argued by some, "in the interest of humanity at large", he still bases his argument on derived value:

> [U]nder contemporary conditions, it seems unlikely that the value derived by their citizens from the cohesion and order of relatively well-endowed societies is greater than the value that could be gained by others from the redistribution of labour (or wealth) that would be brought about by adherence to cosmopolitan policies (Beitz, 1999: 209).

In a similar vein and based on calculations of value, Pogge does not think that immigration will solve poverty. The reason is twofold: on one hand, the needy of the world (who Pogge estimates at 1.3 billion) are more than the wealthy states could ever admit. Hence, poverty cannot be alleviated through migration. On the other hand,

immigration does not serve the poorer: even if affluent states open their borders to a certain degree in order to accept immigrants, they will do so on a basis of merit. Competition among immigrants will ensue and the more skilled, the better educated and endowed will be selected. He makes a similar (and to my mind spurious) argument regarding remittances, maintaining that when immigrants send money home, it is usually to families who are already more privileged (2006:710–20).[80]

As with other distributive justice arguments, economic interests prevail over individual rights. As Benhabib observes, for distributive justice scholars,

> [t]he natural duty of assistance has implications for migration rights, in that such assistance to economically poor and disadvantaged societies is expected to reduce the pressure of migratory movements on richer societies (2004b:1770).

It is true, redistribution is considered to be more effective than migration and open borders since the majority of potential migrants would be more prone to remain in their home countries were they given the opportunity. For distributive justice scholars, "it is better to shift resources to people, rather than permitting people to shift themselves towards resources" (Seglow, 2005:229). Kymlicka argues that "if states do meet their obligations of international justice, then it is permissible for them to regulate admissions so as to preserve a distinct national community" (Kymlicka, 2001: 271). Tan attests to that: he argues that "border restrictions on the part of well-off countries can be justly maintained only in a context of a global arrangement [of distributive justice] that those kept out can reasonably accept as reasonable" (2004:176). Benhabib, on the contrary, denies that migration rights can or should be subsumed under distributive justice claims (Benhabib, 2004b:72). She gives two reasons for this: first, our globalised world is not a "system of co-operation" to which principles of justice properly apply (although it does contain "significant interdependencies"); second, global principles of justice may not be compatible with democratic self-governance (Benhabib, 2004b:95–105).

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[80] I have not found a way to check how this is corroborated. If families were already privileged, why were remittances necessary? Could it not be previous remittances that have assigned to families this relatively privileged status?

Interestingly enough, while both Beitz and Pogge (among others) make the distinction between more and less privileged immigrants to argue in favour of regulated immigration, they fail to address said economic benefit as unjust value: "those with fortunate economic endowments (...) can sort themselves into new membership systems that impose very harsh conditions on the excluded" (Jordan and Düvell, 2003:97–8). Contrary to appearances, benefits and privileges are never put into question. Reference to them is limited only under a strictly defined duty of assistance. On a more general note, the language is starkly indicative of distributive justice priorities: "shift people to sources"; "well-off countries can justly maintain border restrictions"; states "have the permission to regulate admissions" while individuals have no permission to regulate themselves. Here there appears once again the issue of self-determination and the silencing of individuals directly concerned (prospective migrants).

The issue of silencing forces us to consider the possibility that the problem lies in the actual foundations of distributive justice. Lidahl for example argues there is a serious dilemma for distributive justice when it comes to immigration, one that even undercuts the possibility of distributive justice *per se*, namely the preference accorded to the members of the group who will define by themselves the openness of borders, the acceptance or not of strangers and so on. Accepting the existence of this preference, Lidahl argues that, for decisions of this kind to be deemed just, the strangers as a collectivity have to be addressed on an equal footing by the "we" of the community members.

> For there can indeed be no *distributive* justice without a first-order preferential differentiation: a manifold of individuals view themselves as the bounded group, both civically and territorially, that, acting in its own interest, determines what accrues to whom. Political reciprocity and *suum cuique tribuere*[81] are the two sides of the same coin. At the same time, the second-order preferential differentiation implies that the acts of a collective subject

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[81] Often translated as "to (give) each his own" or "may all get their due", the term appears as a principle of justice pronounced by Socrates in Plato's *Republic* and later in Aristotle's *Nicomachean Ethics,* as an alternative conception to justice as fairness.

that separate inside from outside, and member from non-member, *eo ipse* posit a more encompassing common interest as *intersubjectively* constituted. In this way, the spatial and civic boundaries of a polity are not merely the expression of subjectivity, in the sense of arbitrariness, but also involve the claim to a standard of objectivity – of justice – with respect to which the polity is not the sole custodian. Although distributive acts take place from the first-person plural perspective of a spatially bounded "we", acts that decide on the legality or illegality of boundary crossings by immigrants can only claim to being just, in a self-consistent way, if they posit the first-order preferential distinction between inside and outside in a way that safeguards the extended "we" of a second-order preferential differentiation. The inclusive exclusiveness of boundaries renders possible distributive acts that can claim to being *just* to the extent that the first-order asymmetry they must posit affirms and remains consistent with the second-order symmetry they must presuppose (2011:140–1).

Lindahl further argues that this axiom of his not only is viable but also, by focusing on the importance of boundaries, that it may function along with the figure of the boundaries as a certain guarantor of a cosmopolitan project. He refers to Benhabib's "another cosmopolitanism" (2011:141). I look at this in what follows.

2.3.2   *Justice as equality and as political membership*

Benhabib argues that a post-Westphalian conception of sovereignty will need to address migration and cross-border movements on their own terms and without subsuming them under distributive justice (2004b). The right to cross borders, she further maintains, belongs with other human freedoms and should not be dependent upon the outcome of the redistributive measures briefly sketched above. Philosopher Phillip Cole concurs with this and sets as a goal for ethical philosophy that it define the grounds for a human right to freedom of international movement (Cole, 2000). Liberal political philosophy, as it stands and of the kind explored above, he argues, not only is in a stalemate when it comes to addressing the ethics of migration, but it is essentially confounded, incoherent and at odds with its core principles.[82]

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[82] He is focusing on liberal political philosophy for two reasons: namely because he identifies

While liberal political philosophy is committed, according to Cole, to the moral equality of all persons and makes concessions to the arguments in favour of open borders, sooner or later most of its pro-open borders strands end up finding reasons for restrictions, "often on the grounds that as it [i.e., restrictions] is such a widely accepted practice in liberal democratic states, a justification must be possible" (2000:13). So even if it does not follow the argument about identity (Walzer) or nationality (Miller) and therefore makes no appeal to community or nation but instead to values more central to the liberal tradition such as order, equality and welfare, liberal philosophy still seeks to justify the division between members and non-members, and is still concerned with the boundaries of membership or with what can morally justify the exclusive membership practices of modern states. Hence, it again fails to address the paradox of citizenship as a basis of community: liberal states may indeed be made of liberal equal polities of free and equal citizens, but at the same time these same polities rest upon the existence of outsiders who are refused a share of the goods of the liberal community. Membership of these communities is taken for granted by liberal political philosophy, based on the assumption that the question of belonging and membership has been answered in a way that satisfies liberal principles – an assumption that remains "highly questionable", since membership suffers from the same defect that distribution does, namely that of arbitrariness, especially when natural and historical contingencies are taken into account (2000:5).[83] Democratic citizenship makes a clear distinction with regard to who can participate in the political community and who cannot, and this is at odds with the moral equality of persons.

Doing away with the two viable liberal options which ascribe to moral equality a limited role (either by recourse to community identity or nation or to more central values such as public order, welfare etc.), leaves us, Cole maintains, with a third option, which resembles a "Hobbesian landscape": admitting that liberal coherence (between moral equality and migration constraints on the state level) cannot be achieved, that exclusive membership practices are non-liberal or illiberal, and thus leaving liberal states to do whatever is in their interests and in the interests of their

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current normative political philosophy as predominantly liberal political philosophy; and because states that describe themselves as liberal democracies play the leading role in shaping a global immigration regime (2000: xi).

[83] The Derridean "fabulous retroactivity", seen in the introduction, comes again to mind.

citizens. If open borders are rejected, there is no other option. Therefore, political philosophy as a normative discourse ("and this is what I take liberal political philosophy to be" Cole remarks) comes to an end at the national border (2000: 12–13).

Equality however remains important: it is the ultimate political value for Dworkin (1981), but for Cole, as for Kymlicka (1996), it should function as an aspiration and not as a basis for any theory of justice. Moving from the negative critique of the weakness of liberal political theory and of exclusionary practices of migratory regimes (2000), Cole in his later work (2011, 2012) orients his argument towards a positive definition of a human right to freedom of international movement. He believes that this should be defined in the context of an egalitarian theory of global justice, which does not just take for granted the priority of either individual liberty over collective concerns or of human rights (2012:2). The right to freedom of international movement should instead be "embedded in a wider perspective of what global justice requires, connecting theories of rights, justice and the ethics of migration (…) [and it] must give people the power to resist global domination and exploitation, giving them control over when, where, why and how they migrate, rather than the opening of international borders alone". Open to more radical approaches, such as the unpacking of the nation state itself and the exploration of different models of postnational citizenship, Cole contemplates the possibility of the membership in a global political community, in which freedom of mobility constitutes an integral part. This vision might still be "sketchy, if not flimsy", but for Cole it could and should constitute a valid project for current political thought (2012). Finally, Chandran Kukathas takes issue with both discussions of justice and the right to exit when it comes to immigration, in an effort "to defend immigration against critics of all stripes, and also to defend immigration against some of its less enthusiastic friends" (2005:207). Kukathas does not approve of the justice debate, considering justice as unattainable among multicultural societies and their irresolvable disagreements, arguing that one has to remain "suspicious of feasibility considerations, particularly when they lead us to morally troubling conclusions" (ibid.)

Benhabib attempts to follow Cole's cue in a different way, by focusing on a theory of just membership; she sketches it as follows: recognising the moral claim of refugees and asylees to *first admittance*; a regime of *porous* borders for immigrants; an

injunction against denationalization and the loss of citizenship rights, and the vindication of the right of every human being "to have rights," that is, to belong to some human community. The right to have rights entails a defence of the universal status of *personality* – i.e., of being a legal right bearer-for each and every human being. The status of alienage ought not to denude one of fundamental rights. Furthermore, just membership also defends the claim to citizenship on the part of the alien when and if she has fulfilled certain conditions. Permanent alienage is not only incompatible with a liberal democratic understanding of human community; it is also a violation of human rights. This claim to membership must be accommodated by practices that are non-discriminatory in scope, transparent in formulation and execution, and justiciable when violated by states. The doctrine of state sovereignty, which has so far shielded naturalisation, citizenship and denationalization decisions from scrutiny by international as well as constitutional courts, must be challenged on these grounds as well (2004b:1786–1787, her emphasis).

Despite her stated intentions, this theory of just membership and cosmopolitan rights seem equally to suffer from some normatively problematic claims. For instance, the implication that the values of Western liberal democracies have universal validity is key. The idea of unproblematically defending the "universal status of personality" is a case in point. Everyone, despite their background, is expected to enter into a moral conversation concerning such universal statuses. It is no longer a hypothesis, since it is simply taken for granted: refugees, migrants and strangers unquestionably share core values of the cosmopolitan and liberal kind. Similarly, Benhabib envisages a new, "post-metaphysical" view of cosmopolitanism, inspired by Kant and "grounded upon the common humanity of each and every person and his or her free will which also includes the freedom to travel beyond the confines of one's cultural, religious, and ethnocentric walls" (2004a:40), as a response to the migratory dilemma. She thus argues for a right to membership for the migrant and visitor. Soon after, she betrays her own recommendation by suggesting that the tensions created by the presence of migrants and refugees and their claim to membership should be addressed through Habermasian discourse ethics, which however foresee that "only those norms and normative institutional arrangements are valid which can be agreed to by all concerned under special argumentation situations named discourses" (2004a:13). Whilst the debate around Habermasian discourse ethics cannot be addressed fully

here, it is surprising how, after having recognised the precarious nature of migrants, Benhabib then expects them to participate as equal members in a skewed dialogue, since "in the end any 'dialogue' on Habermasian terms turns out to be one-sided and exclusive" (Hutchings, 2005:155).

It is exactly this set of weaknesses that poststructuralism helps us address. I explore how it does it next.

2.4 Poststructuralism and Ethics

As stated in 2.1, my project is particularly interested in the way that hospitality envisages irregular and undocumented migrants and in the ethical approach that best accommodates them. I am proposing that this best approach is a poststructuralist understanding of autoimmunity hospitality ethics. I have chosen to focus on poststructuralism, because I find it to be the only approach that, when addressing the difficulties for ethics discussed earlier, adds another, but this time useful, one, by undertaking to show how complex, non-static social structures and constructs of power, of gender and of other kinds, define not only our constitution and actions but also our normative considerations. By emphasising this complexity and insisting on a multi-layered, essentially open understanding of Otherness, poststructuralist hospitality ethics refrain both from viewing the world as ideal and homogeneous and from the need (that is also a trap) to provide prescriptions of what is ethically acceptable or just in such a world. With an eye to avoiding a series of polarisations – between ethics and IR, state vs. individual, structure vs. agency – poststructuralists attempt to theorise the ethical in a global context while keeping the Other centre stage. I look below at how poststructuralist ethics does this.

2.4.1 Poststructuralist IR

In her overview chapter on Poststructuralism in IR (2009), Maja Zehfuss focuses mainly on these exact two pillars: subjectivity and responsibility. She does so in "an attempt to understand *without* resort to external authorities or transcendental values" moral and political systems "proceed[ing] from an interdependency of caring and responsibility that cannot be separated from the pluralism and relativism of multiple

identities" (Der Derian, 1997:57). David Campbell's work can perhaps be considered the first and most elaborate in this vein in IR scholarship. Focusing on the idea of de-territorialisation, i.e., "of moving away from supposedly secure grounds and reportedly rock-like foundations" (1993:91), Campbell proposes a rethinking of ethics, along with a recasting of the Self's identity opposite Alterity, in order to address the intricacies of the contemporary world. This identity of the subject incorporates ethics in order to exist in opposition to traditional approaches, which see ethics as "a set of rules and regulations adopted by autonomous agents" (Campbell, 1993:92). As a result, it is in the responsibility towards the Other that subjectivity and selfhood is created in a radically interdependent state of relationality, argues Campbell; and in this connection he refers directly to Levinas' book about sovereignty and ethics in the context of the Gulf War narratives in 1993.

He expands on the same topic by advocating the "affirmation of alterity" (1998a:3, 182, 206) in order to address new, post-Cold War forms of violence, defined by "ethnic" and "nationalist" traits. In his book *National Deconstruction: Violence, Identity and Justice in Bosnia*, he argues that the failure to affirm alterity, i.e., to recognise "the radical interdependence of being that flows from our responsibility to the [O]ther", is the reason why the West failed in its response to Bosnia (1998a:191). Such a principle should not be confined to a normative framework of tolerance but instead should aim towards possible emancipations[84] of the Other, even if this means the engendering of antagonism and conflict. In essence, affirming alterity

> goes beyond the narrow and static confines of tolerance and maintains that the active affirmation of alterity must involve the desire to actively oppose and resist – perhaps, depending on the circumstances, even violently – those forces that efface, erase or suppress alterity (206).

To envisage the form of a political life that will embody such affirmation, Campbell thinks, one has to turn to Derrida,[85] to move in essence from the Levinasian

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[84] Campbell argues that the traditional objective of "'the *global* emancipation of humanity' in the name of a universal subject enacting a universal history" is no longer the promise of progressive politics, but instead de-politicises and disenables domains of social life with its totalising aspirations (1998a:204–5, his emphasis). We should instead speak in terms of "emancipations" in the plural, and be enabled by deconstructive thought in order to do so.

[85] Referring to Simon Critchley and his move to supplement Derrida and deconstruction with

unconditional responsibility towards the Other to the stage of a decision (or of undecidability, to be more exact). In his work on re-conceptualising and re-politicising humanitarianism (1998b), it is exactly this move that enables the opposition and resistance mentioned above, far from traditional, normative and prescriptive ethical frameworks.[86]

Michael Dillon argues along similar lines: calling the idea of secure prescriptive ethics a "command ethic", he finds it to be not just problematic but – were we to submit to it uncritically – really dangerous, evil and totalitarian in the sense developed by Arendt. Basing his approach on Heidegger, he explores the relation of the ethical with the political, finding the latter to be rooted in a continuous effort to reconcile human freedom with the ethical encounter with the Other, always concerned with it, always in a mood of outrage against the injustices of the world (1996:62–3). Without calling it responsibility as such, at least initially, this encounter leads for Dillon to a constant, "irrepressible ethical insurgency" that asks for Justice to be continuously reinvented, since, given the international politics of Modernity (his capitals), Justice cannot be considered as something timeless and universal but must instead be regarded as something that has to be reconfigured each time (a notion echoing Derrida) (1996:63). The political struggle deriving from this reinvention of Justice is a "superior account of the ethical responsibility that the human way of being owes both to itself and to the Otherness to which it is indebted in the obligatory freedom into which it is thrown" (1996:11 and 199–204).

According to Dillon, subjectivity is central to this project, but also to a reconstructuring of IR, deemed necessary in times of crisis for security and – as a result – for philosophy and political theory (1996:2). IR needs to move on from "the dominance of the representative calculative thought of modern subjectivity in which

Levinasian ethics and Levinas' understanding of responsibility, in order to circumvent the difficulties in the deconstructive relation between ethics and politics, Campbell argues that "in order to establish the grounds for a political life that will repeatedly interrupt all attempts at totalisation" through the affirmation of alterity, there is a need to re-supplement Levinas "in the form of Derridean deconstructive thought" (1998a:183). Leaving aside for a moment the correctness or not of such a reading, this constant back and forth or "supplementation/re-supplementation" between the two thinkers is in my opinion a problematic node, appearing also in the common understanding of the ethics of hospitality, which I will be addressing in the following chapters (chapter three and four).

[86] Madeleine Fagan (2013:19-33) doubts that Campbell ends up avoiding normativity after all, but this is not a discussion I can expand on here.

truth is a measure of the adequation of the correspondence between the thinking subject's assertions and entities themselves" (1996:85). I am taking this to be coherent with the poststructuralist critique of traditional understandings of subjectivity, where the modern subject is perceived as coherent and autonomous. The correspondence between assertions and entities that Dillon mentions here refers to the relation of this modern subject's agency with the Other, namely to the way in which the former's agency and autonomy is dependent on her ability to logically specify, categorise and control Otherness, difference, and in general "a range of 'deviant others'" (Popke, 2003:302). Challenging this understanding of modern subjectivity recasts under a different light not only the politics of nation-building, colonisation and imperialism, but also questions the stricter identification of Self and Other with here and there, inclusion and exclusion respectively. As seen earlier with Walker (2.1), the principle of state sovereignty, in its role of settling issues of how we understand political community, is an "answer we need to question" (Walker, 1993:64); it is considered to be the problem that leads us to failure when responding to contemporary crises. However, and like Campbell, Dillon proceeds from the absolute focus on sovereignty to discuss identity and difference and how these have been fundamentally spatially-bound. Departing from the Heideggerian *Dasein* or *being-there*, Dillon describes the interpellation of the modern subject in a metaphysics of spatial presence, identified with the native soil and country, and analyses how the subject is for this reason constituted by the maintenance of this interpellation: the upholding of barriers, boundaries, borders.[87] Secure identities and boundaries need to be problematised and understood in relation to the Other for Dillon (and indeed with Campbell, too) and this is an urgent task for IR.

In "The Scandal of the Refugee" (1999:92–124), Dillon recognises in the figure of the refugee the "inter" of IR: the subject standing in a territory of estrangement between inside and outside. With no means of identification as a denaturalised entity, despite "bearing the name of some other previous identification and existing in a carefully defined nowhere place within the boundaries of some other nation or state", the refugee is neither in nor out but still undeniably present (1999:101). For a discipline

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[87] Derrida calls this metaphysics as *ontopology*: "an axiomatics linking indissociably the ontological value of present-being to its situation, to the stable and presentable determination of a locality, the *topos* of territory, native soil, city, body in general" (1994:82).

like IR, which depends so heavily on ontopolitical borders,[88] the refugee constitutes a scandal, "calling into question the nature of political and ethical conduct" (Popke, 2003:302). She forces inquiry into the ways she is treated, addressed and acknowledged beyond practices of objectification and governmentality, compelling IR and IPT to make the Other as a refugee the "focus of attention that it deserves to be" (Dillon, op.cit.). The resulting challenge to political thought is not limited to a mere modification of existing theory; it extends even to its very point of departure (2013:65), which should take into account

> the concurrent operational force of a difference that can never be rendered the same. Such a difference, it has to be added, is more than oppositional difference and so the thinking of it is not dialectical. Hence it does not offer the saving turn of an *Aufhebung* or synthesis promised by Hegelian negation and difference. This is an account of difference that is intra rather than merely inter, and which is a positive process of differentiation rather than simple negation. (Dillon, 2013:66)

Subjectivity within strangerhood, difference within a subject itself, along with the assumption of a responsibility towards the Other that exceeds moral imperatives but is based on the openness towards her (Dillon, 1996:145) – these are the most important elements of a poststructuralist IR and poststructuralist ethics that an autoimmunitary ethics of hospitality can build upon. Of course not all poststructural thinkers agree in their understanding of these elements, nor do they approach them in a similar way or in a common programme (see Dillon's discussion in 2013:65–6). More unitary visions of subjectivity along with conflictual claims are present. However, for the needs of my discussion here it is not necessary to expand further on the details. I would like to focus on hospitality instead: while these elements are therefore absolutely vital, where exactly does hospitality appear in these discussions?

Dillon does refer to hospitality in a very close reading of Derrida's work on the relation between the messianic and violence, focusing on how the claim of hospitality (itself coupled with hostility and violence) may guarantee a lesser violence and avoidance of

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[88] Dillon finds the refugee to be a scandal for philosophy, epistemology and politics more generally.

the worst (Dillon, 2013).[89] The context is, however, always Derridean and rarely, if at all, departs from the discussion of violence to discuss proper hospitality issues, either at a theoretical or practical level in the form of borders, border-crossings or migration. David Campbell, on the other hand, refers to hospitality as such only once (1998a:294, n56), in a passage taken from Derrida's *Specters of Marx*: the setting is again a Derridean textual analysis without consequences for an actual discussion of what hospitality, or an ethics of hospitality, may entail. As a result, hospitality does not appear in any of the indexes of his books. The focus is instead mainly on questions of violence, war and subjectivity, as well as with questions of intervention and nationality – priorities that the texts' provenance in the 1990s can easily justify.

Along with their theorisation of subjectivity as something possible only in relation to the Other, the features of this body of work that are most central to the ethics of hospitality that I am proposing are its questioning of ontopology and territorialisation of responsibility, as well as its invitation to be sceptical and to problematise the distinctions between, on one hand, normative concerns and empirical theory, and, on the other, a supposedly established literature on ethics versus a theoretically-poor domain of IR (Campbell and Shapiro, 1999). The proposals by Dillon, Campbell and Shapiro (to whom I turn next) – and by others, too – of a poststructuralist alternative to the sole theory of ethics in IR, have provided the springboard for the discussions of hospitality in IR to which my own project is related.

2.4.2   On hospitality

Around the same time that Campbell and Dillon argued for the de-territorialisation of responsibility, Michael J. Shapiro explored Derridean hospitality as such, becoming the first IR scholar to do so (1998; 1999). Focusing on what he calls "moral" and "political geographies", he looks at global spaces beyond the dominant nation-state system as loci where the autonomy and well-being of persons whose identity is not based on geopolitical boundaries may be at stake (1998). Starting from a critique of mainstream political philosophy and its ethical exclusions, similar to the one explored above, Shapiro is interested in exploring the implications that alternative theoretical approaches may have for an ethics of global hospitality. To do so he examines a broad

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[89] *Le pire,* the worst possible violence: I am explaining and discussing this in detail in 4.2

range of geographies, from the representational violence of imperial structures to ethical centrepieces like Kant's vision of an improving mankind tending towards a universal community, pushing forward to a post-Kantian, antifoundational landscape outside the limits of mainstream ethical philosophy (1998:699). He therefore deconstructs the discourse of Kant's three critiques – focusing on the centrality of the state and the creation of a cosmopolitical subject – to conclude that it is Kant's discussion of hospitality that inspires ethical models that seek to transcend the limitations of traditional ethics, as this is defined by a strict geopolitical imaginary (1998:702–3).

One could say that his is a preliminary exploration of Derrida's stance on hospitality,[90] mainly centred around conceptualisations of identity and difference, which engender exclusion, following Derrida's visualisations of a different Europe (Derrida, 1992). Comparing Derrida's vision with Kantian optimism for humanity's progress and commitment to common sense and logic, Shapiro turns his attention to post-Kantian (in the meaning of poststructuralist) scholars (such as Foucault and Lyotard) whose work may enable us to rethink the relationship between space and place and the discourse of excluded and/ or different Others. Personhood, identity and singularity are all explored by Shapiro through events of discourse and loci of enunciation in and out of sovereign states; and he concludes by challenging neo-Kantian and optimist forecasts of global cosmopolitanism of the Habermasian kind, suggesting instead that, before we look at the global level, we need to recognise and respond to difference and uncategorised, fractured presences within the nation-state (1998:711–12).

This early exploration of hospitality by Shapiro, as in his chapter on The Ethics of the Encounter the following year (1999:57–91), focuses on the interrelation among fixity of locution (recognisable speech acts/ discourse with already inscribed meanings) with specific spatio-temporal contexts and given structures of intelligibility. To explain the same thing in simpler words, he finds that ethics has traditionally been connected to a static view of the self as this is expressed in hierarchical, narrative and territorially-bound relations, when it could instead be dynamic and temporal, historically and ethically evolutionary (1999:57–8). The importance of hospitality in counteracting this

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[90] As will be seen in chapter 4, Derrida was yet to write *Adieu to Emmanuel Levinas* (1999b) and *Of Hospitality* (2000b), where the concept is properly broached.

static worldview is presented as closely related to the locution of the relation between self and Other through ethnographic self-reflection and narratives that disrupt dominant national narratives, and, as a result, state-oriented spatio-temporalities (Shapiro, 1998:711). While emphasising Levinas' absolute importance in establishing the ethics of the encounter, Shapiro identifies a failure when we move to the practice of this ethics, a trap into which Levinas "and others have fallen prey". This trap involves the lack of attention to the narratives and the personal stories of the Other, which Shapiro finds to be proto-ethical, in the sense that they provide the background where Otherness and our responsibility to it are created (Shapiro, 1999:71). A failure to consider these narratives entails "a certain violence of representation" of the Other (Shapiro, 1999:74): Levinas may have addressed the dominant narrative of Western philosophy and its focus on logos and the I of the self;[91] however, Shapiro argues, he has failed to do so when it comes to addressing the Other in practice. Derrida's work offers a solution to this, since deconstructive reading does not function as traditional critique but recognises the struggle of the Other's narrative, "push[ing] toward the unthinkable or unthought" (1999:78).

The emphasis on discourse and narrative in the poststructuralist renderings of the ethical encounter is not limited only to these first attempts by IR scholarship to broach hospitality by means of poststructuralism; we can see it also in the case of Elizabeth Dauphinee (2007; 2010; 2012; 2013), who is also exploring hospitality in writing, narrative and autoethnography (Dauphinee, 2007, 2010, 2013). Her work looks at the ethical value entailed in exploring

> the limitations of academic voice and its impact on those we write, the truths we are able to recognise and transcribe, and the ways in which the academic voice silences the self, who is forced to hide or minimise the often very personal motivations for engaging in IR scholarship (2010:799).

Based on her own experience in researching war, hospitality in her case involves the encounter with the Other as an object of scholarship either from a distance or through fieldwork and personal contact, with the Other often being the victim of violence and exclusion. Dauphinee finds that the line separating research and fieldwork from

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[91] I return to this in the following chapter.

tourism and even voyeurism is very thin and easily transgressed (2010:816), and that the way we access the life and the death of the Other in our research may often betray a self/object relation, a misplacement of and violence against her (Dauphine, 2013:347). The same applies for any kind of research referring to the Other, and she warns us of this danger by invoking – as does Shapiro – Levinas:

> violence does not consist so much in injuring and annihilating persons as in interrupting their continuity, making them play roles in which they no longer recognise themselves, making them betray not only their own commitments but their own substance (Levinas, 1969:21, quoted in Dauphinee, 2010:816).

How we enact responsibility towards the Other beyond the axes of proximity (coinciding with the Other spatially) and temporality (coinciding with the Other chronologically) is thus very important. "Intellectual hospitality" means for Dauphinee striving to welcome Others, who are not part of the academy, into scholarly discussions, which involve them and are open to questioning, to challenge and revision (2012). This narrative version of the ethical encounter, imbued by the Levinasian and Derridean views of responsibility and hospitality, has acquired traction in IR circles[92] and is indeed very important in contributing to the conceptual mosaic of ethics of hospitality and its use in approaching the Other.

This approach is usually based on another common trait in the IR poststructuralist treatment of hospitality: the tendency to explore it in relation with war and intervention, as Dauphinee, Dillon and Campbell's engagement with hospitality, deriving to a greater or lesser extent from their work on Balkan Wars, attests. However, the reason for this does not only lie with the chronological context within which the first, tentative IR approaches to hospitality were written (in the cases of Campbell and Dillon at least). IR's preoccupation with war and the emphasis on security and securitisation that has gripped a sizeable part of the discipline, especially from the mid-90s onwards, plays a very important role too. The emergence of Critical Security Studies strengthens this tendency further despite (or perhaps exactly because of) its "fundamental critique of the epistemology, ontology and normative

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[92] As the recent creation of the *Journal of Narrative Politics* partly symbolises.

implications of traditional (realist) approaches to security that continue to privilege the state as the referent object of security" (Browning and McDonald, 2013:236). By moving the focus towards questions of life and death, of community beyond the centrality of statehood to issues of class, gender, race and postcolonialism, among other things, the critical branch of security in a sense legitimises the inclusion in its debates of hospitality, where difference and identity, responsibility towards Otherness, along with biopolitical hospitality practices of the kind I explore in the next section, are all very important.

However, I have my reservations about whether these are valid ways to use hospitality conceptually. In the case of using hospitality mainly within a discourse-based and narrative context, I think such use is proven to be limiting and limited: the Other, as an object of research, no matter how she is welcomed, included, heard and involved in the research, remains what she has been from the beginning, i.e., an object, subjected to the hierarchical rules of observation, scrutiny and knowledge production, even if such practices are open and hospitable to her Otherness. However, if a narrative hospitality is limiting, the use of hospitality ethics in the context of intervention is genuinely highly problematic, either underusing or totally misusing the possibilities of the concept for IPT. As Dan Bulley remarks in a recent article (2015:189)

> If a state intervenes, militarily or otherwise, in the affairs of another sovereign state, the act may be considered right or wrong, legal or illegal, just or unjust, but it is not hospitable (indeed, it can be a violation of hospitality as a forceful incursion into another's space).

With state violence inscribed in their core, "interventions" of the type in which IR is interested should not be placed, I argue, under the ever-vaster heading of the hospitality concept, where the self and Other subjectivities are essentially confused: "this is to confuse being a host with being an agent[;] if the host leaves its home it can no longer be a host" (Bulley, 2015:189fn2). As with critical studies, hospitality can mainly be used to address interventionism in IR in two essential ways: on one hand, in helping to define group identity, enabling particular interventionist policies and/or legitimating intervention and its actors. On the other, in defining the ethical aspect of intervention, justifying its role in fulfilling our "responsibility to protect" Others and

contributing in some way to the reformulation of interventionism in a narrative of ethical diktat. Given the aporetic nature of hospitality – in favour of which I am arguing in this project in general, and more specifically in chapter 4 – this use of hospitality is not only unacceptable but in essence undermines what hospitality should be about, if it is to contribute to a non-hierarchical, less violent encounter with the Other. As with narrative ethics and politics, it does not so much entail opening to the call of the Other and alleviating the violence against her as it does to enabling state actors to better administer it.

Gideon Baker is one of the IR scholars engaging with ethics of hospitality who also performs this linking between hospitality and intervention (2010a; 2011b),[93] but he places it under the relation of hospitality with cosmopolitanism. In this case, intervention is seen as one of a "series of politico-juridical practices" at the opposite pole of Derridean unconditional hospitality. (2011b:111), with this series taken to mean limiting border crossings and granting of asylum and other conditional hospitality practices. In a logical leap, which is not properly explained, Baker suggests that "a complete dichotomisation of hospitality and intervention is neither possible or desirable", equating the move to "open our door to the [O]ther" with going "forth forcibly to protect her in her own home" (2011b, ibid.). This opposite movement, inwards – towards the home, and outwards – away from the home (i.e., against the home of the Other) constitutes for Baker a version of the undecidable. I would perhaps not consider this to be so very problematic if it were not presented as an interpretative move directly deriving from Levinas and Derrida. However, attempting to apply hospitality's aporetic nature as this is presented by Derrida[94] so as to suggest that the undecidability between unconditional and conditional hospitality corresponds at an international level to an undecidability between hospitality and intervention (2011b:113–14) is a state-centric conjecture, which does not do justice either to Derrida's conceptual work on hospitality (which stands against such state-centredness or any suggestions of *forcibly* protecting the Other) or the predicament of the Others (as in the case of stateless, refugees or irregular migrants), which a problematised approach to hospitality seeks to address. Furthermore, a confusion between perfectible

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[93] Bulley's earlier critical quotes are addressed at exactly this link that Baker draws between hospitality and intervention.

[94] See introduction and section 4.3.

justice towards the Other with liberal interventionism (and the opposite, non-interventionism's identification with injustice and unimpeded violence) betrays more about Baker's own oversight regarding Liberal universalism's claims than the alleged misconceptions he attributes to the "liberal cosmopolitans reared on the certainties (the decidability) of an ethics without borders" (2011b:114). Arguing for open or at least more open borders does not entail any kind of ethical decisionism, as Carens' work, not to mention poststructuralist and autonomy of migration approaches, clearly shows; on the contrary, arguments in favour of open borders are marred by lack of certainty, hence their rarity. I argue that the insistence that there must be a more or less restricted border in order for hospitality to make sense (Baker, 2011a; Bulley, 2015; Vaughan-Williams, 2012 and others) creates a binary, which the aporetic nature of hospitality seeks to deconstruct. I will return to this later on, but first I need to address the issue of cosmopolitanism.

This effort to position the ethics of hospitality under a liberal cosmopolitan umbrella is another problematic node in Baker's exposition. While such positioning could at a first glance make sense, given the Kantian provenance of the term "hospitality" and Kant's influence on the IR scholarship that broaches "hospitality issues" like the scholarship explored in 2.2 and 2.3 above, it essentially overstretches Derridean hospitality and the Levinasian understanding of Otherness in order to accommodate or resuscitate the old "stale" IR cosmopolitan-communitarian debate with a view to strengthening cosmopolitanism. Baker in principle recognises this and claims that he uses hospitality for this exact reason: in order to address the usual critiques against cosmopolitanism as a universalising totalisation, which reproduces the usual underlying dialectics of state-centred theorising (2011b:90–110). Levinas' limitless responsibility towards the Other and Derrida's reading of it as a cosmopolitical gesture provide the answer: a non-dialectical, desicionistic cosmopolitanism, i.e., maintaining an open door and non-dialectisable relation with the Other while calculating the risks and implementing the constraints these limits force us to realise; taking a decision in the heart of undecidability (Baker, 2011b:100).

Derrida does hint at such "cosmopolitics", as he sometimes calls it, in his book

Cosmopolites de tous les pays, encore un effort! (1997/2001b) [95] and *Of Hospitality* (2000b), but he emphasises the tendency towards undecidability of his conceptualisation and not decisionism. In addition, by proposing the creation of Cities of Refuge,[96] Derrida suggests that cities – and not states – may be the entities pointing the way to a hospitable future in Europe,[97] while he keeps insisting (also during the second essay, "On Forgiveness") on describing *performance*, i.e., what is performed in the "*project* of making States" and their legitimacy (2001b:57–9). Issues of state intervention or even non-governmental organisations' unsolicited assistance never appear in his writing, but I think it is safe to assume that he would have found them in contradiction with the aporetic, non-hierarchical relationality with the Other that is at stake in hospitality. In *On Cosmopolitanism and Forgiveness* Derrida concludes that the dependence on state sovereignty is too powerful to allow the implementation of the cosmopolitanism Baker espouses, and he sets his hopes not on decisionism but on the active work of the self to dissociate sovereignty from the conditionality of offered hospitality, vying always, to my understanding, for the implementation of more open and more unconditional terms (Derrida, 2001b:59). Such a discussion, picking up on the intricacies of Derrida's cosmopolitanism, could continue forever; however, I believe that despite its complexities, it should be understood quite differently from the way in which Baker is using it in his nevertheless laudable effort to alleviate the tension in the endlessly repeating, "depressingly familiar" back-and-forth of the IR universalism-particularism debate (Baker, 2009:108). Although Baker attempts to address the criticism from within, as presented for example by R.J.B. Walker, that cosmopolitanism actively contributes to a situation in which it becomes impossible to

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[95] Translated in English in 2001 and accompanied by an essay on forgiveness, making up in this way a new book consisting of two loosely related parts (*On Cosmopolitanism and Forgiveness*, 2001b).

[96] In 1993, over 300 writers signed a petition that crystallised the formative structure of what would become the International Parliament of Writers. In November of the same year, these writers met in Strasbourg for the organisation's formal inauguration. According to the European Charter of Cities of Asylum, this group "reaffirmed the need for an international structure" that was capable of "developing genuine solidarity between writers whose work and lives were increasingly being put in danger" (Congress of Regional and Local Authorities of Europe, 1995). Cities in Europe, North America and Africa have joined the Network and each of them is chartered to provide physical, financial, and social stability for the authors whom they protect. The cities represent real spaces of security and are designated as institutions that will willingly mobilise their varied public and private authorities to protect and negotiate on behalf of their adopted writers. The expectation is that the cities will each work to secure the proper papers for the authors, utilise security forces to maintain the writers' well-being, and collaborate with "local authorities and other public authorities, both within the individual countries and beyond national borders" (Congress, 1995).

[97] "If we look to the city, rather than to the state, it is because we have given up hope that the state might create a new image for the city" (Derrida, 2001b:6)

speak of ethics in IR, by oscillating between equally implausible alternatives (1993:67–73) and "add[ing] up to a discourse that seems content to wish politics away" (2003:284), I believe he fails to do so, not because Derrida's cosmopolitan ruminations are unfounded or vague but because the mainstream theoretical landscape of IR, with its emphasis on the binary of state sovereignty versus a global civil society or a universal borderless suprastate, is in itself problematic.

I find that a similar tension may exist when hospitality is used alongside other key traditional IR concepts like diplomacy (Onuf, 2013) and foreign policy (Bulley, 2009). Although in both these cases (and contrary to intervention) one could say there is a proper host and an at-home as a locus for hospitality provision, I think that the state centredness of both concepts may end up undermining equally the notions of hospitality and of the key concepts at hand, mainly due to the difficulties of formulating state subjectivity along the lines that Levinasian and Derridean understandings of responsibility demand of us. In the second case – which I will focus on here because he is the only IR scholar who has consistently and for a long time (2006; 2007; 2009. 2014; 2015) written on hospitality – Bulley (2009) attempts to overcome the prejudice that foreign policy is without ethical ballast and looks into the ethicality of foreign policy beyond the binary of its possibility or impossibility. He argues that this binary is both overgeneralising and inadequate, since ethics and morality are always present in the considerations informing foreign policy and all other decisions regarding our treatment of Others. Following Campbell's distinction between foreign policy as "practices of differentiation or modes of exclusion (possibly figured as relationships of otherness) that constitute their object as 'foreign' in the process of dealing with them" (Campbell, 1998c:68–9, quoted in Bulley, 2009:3) and Foreign Policy with capital letters "as a state-based practice towards that which is beyond the state's borders, that which is 'foreign' and not 'domestic' or part of the 'collective self'" (Bulley, 2009:3–4), Bulley argues that such distinctions not only point to the ethical dimension of foreign policy but also to the fact that ethics and foreign policy are inseparable, since they are both concerned with how we constitute and relate to Otherness and tackle identical issues.

Ethics as foreign policy is explored in the way it is represented, since any attempt to define it falls short without interpretation and description of its discourse, which

Bulley attempts through a reading of a number of speeches and statements relating to British (1997–2007) and EU (1999–2004) foreign policy among an "inexhaustible number" of foreign policy texts (2009:6). Seen as text, therefore, foreign policy is deconstructed in a Derridean way: important binaries are identified and hierarchies between terms of opposition are teased out in order to be challenged and reversed, highlighting the points of weakness of said foreign policy texts, or what Bulley refers to as undecidables (2009:9). Such undecidables are located in the conception of the ethical subject, or – what is most interesting to us here – of responsibility and of hospitality with the latter, examined in the binary of hospitality/ hostility, i.e., *hostipitality* (Bulley, 2009:61–80).[98] Bulley focuses on hospitality within the context of EU foreign policy during the period mentioned above, particularly regarding the EU's enlargement, and with a specific focus on the enlargement policy towards Balkan countries and, finally, with reference to the European Neighbour Policy.[99] Expanding on Derrida's conceptualisation of hospitality, Bulley teases out the hospitable metaphors populating the foreign policy texts of the period, which position the EU in the place of the host while southern, Balkan and other states-candidates for inclusion are seen as the Other to whom hospitality is offered. He reflects on the conditional character of hospitality in such policies, inquiring into the meaning of this conditionality for the nature of responsibility that the EU undertakes takes towards its neighbours. Hospitality "deconstructs and undermines itself, revealing its constitutive undecidability; but where do we go from here?" asks Bulley at the end of his chapter on EU foreign policy (2009:80). Being sceptical and critical of the limited form of hospitality that the EU offers, and after having expanded on the issue of hospitality's conditionality versus unconditionality that Derrida discusses in *Of Hospitality* and elsewhere, Bulley concludes that the only way to overcome the stalemate created by this undecidability is by negotiation, not to find a middle ground but in the sense of "an incessant movement between the poles of contradiction within a concept, such as unconditional and conditional hospitality" (Bulley, 2009:81). Getting involved,

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[98] "There is an essential self-limitation" built right into the idea of hospitality, which preserves the distance between one's own and the stranger, between owning one's own property and inviting the other into one's home. So, there is always a little hostility in all hosting and hospitality, constituting a certain "hostil/pitality" (Caputo, 1997:110). I discuss this in chapter four. See also Benveniste on *hospes* in 1.3.

[99] A key part of EU's foreign policy, European Neighbourhood Policy (ENP) encompasses the EU's collaboration "with its southern and eastern neighbours to achieve the closest possible political association and the greatest possible degree of economic integration. This goal builds on common interests and on values – democracy, the rule of law, respect for human rights, and social cohesion" (EEAS website, March 11, 2016)

calculating a response, making a decision in front of contradictions and paradoxes and maintaining an openness towards Otherness and alterity are the main moves involved in the aspiration for ethical foreign policy (Bulley, 2009:82–3). As Campbell has earlier suggested in the case of Bosnia (1998a), this negotiation is always case-specific and "must be invented *in the moment*", avoiding the simple application of ethics (Bulley, 2006:658).

As Bulley himself recognises, hospitality "has never been a focus of foreign policy analysis" (2009:61). He attributes this to the liminality of the concept and its positioning between the domestic and the international, upsetting their distinction. I believe he is right to point out in the same breath that this positioning is nonetheless what makes hospitality of fundamental importance for IR: a concept that brings the outside into the inside, "contesting and cross-examining the separation" between the two (ibid.). As such, one could expect hospitality to be the most appropriate concept to address a field like foreign policy, where international borders and boundaries are of constitutive and critical importance. However, it is exactly these boundaries that define mono-semantically the actors of his analysis, i.e., nation-states and the EU as a supranational institution, which may cause problems for a deconstructive interpretation of hospitality in a foreign policy context.

The first point of contention is in my opinion the formation of the subject, the *who* of hospitality: Bulley readily recognises its importance for the possibility of ethics and dedicates a whole chapter to discussing it (2000:15–35). Through his textual reading he finds that British and European foreign policy are dominated by the respective collective subjects, where "we" and "our" are based on a set of (moral) principles and values, which seem to be under threat (2009:15–16). Despite this, Bulley rightly claims that "a fully present subject" is impossible as a foundation of ethical foreign policy and that subjectivity is constructed through the competence to assume responsibility and prevent human suffering. Responsibility towards the Other and the foreign is the main constitutive element of subjectivity, which is marred by moments of undecidability (2009:16). In the case of the European Union said subjectivity-through-responsibility has to be constantly reaffirmed, emphasised and described, proving the EU to be a problematic subject (2009:20).

Despite the chapter's well-documented analysis of this problematic nature and of the lack of a clear answer to the *who* of ethical foreign policy, the EU still seems to be taken into consideration as a tentatively unitary subject when it comes to its relation to hospitality. Notwithstanding its fragmentary and undecidable nature, to which Bulley insistently refers (for instance, 2009:20–23; 30–32 and elsewhere), the EU is still identified with a kind of "European home", marked by its sense of responsibility towards neighbours and prospective members (2009:62). I think this idea of an at least tentative common home is overstretched: while it makes sense that such a responsible "European home" configuration would be predominant in the speeches of the president of the European Commission of the time, Romano Prodi, the failure to address the fragmentation of this "home" and its implication for subjectivity-formation is palpable. Poorer member–states' ambivalent stance towards EU enlargement, which would potentially put them in the dire position of having to compete more aggressively for EU structural funds or reconsider long-held national grudges,[100] and of course the rise of far-right and xenophobic politics at the national level that followed the economic crisis of 2007, but which were already in motion in the late 1990s/ early 2000s,[101] undermine the attempt to envision even a non–fully present subject; something that Prodi's speeches in their hyperbole may also be trying to address and conceal. Although Bulley takes every precaution to state clearly that EU subjectivity is shrouded by significant doubts (Bulley, 2009:22), I believe that, contrary to his exposition, the construction of the EU-as-subject as a regional, responsible "home" is at best really precarious.

Similarly, the other *who* of hospitality, as in the Other whom responsibility and hospitality addresses, is equally shaky: is this Other a unitary entity? And to what extent? What form may responsibility take? Bulley suggests that during the period in question, the two main notions around which responsibility was organised were the responsibility to protect and the responsibility to save, with the former considered to be the most crucial (2009:36). Kosovo, Sierra Leone, Afghanistan, Iraq, Africa as a general object/ Other (in the case of Britain's construction of subjectivity in ethical

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[100] See Greece's contentious national debate on Turkey's EU accession following the failure of the Annan plan for Cyprus.

[101] See for instance, Jean-Marie Le Pen and his progress to the second round of the presidential election in 2002 or Jörg Haider's participation in Austria's government in 2000, both on anti-European and anti-eastward European enlargement platforms.

foreign policy) – these are some of the constitutive Others whose call to the responsible subject is never clearly presented. How is this call valued and decided upon? Given that responsibility does not exist in a vacuum but corresponds to the need of an Other, how can we textually deconstruct the EU's subjectivity when the Otherness that sets this subjectivity construction in motion is so vague and disparate in nature? Does the impact of Britain's and the EU's actions (saving and protection in the former, enlargement, European Neighbourhood Policy practices in the latter) derive from their responsibility, proportionately important and equally felt everywhere? I believe that these mostly unanswered questions reveal two problems: first, they reveal that in such cases, where a state or a group of states are assigned ethical subjectivity constructed through responsibility and hospitality, issues of oppressive hierarchies and subject/object (as in an objectified Other) relations constitute more prominent dangers than in other cases of subjectivity formation, the move that a poststructuralist, deconstructive ethical approach wants to avoid. Secondly, they suggest that an assumption is being made about the homogeneity of needs of the Other at the receiving end, who was and remains voiceless. My assumption is that this is due to the fact that state entities are not necessarily amenable to ethical subjectivity formation of the deconstructive kind and that at least as far as hospitality is concerned, the ethics of hospitality should mainly address calls of individual Others such as migrants, refugees, asylum seekers and individuals caught in in-between categories, on one hand, and practices of Othering present in border crossings, on the other. Aiming to uphold an ethics of hospitality at a statal level is fraught with contradictions and presents among other problems the danger that the "risks and costs of these contradictions are not fairly spread among individuals and places" (Mamadouh, 2010:1108).

Having said that, the way Bulley analyses the Derridean intricacies of responsibility and hospitality, applying them to a difficult field in the heart of IR, is both subtle and all-encompassing. His exposition on the unsettling elements of Derridean autoimmunity (2009:25–29) is very informative in the way it foregrounds the impossible choices inherent to dealing with internal threats, either in the form of the destruction from the inside or in the form of self-destruction to pre-empt said destruction. I am basing on this my own discussion of autoimmunity in chapter four. Bulley's later work on refugee camps and governmentality (2014) and the need to

move beyond Derrida in our conceptualisation of an ethics of international hospitality (2015) informs the vision of my project, as this is discussed on chapter five and four respectively.

Speaking of camps, I will finish this itinerary through poststructuralist and critical engagements with hospitality in IR by briefly exploring a sizeable part of scholarship on camps, borders, border-crossing, politics of mobility and migration studies. This scholarship is interdisciplinary and its allegiances often overlap and bring together a series of fields, such as human geography, citizenship studies, human rights, border and security studies, critical migration studies, etc., to name only a few. From Roxanne Lynn Doty's work on exceptionalism at the border (2006; 2007; 2011 among others) to Engin Isin's (2013; and Nielsen, 2008) work on citizenship, from Nicholas De Genova's work on deportation (2010), from Vicki Squire's work on mobility (2012) and Nick Vaughan-Williams' on biopolitical security (2012 and others) to Kim Rygiel's work on camps (2011; 2012 and others), this scholarship may rarely if at all refer to hospitality by name per se, but it is to a great extent informed by the critical and poststructuralist spirit explored in this chapter, and it has been inspirational for my research on the biopolitical aspect of my project and more specifically in my theorisation of autoimmunitary hospitality (chapter four) and my discussion of the camp for strangers (chapter five). This critical scholarship on borders, migration and mobility often but not exclusively finds inspiration in the biopolitical. Agamben's relevant writings on bare life and exceptionalism (explored briefly in 1.3.3) is often in the background, and the abovementioned critical scholarship engages with Agamben's work, albeit often to oppose it.

Conclusion

> Ever since philosophy assigned itself the role of ground it has been giving the established power its blessing, and tracing its doctrine of faculties to the organs of State power (Deleuze and Guattari, 1987:376).

Shapiro opens his article on The Events of Discourse and the Ethics of Global Hospitality (1998:695) with this exact quote: Deleuze's scathing critique of Kantian and Hegelian philosophers who have based their thought on the assumption that the

secular state is indeed wise in its power, suggesting that in this way they are blessing the state and legitimising it, hence becoming its accomplices. Although Shapiro rightly remarks this is a statement defined by an exaggerated anti-Kantian spirit (ibid.), poststructuralism's ethical agenda and biopolitical approaches of the Agambenian kind are not very far from stating the same. Traditional ethical approaches to migration and border crossing, as the ones examined above in sections 2.2 and 2.3, are to a certain extent caught in this legitimation of state power and an expression "of the limits of the contemporary political imagination when confronted with persistent claims about and evidence of fundamental historical and structural transformation" (Walker, 1993:5), failing to understand the complexities of migrant flows beyond the importance of a territorially-bound community. More than twenty years after Walker's observation, IR theory continues to produce narratives of the international and of ethical responsibility towards Otherness based on the opposition of an "inside of the state (the realm of the possibility of the good life) and the outside (the realm of anarchy and struggle)", a distinction that condemns more complex issues such as the ethical response to the Other to reduction and deferment (Zehfuss, 2013:153).

Therefore, one of the main problem with the main approaches explored in 2.2 and 2.3 (with perhaps the exception of Kukathas and Cole) is that they seem to be based on an absolute political and schematic clarity: nation-states are clearly and indisputably defined, based on communities with coherent identities, whilst their stance towards the stranger to the community, either through their immigration policies or their overall hospitality rationale, are equally transparent, not to mention fair and rational. Most importantly, the clarity of definition involves the stranger too: her status is deemed rational when she is an economic migrant in search of better life opportunities and/ or a refugee, fleeing a war or some kind of persecution. Liminal figures such as irregular and undocumented migrants are rarely accounted for. Even when the categories of economic migrants and refugees are not spared from random violent practices and exclusion, as is often the case in the current refugee crisis for instance,[102] the ambiguous category of the stranger Other discussed in 1.3 is even more at risk. Assumptions, community-based understandings of Otherness, mobility metrics,

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[102] See Amnesty International (2013), ECRE (2013) and UNHCR (2013) and mass media for the period 2010 to date, exposing the vulnerabilities of people seeking – even when they are eligible for – international protection, who are ill-treated and pushed back in flagrant violation of international law.

argumentation of the kind we have seen in these sections, are based on this – false, in my opinion – imaginary regarding political life and migratory movements. The complexity, either of the historical, regional and postcolonial nature of the global order or of the actual reasons of migration, is disregarded.

A way to circumvent this has typically been, on one hand, to bestow the autonomous subject with a set of rights, which can ideally be legally enforced within the boundaries of political jurisdiction or, on the other, by looking at justice through the concept of equality, either in the form of equal (re)distribution of resources or equality in community membership. We saw the first case above, while exploring the scholarship on free movement and the right to leave (2.2.2 and 2.2.3 respectively) and the second in the neo-Kantian debates on distributive justice (2.3.1) and just membership (2.3.2) for migrants. Such solutions are related to Kant and his belief in a project of modernity, which could be universally extended for the benefit of humankind through the application of reason and judgment (Shapiro, 1998) and to Rawls and his belief in justice as a mechanism for binding individuals. These attempts, which also address the problem of hospitality towards the Other, are part of an "attempt to internalise the law of reason, to develop the autonomous rationality, the mature personality realisable within each individual so that it might act in accordance with some universal moral norm" (Walker, 1993: x). However, we can see how these approaches have often failed very dramatically the strangers at the border, especially at critical times. Inequality of opportunity to reach the borders and make asylum claims,[103] migrant acceptance decisions based on skewed evaluations of merit, dubious externalisations of borders,[104] and a global institutional structure that is not merely unjust, but which actively violates the negative rights of people at the borders,[105] have severely undermined the scope and effectiveness of mainstream approaches. I believe that this should not be considered as an accidental failure but is inherent in the systems of these approaches,

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[103] Failure of the competent authorities to register asylum applications at points of entry and big cities of countries at the border of the EU has been officially recognised as a major issue for over 10 years (Greek Council for Refugees, 2015).

[104] See for instance how Salil Shetty, Amnesty International's Secretary General, finds that despite being among the most important promoters of Human Rights, the EU, when put to the test (following the recent refugee crisis), failed in every meaningful way. In deviation from hospitality and human rights conventions, it opted for a deal with Turkey to manage refugee flows that was proven in courts to be both "flawed in a practical sense" and "flawed in legal terms" (Lowe, 2016).

[105] As Pogge suggests that it has done for the global poor (20002). I share Pogge's belief even if Risse (2005), among others, disagrees.

as Deleuze seems to suggest in the quote seen at the beginning of this chapter. Dillon seems to agree, at least as far as what he calls the complicity of the human rights' framework is concerned:

> the discourse of universal human rights (as well as the 1961 Convention on the Reduction of Statelessness) becomes complicit in this process through its insistence that "everyone has a right to a nationality" (UN 1961: Article 15). The corollary, of course, is that no one has a right not to have a nationality or not belong to a state. Only this form of political subjectivity is licensed, an insistence that poses particular difficulties to, for example, nomadic and indigenous peoples, and not only to such peoples in the lands that the West usually thinks of as strange (Dillon, 2013:91).

At the ethical level, mainstream approaches to migration have similar problems in their treatment of precarious Otherness, since their ethical responses to these Others are often marginalised, as in the case of Joseph Carens' recent book *The Ethics of Immigration* (2013), where the ethical is mainly limited to questions of citizenship, naturalisation and social membership, and is not extended to irregular migration or even Others on the move or in the process of being accepted into a society.[106] Apart from being marginalised, ethical responses are also trivialised by the idea that "questions are ethical only if they are treated as answerable" (Franke, 2000: 326). We saw earlier in the chapter how Brown sees the question of ethics as fundamentally unanswerable even if the thinkers he often analyses disagree. I believe that this reflects a general move in normative IR, despite appearances to the contrary: the conventional stance that the calls on precarious Others cannot reasonably and by definition ever be addressed. As a result, the normative choice to focus on the state and the community instead of engaging with the outside of the cosmopolitan /particularistic binary or the stranger is presented as a one-way street and unavoidable. Normative IR, human rights approaches and ethics of migration obscure possibilities outside this "obvious" choice.

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[106] I wonder whether these concerns about conditions of citizenship, naturalisation, inclusion, temporary workers and social membership do not really constitute more of an ethics of integration than ethics of immigration, since, for inclusion and naturalisation to be considered, all these people should be able get to borders safe and sound first.

Carens' recent book is again indicative here: while in an interview with the *Washington Post* in 2013 he calls out the conventional assumption that "most people think that states have the right to decide which people they do or do not want to let in, and what rules they expect immigrants to follow" (Matthews, 2013), he admits that for most of the book, which was published in the same year, he did not

> challenge that assumption directly. Two-thirds of the book accepts that general assumption, which I call the conventional view, precisely because most people accept it, but I try to show that the conventional view is not quite as sweeping as people sometimes suggest (Carens in ibid).

Carens further argues that he wants "to consider the possibility that deeply embedded and widely held views about immigration were morally problematic" (2013:299). His focus is on questions of principle, and he cautions that we also need to consider questions of priority and questions of political feasibility. The reason for this, to a certain extent at least, has to do with the need to reach an overlapping consensus (2013:330 n12), in the Rawlsian understanding, i.e., that political principles, which govern liberal democratic societies, can find justifications in many different moral views (Rawls, 2005). In the case of Carens, it relies upon an overlapping consensus among different political theorists and among ordinary people from different democratic societies about the moral appeals in the arguments.

I find that here as in the majority of the approaches explored in 2.2 and 2.3, we have a kind of contradiction: if we do accept, as Carens does and as I think he is right to do, that "citizenship in Western democracies is the modern equivalent of feudal class privilege" (2013:289), in essence an illegitimate privilege, and that controls over immigration uphold this privilege and maintain this inequality, one needs to be vocal, and to distance oneself from the need for consensus. Privileging consensus based on an understanding of a deliberative democracy model or communicative ethics of the Habermasian and Rortian kind (Mouffe, 2003:9), represents, I think, a misconception both of the ethical nature of democracy and of our innate ethical responsibility towards the Other. At the end of 2.2.1 I addressed how the Rawlsian influence on the mainstream Anglo-Saxon IR constitutes part of the latter's problematic relation with

and essential failure to address the needs of strangers. The Rawlsian penchant for consensus along with its influence on the mainstream approaches of 2.2. and 2.3 is a great case in point. Rawls suggests that only the achievement of an overlapping consensus justifies the legitimate exercise of coercive political power and by extension, the keeping of the stranger at the border, violently pushing her back, with her address falling on ethically deaf ears. Achieving such a consensus, for Rawls, provides citizens with "the deepest and most reasonable basis of social unity available to us as members of a modern democratic society" (Rawls, 2005:133–4). But what if overlapping consensus is not just harmful but even lethal, as in the case of people attempting to cross the Mediterranean? Isn't there an ethical responsibility that transcends the need for consensus? I think that under this light, the idea that there is a need for an overlapping consensus in order for a decision to be made leads us not to ethics, justice or the creation of the moral community that Rawls is supposedly pursuing, but instead to a political unity, which is a different issue altogether. As Chantal Mouffe notes, "this is why an approach like deconstruction, which reveals the impossibility of establishing a consensus without exclusion, is of fundamental importance for grasping what it is at stake" (Mouffe, 2003:9), both in democratic politics but most importantly in ethics of immigration. So what is at stake?

It is our relation to the liminal and precarious Other, which may shield her from exclusion, silencing and in the worst case death. A deconstructive approach to hospitality and to this relation with the Other enables us to address the problematics of identity, difference, voicelessness and precarity in Otherness and to be critically sceptical towards claims about secure identities and the authorisation necessary for the Other to exist (Campbell, 1998b:509). This enabling entails the creation of an ethical subjectivity radically different from the reasonable, autonomous one of normative IR of either a deontological universal moral code or of the consequentialist concern for the best possible outcome. The radical difference lies in the absolute need for a response towards the Other, "not by referring to some abstract and anonymous law, or judicial entity, but because of one's fear for the Other" (Levinas quoted in Campbell, 1998a:174) as the self is essentially bound to her. It therefore also entails the acknowledgment that

as humans in society, we are ethically located by definition, we are all Others

somewhere to someone, we are inherently bound to and never alienated from Otherness and we *cannot* be detached from Otherness. This significantly reframes the traditional notion of subjectivity and responsibility in that now the identity of the ethical subject is constituted, not via its autonomy and independence from Otherness, but in its obligation to and responsibility for Others. (George, 1995:210)

This ethical subjectivity has been explained and elaborated upon by the poststructuralist IR approaches, poststructuralist ethics and by the specific work on hospitality I have discussed in section 2.4. There we saw how subjectivity is realised through our relation with the Other and motivated by the principle of affirming alterity, placing responsibility at the heart of relational ethics. We saw also how hospitality (in the contexts of discourse, war, intervention, foreign policy and migration) can become the embodiment of such ethics; how we can identify ethics as hospitality, as it were (I return to this in chapter five). The work on Levinas and the analysis of Derrida's relevant work on this kind of subjectivity and hospitality have been very inspirational and crucial to making my project possible. I have found though two main drawbacks: firstly, Levinas' conceptualisation of responsibility has been considered by poststructuralist IR scholars to be limited and to lead us to an ethico-political dead-end when it comes to include the third[107](e.g. Campbell, 1998a:176–81; Dauphinee, 2007:25–6), hence the need to supplement him with Derrida. Secondly, the insistence of the absolute need for a border in order for an ethics of hospitality to exist, with the implication that this ethics would always be truncated by the demands of conditionality (e.g. Baker, 2011a; Bulley, 2006; Vaughan-Williams, 2007a).

In the first case, this distrust of how far Levinas can get us in our study of responsibility towards Others in the plural, seems to me to mirror the critiques aimed at Campbell, namely that either there are notions and foundations of universalism that Campbell himself has sought to criticise (Cochran, 1999:136–7) or, on a more sympathetic note, that his reliance on Levinas in order to problematise this exact notion of universalism may not be wise (George, 1995:211), or even overcorrects Levinas, making him more "Levinasian" than Levinas himself (Campbell, 1998a:181). I believe that even if elements of universalism exist in Levinas (as Jim George suggests,

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[107] The Other's other. Explained in detail in section 3.4

this may not be avoidable since Levinas is "haunted by the memory of the Holocaust, the basis of a global evil", 1995:211), his is a universalism quite different than the one found in the rationalised universals of mainstream ethical philosophy. Furthermore, the concern for Otherness, difference and particularity inherent in his understanding of interhuman responsibility undermines issues of universalism, redefining subjectivity as "heteronomous responsibility in contrast to autonomous freedom" (Campbell, 1994:463); a responsibility coming before my freedom as a subject can still be valid when we enter the field of the third and politics. I suggest that this is possible through the concept of fraternity, which, despite its gendered characteristics, succeeds in bridging the gap of Other and third and addresses the worries of limitations in the Levinasian approach. In the second case, I find that this insistence on the border undermines Derridean hospitality in embedding it again in the binary of an inside/outside, despite professing to do the opposite. This insistence seems to me to inadvertently betray a disbelief in the idea that hospitality ethics might offer us the theoretical armoury to do to linger on the threshold of undecidability but also overcome it with a decision. In chapter five I revisit the conceptualisation of autoimmunity to show that this insistence can be done away with, along with the barriers it creates for any attempt to take the decision about hospitality seriously, while in my last chapter I look at how the camps for strangers may be a place where this autoimmunitary hospitality is already put in practice. I start by addressing my first concern in the next chapter.

3 / LEVINAS: OTHERNESS AND FRATERNITY

Introduction

The originality of Levinas' work is often located by scholars in its ethical character, which is not to be misunderstood as an attempt to elaborate a treatise of moral philosophy. As Levinas himself notes in *Entre Nous* (1998), his ethics is not motivated by an urgent need to develop *ab ovo* an ethical code setting out the structure and rules governing the relations among nations, good public policy and private conduct. This is not because the ethical values defined in his work are less fundamental; to the contrary. Their lack of practical application does not subtract from Levinas' main intent, which is to explore ethics "in relation to the rationality of the knowledge that is immanent in being and primordial in the philosophical tradition of the West, (...) beyond the forms and determinations of ontology" (1998:xi). This contrast with knowledge (and its intertwining with being) and ontology is a constant in Levinas' work on ethics along with the following core ideas: the *Other* as the epicentre of ethics, the *face* as the "locus" of the ethical encounter and the infinite *responsibility* deriving therefrom and imposed on oneself.

Apart from poststructuralism and poststructuralist ethics, Emmanuel Levinas' contribution to ethical and political philosophy has rarely been considered at great length in IR scholarship. Not even the advent of Critical International Theory and poststructuralist approaches and their subsequent exposing of the issues of exclusion, difference and the historically contingent power structures accepted a priori in mainstream IR theory, as in the cases explored in the previous chapter, seem to have offered a fertile environment for the in-depth consideration of Levinas' work in mainstream IR. It is true that Levinas is often mentioned in discussions of global or international ethics and international political theory (Hutchings, 1999; 2010; Bell, 2010), [108] but his presence usually serves mainly as a reference point for poststructuralist and/or postmodernist thinkers. His work appears to be more prominent in some discussions of poststructuralism per se (Edkins and Vaughan-

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[108] It is interesting to note, however, that Shapcott makes no reference whatsoever to Levinas in his chapter on hospitality in his *International Ethics* (2010). Derrida is barely mentioned either.

Williams, 1999; Zehfuss, 2009), where discussions of Otherness indebted to him are emphasised in poststructuralism's examination of questions of subjectivity and identity (see discussion in 2.4). While he features as one of the important critical theorists in Edkins and Vaughan-Williams' volume on *Critical Theorists and International Relations* (2009), his work has rarely been engaged in debates outside poststructuralism in earnest. One exception to this is perhaps Iver Neumann's work on the *Uses of the Other* (1999), which uses mainly the Self/Other relation to address the exclusion of the "East" in European identity formation.

Within poststructuralism in IR, the first engagement with Levinas happens in the 1990s and in the context of the wars in the Balkans. As we saw earlier, David Campbell's work of the period on the de-territorialisation of responsibility features prominently and is a good example of the general poststructuralist stance on Levinas, despite the critiques from within.[109] There Campbell focuses on Levinas' account of responsibility only to supplement it with the Derridean understanding of it and his criticisms. Here we find a very common – and problematic – characteristic of IR theory's relation with Levinas, if one can speak of a proper relation. This is the Derridean lens, or the "Derrideanized reading" (Hutchings, 1999:80) under which Levinas' work is seen, a small lens, which often gives a distorted picture. The encounters of International Relations with the Derridean concept of hospitality is a good case in point: as seen in the second chapter, these encounters either make a brief reference to Levinas' essential influence on it (e.g. Baker, 2011a) or choose to ignore it altogether (Baker, 2013). In the former instance, the reference is made solely through the Derridean lens: Derrida's objections and critiques are incorporated in the presentation of Levinas' contribution or not highlighted sufficiently.

If the IR ethical "turn" is to be defined by the ethical reconceptualisation of responsibility and subjectivity, then the absence of engagement with the Levinasian oeuvre seems odd, especially when considering Levinas' focus on defining the ethical subject, the ethical moment and the contours of ethical relation as the edifying discourse of a primary philosophy.[110] If individual and institutional responsibility and

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[109] See for instance Edkins (2005), Franke (2000) and Fagan (2013).

[110] Ethics as first philosophy: this oft-quoted phrase appears in *Totality and Infinity* (1969:304) and much later in Levinas' interview with Philippe Nemo (1985:75). It has been used as the title of two collections of essays about Levinas' work by other scholars and a late essay by Levinas himself.

their ethics acquire more ground, as they have been doing in recent decades in IR theory, and given that the issues of identity, alterity and exclusion have become increasingly prominent, how can Levinas remain unexplored, especially in ethics of migration? The answer may lie in the fact that Levinasian writings are often seen as (and are) overtly obscure and complicated. In addition, the accusation often levelled against him, that his work is in essence underlain by religiosity and theological concerns, seems to play a great role in putting researchers off. Finally, the figure of the third, seen broadly as "a complication of the line between the ethical and the political" (Fagan, 2013:12), constitutes a stumbling block even for the scholarship that does engage with Levinas. Perhaps the lack of in-depth engagement with his work or the abandonment at the nodal point of the third are indeed signs of his work not being at all useful to the ethical considerations of IR.

This chapter argues against this view of Levinas' work. Its contention is that Levinas' intellectual project does constitute an ethics, which is convincingly based on the face-to-face relationship and the importance of alterity. Calling this relationship "metaphysical", Levinas does not assign to it theological connotations, nor does he see it in terms of a highest being or cause (1974:84). On the contrary, he situates his ethics within intersubjectivity and the lived immediacy of everyday life (Levinas, 1981:74), with the face-to-face relationship at their core. As already seen in chapter two, traditional IR approaches and ethics of migration literature either implicitly or also often explicitly base themselves on an exclusionary, power-contingent understanding of the Other and an *Us versus Them* ordering of society, based on the primacy of the autonomous liberal subject, even when they purport to contradict it. As the present chapter goes on to argue, Levinas differs in this, and this is his greatest contribution to the ethical debate. The fact that the other person addresses me, calls on me and presents me with a demand to respond, constitutes a multilayered affective event of everyday life that cannot be sufficiently explained through a lordship/bondage view of the relation with the Other or through other understandings that lack any consideration for the Other's subjectivity. It is this chapter's contention that Hegelian,

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Diane Perpich notes that Jacques Rolland, in his 2000 book *Parcours de l'Autrement*, points out that this identifying of ethics with first philosophy gradually disappears in Levinas' works between 1961 and 1974. However, given that Levinas does not explicitly renounce such understanding of ethics, I do not consider this gradual disappearance as indicative of a change of heart or deviation in his intellectual project.

Kojèvian, existentialist and liberal accounts of the relation with the Other cannot provide us with anything more than descriptive readings of the Other (she being a refugee or an undocumented migrant) and of hospitality's issues. The same goes for the Buberian egalitarian view of the Other, which elides difference, and for the exclusionary framework of Agamben's *homo sacer*, and other biopolitical approaches.

Levinas offers as an alternative the face-to-face encounter with the Other, arguing that the latter's demand on me constitutes a precognitive [111] experience, which commands the use of my sentience *and* emotion. The encounter does not necessarily need to be conflictual, nor does the presence of the Other limit me; it invests me, "promotes my freedom, by arousing my goodness" (1974:200). This does not mean that the possibility of conflict is banished; rather, a dialogue is initiated, which acts as a proof that the normative demands of the Other on me are truly recognised and welcomed. In addition, this intersubjective experience allows me to discover my own particularity beyond held beliefs and knowledge. The Other is no longer a number to be managed, an individual to be kept outside or at the border, but a subject to whom I bear an infinite responsibility to respond.

Thus, ethics becomes a primary philosophy, which does not start with *Logos* or God but with the human encounter and communication, an optics through which all other philosophical issues may be viewed. While the infinite responsibility imposed on one by the face of the Other (to be explained below) cannot lead to moral prescriptions on how one should act or live their life (something Levinas never purported to do), it still defines the ethical moment and can lead to fertile ethical questioning. The impossibility presented to us by an infinite ethical demand, I argue, constitutes the essence of ethics, i.e., the failure by definition of ethical certainties and decisions when living life in common with other people. It is this tension brought about by the uncertainty and the infinitude of responsibility that leads us to question, reconsider, fight against and embrace our ethical position in the world that is constitutive first of

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[111] I interpret precognitive here and in the rest of the chapter as that stage of the encounter where the human sensibility is created within a continuum of sensibility and affectivity as an opposition to the sense of moral obligation of the Kantian kind, where the sense of being is based on the rationality of the Self. The reason for referring to the precognitive is because "in every representation of the [O]ther as an object of thought, the invocation of the [O]ther in the very discourse that thematises [her] means that something (or, more exactly, some*one*) escapes inclusion within the thematisation" (Perpich, 2008:75).

ethical life and then of justice. Albeit obscure and at times leading to theoretical impasses, Levinas' ethical vision is a useful compass and should be used as such.

His ethical vision is unhindered by the advent of the third, contrary to the scepticism of poststructuralist scholarship. While the third does indeed call into question the ethical encounter between Self and Other, this does not necessarily mean – as I argue later in the chapter – that this leads to a divided loyalty of the Self or her being overburdened with extra responsibilities (Perpich, 2008:58). Levinas' earlier concept of fraternity is crucial to avoiding this. I use it in order to show how, against said scepticism, the advent of Others in the plural may strengthen the original ethical relationship, irrespective of whether it moves it from the face-to-face precognitive relation to a field of justice (Simmons, 1999) or not (Bernasconi, 1999). The advent of the third person enhances the Self's responsibility in an anarchical way, creating a never-ending oscillation between ethics and politics (Simmons, 1999:83) that the concept of fraternity helps us address. Given that Levinas' rarely addresses the concept of hospitality by name,[112] his understanding of fraternity is what comes nearer to it.

These are thus the main four axes along which my chapter is organised. I start by looking at the relationship between Self and Other, inquiring into how the lordship/bondsman dialectic still informs philosophical approaches to Otherness. I then turn to Levinas' work proper: I explore his account of the human relation, the ethics of responsibility deriving from the face-to-face encounter, to finish with a discussion of fraternity as a way to address the commonly considered problem of the third and to look at the ethics of responsibility in society. As Atterton and Calarco argue in their recent volume on Levinas[113] – and with this I am in full agreement – the

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[112] The common confusion that he does relates with Derrida's calling *Totality and Infinity* a treatise in hospitality (Derrida, 1999a:21).

[113] In the edited volume *Radicalizing Levinas* (2010), Peter Atterton and Matthew Calarco are arguing in favour of a re-evaluation and reappropriation of Levinas' work. They consider that there have been two waves of Levinasian scholarship: the first one, located in the 1970s and 1980s, focused mainly on commentary and the exposition of the Levinasian oeuvre. Mostly inspired by *Totality and Infinity* and catching "many philosophers trained in the traditional ethics of Kant and Mill unawares" (2010:x), this wave undertook to explain the central concepts and themes of Levinas' philosophy, phenomenology, ethics, criticisms of Heidegger and other issues. Derrida was an exception to this rule, attempting from early on (1964) to engage critically with *Totality and Infinity* and other individual articles by Levinas, putting him in this way on the map, so to speak, of poststructuralist scholarship. To a great extent, this is what triggered the second wave: Derrida's *Violence and Metaphysics* created an interest around Levinas that translated in the 1980s and 1990s into what Atterton and Calarco call "an intense bout of navel gazing" or, better yet, an inward

time has come for an "explicit attempt to situate and explore Levinas' work within the context of the most pressing socio-political issues of our time" (2010:x), a task characterised for them by a special urgency, given the rampant current conflicts and a shaken "confidence in the authority of the face". While I do not consider that we now live in a world that is more conflict-ridden than before, nor that there has ever been a confidence in or for that matter any authority of the face to speak of, I believe that they are right to suggest that there is a growing number of attempts to engage with current issues on the basis of a Levinasian theoretical approach, despite the difficulties the latter presents us with. Butler's use of the Levinasian ethical encounter to approach war violence and the case of the Israeli–Palestine conflict more concretely is a good case in point, along with the consideration of Levinasian responsibility in her search for a new ethical practice that entails critical autonomy while being grounded in a differentiated sense of the human subject (2006; 2005; 2009; 2012). By extension, the use made by relational ethics of Levinas is another example: following on Butler, relational ethics draws on Levinas in order to think about and promote efforts to link with Otherness "across fractures of hurt, oppression and suffering" and "to challenge patterns of exclusion and dehumanisation in zones of intense political conflict" (Frosch, 2011:225). Similarly, there are other attempts in the same context to engage with contemporary theoretical and political issues: to deal with world hunger (Bernasconi, 2010), with the challenges posed by environmentalism and animal ethics (Perpich, 2008; Llewelyn, 2010; Calarco, 2010), and to address and redefine the problematic relationship between postcolonialist, gender and identity scholarship with Levinasian work, due to the latter's patriarchal, andro- and Eurocentric elements (Eaglestone, 2010; Perpich, 2008, among others). I believe a similar reconsideration of Levinas' thought should happen within IR in order to address the Other at the border. The following is partly an attempt to this effect.

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exploration of Levinas' writings, focusing on *Otherwise than Being* and an attempt to situate his oeuvre in the confines of poststructuralism and read it along deconstructionist lines. While this engendered a series of fertile inquiries, many of which were used in this chapter, as I argue in the introduction, hospitality is a good case in point of this second wave scholarship, being a concept mainly theorised and evaluated through a specifically Derridean lens. Now a third wave is in the rising in the social sciences, situating Levinas' work at the heart of discussions on environmentalism, animal ethics, technology, cybernetics, etc., with varying degrees of success.

3.1 Self and Other

As we have seen so far, questions of Otherness and responsibility have plagued political and ethical thought in their attempts to identify the optimal relationality with the stranger or liminal Other, her position and her treatment. I have already argued that philosophical conceptualisations of our relation with the Other are constituted by issues of hierarchy and power, which are often taken for granted for the simple reason that these conceptualisations have stood the test of time and logic. More concretely, I would like to argue in this section that it is Hegelian and Kojèvian understandings which inform and underlie the greatest part of the theoretical work on the relationship between Self and Other. In referring to it the term "master-slave dialectic" is often used, taken from a well-known part of Hegel's *The Phenomenology of Spirit* (*Die Phänomenologie des Geistes*) (1807; English trans. 1979), entitled "Independence and Dependence of Self-Consciousness: Lordship and Bondage", the first of two subsections in the "Self-Consciousness" chapter. The master and slave binary is often seen as a mistranslation of the German terms *Herrschaft und Knechtschaft*, actually meaning lordship and bondage. This part explains how Self and Other are constructed as self-conscious beings through being recognised as such by each other.

> Self-consciousness has before it another self-consciousness; (...) [Self-consciousness] becomes one with itself again through the cancelling of *its* otherness; (...) *Consciousness* finds that it immediately is and is not another consciousness, (...), and has self-existence only in the self-existence of the other. Each is the mediating term to the other, through which each mediates and unites itself with itself; and each is to itself and to the other an immediate self-existing reality, which, at the same time, exists thus for itself only through this mediation. (...) They recognize themselves as mutually recognizing one another. (Hegel, 1979:106)

According to Hegel, self- and mutual recognition is essential to human awareness and interaction, which in turn form fundamental parts of the Self's consciousness. Self-knowledge cannot be achieved through solitary introspection; rather the Self can only see itself when what it sees is another's self-consciousness. Following recognition, the Other as a distinct presence is experienced as an obstacle by the Self, since individual

consciousness cannot be free and independent anymore. Given that the Other cannot be suspended, i.e., killed, because this would nullify the possibility of any recognition, there must be some kind of compromise through reconciliation. Therefore the previous objective, individual 'I' is joined by the determination of another individual self-consciousness: as a result, there is the union and the creation of a "universal self-consciousness", i.e., one consciousness is universalised through the other. The lordship/bondage relationship is at the root of this universal self-conscious creative process: each thinks the Other through the terms of the Self, consequently the one reflects the Other like a mirror, but also reflects the Other reflecting herself; the only way for this to be overcome is through a struggle for domination and submission, with the aim and result of "supersed[ing] the [O}therness of itself" (Hegel, 1979:180).

"It becomes clear that any reflexive relation that self-consciousness seeks to have is itself only possible through an intentional relation to an Other" (Butler, 1987:50). The life and death struggle with the Other appears also to be crucial. Only through this struggle is autonomy eventually developed and attained, since merely living is not enough to discover oneself. One has to struggle and risk their life if they are to be recognised as more than a person: as an independent self-consciousness (Hegel, 1979:187). The struggle is eternal since even by acquiring lordship status such recognition is impossible: the slave or bondsman is not in a position (as an equal) to offer it. Annihilating the Other is not an option either, given that being in life is what keeps this struggle going. The subjugation of the Other by the Self is, in a nutshell, what keeps things in balance. Each side knows that they need the Other to survive and so they cooperate by sustaining their roles.

The lordship/bondsman dialectic, with its emphasis on recognition and survival, still informs in one way or another most of the current discussions around subjectivity and relationality. To a great extent this is related to the introduction and propagation of Hegel's thought in France by Alexandre Kojève, whose seminar on *The Phenomenology of Spirit* at the Parisian École Pratique des Hautes Études in the 1930s, attended by Lacan, Merleau-Ponty, Bataille, Breton and Sartre among others, had been greatly influential in creating what is called the French moment in philosophy[114] and in

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[114] See footnote 68, with an emphasis on the French philosophers of the second half of the 20th century who influence in their way the discussions about Otherness and hospitality.

defining continental radical thought. Despite and beyond its continental impact, though, this hierarchical understanding of Otherness is also crucial for analytical and Anglo-Saxon philosophy as explored in chapter two.

Kojève's approach was not one of mere elucidation and propagation by teaching. Rather he used Marx's materialism and Heidegger's ontology of being as prisms through which Hegel might be interpreted; and this led to a fundamentally original recasting of Hegel's thought. One of the main themes promoted by Kojève is a teleological idea that the end of time will be reached when the lordship/bondsman dialectic is overcome. This dialectic is presented by Kojève as key to Hegel's thinking and the understanding of the processes of historical progression. Emphasis is given to the desire of recognition as a moving force towards a Heideggerian understanding of "self-becoming" and a Marxist reading of the master/slave dialectic, with the need for mutual recognition now acquiring class traits and becoming a paradigm of all forms of social conflict and emancipatory process. A constant struggle between Self and Other is therefore seen as something natural, part and parcel of the nature of things and of a constant progress forward. In this respect, the excessive, violent and "totalitarian" aspects of the master/slave dialectic are also accentuated.

This understanding has been very influential: from Sartre's understanding of self-awareness established through the gaze of the Other (Sartre, 1957) to postcolonialism's emphasis on recognition and resistance (Ashcroft et al., 1995), a conflictual understanding of Otherness inspired by a master/slave dialectic is omnipresent. As mentioned in the introduction, my decision to focus on Sartre and postcolonialism derives from their relevance to the discussions of subjectivity and dualism explored in what follows, the biopolitical understandings of hospitality and their contrast with Levinas' conceptualisation of Otherness. In the case of Sartre, the argument is that self-awareness comes when the Self is confronted with the gaze of the Other, which has an absolute objectifying value. As such, it is only then that the existential subject becomes aware of her own presence, but at the same time the objectifying gaze robs the Self of her inherent freedom. Postcolonialism's relationship with the Hegelian and Kojèvian legacy, on the other hand, is much more problematic

and vexed.[115] Nonetheless, the master/slave dialectic has still been essential in postcolonialism's critique of imperial domination, the relation between colonisers and the colonised, the importance of the recognition of the colonised Other, etc. In both cases, as in the scholarship inspired by these two main approaches, not only is there not a tendency to avoid violence, but violent structures and struggles seem to be prescribed. Additionally, what is more interesting is that despite the promise of self-becoming, this continuous struggle is not characterised by success, but instead by recurring failure. As Žižek observes referring to Hegel's *Phenomenology of Spirit*

> does [it] not tell us again and again the same story of the repeated failure of the subject's endeavour to realise his project in social substance, to impose his vision on the social universe—the story of how the big Other, the social substance, again and again thwarts his project and turns it upside-down? (Žižek, 1999:76)

Therefore, engendering violence and a very strictly defined hierarchy, the master/slave dialectic does not seem to either empower self-becoming or even essentially challenge established categories. However, the problem identified in this thesis lies with the hidden egocentric monism of this approach, which seems to be arguing that "all truths and values can ultimately be reduced to the transcendental activity of an autonomous subject" (Peperzak, 1993:19) beyond relationality and Otherness. Such an approach focuses on all experiences deriving from "the Same", "which realises itself by appropriating them" (ibid.). The Otherness of the Other cannot reveal itself beyond the Self's dominating consciousness and hence, responsibility for the Other, empathy, care and hospitality seem to be accorded limited if any space.

Unfortunately, a similar movement happens in the biopolitical approaches to the Other, despite their general usefulness when it comes to considering hospitality practices and bordercrossing in the study of hospitality ethics. Here again, the preoccupation of scholarship with Hegel's master/slave dialectic encapsulates a preeminent concern with agency, often seen as essential to survival. The agency of the

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[115] See for instance, Edward Said's (1993) critique of the dialectical categories and philosophy of history, Homi Bhabha's "ambivalence" towards it (2011) and the vast debate around Hegel's relationship with the Haitian revolution (for instance, Buck-Morss, 2009).

excluded, persecuted, banned Other, i.e., a figure who by definition is found in a position of bondage, is further emphasised because of the way it is used to negotiate, organise, resist or challenge the binary relationship with its opposite, lordship. Within biopolitical scholarship Agamben has been often criticised for devaluing such agency[116] while other approaches like autonomy of migration emphasise the possibility for the stranger Other to exercise her agency under the auspices of alternative nexuses for the deployment of power, supporting networks, solidarity links, etc., in order to create the appropriate circumstances for her survival. A fundamental challenge – one that goes so far as changing the framework under which the Other occupies the place of the "slave" – is not usually the envisaged result that agency under the master/slave dialectic reaches; the focus instead is on resistance and a sense of belonging. Looking at the autonomy of migration, this is especially the case: "acts of refusal" and subversion of migrants (Papadopoulos et al., 2008), setting up of networks, escapes and unexpected insurgencies, etc., are proofs of agency that may target state institutions, sovereignty and the overall framework that binds them down; however, they mostly aim at creating relationships among "slaves" themselves. While this may be – and many times is – empowering and enables strangers, migrants and Others to take some control over their destiny, it still ties them down in a Self/Other-as-object binary and in a constant struggle, in which the subjects may change their positions within the structure, but will never undo the binary structure itself and the appropriation of the Other by the respective master.

The same happens with Agamben's biopolitical reading of the Other. First, I should note that I disagree that his conception of bare life is devoid of subjectivity; in his *Remnants of Auschwitz: The Witness and the Archive* (1999),[117] Agamben does outline a certain account of subjectivity when, opposite the Muselmann, he positions the witness, the one that bears testimony to the reduction of life to naked life that takes place in the concentration camp. With the living corpse of the Muselmann on the one side and the ones who survived and lived to speak about it on the other, Agamben defines subjectivity as the "production of consciousness in the event of discourse" (Agamben, 1999:123). Subjectivity spans these two sides and is born of the relation

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[116] See fn 61.

[117] The third instalment of the Homo Sacer Series, *Remnants of Auschwitz* constitutes an account of an ethics of testimony, which is founded in bearing witness to the thing one cannot bear witness to: the monstrosity of the extermination camp. The *Muselmann* is the central figure in this ethics.

between the two: bare life and testimony, with the latter constituting the space where resistance to sovereignty can be articulated; speech as the first political aspect of life: "the human being exists in the fracture between the living being and the speaking being, the inhuman and the human" (Agamben, 1999:135). Similarly, the shame felt by the survivor, as Primo Levi describes it in the third chapter of *The Drowned and the Saved* (1989), "is the constitutive affective tonality of subjectivity", Agamben argues (Mills, 2003). Disassociating it from the notions of guilt and innocence, he finds shame to derive from the ontological situation of being consigned to something that one cannot assume (Agamben, 1999:105, cited in Mills, op.cit).

Having completed this detour, I would like to return to the dualism I find inherent both in Agamben's and other biopolitical work engaging with Otherness. Be it the itinerary between the blurred distinction of man and citizen, the conceptual pair of *zoe* and bios or the binary of the Muselmann versus the witnessing human, I contend that Agamben's work is imbued with a dichotomy and an Us versus Them understanding of the Other. This binary is again one of clear hierarchy, since the Muselmann and the speaking witness, man and citizen, are on the same side (that of the Other) and incapable of undoing the bipolar structure they are tied into. Even if witnessing allows for an empowering potentiality of activity and resistance, where bare life re-appropriates and reclaims its life from the sovereign power, with its ability first to recognise and testify to its own nakedness and then regain the power to die, survive or act on its own body,[118] this empowered subjectivity seems to me to be problematic: in the case of Agamben and the case of witnessing, it is defined in narrowly political terms, strictly and exclusively linked with the power of Logos, the Aristotelian condition of the political par excellence. In the scholarship inspired by his work, the empowerment problem is conceived in narrow terms: through resistance, flight and self-harm that leaves the Self/Object binary unscathed.

Contrary to this oppositional understanding of relationality and closer to the ethical encounter advocated in this thesis, is the relationship with the Other as seen by Martin Buber (1923/2000). Buber maintains that subjects can enter into symmetrical and non-oppositional relationships and form true partnerships. Oppositional relationships, he

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[118] We should consider here the sowing-lips protest of Abbas Amini (Edkins and Pin-Fat, 2005) or other self-harm and self-immolations undertaken as acts of resistance.

argues, with their treatment of Others as objects, are essentially unethical. He instead sees two ways with which the Subject can engage with the world. The first, experience, is very common to everyone, as it involves the experience the subject has with objects, the "I-It" relationship as he calls it. This relationship is defined by a certain distance and lack of engagement while it simultaneously defines the world more or less as we know it, through its predominance in economics, politics, but also personal and family life. The preponderance of the "I-It" relationship in modern life, Buber argues, has resulted in alienation, angst and meaninglessness (2000:70–1).

The second is more intricate as it involves a genuine encounter with the Other, where the Other comes to symbolise an entire universe of meaning: this is the "I-Thou" mode of engaging with the world, through which both the I and the Thou are modified in their essence. The "I-Thou" constitutes a dialogical relation contrary to the monological of "I-It" according to Buber (1947/2002:1–21): Self and Other relate to each other with their "whole being" in an authentic meeting with the one another. Such relation is direct. No system of ideas, no foreknowledge, and no fancy intervene between I and Thou" (Buber, 2000:26). "Experiencing the other side" leads to inclusion, and that is "what makes it possible to meet and know the other in his concrete uniqueness and not just a content of one's experience" (1947/2002: xiii). Not to be confused with only the use of language, Buber argues that dialogue can take place even in a moment of silence, where Self and Other are just fully present to each other (Gordon, 2001:51).[119] While not disputing that each Self is

> born an individual, Buber draws on the Aristotelian notion of *entelechy*, or innate self-realisation, to argue that the development of this *individuality*, or sheer difference, into a whole *personality*, or fulfilled difference, is an ongoing achievement that must be constantly maintained. In *I and Thou*, Buber explains that the self becomes either more fragmentary or more unified through its relationships to others (Scott, 2010).

The emphasis is therefore on the *in between* of the relationship (*Zwischen*)

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[119] "In the deadly crush of an air-raid shelter the glances of two strangers suddenly meet for a second in astonishing and unrelated mutuality; when the All Clear sounds it is forgotten; and yet it did happen, in a realm which existed only for that moment" – this is one of the multiple examples Buber gives. This is to be found in his essay "What is Man" (1947/2002:242).

contradicting both Heideggerian and existentialist accounts of becoming and relating. A societal, public and personal life built upon such a relation of openness and acceptance is the solution to the woes of modern life seen just above. Love and responsibility towards the Other eschew meaninglessness and alienation while setting strong foundations for an ideal society (Buber, 2000:73–126).[120]

One can easily see why Buber's reflection on the human meeting with God in the third part of this seminal book[121] and his Talmudic references, along with his openness towards a fundamentally ethical encounter with the Other, would position him as an intellectual figure standing near Levinas. However, such parallels would obscure essential differences between the two. Buber speaks of a symmetrical, voluntarily agreed coexistence. Inspired by God and by an idea of a common good, the I-Thou "partnership" embarks on the building of a better community on the basis of reciprocity. Levinas in his long engagement with Buber's work[122] raises questions against this reciprocity and mutuality and attempts to distance his own account of the intersubjective from Buber's. For Levinas,

> it is questionable whether the relation with the otherness of the Other which appears as a dialogue of question and answer can be described without emphasising paradoxically a difference of level between the I and the Thou (Levinas, 1989:72).

Therefore, it is the asymmetry that defines the relation of Self and Other and not symmetry. If one is to insist on symmetry and reciprocity, that would mean excluding the possibility of the Other coming to us not with an address of equals but instead with an appeal. In the case of the ethical relation, Levinas argues, the Other may be poorer but at the same time she stands higher than I because of this exact poverty, nakedness, need (ibid.). The distinction between Self and Other is realised not because of the difference of specific personal attributes but due to the difference in primacy: the Other comes first because of her nakedness and need, of her appeal to the Self's

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[120] In a separate third step, Buber escalates this encounter with the even more fulfilling encounter with God, which I will not be addressing here.

[121] Written in 1923, the *I-Thou* [Ich-Du] is Buber's most influential philosophic work influencing Judaic and Protestant thinking alike.

[122] References to Buber can be found in various Levinas' works (for instance in *Totality and Infinity* and *Time and the Other*) before his 1982 final essay on Buber "Apropos of Buber: Some Notes" (Levinas, 1994:40–48)

responsibility in front of this need. Hence, the lack of symmetry and the difference of height in the relationship between Self and Other: this is in essence a break with what Levinas considers "Buber's formalism" (ibid.).

Similary, Buber's "I-Thou" relation seems to Levinas to be missing the element of time, consisting instead of meetings, "which are, for Buber, dazzling instants without continuity and content" (Levinas, 1994:12). The lack both of this time perspective and of the possibility of asymmetrical Self/Other encounters render Buber's description of the "I-Thou" relation problematic for Levinas, a kind of "rarefied ether of spiritual friendship" (1989:73) and of an idealised human encounter (Mumford, 2013:49). Such idealisation leaves no space to consider the relation with the Other who does not appear as an equal or as a member of a specific protected community, something that the Stranger or the undocumented migrant, of the type considered in this thesis, rarely is. Buber's divine providence and the duty to a specific community are essential parts, I think, in his kind of relationality. Self-determination or even determination as responsibility and response to the call of the Other are not at play, the symmetry of the two agents rules all. To the contrary, relationality as understood in the ethics of hospitality I am proposing, reflecting in essence relationality in modern life, is by definition asymmetrical, and for this, Levinas' approach is of paramount importance. Common good may not be attained, nor violence avoided through this asymmetrical ethical encounter. However, room can still be found for the given hierarchy to be challenged by basing it on the "difference of height" mentioned above: the unconditional, inescapable responsibility towards the Other and a subjectivity defined by it. I focus on these Levinasian elements in the rest of this chapter.

3.2 Human relation

> "*In the beginning was the human relation*"
> E. Levinas, *Ethics and Infinity*

Contrary to the usual philosophical importance given to a human's ontological relation to herself or to the totality of things called the world (relations Levinas refers to as *egology* and *cosmology*, respectively), Levinas claims that man's ethical relation to

the Other[123] is ultimately prior to any other relation (1986:21) and that it is because of this primacy of the interhuman relation that human beings are interested in questions of ethics at all. This relation, the encounter with the Other, which has a central role in Levinas' major mature works,[124] has a particular nature: the Other sways me with an unworldly force and in an unparalleled disruptive way for my consciousness. Her presence presents me with a command, from which I cannot escape. The demands made on the *I* by the presence of another human being is not something new for philosophy: for example, among others, traditional phenomenologists, such as Levinas was early in his career,[125] notice how one can see that the Other is like me, acts like me, appears to be master of herself as I am, and that we together share a social universe. However, Levinas remains dissatisfied with how the phenomenon of the Other is considered, for instance in Sartre (Levinas, 1986:17) or in Western ontology in general. What these understandings lack, according to him, is the command made by the Other mentioned above: the Other addresses me, calls on me. The command does not have to be real or even to be uttered in order for me to *feel* the summons implicit in the Other's presence. The summons is binding. In this encounter (even if it later becomes competitive or violent), the *I* first experiences itself by the fact that it is called and liable to account for itself. It responds as called by duty. This duty to respond to the Other "suspends my natural right to self-survival, *le droit vital*". The ethical relation to the Other stems "from the fact that the self cannot survive by itself alone, cannot find meaning within its own being-in-the-world, within the ontology of sameness" (1986:24). This is the core of the intersubjective life for which Levinas argues and which constitutes the central locus for his ethics and of most of his work.

The disagreement Levinas has with these understandings and "Western ontology" in

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[123] In this thesis so far, Other with capital "O" has been used in order to render both the Levinasian "*autre*" and "*autrui*". About the problems of translating these two terms and Levinas' unsystematic capitalizing and other relative matters, there is a detailed discussion by Adriaan Peperzak in the introduction of *Emmanuel Levinas: Basic Philosophical Writings* (1996:xiv–xv). However, I believe that for the needs of this thesis, the choice to use "Other" interchangeably does not create any misunderstandings. Wherever there is such a danger, the "human Other" will be used to translate "*autrui*'.

[124] In 1961 Levinas published *Totalité et Infini*, which is formally his *doctorat d'état* (*Totality and Infinity*, 1969) and in 1974 *Autrement qu' être ou au-delà de l'essence* (*Otherwise than Being or beyond Essence*, 1991)

[125] A vast debate surrounds Levinas' position in phenomenology: opposite arguments are often made, such as that his approach to ethics is post-phenomenological (Kearney) or is deeply embedded in it and expands Husserl's work (Drabinski, etc.). Simon Critchley suggests that Levinas' allegiance to phenomenology is mostly methodological (1992:246). While this is not a debate relevant to the discussion of hospitality, I tend to agree with Critchley's proposition.

general derive from what he considers to be "a certain, specifically Greek, way of thinking and speaking" which equates truth with an *intelligibility of presence*, by which he means "an intelligibility that considers truth to be that which is present or copresent, that which can be gathered or synchronized into a totality that we would call the world or cosmos" (1986:17–22). Therefore, by equating truth with presence, two terms of a relation, however different they might be in nature or in time (divine/human, past/present), "they can ultimately be rendered commensurate and simultaneous, the same, contained in a history that totalizes time" (1986:19), in permanent synchronicity. For Levinas, it is the opposite that actually happens. "I am defined as a subjectivity, as a singular person, as an *I*, precisely because I am exposed to the Other". The answerability towards the Other is what makes me an individual *I*; this is a responsible or ethical *I* (we will see this Levinasian position in further detail later) "to the extent that I agree to depose or dethrone myself – to abdicate my position of centrality – in favour of the vulnerable Other" (1986:27). This in contrast with a Western understanding of being concerned for my own being and with the possession of my own being considered as primary, of "mineness".

In *Totality and Infinity* (1974) Levinas attacks exactly this, i.e., what he considers to be the monism of Western thought, a totalizing force where the universe seems to be "reduced to an originary and ultimate unity by way of panoramic overviews and dialectical syntheses" (Critchley et al., 1996:x) and where the human and the divine Other are reduced to a totality of which they are sheer elements. Western ontology, as in the case of Sartre's consideration of the Other, tends to reduce the Other to the categories of the same, according to Levinas; and he sees it as a modality of unity and fusion with the self (1986:17). Against this, he argues, philosophical thought should consider the "nonsynthesizable 'separation' that characterizes the relations between the Other and me". For him, Ego,[126] related to the platonic Same, is the *totality*, characterised by the preeminent position it has in the understanding of the world: the Ego is the central point of reference and order of the world, symbolised as the consciousness (perhaps in need of a capital "C") of Western philosophy. The *heteron*, the Other, on the other hand, is the *infinite*. The Other, the other human being one encounters, represents infinity because of her ungraspable or incomprehensible

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[126] It may be useful to note that Levinas uses the words self, ego and I interchangeably, as I also do here.

character. As such, while the encounter can be real, the way the Other is revealed to me is beyond any categorisable phenomenon or ontological framework: "the description must also use ethical terminology" (Levinas, 1996:xi). This uncategorisable encounter constitutes an asymmetrical relationship, according to Levinas: the Other's infinity presents the Self with an infinite demand that needs to be met, a demand that precedes any choice or decision made by me. Here Levinas disagrees with Buber and his description of the I–Thou ethical relation as a symmetrical co-presence.[127] The encounter with the Other is always asymmetrical and "this essential asymmetry is the very basis of ethics: not only am I more responsible than the other but I am even responsible for everyone else's responsibility" (1986:31). As it is expected, these characteristics of the encounter with the Other create a strong tension, which is to be found in all great theoretical debates about justice, freedom, fraternity, love, etc. Levinas attempts to deal with this tension between the asymmetry of the relationship with the Other and me, between the demand of her presence and my enjoyment of the world, between the totality of consciousness and the infinite character of Otherness.

3.3 The face, Otherness, ethics of responsibility.

Ph. N.: In the face of the Other you say there is an "elevation", a "height". The Other is higher than I am. What do you mean by that?

E. L.: The first word of the face is the "Thou shalt not Kill." It is an order. There is a commandment in the appearance of the face, as if a master spoke to me. However, at the same time, the face of the Other is destitute; it is the poor for whom I can do all and to whom I owe all. And me, whoever I may be, but as a "first person", I am he who finds the resources to respond to the call.

Ph. N.: One is tempted to say to you: yes, in certain cases. But in other cases, to the contrary, the encounter with the Other occurs in the mode of violence, hate and disdain.

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[127] Apart from the discussion of Buber in *Totality and Infinity* (1974:213), Levinas refers to him in his interview with Richard Kearney (1986:13–33). For the relationship between the Levinasian Self and Other and Buber's I–Thou, see Bernasconi, "'Failure of Communication' as a Surplus: Dialogue and Lack of Dialogue between Buber and Levinas", in Bernasconi, R. and Wood, D. (1988), *The Provocation of Levinas: Rethinking the Other*, 100–35; and Tallon, A. (1978) "Intentionality, Intersubjectivity, and the Between: Buber and Levinas on Affectivity and the Dialogical Principle", *Thought*, 53: 292–309. Critchley also makes a short reference in *The Ethics of Deconstruction* (1992:225).

E.L.: To be sure. But I think that whatever the motivation which explains this inversion, the analysis of the face such as I have just made, with the mastery of the Other and his poverty, with my submission and my wealth, is primary. It is the presupposed in all human relationships. If it were not that, we would not even say, before an open door, "after you, sir!" It is an original "After you, sir!" that I have tried to describe. (1985:88–9)

Diane Perpich makes a valid point when, considering the amount of pages devoted to the significance and implication of one of the main Levinasian keywords, the face, she finds that any relevant commentary cannot but "look shopworn or obvious" (2008:51). One has to defy, however, the danger of another trite attempt to engage in depth with this cornerstone of Levinasian ethics, given its centrality and importance, especially for constructing an ethics of hospitality. According to Levinas, the Other manifests herself as "the naked face of the first individual to come along". Do the features of this face matter? Not in the first instance, since looking at, recognising and describing the face does not implicate you in a social relationship. One does not access the face through recognition or knowledge: rather, it is a "straightaway ethical" process, while the feature that stands out is the face's uprightness, its defencelessness and its nakedness. Its destitution. Used in both metaphorical and literal ways, Levinas acknowledges an essential poverty in the face, which is exposed and open to menace and violence against it (Levinas, 1985:85–6). How does the face affect us? Exactly by the presence of this destitution and poverty; the face of the Other presents us, in an immediate manner, with an ethical claim and a need to respond to it. The vagueness of the Other's identity is multiply emphasised by Levinas: the Other is unknowable and beyond the capacity of the Self's comprehension. This is "crucial for Levinas' theory of ethics, because it protects the Other from being assimilated by the Self, which is necessary for the maintenance of the ethical relation. In other words, the Other, in order to remain Other, needs to be protected from the tendency of the Self to identify, classify, label, or otherwise 'know'" (Dauphinee, 2009:238). It has meaning, "it is meaning and meaning without context", the face cannot become content, it is uncontainable, it escapes from being as a correlate of a knowing and leads you beyond (Levinas, 1985:85–6, translation altered).

Judith Butler underlines how the face may not exclusively be a human face: borrowing

from Levinas' 1984 essay "Peace and Proximity", she sees the "face" operating as a *catachresis*, i.e., an overreaching use of the word, equally possible to describe, for example, a person's back or the craning of a neck (Butler, 2006:133). This is a discussion that may complicate things,[128] without however being especially important for the message the face carries for Levinas: as described in the quote at the beginning of this section, the appearance of the face carries an order, a commandment, the first word. It is this discursive symbolism of the face that is of paramount importance, and not whether the face can entail more bodily aspects or at what point knowledge and recognition of the face takes place.

The face thus plays a dialogical role: "[f]ace and discourse are tied" (Levinas, 1985:87). Its presence disrupts me from my narcissism (Butler, 2006:138) and calls me to respond in such a way that I am in essence held hostage:

> I am pledged to the other without any possibility of abdication. I cannot slip away from the face of the other in its nakedness (…); to approach is to be the guardian of one's brother; to be the guardian of one's brother is to be his hostage (Levinas 1998:71–2).

The face of the Other calls me to respond. One could obviously talk of an antiphasis here: if my relation to the Other is pre-linguistic, how can the Other call me? This is a recurring problem in understanding the Levinasian Self/Other relationship, which at least for the purposes of this chapter I treat as no more than the resulting tension of a wager that Levinas ventures by placing first the intersubjective, but pre-linguistic, pre-conscious encounter, broadly understanding it as a perceptual experience apt to root human language in human bodies and intersubjectivity (Bergo, 2011).

In any case, Levinas makes clear that his aim is not to insist or show that "the Other forever escapes knowing" (1969:89) or to put knowledge in doubt or even enshroud the

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[128] And complicate them further it surely does, as Diane Perpich realises when remarking that Levinas, in *Totality and Infinity*, states more than once that the "whole body" is a face. Perpich is clearly against any conclusion that the face is a body, and argues in favour of resisting "a metaphysical or re-essentialising interpretation of the notion of the face" (explaining "[w]hereas a body can appear, the face does not and cannot", i.e., the body can be represented and be an object of knowledge, while the face resists, at least in the way Levinas conceives of it theoretically). However, she still considers the relation between the two to be problematic (2008:64–5), as I do too.

Other in an eternal mystery. The Other can eventually be represented and treated as an object (Perpich, 2008:75). However, this does not undermine the initial, precognitive encounter with the Other or exhaust our ethical relation to her. And why is it important to insist on this precognitive ethical encounter? For Levinas, the point for doing so is that "in every representation of the [O]ther as an object of thought, the invocation of the [O]ther in the very discourse that thematises [her] means that something (or, more exactly, some*one*) escapes inclusion within the thematisation" (ibid.) This is to mean that representation, albeit inevitable, constitutes in essence an act of exclusion or even a violent act.

Therefore, while the vision and the recognition of the facial features, as seen above, do not construct my relation to the Other, the implied discourse, the demand imposed on me by the appearance of the face of the Other, the response that is expected from me and the responsibility do. They constitute the authentic ethical relationship (88). Can this be a silent demand? Butler sees this demand as "a kind of a sound, the sound of a language evacuating its sense, the sonorous substratum of vocalization that precedes and limits the delivery of any semantic sense" (2006:134), a demand that may or may not be uttered. And why is this an "authentic ethical relationship"? This encounter of the face presents me with two forces pulling in opposite directions: the temptation to kill and the call to peace (you shall not kill); "the face operates to produce a struggle for me, and establishes this struggle at the heart of ethics" (ibid. 135). The face-to-face relationship and the face itself come about simultaneously (Perpich, 2008:75). This struggle also becomes an existential struggle. Being held hostage by the Other and her command, my existence is defined by her. However, the struggle is not one of domination such as in the lordship/bondage dialectic. The aim is not to order the Other to submission, nor is my existence defined by the mirroring of my self-consciousness. Consciousness and recognition come after my encounter with the Other and her face. With the face symbolising the extreme precariousness of the Other (1996:167), not only do I address the Other when I speak to her but I also come to exist, as it were, in the moment of being addressed, and something about my existence proves precarious when this address fails (Butler, 2006:130). The face is the only "thing" that metaphorically *breaks through* existence (Bergo, 2011), because my moral binding to the Other does not derive from my reflexivity or autonomy but "comes to me from elsewhere, unbidden, unexpected, and unplanned" (Butler, op.cit.). For

Levinas, therefore, the relation to the Other defines my subjectivity, which is not atomised or independent of context, but "a radically interdependent condition" (Campbell, 1998a:173), constituted by Otherness (Odysseos, 2007:xxx). As argued in the previous chapter, this is the understanding of subjectivity through Otherness that has gained currency in poststructuralist scholarship and is among the main Levinasian influences within IR (Der Derian, 1997; Campbell and Dillon, 1993), which however, still feels underused.

From the moral height and destitution of the face in *Totality and Infinity*, Levinas moves in *Otherwise than Being* to the even more radical understanding of *substitution*,[129] seen briefly above in the metaphor of being held hostage by the Other's command, where one could even sacrifice themselves for the Other. This intensification of language perhaps symbolises an effort on Levinas' part to address some of the lacks of other, Western accounts of the relational I and emphasise the need to depart from their ontological thinking. Substitution could be seen as an answer to three such main accounts. Firstly to "the theorists of war" (1996:91 – here he mostly refers to Hobbes, with whom he seems to be in some kind of constant dialogue throughout his work, without though naming him or engaging with him textually), in an effort to prove that, *contra* Hobbes, generosity is not to be found in the Ego, unless the Ego has gone through this experience of infinite responsibility and substitution (Levinas, 1996:88; also Bernasconi, 2002:235). Secondly it is an answer to his eternal interlocutor, Heidegger: again, as with Hobbes, Levinas argues that sacrifice and responsibility for the Other is not possible in an understanding that sees the human subject mainly concerned with its own existence; "knowing of oneself by oneself, is not all there is to the notion of subjectivity" (1991:102). Finally, substitution is destined to address theorising that considers subjectivity as rooted only in self-consciousness. For such theorists (Levinas names Hegel and Sartre, 1991:103), "the identity of the I would thus be reducible to the turning back of essence upon itself", and taking responsibility for the Other to the point of sacrifice is only possible because of free consciousness per se and not because of the "impossibility of evading the neighbour's call". This is problematic because "[t]o say that subjectivity begins in the person, that the person begins in freedom, that freedom is the primary causality, is

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[129] Substitution constitutes the "core concept of that book, and yet it remains enigmatic" (Bernasconi, 2002:234).

to blind oneself to the secret of the self" (Levinas, 1996:94–5).[130]

Therefore, sameness or alikeness, which has usually been at the background of what ethically matters in Western ethical thinking, plays no role here. For Levinas, the shared capacity of reason, the common understanding of human flourishing or pleasure and pain, the importance of (similar) sentiments and habits have no say in responsibility and what is owed to others. He instead argues for the opposite. As already seen above, the *I* lives the embodied experience of the encounter with the Other: this encounter is "disruptive" for my being, obliging me to respond; it is the source of language and dialogue but also the roots of "intersubjectivity as lived immediacy". The *I* discovers its own particularity when it is in front of the Other, addressed and implored by it, even if this address does not have any discursive content. This affective moment of "interruption", as Levinas calls it, is the immediate experience of responsibility.

Me voici. Here I am. See me here. My sheer presence precedes any self-consciousness or choice. The un-chosen responsibility I carry is passive, more passive than the mere juxtaposition of passivity with activity can reveal. Levinas describes ethical responsibility as *insomnia* or *wakefulness* (his emphasis) because he considers responsibility as a perpetual duty of vigilance and effort that can never fall asleep (1986:30). We do not choose to be responsible. Responsibility arises as if elicited, before we begin to think about it out of freedom and individual choice. Levinasian responsibility is not categorisable in terms of good or bad, of altruistic or non-altruistic behaviour, and it is untransferable (Levinas, 1985:95–101). "Why does the other concern me? Am I my brother's keeper? These questions have meaning only if one has already supposed that the ego is concerned only with itself, is only a concern for itself" (Levinas, 1989:106). For Levinas, such an orientation can never provide the groundwork for a meaningful ethics. In a world characterised by the priority of the Self's ego, Others are encountered only as obstacles on the road to self-actualisation, wherein "every other would be only a limitation that invites war, domination, precaution and information" (Levinas, 1989:108). Put simply, ethics is not ethical when it is ultimately geared towards the pursuit of self-actualisation. In addition, his

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[130] Levinas' understanding of freedom, in its participation in the republican trinity, is discussed later in this chapter.

ethical project is not intended to create a universal definition of Otherness, or to standardise the form and content of responsibility (Dauphinee, 2009:244). Ethical responsibility is simply "the surplus of my duties over my rights" (Levinas, 1981:159) and stems from the awareness that my existence generates violence in the existence of Others (Dauphinee, 2009:236). The recognition that my existence imperils the Other is the foundation for Levinas' notion of an infinite – but guiltless – responsibility. I am responsible to the Other with no limitations and with no possibility of abdication. This forms the starting point for all subsequent political thought. But how can one approach the political? To this I now turn.

3.4   Ethics of responsibility in society: fraternity and the third

> In the general economy of being in its inflection back upon itself, a preoccupation with the other, even to the point of sacrifice, even to the point of dying for him or her; a responsibility for the other. Otherwise than being! It is this shattering of indifference – even if indifference is statistically dominant – this possibility of one-for-the-other, that constitutes the ethical event. When human existence interrupts and goes beyond its effort to be – its Spinozan *conatus essendi* – there is a vocation for an existing-for-the-other stronger than the threat of death: the fellow human being's existential adventure matters to the *I* more than its own, posing from the start the *I* as responsible for the being of the other (Levinas et al., 1998:xiii).

Can this understanding of ethics regulate society? Levinas is categorically against such an idea. "As *prima philosophia*, ethics cannot itself legislate for society or produce rules of conduct whereby society might be revolutionized or transformed. It does not operate at the level of the manifesto or *call to order*" (1986:29). For Levinas, this is the terrain for morality to operate, i.e., in the socio-political order of organising and improving our human survival as a series of rules relating to social behaviour and civic duty. However, this morality "is ultimately founded on an ethical responsibility towards the [O]ther", which in the real world is "a form of vigilant passivity to the call of the other, which precedes our interest in being" (ibid.). Levinas describes how ethics becomes morality and hardens its skin when it enters the political world but insists that the ethical norm of the interhuman, of the encounter with the Other and the responsibility it bears, must continue to inform, inspire and direct the moral order.

This should be the ethical foundation, and where it is relinquished, one must be ready to accept "all forms of society, including the fascist or the totalitarian, for it can no longer evaluate or discriminate between them. (...) This is why ethical philosophy must remain the first philosophy" (1986:30).

To preclude these societal totalising tendencies and in order to address approaches of exclusion and violence towards the Other, Levinas makes recourse to the concept of fraternity, while in his later work the *third*, as the Other beyond the I–Other relationship, i.e., the others in plural, enters the discussion. Both concepts are widely considered as the moment when Levinas' ethical work converses with politics (Bernasconi, 1999; Critchley, 2004; Caygill, 2002, among many others), "a moment of transition" (Dauphinee, 2009:239), an intertwinement with the political, where fraternity acts as the bridge between the ethical and the political and as a tentative solution to the tensions created by the move from the one-for-the-Other to one-for-the-others and to the attribution of justice.[131]

This is a perplexing moment for Levinas' scholars, as for some (Fagan, 2013; Critchley, 2004 and elsewhere) it seems that, despite his best efforts, he fails by allowing his understanding of fraternity to promote the unity and homogeneity he purports at the same time to oppose.[132] On the other hand, the third is considered by critics to introduce a "bumpy passage" from ethics to politics (Molloy, 1999:233). Along with the question of proximity it brings forward, which purportedly hints at the need for an absolute control of justice by the State (Campbell, 1998a:179), both issues are considered to undermine any previous discussion of responsibility. Contrary to this perception, I believe that Levinas' understanding of fraternity, despite its patriarchal

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[131] As Bernasconi notes, there are at least three main accounts of the third (Levinas, 1991): first there is the "third man" as in the third party (*le tiers*); then there is the third person (*la troisième personne*), as in the neutral observer whose standpoint corresponds to that of the universal reason; and finally, there is the notion of "illeity", from the French personal pronoun "il", meaning he. This is a difficult notion, referring to the difference of height mentioned in 3.1; and it tries to convey the unbridgeable distance between the Self and the Other, the impossibility of pronouncing a "thou" in some kind of reciprocity with the other person. I will be referring only to the third here, as an all-encompassing reference to the third man and person, as the notional intricacies are not of great importance for the argument. However, like Bernasconi, I believe that the existence of these interrelated and sometimes barely indistinguishable senses of the third constitute a contestation against "the widespread conviction that Levinas must be understood as a philosopher of ethics who nevertheless had little to contribute to our understanding of the political" (Bernasconi, 1999:76).

[132] Derrida is another scholar who has particular problems with the use of the term fraternity, considering it (along with fraternisation) as a way of designating politics rooted in similarities and not difference (see *Politics of Friendship,* 2005c)

resonances, stands above thematisation and homogenisation and instead can be a helpful tool in two interrelated ways: on one hand, envisaging the Other as non-assimilable and as the one to whom an incommensurable responsibility is owed; on the other, envisaging the responsibility towards the Other's other, in this way enabling justice and thus allowing multiple, simultaneous ethical one-to-one encounters to coexist. Similarly, I dispute this common rendering of the third. Without underestimating the problems it presents, I argue that it enhances the responsibility I show to the Other. Below, I look at the third and fraternity along these lines, examining also some of the reactions they have provoked. I will start with the third even if it follows fraternity chronologically in Levinas' work. The reason for this is that the third is one of the best-known Levinasian concepts, which as mentioned in the previous chapter, but also above, has attracted a lot of criticism, being pictured as the stumbling block of Levinas' work even within poststructuralist circles. Following this, I will explore fraternity, arguing that fraternity can address these criticisms and bridge the theoretical gap that the third may have introduced into the passage towards politics, with an emphasis on its usefulness within the discussion for an ethics of hospitality.

Apart from referring to the third (in its various guises) in the fifth chapter of *Otherwise than Being* (1991), Levinas also presents accounts of it in the essays "The Ego and Totality" (1987) and "The Other and the Others" (1969). [133] Simplifying it, the third is another way of referring to the other people outside the ethical relationship we have seen above, identified as the other selves and interrupting it. Levinas introduces *le tiers*, the third, a third party (an Other of the Other who faces me) and connects it to the birth of politics as the critical adjudication of conflicting interests. As seen above, if the *I* and the Other were alone in the world, the ethical relationship would have ordered the *I* to assume a responsibility for the Other alone, and "there would not have been any problem, in even the most general sense of the term" (Levinas, 1991:157). The exclusive relation of infinite responsibility to and for the Other "is troubled", however, "and becomes a problem" with the entrance of a third party (ibid.). By saying that the third party's presence causes a problem, Levinas refers to the existence of consciousness, self-consciousness and conscience more generally, of the assessing,

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[133] Initially "Le moi et la totalité" in the *Revue de Métaphysique et de Morale* (1954); "The Other and the Others" can be found in *Totality and Infinity* (1969).

weighing and judging that we associate with reflection and deliberation. This third party already exists in his previous work as "the whole of humanity" (Levinas, 1969:213) and, as such, I am responsible to it, since the ethical relationship for Levinas, as seen earlier, is constituted in such a way that I am already responsible to the Other of my Other, to the Other of my neighbour, etc. However, the third imposes the need for comparison and assessment, and these acts belong to the order of politics. The third is the moment where Levinasian ethics converse with politics. In his early work (1992), Critchley advocates the possibility of what he calls "a Levinasian politics of ethical difference", where (what he considers to be) the political impasse of deconstruction, i.e., the difficulty of passing from deconstruction's understanding of ethical responsibility to political questioning and critique, can be overcome. Ethics continues to come first: "politics begins as ethics" and without the latter, the former may – and very often does – become totalising and totalitarian. The belief that political rationality may be able by itself and in itself to resolve all political questions is misguided and bears great risks for Levinas, since "politics left to itself bears a tyranny within itself" (Levinas, 199q:21). The need for nuanced conceptions of society and of the stranger, which may move away from rational – on first reading – understandings of what political decisions are good and appropriate, is enforced by the questioning brought about by ethical responsibility, as this has been discussed in this chapter. This responsibility, deriving from the ethical encounter in front of the infinitely demanding face of the Other, leads to a space of questioning: political life is repeatedly put into question in order to "interrupt all attempts at totalisation (…) totalitarianism, or immanentism" (Critchley, 1992:219–41) and exclusion. Levinas calls that "the latent birth of the *question* in responsibility" (1984:157; his emphasis). The "question" is born when the ethical relation is not between two subjects but when it concerns everyone, "plac[ing] itself in the full light of the public order" (1974:212). As already discussed, the ethical relation for Levinas is by definition distinct from the Buberian I–Thou relation: it is not symmetrical or self-sufficient, far from a conception of co-presence. To the contrary, not only is it radically asymmetrical, as seen so far, but also the ethical obligations hereby deriving from it are obligations towards a third party: other*s* and humanity in general. "The third party looks at me in the eyes of the Other" (1974:213); its presence "introduces a limit to responsibility and allows the 'birth of the question'" (Critchley: 1992:231), which is the question of justice: "what do I have to do with justice?" (1981:157).

It is often argued that Levinas' thought around the opening towards the political is neglected (Simmons, 1999; Bernasconi, 1999). However, the third has been criticised by almost everyone, and especially by the scholarship presented in 2.4 (see, for instance, Campbell, 1998a; Dauphinee, 2007; Hagglund, 2008, Fagan: 2013 and others). I will return to these critiques in the conclusion, but suffice it here to say that the main problem lies with the arrival of the third representing an impediment for the face-to-face ethical encounter, annulling my responsibility to the Other, which is now referred to social and political constraints, strengthening in essence the state's role in it. Levinas draws a quite different conclusion from his thinking of the third. Instead of regarding the ineluctable relation to the third as refuting the idea of an originary ethical encounter, Levinas claims that it paves the way for justice, taking into account both the singular Other and Others. What is often neglected is that Levinas himself is uncertain about the best way of relating the third to the face-to-face relation. Whereas it is commonly understood that the third appears *after* the face-to-face relationship with the Other is established, following an oft-quoted passage in *Otherwise than Being*,[134] Levinas in other places in the same book suggests that the third is already present in the ethical relation *within* the face of the Other and that "in no way is justice (...) a degeneration that would be produced in the measure that for empirical reasons the initial duo become a trio" (Levinas, 1991:159). As Bernasconi observes (1999:76–7), this is not expressed for the first time. A close reading of *Totality and Infinity*, written some years earlier, suggests that from early on Levinas did not consider the third as a later-stage addition to the face-to-face ethical encounter: "it is not that there first would be the face, and then the being it manifests or expresses would concern itself with justice; the epiphany of the face qua face opens humanity" (Levinas, 1969:213). However, this uncertainty is baffling. On the one hand, the advent of the third, after the ethical relation with the Other is set up, symbolises the passage from the ethical to the political and as such; the political would undermine the ethical since the unconditional responsibility towards the singular Other would be impossible to uphold in the political realm of various Others. This is after all the usual main point of the criticism of the third. On the other hand, however, if Levinas indeed considers that the third already exists and is present in the face-to-face ethical encounter,

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[134] "The responsibility for the Other is an immediacy antecedent to questions, it is proximity. It is troubled and becomes a problem when the third party enters" (1991:157)

within the singular Other, this would suggest that the third "would serve to correct the partiality of a relation to the Other that would otherwise have no reason not to ignore the demands of the other Others" (Bernasconi, 1999:77). But which of the two is it?

I believe that the second option holds water. There is the common belief that the third designates solely the domain of the political where "it is necessary to interrogate and calculate intersubjective relations in order to achieve social justice" and that the fact that Levinas does not renounce "his notion of a singular, ethical encounter with the Other, which would precede the political" means that, according to Levinas, "the political community should be guided by the respect for the Other, who here turns out to be no one less than God the Father" (Hagglund, 2004:58). Contrary to it, I believe that Levinas tries to convincingly bridge the ethical with the political by extending the relation not to a singular Other but partially to all Other Others, no matter the result. I also believe that his critics' emphasis on the divine element is misplaced. In a much less studied essay of his, "The Ego and Totality" (1987), this is articulated in a significantly clearer manner. Here no transcendental or metaphysical power is evoked. On the contrary, Levinas argues that guilt and innocence is not due to and cannot by governed by the belief in a transcendent God (1987:31); that in real society, the actions of the Self towards the Other need to take into account the harm they may cause to the Others whom the Other is related to (1987:30); and that one needs to make sure that their the ethical relation with the Other is not neglectful of the third party (1987:33; Bernasconi, 1999:78). This neglect is possible in self-sufficient face-to-face relationships like the Buberian I-Thou relationship (Levinas, 1969:213), or could have been possible even in Levinas' own rendering of the ethical encounter with the Other; however, the fact that the third party is already present in this encounter (since I choose to accept this interpretation) is what makes the passage from ethics to politics possible (Bernasconi, op.cit). If the third party is indeed external, this passage would be impossible because the core of the ethical that eventually will inform the political, the responsibility towards the Other, would have been undermined. Instead, "the presence of the third party (that is of the whole humanity which looks at us) also commands *us* (my emphasis). The focus on the personal pronoun is important here: it is not anymore about the Other addressing *me* but a humanity (of Others) looking at *us*. "Separation is the precondition of the face to face, but through the third party I am joined with the Other" (Bernasconi, 1999:80). I believe that the best way for this to be

conceptualised is through his earlier notion of fraternity.

Levinas has continuously underlined fraternity in his work. He "constantly reminds us, the modern political has been trinitarian since the French Revolution" (Caygill, 2002:3). Supplementing the liberal tradition from Kant and Hegel, which emphasises freedom and, to a lesser degree, equality, Levinas insists on highlighting the third dimension of fraternity. With political horror and war always in the foreground of his thought,[135] Levinas invests in this third concept in order to develop an ethics of alterity and subsequently find there a promise of peace. Fraternity in the way it is understood by Levinas becomes challenging. Along with freedom and equality, it is generally understood either as having universal standing or as belonging to a specific state, nation or race (interpretations of either the American Constitution or the French Declaration of the Rights of Man and of the Citizen point to these varying understandings). Levinas' understanding, though, begs to differ: neither universality nor particularism can uphold fraternity; for him, it has to be defined beyond these two opposites and constitute the basis of alterity (1969; 1978). In this way, freedom and equality will derive from fraternity instead of the latter being a third supplement to the first two. In the case of this project's specific discussion, if my relation to all Others at the border and within my community is defined by fraternity, this means that issues of belonging and community identity cannot trump my responsibility to the needs of the Other. In this respect, fraternity stands very close to a conceptualisation of hospitality, given that he has rarely used the term in itself. As I will discuss in the conclusion, the prioritisation of my responsibility will take place in an autoimmunitary fashion in my effort to spare her from suffering, violence and death in spite of any qualitative caveats. My freedom follows, as does the need for equality. As it is easy to imagine, fraternity becomes another contested Levinasian concept (Caygill, 2002; Critchley, 2004, among others) that relates to ethics and politics via the notion of justice and the third.

As a concept, fraternity appears in Levinas' work very early on and undergoes an evolution: from first being explored in the context of eros in his 1947 *Existence and Existents* and then along *fecundity and paternity/filiality* in *Totality and Infinity* (1961), to

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[135] Levinas survived the Holocaust only because he was in the French military, while the majority of his family perished.

encapsulating the problem of subjectivity in *Otherwise than Being* (1974). Despite the understanding that "love is knowledge", eros is, for Levinas, the first instance where the relation with the Other breaks away from knowledge of the Other as an object – the first instance where it becomes a moment of absolute alterity (1985:65–7). Some years later, this consideration of eros becomes marginal in Levinas' work, and one can say it is partly transformed into the concepts of fecundity and paternity: away from their biological dimension, Levinas focuses on how these concepts involve the transcendence of oneself. "Paternity is a relation with a stranger who while being other (...) *is* me, a relation of the I with a self which yet is not me. In this 'I am', being is no longer Eleatic unity. In existing itself there is a multiplicity and a transcendence" (1969:277, his emphasis). It is a relation to the Self where one is simultaneously Other. This brings Levinas closer to the substitution seen earlier in this chapter, where the Self is called into subjectivity by the presence of the Other. The added element here is the multiplicity of subjects, since there is more than one paternal/filial relation. Apart from this inquiry into family terms, or better yet, even more than this inquiry into alterity as familial relation, is fraternity's relation with the French republic motto of *liberté, egalité, fraternité*.

The republican trinitarian concept seemed to have preoccupied Levinas from very early on. A student in Strasbourg shortly after the city was re-annexed to France and with the university being consequently re-founded according to the prescripts of French republicanism, Levinas' early academic life was further marked by the reverberations of the Dreyfus affair and the meaning this acquired for French philosophical thought.[136] If nothing else, the Dreyfus affair undermined the republican understanding of freedom, equality and fraternity, highlighting especially the dangers posed by confessional fraternity and other narrowly understood or group-based fraternal categories. Levinas seems to have intuited the need for an ethical concept of fraternity, one which is not defined "in classical Jacobin terms of the male nation armed, or in those of the pre-political fraternal categories of class, gender, race, religious confession" but in terms of solidarity with the victim of injustice (Caygill, 2002:8).[137] Again one can see here Levinas' commitment to an encounter with the

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[136] And not only. See Arendt's fourth chapter in *The Origins of Totalitarianism.*

[137] It would perhaps be important here to note that Levinas' understanding of the ethical encounter is at odds with a republican understanding of freedom. As seen in the chapter called "Freedom Called into Question" in *Totality and Infinity,* freedom is not *a priori* just or moral, since I have not

Other that is not based on common characteristics, shared identities or habits, customs, or an ethical imperative deriving from God, the ruling authorities or consequentialist considerations. Fraternity in its ethical standing is far from the fraternity of the nation or of some kind of community, but within the fraternity born by the feeling of responsibility and solidarity.

While Levinas' academic work is in constant dialogue with Husserl and Heidegger, it seems that at least in the early stages of his career he was influenced by the work of two important intellectual figures who towered over French academia at the time, Émile Durkheim and Henri Bergson. From Durkheim, whom he considered first as a metaphysician and then as a scientific sociologist (Levinas, 1985:26), Levinas borrows both an understanding of an organic/modern solidarity based on social differentiation (versus a mechanical/premodern one, based on social uniformity, on links created by the church or the nation, for instance (Caygill, 2002:10–11)) but also the corresponding critique of individualism deriving from these opposed understandings of solidarity. For Levinas, there is in Durkheim "a theory of 'levels of being', of the irreducibility of these levels to one another" (1985:27): a very important theory in the way it strengthens difference and positions one's thought against uniformity. Bergson, in turn, is deemed important for his theory of *la durée*[138] and the way it destroys the understanding of linear and homogeneous time, liberating philosophy from scientific time. As a result of this "liberation", there is a notion of proximity (important for the relation of the I with the Other), understood in such a way that "it cannot be reduced to spatial categories or to modes of objectification and thematisation" (Levinas et al., 1998:224), like the ones seen in the introduction in the attempt to theorise the stranger (cf. Ahmed, 2000 and 2004). Similarly to the non-reduction to spatial categories and thematisation, there is a concept of being "a little beyond being and

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chosen freely my own existence. It is instead put into question by the welcoming of the Other (1969:82–84). The Other does not oppose her freedom to mine, does not challenge it, nor does she compel me to enter into a contract with her to avoid destroying each other (Chalier, 1995:6) but she "calls in question the naïve right of my powers" (Levinas, 1969:84). Here we come back again to the idea seen earlier – of my existence threatening the existence of the Other. My responsibility to the Other is prior to my freedom and not the other way around.

[138] Bergson distinguishes between time as we actually experience it, lived time – which he calls *durée réelle* (real duration) – and the mechanistic time of science. This, he argues, is based on a misperception: it consists of superimposing spatial concepts onto time, which then becomes a distorted version of the real thing. So time is perceived via a succession of separate, discrete, spatial constructs – just like seeing a film. We think we're seeing a continuous flow of movement, but in reality what we are seeing is a succession of fixed frames or stills. To claim that one can measure real duration by counting separate spatial constructs is an illusion.

otherwise than being".[139] For Levinas, Bergsonian duration can be interpreted as "a relationship with the Other and with God", making possible a new understanding of human fraternity (2001:31). These ideas later on acquire for Levinas "full meaning within the Husserlian and Heidegerrian contexts" (1985:27). Essentially, this comes to support, in my opinion, the ethicality of not categorising the Other or Others, not prioritising her over them, but embracing the responsibility of the Self beyond thematisations of proximity, space and commonalities. The responsibility towards the undocumented migrant in this respect should not be deprioritised because of Otherness fulfilling the prerequisites of a well-defined category (refugee or asylum seeker), or proximity (neighbour, compatriot), or self-benefit (migrant of merit for the host society).

As is to be expected, these concepts have provoked heavy criticism. Not only for the use of a heavy patriarchal language (see, for example, Derrida, 1980; 1994; Irigaray, 1991; Chanter, 1988, among others) but also for the connection of fraternity with monotheism: if fraternity is understood through a father–son relationship, i.e., a brotherhood that is not based on race or nation but a common father, this can have theological dimensions where responsibility for the Other is imposed by a common genus or God's command – a structure of which republicanism "is simply the secular translation", according to Critchley (2004). While I find the criticisms fair and consider the use of patriarchal language and the references to monotheism in *Totality and Infinity* inherently problematic, or even uncomfortable, I think reading theology into Levinas' use of monotheism still remains a (mistaken) interpretative choice made by Critchley and others; one that essentially misses and undermines the importance of fraternity. In contrast, this is not a choice made, for example, by Llewelyn (1995), who insists that this is actually an ethical monotheism, i.e., one that sees human kinship deriving from "the idea of a human race that refers back to the approach of the Other in the face in a dimension of height, of responsibility for oneself and for the Other" (Levinas, 1969:214). An individual approach in the Self–Other encounter but also in the relation with multiple Others. "To say that this monotheism is ethical is not due to any shared genetic [or confessional] relation to a paternal being. It is precisely this

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[139] For him, Bergson pre-echoes and in essence makes possible later phenomenological and Heideggerian conceptualisations of "being", despite his differences with them (Levinas et al., 1998:224),

relation [to a paternal being; nation, race or creed] that ethical kinship seeks to disrupt" (Llewelyn, 1995:125). Fraternity, despite the problematic associations with fecundity and paternity/filiality, points towards a relation with the Other/Others that resists categorisation and provides us with a double dimension: on one hand, the Self and Other are unique; the latter assigns meaning to the former, which was not a self-sufficient entity before the ethical encounter. There is, therefore, fraternity at the level of the Self-for-the-Other encounter. But in addition, fraternity defines the encounter of the Self with multiple Others, where uniqueness may no longer be capable of being addressed, but where fraternity enables equality among the multitude of Others.

This double dimension is enforced in *Otherwise than Being*, where Levinas, in what is perhaps a conscious self-critical move, distances himself from this patriarchal reading and focuses on the importance of substitution and infinite responsibility for fraternity. Fraternity is again present and this time is closely connected to substitution, both forming a basis for a proximity to the Other, a proximity not of course understood spatially, but as sensibility or sentience. Once more, a notion of subjectivity different to traditional understandings is emphasised: a movement away from intentional consciousness towards a level of preconscious sensing is described as necessary (the second chapter of *Otherwise than Being*, "Intentionality and Sensing", is dedicated to this movement, 1991:23–59). Sensibility or sentience are the primordial elements for living one's life, distinct from the existentialist, phenomenological, liberal self-consciousness and intentionality. The subject is thus defined by its openness to the senses, its vulnerability and sensibility towards the Others, and is constituted by its asymmetrical relation with them. The abstract Ego is reduced to me, to the one who is being addressed by the demand of the Others. As Levinas puts it, "*La subjectivité n'est pas le Moi, mais moi*" ("subjectivity is not the Ego, but me") (1987:150). *I think therefore I am* is replaced by *I think therefore something is* (Caygill, 2002:20); "That is, my first word is not Descartes's 'ego cogito' ('I am, I think'), it is rather 'me voici!' ('here I am!' or 'see me here!')" (Critchley, 1999:66). It is in this understanding of subjectivity that the ethical relation can take place. Fraternity understood in this context remains a radical concept; interpreted on the basis of alterity and difference, it raises the issue of solidarity, promises essential equality and a reconfiguration of living with others in

the name of the Other.[140]

Conclusion

> "*We are all responsible for all for all men before all, and I more than all the others.*"
> Dostoyevsky, *The Brothers Karamazov,* quoted by Levinas (1986:101)

Rendering his own reading of *Otherwise than Being*, Ricoeur calls it, only half-jokingly, "a background of verbal terrorism" (Ricoeur and Escobar, 2004:93). The writing is dense, meaning intricate, references to important themes (such as justice or politics, for example) furtive and inconclusive. Levinas' language and conceptualisations can indeed be intimidating. The infinity of the demand and the precognitive undertaking of responsibility are only a few overwhelming examples for the reader.

More specific critiques, as hinted in many parts of this chapter, are abundant and go beyond the problems encountered with the entrance of the third, mentioned just above, and its implications for the connection of Levinasian ethics with politics. "Is this really ethics?" is an omnipresent, underlying concern, either voiced or not. In the first place, does this understanding of ethics constitute ethics? And why does the face of the Other present me with an infinite demand? Why should the *Otherness* or *alterity* constitute the basis of the ethical relation? Why not sameness? And if my responsibility towards the Other is so infinite that it ends up being unfulfillable, is it to be considered as responsibility at all? If my responsibility expands to such a degree that I am responsible for everything before any conscious choice, perhaps I am then responsible for nothing? How can an infinite responsibility brought about by Otherness prescribe what one should do? In addition, as also mentioned earlier, the consideration that Levinas' work resembles religious metaphysics, if not constituting a masked theology, has been voiced often.[141] For Janicaud, the claims about the face, for example, can only be understood as dogmatic importations from theology (Perpich, 2008:52). Along the same lines, considering ethics to be the first philosophy, prior to ontology or epistemology, betrays for critics that the Other cannot only be a human

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[140] Feminist readings of Levinas, especially those inspired by Irigaray, seem to transform the theme of fraternity into that of love. See Irigaray and Chanter's chapters in *Re-Reading Levinas* (1991) as well as Sandford's *The Metaphysics of Love* (2000). Conversely, one could say that fraternity is at the base of Derrida's understandings of friendship and hospitality.

[141] For example, see Richard Rorty, Oona Ajzenstat (2001), Ronald Paul Blum (1983), Dominique Janicaud (1991), Rudi Visker (1997), Michael Newman (2000).

person.

It cannot be denied that common threads run through Levinas' ethics and his Talmudic readings, which have not been reviewed above as they were not considered necessarily relevant. Transcendence and *a priori* responsibility constitute some of these threads, along with the concept of the Other. Not chosen, responsibility is imposed on one, before the command of the Other is uttered, just by the latter's presence. This *a priori* reaction constitutes for Levinas "good beyond being", a metaphysical understanding of good directly linked with the human being. Such a link has left both philosophers and Talmud experts dissatisfied. Some philosophers find that despite a (post)phenomenological *point de départ*, Levinas' antifoundational responsibility and ethics is essentially related to a strong religious component, which renders his ethics irrelevant. For Talmud experts and theologians, on the other hand, his approach is deemed humanistic and more embedded in ethical philosophical thought than in Talmudic textual reading and understanding (Webb, 2006). A third line of argument, which is the one also supported by this chapter, considers that Levinas' critics overstate the problem with theology in his work: "we can classify Levinas as a Jewish thinker in roughly the same sense that we can classify Hegel as a Christian thinker" (Wyschogrod, 2003:v). While his writings are inspired by Judaism and his language employs religious words or motifs, they do not constitute a theological project; instead, bringing together these aspects and the tension between theology and philosophy could be considered to be part of Levinas' originality.

Beyond the theological concerns about the god-like character of the face and the theological command supposedly entailed in the call for responsibility, the precognitive and prelinguistic character of the ethical encounter has attracted many criticisms as well. The fact that Levinas "systematically inverts the fundamental features of objectifying consciousness" [in *Totality and Infinity*, *Otherwise than Being*, *Ethics and Infinity* and elsewhere] (Perpich: 2008:57), leaves us, readers and commentators, at a bit of a loss. This happens because, if we are to accept that the ethical encounter exists beyond cognition and is indeed precognitive, then this means that any effort to grasp ethics through language is doomed to failure, "perpetually

hostage to the ontological and totality" (May, 1997:147).[142] The perception that Levinas' ethics is couched in precognitive experiences, which cannot be made philosophically explicit or fully justified by discursive means, betrays a certain, positively viewed ethical non-cognitivism that is very common in Levinas' champions. Levinas himself, when pressed on this point of justification, refers to small gestures of common courtesy as examples, such as "After you, Sir" or simply "Hello" (Perpich, 2008:55–77). Like Diane Perpich, I am not in favour of treating this problem either by ironing it out with ethical non-cognitivism, as Levinas' apologists seem to do, or by accepting it as a stumbling block, which proves Levinas' project to be untenable, philosophically flawed or "of interest to those who share a penchant for the impossible" (*ibid.*). On the contrary, and as already argued in this chapter, I find these exact tensions in the unsolvable question of the authority behind the Other's command, and the nascent experience of responsibility, as constitutive of the innovative way ethics *as* the-relation-with-the-Other is conceived in Levinas' work. To the common question about whether the precognitive betrays the existence of faith in an overarching, higher power, I believe the response should be that this not be the case. Debates in ethics, either arguing on the basis of the greater benefit of the community, or based on individual reason, or the categorical imperative, or some other kind of universal moral requirement, are after all tainted by some kind of faith in an explanatory framework, which is not necessarily based on reason. Furthermore, I find that judging the recourse to a utilitarian calculus or an appeal to the intrinsic rights of individuals as better frameworks for the ethical relation is not less problematic in terms of ethical non-cognitivism.

I think that the most important critique in the context of my project, and hospitality in general, remains that against the third (and eventually of fraternity, if this were to be taken up by poststructuralist IR). As seen earlier, poststructuralist scholarship, which is sympathetic to Levinas' work and makes use of it, finds the concept of the third to be the point at which either a leap of faith has to be made, or where Levinas needs to be supplemented or even given up as a lost cause (for instance, Campbell, 1994:466–8; Dauphinee, 2007:25–6). "Ethics is suspended at the border crossing," suggests Dauphinee to this effect, and, quoting Patricia Molloy, "on the other side of the border, (...) we find the potential transformation of alterity into enmity" (Molloy,

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[142] This is also one of the main criticisms of Derrida in *Violence and Metaphysics* (2001:95).

1999:213 quoted in Dauphinee, 2007:26). I find this approach to be misleading. While Levinas may have failed to put into practice his own theorisation of how the responsibility to the Other might be bridged with the third, for instance when he eclipsed the Palestinians from the possible Others the Self or Selves are responsible for,[143] this does not mean his stance towards the third cannot be useful. As Butler suggests, "to make use of Levinas (...) is precisely to read him against his own Zionism" in this specific case (2014:39). This is what I am also proposing: one needs to depart from the weaknesses these concepts may represent and make the interpretative choice to use Levinasian ethics, and specifically the concept of fraternity, as "a way of thinking about the relationship between representation and humanisation" (Critchley, 2004:140) and of being alert and responding to the face as a "means to be awake to what is precarious in another life, or, rather the precariousness of life itself" (Butler, 2006:134). A recasting of fraternity, as the one I attempted earlier, may recover it as a core Levinasian concept developed to resist homogeneity and totalisation. I believe that we need to engage with the disquieting necessity of the passage from ethics to politics that defines Levinas' work, overcoming the paralysis or resignation usually deriving from this passage by establishing a hiatus – a move which disregards the main traditional criticisms against the Levinasian oeuvre.

In considering how to deconstruct the common poststructuralist criticisms of the third and fraternity explored above, I believe that there is a counterintuitive need to see how most of these criticisms rely on Derrida's own deconstruction of Levinas. It is not accidental that Derrida's reading seems to appear in most poststructuralist studies of ethics and hospitality "in the same breath" with expositions of Levinas' work.[144] Done with stern rigour, Derrida's critique represents a disagreement on more points than he openly admits, and yet at the same time he still finds a way to engage deeply with and to praise these aspects of Levinas' work. Bankovsky argues that the most obvious

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[143] Both Campbell (1994) and Dauphinee, (2007), among others, pick up on this, and it is this that Dauphinee is referring to when she makes the statement quoted above. It relates to a comment Levinas made in 1982 on French Radio regarding the *who* of the Other in the Israel-Palestine conflict, soon after the Sabra and Shatila massacre: "My definition of the Other is completely different. The other is the neighbour, who is not necessarily kin, but who can be. But if your neighbour attacks another neighbour or treats him unjustly, what can you do? Then alterity takes on another character, in alterity we can find an enemy, or at least then we are faced with the problem of knowing who is right and who is wrong, who is just and who is unjust. There are people who are wrong" (Levinas cited in Caygill, 2002:192).

[144] See for instance Baker's chapter on Levinas from his book on hospitality (2011a:73-89): half of the chapter is dedicated to Derrida's interpretation and criticism of Levinas' work.

manner of thanking, giving thanks by simply and obviously praising Levinas's work, assumes a fully determined context and instantiates what Derrida calls "a dominant interpretation" (Derrida, 1991:37).

Derrida thus follows closely the Levinasian steps, praising the pre-eminence of ethics, the need for Greek/Western logocentricity to take a back seat and the importance of the move beyond a subject-based envisaging of the world. For many, he is the reason behind the rekindling of interest in Levinas' work (Alford, 2002; Atterton and Calarco, 2010; etc.) while Levinasian ethics are considered to "provid[e] an ethical basis" for the Derrida's main deconstructionist concepts. Of course the relation is much more complicated than that. While Derrida seems unconditionally to embrace Levinasian precepts when he says that "[f]aced with a thinking like that of Levinas, I never have an objection. I am ready to subscribe to everything he says" (Guibal and Breton, 1986:74), he at the same time doubts whether what Levinas attempts is feasible, namely to define ethics against a western view of philosophy with its totality of Logos, while at the same time using this exact Logos/language.

The Derridean influence on the question of feasibility is palpable in the critiques made by others against the third and fraternity, some of which were presented above. The view of such critics is that the third and fraternity involve a peaceful and non-violent relation with the Others, since they take the Other to be primordially Good, whereas Derrida considers alterity as being "inextricable for a notion of constitutive violence" (Hagglund, 2004:40). Finally, they press on Derrida's criticism that Levinas' approach constitutes a reduction of metaphysics in which the ethical is not only subordinated to reason but essentially cast aside, dissociated from metaphysics (see Heidegger's suggestion that ethics as a term appears only at the moment "when thinking loses its hold" (1967:147, quoted in Derrida, 2001b:397)), and then finally erased, with the relationship to the Other being part of the *archia*, i.e., "of all reference to a centre, to a subject, to a privileged reference, to an origin" (ibid. 268). Talking of the pre-eminence of the question of Being as the main category in Western *episteme*, here Derrida underlines the importance of the Self in defining any other category, the relationship to the Other included. Interestingly, he fails to highlight here the fact that the word *archia* (the origin) neighbours *arche*, which mean power, with the two words in essence sharing a lexical root, both in the meanings of "origin/beginning" and "power".

I believe that Levinas can teach us something more than Derrida suggests, namely that the relation with the third can be constitutive of violence *and* embrace a character of ethical responsibility. As the present waves of individual or non-centrally organised solidarity towards undocumented migrants in Lesvos, near Idomeni and elsewhere show us, this is possible. Therefore, there is a contradiction when Campbell (and others alongside him like Dauphinée, 2007; Baker, 2011) suggests, on one hand, that the move from the ethical to the political, i.e., from the incommensurate responsibility to the Other to the responsibility to the third (party) as it were, is a totalising move, involving a universalising component (Campbell, 1998a) and, on the other, that the Levinasian thought is still "appealing because it maintains that there is no circumstance under which we would declare that it was not our concern" (Campbell, 1998a:176). A choice needs to be made: to sustain an ethics founded on the face-to-face relationship with the Other while fighting for a politics that is informed by this relationship restrains "those who follow Cain's position and ignore the responsibility for the Other" (Simmons, 1999:98).

For Derrida, Levinas "oriented our gazes towards what is happening today", the throngs of strangers and foreigners in all places of the earth, which by their presence and in themselves "call for a change in the socio- and geo-political space – a juridico-political mutation, though, before this, assuming that this limit still has any pertinence, an ethical conversion" (Derrida, 1999a:71–2). Despite his disagreement, Derrida recognises that the Levinasian approach reaches a previously unseen height and level of penetration, which draws inspiration from a messianic eschatology which is neither theology, nor Jewish mysticism, nor dogmatics, nor morality; "it seeks to be understood within *a recourse to experience* itself" and what is most irreducible within experience, "the passage and departure towards the Other" (1999:103). This "naked experience" (2001:83) of the Self struggling to ethically establish and meet the needs of a responsibility towards the Others takes place in the autoimmunitary aspect of hospitality. I explore this in the next chapter.

4 / DERRIDA: HOSPITALITY AS THRESHOLD

Introduction

In mid-January 2014, approximately five nautical miles off the coast of Turkey and near the Greek islet of Farmakonisi, twelve non-Europeans, including babies and children, were drowned. Amid adverse weather conditions, their boat had capsized during an attempt by the Greek coastguard to tow the old smuggling boat. Accounts of what happened are contradictory: survivors argue that they were being pushed back to Turkey, shouted at and threatened, and that the drowned were inadvertently killed; Greek authorities, on the other hand, argue that they were towing the boat to Greek waters and safety, that the conditions did not allow for the people on the old, adrift vessel to be taken aboard the coastguard's vessel, that the "illegal" immigrants coming from Asia did not know anything about the sea and navigating, how to swim or orient themselves (Hellenic Coastguard, 2014). By gathering on one side of the boat after one of them fell overboard, they caused the vessel to capsize themselves. A contradiction, which although it might not make much of a difference in the end result (the majority on board were drowned), in essence symbolises the contradiction between the law and its application, the threshold between the force of the law and its absence, all defined by the presence of violence. Violence is not only to be found at the origin of law, as Derrida discusses in the "Force of Law" (1990),[145] but as Farmakonisi and similar incidents show, it is also inherent in the law's existence, application and misapplication (depending on which account one believes in the example above, the migrants' or the authorities').

As an incident, Farmakonisi and its dead were far from exceptional: it followed on the tragic incident in October 2013 about a quarter of a mile from the Italian island of Lampedusa, where a much bigger boat sank after suffering engine failure, resulting in the deaths of more than 360 immigrants. Similar incidents would follow,[146] locations

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[145] There Derrida traces the birth and authority of law back to the founding moment in which the violent origin creates it.

[146] The October 2013 incident in Lampedusa has been recently officially commemorated (see European Commission, Statement/14/296, 02.10.2014) amid criticisms of EU officials and the Italian government (see, for example, http://tinyurl.com/WJSonLampedusa) and of their policies, which followed the tragic event. Despite the immediate setting up of the Mare Nostrum operation by Italy and the emergence of EU plans for Operation Triton (discussed in the conclusion), this did

changing depending on relaxation or strengthening of controls at points of entry.[147] In the last decade alone, there have been more than 17,500 recorded deaths in the Mediterranean of people trying to reach the European continent, a figure that excludes missing persons, while the UNHCR said 3,419 had died in the first eleven months of 2014.[148] What makes cases like Farmakonisi stand out, though, is the clear implication that the deaths were caused by a sustained, albeit unofficial, push-back policy, which seems to have become common practice in southern Europe and the western world in general. Similar deaths occur because of the externalisation of borders [149] and detention centres located in third countries, where lack of transparency in procedures and of respect for human rights, combined often with unstable or transitional local politics, allows violence against people on the move and in transit to go unnoticed. In this context, Farmakonisi is an exemplar of a "new" hospitality landscape: while states profess to abide by general hospitality-related treaties, of which the principle of non-refoulement is the main pillar, the practice of push-backs and other borderline illegal actions resulting in deaths are common, as observed by NGOs and proved by occasional court rulings not only in Europe but on the US–Mexican border and elsewhere.

I argue that the problem is not just the misapplication of the law: even if hospitality treaties and laws were properly applied, a utopian condition, if one exists, would not curtail violence. As discussed earlier, the law may entail violence both in its origins and application, and it is my contention that it is particularly laws bearing on

not prevent other incidents occurring, such as the ones in May 2014, when over 400 were rescued from a sinking vessel near Lampedusa and 22 drowned near the island of Samos, not far from Farmakonisi. These constitute only a few examples from a continuing crisis. The International Organisation for Migration confirmed in late September 2014 that more than 3,000 migrants have died crossing the Mediterranean in the year after the October 2013 Lampedusa incident, making Europe the most dangerous destination for migrants (Taran Brian and Frank Laczko, *Fatal Journeys: Tracking Lives Lost During Migration Report,* IOM available at http://tinyurl.com/IOMFatalJourneys, last accessed 10 October 2014).

[147] Following the EU-Turkey deal for refugee retention on Turkish soil struck in March 2016, grave incidents like the ones in Farmakonisi in 2014 stopped taking place in the Aegean sea, whereas an increase in drowning reappeared in the Central Mediterranean and especially in the waters outside of Italy (Dearden, 2016).

[148] The same report from the UN refugee agency stated that "more than 207,000 people have made the risky sea crossing since January, almost three times the previous high of 70,000 during the Libyan civil war in 2011".

http://www.ekathimerini.com/4dcgi/_w_articles_wsite1_1_10/12/2014_545299, last accessed 12 December 2014.

[149] See, for example, the Tunisia–EU mobility partnership, the Italian–Libyan Friendship Treaty and the life-threatening dangers faced by possible refugees in countries in democratic transition or crisis.

hospitality that comprise violence (often leading to death) as one of their main constitutive elements, due to their exclusionary framework and the results of their application. Derived from predefined policy strategies, these laws fail to reflect the needs of an increasing worldwide mobility and allow for loose interpretations and the violence that ensues. Therefore, the problem is not only that the law fails, but that it is allowed to do so without being challenged. Can theories of ethics help us to address this conceptually? And if so, how?

As seen in chapters one and two, the main theoretical approaches to hospitality are defined by subject-based understandings of Otherness and a lordship/bondage view of the stranger. As such, the hospitality debate is entrapped in an economic circle of provision and profit, of brain-drain considerations and quotas, of skilled immigration and minimisation of asylum provision, caught in essence in a constant antithetical movement between assimilation and criminalisation of the Other and embedded in a gradually more strictly securitised and militarised context. Unfortunately, traditional ethical approaches are deemed insufficient to substantively address the Other as the possible "object of the law" in the cases of Farmakonisi, Lampedusa, detention camps, etc., since in such cases the Other is in essence abject, considered and treated as human refuse, allowed to be missing, drowned, uncountable, vanished. Later, I will examine the example of the camp for strangers as a locus where this theorising of the Other materialises. My contention is that while biopolitical approaches provide useful tools with which to read the militarisation of border management and treatment of the Other, they fail, nonetheless, to distance themselves from a hierarchical Self/Other relationality, taking thus the existence of violence as a given and leaving it unchallenged, on the one hand, and depriving the Other of any subjectivity or confining it to a circle of constant resistance and flight, on the other.

In this chapter, I follow on my argument that hospitality, in the Levinasian and Derridean understanding, is the main theoretical approach that can effectively address the aforementioned shortcomings. As I argued in the previous chapter through the concept of fraternity, this is a hospitality that engenders a theoretical space where all Others can be taken into consideration without the ethicality of the encounter being necessarily undermined. Here I will suggest that this is also an approach where the aporias inherent in hospitality are explored in an affirmative way. Hospitality of this

kind recognises violence as part and parcel of hospitality practices and, in doing so, allows ways to challenge and curtail it.

I construct my argument by initially looking at the figure of the threshold (section 4.1): as the actual border but also as the limit between life and death and the step between hospitality and no hospitality. This limit and how it symbolised the fear for the worst, i.e., the totalising violence against the Other, is explored in section 4.2. I then look at hospitality's unconditionality/impossibility and the famous Derridean juxtaposition between conditional and unconditional hospitality, and then at the threshold of undecidability between them, in 4.3 and 4.4 respectively. I finally turn to autoimmunity, the concept, which I argue should inform us while we linger at the threshold of undecidability; that it should help us make a decision to embrace our ethical responsibility towards the Other. I am doing so in three stages: in 4.5 I first look at the Derridean concept of autoimmunity: autoimmunity constitutes for Derrida not only an attack on the body (politic) but also on the immune defences themselves, and it prompts the opening of the body to the "future-to-come". As I will discuss in 4.5, the use of autoimmunity, usually seen in IR as an inherent characteristic of democracies (e.g. Vaughan-Williams, 2007b), has been embedded in the discussion of terror and terrorism, emphasising the worst (*le pire*). I am here questioning whether autoimmunity needs to emphasise only the threat of the worst or can instead make the case for an opening – albeit dangerous – to the unknown, to the coming of Otherness beyond pre-established recognition of identity, characteristics, commonalities of the Other with the host organism. In this respect, I examine hospitality as a form of autoimmunity in 4.6, before suggesting in 4.7 the need to depart from, in the meaning of enriching, Derrida's undecidable, and to see how autoimmunity actually informs it with an affirmative, more open, responsible welcome of the Others at the border.

I apply autoimmunity in the context of hospitality in order to challenge the tendency towards an *immunity* of shutting down borders, stricter acceptance policies, economic considerations for the host, etc., suggesting that an autoimmunitary understanding of hospitality is conducive to the ethical encounter, an exposure to the Other, to the Self's ethical responsibility to the singular Other and others in general as this was explored in the previous chapter. In contrast to the usual biomedicalisations of ethical

and political narratives plaguing the discourse of hospitality, [150] I argue that autoimmunity can have an affirmative role in accepting the Other and lies at the heart of the ethics of hospitality I am proposing in this thesis. Opening up to the welcome of the Other and to the Other as a whole may endanger us or lead to self-destruction. While this is a possibility that needs to be taken into account for hospitality to be considered really to be hospitality, I argue that more often than not this will not be the case. Autoimmunity will be presented below as an opening up to stranger Others whose arrival can have a productive and creative impact despite the fear of the opposite. As in the case of autoimmune diseases, which coexist within the living organism without killing it, and which make it adapt to a series of new ways of being, and as in the practical, current case of the southeast Mediterranean (discussed in detail in the conclusion), where the surge of people crossing the borders have not broken or even endangered local societies but have made them acknowledge their ethical responsibilities and find ways to address them, the ethics of autoimmunitary hospitality constitutes an imperative consideration.

But let me start from the border.

4.1 The threshold

In *La Bête et le Souverain* (2009), Derrida ponders on the figure of the threshold, *le seuil interdit*,[151] the banned or unutterable threshold, inquiring what it is in both senses of the French word *interdit* and finding it, crossable or not, to bear on the meaning of responsibility, "on the meaning and structure of certain limits, on what one must or must not do, that to which one must and must not respond" (Derrida, 2009:308). This derives from the fact that symbolically the considerations around hospitality are born right at the moment that someone or something arrives at the threshold of the border, in the initial surprise of contact with the Other, the stranger, the foreigner. For Derrida, the literal threshold of the border mirrors the figurative one: the "threshold

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[150] I am referring here to the media representation of migrants as masses and influxes of foreign elements, bringing diseases; and to metaphors of camps and spontaneous gatherings as cells causing problems to neighbouring healthy cells (of citizens), which need to be extracted or eliminated in order for local communities to remain healthy.

[151] As the English translator notes, the French adjective *interdit* means both "forbidden" and "speechless" or "dumbfounded" (Derrida, 2009:308).

from which one passes from reaction to response, and therefore to responsibility" itself provokes the need for a decision; responsibility is thus itself a threshold (Derrida, ibid.).[152] Lingering on the threshold thus conceived, i.e., pondering both the borders and the need to respond to the dilemmas these pose, is not related to any understanding of them as solid and secure, as defined and given – as traditional ethical approaches would have it. On the contrary, their existence is, in the gesture of deconstructive thinking, always questioned; their secure existence is not taken for granted; whether understood as a border and indivisible frontier or as a solid foundational ground on which responsibility is calculated, the threshold is and should be under constant examination. Dwelling, examining, questioning the threshold; I will return to this in the next section.

As seen at the beginning of this study and later in other chapters, the ethics of migration take the threshold for granted: the arrival at a state's borders is clear, and definitions are ready: asylum seekers, refugees, or economic migrants arrive at clearly demarcated national entrance points. From there, they can be turned away or, more rarely, allowed entrance. Theoretically, since the threshold is given, there should be no need for a decision to be made, nor would the request from the Other's presence there require a response. Similarly, the responsibility is not towards an Other, but towards upholding ordinary laws and regulations. However, as seen in the introduction and in later chapters, this is rarely the case. Borders as definitions can be messy, movable, overlapping and transgressed, over and over again. Farmakonisi, Lampedusa and the borders of Ceuta and Melilla provide cases in point.

Apart from the practical threshold of the border, the threshold is also understood as the one between life and death, and, as is very often the case, these two thresholds coincide. It is in this correspondence of thresholds that the figure of the Other looms large and the need to consider a different kind of hospitality ethics is accentuated. The death of a stranger and foreigner of no status, of an undocumented migrant, at the border acquires a different meaning, since their Otherness is in a way "doubled": when somebody dies in a foreign land or at sea, as in Farmakonisi, without a name, papers or

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[152] As in most of the main concepts he deals with in his later works (hospitality, gift, mourning, sovereignty, death), the threshold is for Derrida always an *aporia*, a philosophical puzzle, clouded with doubt.

any other classification assigned to her, she becomes doubly hidden and "unmissed", "an even more foreign foreigner" (Derrida, 2000b:113). The myth of Oedipus and, in particular, Sophocles' *Oedipus at Colonus* works as an allegory to this effect.[153] Oedipus, previously a valiant king, now an old blind man, often considered a beggar, wanders in exile until he comes to rest at a place outside Athens, where he soon finds out that he is unwelcome and the grounds out of bounds, "not to be sat on or dwelt on" (Sophocles, 1999:2). His fast approaching death does not put an end to his sad fate, however. With his last resting place kept a secret, his daughters lament a double fact: that their father perished in a foreign land and that his grave will always be unknown, not to be found or visited, a death never to be properly mourned. "[W]ithout a tomb, without a localizable and circumscribed place of mourning (...). Without a fixed place, without a determinable *topos*, mourning is not allowed" (Derrida, 2000b:111). A stranger who, upon her death, can never be mourned "by [her] relatives in mourning" is as if she never existed. She who was not visible at the threshold of the border, but instead unheard, her ethical demand unaddressed, and turned away, becomes even more invisible upon her death in a foreign land; she remains "doubly hidden". "The invisibility, the placelessness, the illocality of an 'of no fixed address'" (Derrida, 2000b:115-117) come together to underline the negation of the Other in the absence of an ethics of hospitality.

Derrida refers to Oedipus in *Of Hospitality* to illustrate "this strange experience of hospitality transgressed, through which you die abroad, and not always at all as you would have wanted" (2000b:87). Like Oedipus himself, different embodiments of the Other are, as a result of current stringent hospitality practices and exclusionary hospitality ethics, lost without a grave, or in the cases where there is one, buried in nameless and/or mass graves, without a localisable tomb where mourning can take place.[154] While this may read as an unnecessarily theoretical and abstract aspect of hospitality and of the relation with the Other, in the post-psychoanalytical and deconstructive vein of the more marginal ethics of mourning and memory, the question of death under a name, with a clearly signed burial at a place where mourning is possible, is of utmost importance. This is not something that eludes the strangers

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[153] The second play of Sophocles' Theban Trilogy (the other two being *Oedipus King* and *Antigone*).

[154] Mass graves containing dozens of bodies of unidentified migrants who died crossing the border have been found in 2010 and 2012 in Evros prefecture, near the Turkish–Greek land border (W2EU, 2010).

who arrive at the threshold, either. In an interview with an undocumented immigrant during the Hypatia mass hunger strike for residence status in Athens in 2011,[155] the interviewee confesses that one of the main motivations behind the hunger strike was the ability, upon their deaths, to have their dead bodies properly buried or sent back, "near [their] families, not to be left in a fridge with only a number".[156] The possibility of naming the Other, addressing her, and mourning her returns again as central to the ethics of hospitality.

The threshold in that sense is central to the understanding of hospitality, but also of sovereignty, its indivisibility marking the *limen* between human and non-human being. "This threshold of responsibility is the same as that of liberty, without which there is no responsibility and therefore sovereignty. Responsibility, like liberty, implies something of that indivisible sovereignty accorded to what is proper to man" and from which one passes from reaction to response (Derrida, 2008:411–12). Seeing in it also an indivisible frontier and/or the solidity of a foundational ground, the threshold is the presupposition of every habitat, place or space rendering liberty, and therefore sovereignty, localisable and supervised.[157] With its "foundational or terrestrial, territorial, natural or technical, architectural, physical or nomic" indivisibility and solidity, the threshold is always the beginning of the inside or the beginning of the outside (Derrida, 2008:416), at the heart of every possibility.

Farmakonisi is, in this respect, an ideal example of the threshold as the *topos* of hospitality: lying roughly on the sovereign borders of a state, it symbolises the fluidity and porosity of these borders that, along with the fluidity of mass movements, despite

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[155] In January 2011, 300 migrants from North African countries, who had been long-term residents in Greece (some for over ten years), but had not yet been able to secure, or had lost, their residence and work permits, decided to go on hunger strike in order to force the government to recognise their just demands for rights and grant them legal status. Generally known as the Hypatia case, from the name of the building where the hunger strikers found refuge, this hunger strike was unprecedented for Greek but also European standards and required a significant mobilisation of social and political resources, drawn mainly from the Greek leftist, antiracist and anarchist movements, which were, however, not only unprepared for dealing with the demands of the situation but also divided as to the appropriateness and timeliness of the strike.

[156] Interview to SKAI radio, 28 February 2011, available at: http://tongue-in-cheek.tumblr.com/post/3582573155.

[157] While Derrida refers here to zoological gardens and psychiatric hospitals, following up on a previous discussion of marginal beings, animals and the mentally ill, the discussion is applicable to "every habitat (familial, urban, or national), every place of economy and ecology [, which] also presupposes thresholds, limits and therefore keys" (2008: 414), and, as I would like to argue, to camps for strangers, indeed perhaps par excellence to camps.

temporary obstacles, remain incessant;[158] a threshold that keeps shifting like an oasis. At the same time, it emphasises the debatable nature of the law itself: a threshold between what is legally acceptable and unacceptable, bringing out the contrasting interpretations of law between, in this case, two countries. With Turkey and Syria being the sole countries of the eastern Mediterranean that are not signatories to the international maritime treaties defining territorial waters,[159] the respective hospitality responsibilities exist in a legal vacuum and are disputed. Legal thresholds are continuously pushed, with different sovereign entities assigning moral responsibility to others rather than themselves.

4.2 Dwelling on the threshold : *le pire*

> Supposing that we dwelled on the threshold, we would also have endured the ordeal of feeling the earthquake always under way, threatening the existence of every threshold, threatening both its indivisibility and its foundational solidity (Derrida, 2009:310).

The reason for constantly "feeling the earthquake", for challenging and questioning set thresholds, is to avoid *le pire*, the worst, i.e., the worst violence(s), the totalising violence against the Other. Such violence is not a figment of a philosopher's imagination. Its prefigurations, Derrida suggests, are already apparent, materializing themselves "in the name of identity", cultural or otherwise. Looking at Europe, Derrida sees signs of such possible violence in current practices, policies and behaviours towards the Other: "we recognize all too well without yet having thought

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[158] The numbers of people crossing sea borders in the Mediterranean has again increased sharply in recent years after the tightening of land border controls imposed by the EU and its border agency Frontex. This followed a few years that saw stability in numbers, during which land borders were the ones crossed more often in an unauthorised way. This proves once more how the political regime of mobility control fails in essence to limit mobility but instead directs it to different routes (UNHCR, 2015b).

[159] Territorial waters are usually defined as the waters covering 12 nautical miles from a state's coast. Beyond these 12 nautical miles, waters are considered international and are governed by the relevant international maritime law. In the Mediterranean, an exception of six nautical miles is given due to the close proximity of islands and neighbouring states. In cases like Farmakonisi (and other islands, which are often the stage of similar tragedies and which lie very close to Turkey), the distance between the two countries is less than five nautical miles, meaning the actual border (and thresholds of state responsibility) are contested. (I would like to thank Dr. Dimitra Petza of the Greek Ministry of Maritime Affairs, Islands and Fisheries for her assistance with this and for providing me with the necessary literature).

them through, the crimes of xenophobia, racism, anti-Semitism, religious or nationalist fanaticism" (Derrida, 1992:6). Some violence may be inevitable in the relation with the Other; however, it is the Self/Object understanding of intersubjectivity and its skewed structure, implied in traditional understandings of positionality, which aggravates the forms violence can take and renders *le pire* possible. This is done initially by depriving the Other of the ability to be a creator of value and meaning, and it is potentially further exacerbated by increasingly evolved tools of control, supervision and containment, such as the ones discussed in the following chapter. It can be argued that the technologies of surveillance, control and containment at the border, such as those of the camp, may herald indices of the worst violence. Left to themselves, such technologies can dissociate, relocate, disembody or dispossess the Other. Their globalising power spares no institution of hospitality. Because the worst violence is a force of destruction and annihilation, the threat it poses is infinite.

This is, thus, the greatest risk: a totalising violence, *arkhe-* (or *arché*)-*violence*,[160] originary or foundational, which lies at the core of intersubjectivity as it is traditionally understood in the Self/Other schemas of domination seen earlier in this work, and which annuls the Other and, with her, the possibility of a future-to-come,

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[160] Derrida discusses foundational violence in his "Force of Law" (1990), which draws the attention of the English-speaking world to Walter Benjamin's *Critique of Violence*. There, Benjamin considers the legitimacy of violence and whether violence itself can ever be considered just. In the process of his argument (Benjamin, 2007:277–9), he explores natural law (which suggests that the justness of ends guarantees the justness of means) and positive law (which suggests that just means will always produce just ends), finding them both lacking, since they are part of a tautological logic of means and ends used by the political state to justify its monopoly on violence. Since "the most elementary relationship within any legal system is that of ends to means", a standpoint outside both positive legal philosophy and natural law where acts of violence, "within the sphere of means themselves" could be considered, must be found. Looking for such a standpoint, Benjamin notes that the state's legal authority is based on the distinction between lawmaking or founding violence (*Rechtsetzende Gewalt*) and law-preserving or conserving violence (*Rechtserhaltlende Gewalt*) while the state itself is founded by an original violent act that precedes any state violence. Benjamin states that all violence has to be one or the other, otherwise "it forfeits all validity". He finds, however, that there is a contamination between the two, as in the case of the police for instance, which, in its actions, is both lawmaking and law preserving (2007:286–7). This example helps us understand how every act of lawmaking violence anticipates its preservation, blurring therefore the distinction. For Benjamin, this contamination shows that the state exists in a condition of decay.

In "Force of Law", a seminal text in its own right, especially in critical legal studies, Derrida in turn looks, in its first part, at the paradoxes inherent in enforcing the law and the "mystical foundation" of law, and then establishes what is now a well-known distinction between deconstructible law and undeconstructible justice, to be reflected in the distinction between conditional/laws of hospitality versus unconditional/law of hospitality explored later in this chapter. Here, the totalising violence against the stranger and Other not only annuls our responsibility to her but also preserves, as in Benjamin's reading, the order that allows such violence.

the *à-venir*. For Derrida, the future-to-come, as the coming of the Other, must remain unpredictable and incalculable, uncertain and irreducible to any programme, in order for it to maintain "the undetermined messianic hope in its heart" (Derrida, 1994:81).[161] This messianic hope involves the opening to a future where the arrival of the Other with its open-ended impact is affirmed by our ethical responsibility towards her. Here Derrida already hints at the autoimmunity which I will soon discuss: even if the unpredictable future entails violence or self-destruction, we still have to be open to it, to be open to the experience of what is not foreseen or what is considered impossible (for instance, to accept the arrival of an unforeseen number of migrants irrespective of their being eligible for refugee status or not) if we are to honour our responsibility towards upholding justice, hospitality and ethics beyond economic calculations and the fear of the unknown (1994:82).

The predictability can take various forms: abstraction, partitioning, possession, objectification, reproduction, religion, absolute knowledge and state violence,[162] but in the case of hospitality, predictability comes in the form of programming, calculating, implementing immigration parameters and in the prescriptions of hospitality laws in general. Justice instead lies in the realm of the incalculable, reigns in the undecidable, asks for the experience of the *aporia*, of the impossible experience (Borradori, 2003:168). If justice is divorced from hospitality laws, if it does not inform them, the law can be reduced to pure violence, and this is when the worst (*le pire*) may take place: in the form of totalitarianism, of total annihilation, even in the form of the Holocaust (Derrida, 1990). No calculation or humanism can be measured against this excess.

The worst violence is, therefore, a force of destruction, of annihilation, and is combined in Derrida with radical evil. Despite borrowing the notion from Kant's *Religion within the Limits of Reason Alone* (1793), Derrida understands it in a rather different way. While in Kant (and other philosophers) humans have an innate

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[161] See the overall discussion of Fukuyama and others in chapter two of the *Specters of Marx* (1994:61–95), from where the citation above also comes. In brief, there Derrida criticises the aversion to open-endedness that thinkers like Fukuyama – but also Hegelian and Marxist approaches – show when they envisage the future. Their aversion walks hand in hand with a fear of alterity as they look forward to a single, closed, predictable future.

[162] See, for example, Derrida's "Force of Law" (1990), *Specters of Marx* (1994), *Of Spirit* (1989), *Archive Fever* (1995), *Philosophy in a Time of Terror* (2003) (to name only a few of his works) for discussions of the incarnations of predictability.

propensity to evil even as they are equally predisposed towards good, and it is a matter of free will to which one they will resort, in Derrida the radical evil is already present in the good that one strives to attain.[163] Recognising this is of the essence: the possibility of evil is not only inherent in all ethical judgments but it is what makes judgment ethical in the first place. Accepting the person arriving at the border without knowing the eventuality of such a move (and not as a result of mere calculation and prescription) is what makes our decision to accept them an ethical one.[164] What is the threshold, then, if not the step between hospitality and no hospitality?

4.3 'Step of Hospitality/No Hospitality'

> Let us say yes *to who or what turns up*, before any determination, before any anticipation, before any *identification*, whether or not it has to do with a foreigner, an immigrant, an invited guest, or an unexpected visitor, whether or not the new arrival is the citizen of another country, a human, animal, or divine creature, a living or a dead thing, male or female. (Derrida, 2000b:77)

Derrida dedicated a series of seminars to "hospitality" in 1996. Of those, only two have been published, in *Of Hospitality* (1997 in French/2000b in English): the "Foreigner Question" and "Step of Hospitality/No Hospitality", delivered by Derrida in Paris in January 1996. While he exhorts us to say yes to anyone or anything that turns up, Derrida readily recognises that this is practically impossible and that implementing it directly into politics may risk generating perverse effects (2005a:131). This impossibility is another threshold to ponder, one of deciding between hospitality and no hospitality, a threshold intelligently conveyed with the same exact expression in French for both notions: *pas d'hospitalité*.[165] The impossible is another threshold on

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[163] This has raised a vast debate regarding Derrida's (a)theism or negative theology, a discussion of which is not necessary here. For this, see Hagglund (2008), Caputo (1996, 1997), and Kearney (2009). What is interesting to retain from this discussion is Hagglund's rejection of the notion that there has been an ethical-religious "turn" in Derrida's thinking, leading the former to argue instead that a radical atheism informed the latter's writing "from beginning to end" (Hagglund, 2008:1).

[164] "[T]he thought of 'radical evil' here is not concerned with it as an eventuality. It is simply that the *possibility* of something evil, or of some corruption, the *possibility* of the non-accomplishment, or of some failure, is *ineradicable*. And it is so because it is the condition for every felicity, every positive value – the condition for ethics for instance. So, if you want to eradicate the *possibility* of this negative then you destroy what you want to save. Thus ethics couldn't be ethical without the ineradicable *possibility* of evil. (That's why it is not simply Kantian – although it has something to do with Kant.) The *possibility* of infelicity, non-fulfillment, is part of what it is that we want to save under the name of ethics, politics, felicity, fulfillment, and so on" (Derrida, 2000:352).

[165] *Pas* means in French the step, and is also the negative particle/adverb forming the negation in the French language. See the discussion of *pas* as step/negative particle in *Aporias* (Derrida, 1993:6–11).

which to linger.

As in the case of the Levinasian understanding of subject and Other, possible and impossible should not be seen as an antithetical pair nor as a hierarchical relation. For Derrida, the possible "is" the impossible, since the one undermines even as it fortifies the other; they exist within and sustain one another, beyond "a simple word game, a playful paradox or dialectical facility" (Derrida, 2002b:350). "The impossible has *already* occurred," argued Derrida as early as 1964, in his discussion of Levinas' *Totality and Infinity*.[166] The demand of the Other has in some way been articulated to us the minute she appears at the border, "the question has begun" (2001b:98) before we even notice, our response is thus pending, and fulfilling it properly is practically impossible. Does this impossibility render hospitality and our responsibility towards the Other void? On the contrary, and as in the concept of fraternity discussed in the previous chapter, the impossibility inherent in being absolutely open and, in practical terms, exposed towards the Other who comes, despite the fear of whatever nefarious consequences this arrival may cause, lies at the heart of the ethics of hospitality and ethics in general (Derrida, 2002b:347–353). Keeping the entailed risks in mind, "we cannot and must not dispense with the reference to an unreserved hospitality. It is an absolute pole, without which the desire, the concept and experience, and the very thought of hospitality would not make any sense" (2005a:131).

This impossible in essence coincides with unconditional hospitality, its pure form is a "transgressive step" both for the invited guest and the visitor: "transgressive" because they are to step over what in practice may be uncrossable thresholds; unconditional hospitality asks us to go from difficulty to difficulty, from impossibility to impossibility,

> as though hospitality were the impossible: as though the law of hospitality
> defined this very impossibility, as if it were only possible to transgress it, as
> though the law of absolute, unconditional, hyperbolical hospitality, as though
> the categorical imperative of hospitality commanded that we transgress all the
> laws (in the plural) of hospitality, namely, the conditions, the norms, the rights

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[166] In "Violence and Metaphysics", first translated in English in 1978; I am using the 2001 edition in this thesis.

and the duties that are imposed on host and hostess. (Derrida, 2000b:75–6)

Apart from being impossible in practical terms, unconditional hospitality cannot be organised, either on a state level or otherwise. *Ce qui arrive, arrive* – whatever happens, happens, whoever comes, comes – is what unconditional hospitality stipulates. In addition, it is only when understood in these terms that hospitality is worthy of its name (Derrida, 2003: 129). While it cannot be organised, it is exactly through pure and unconditional hospitality, in its hyperbolic definition and as a standard so high that it is impossible to meet, that hospitality as understood in everyday terms, i.e., conditional hospitality, exists. "Pure hospitality, unconditional or infinite, cannot and should not be other thing than the exposition to risk. If I am certain that the comer I am receiving is perfectly inoffensive, innocent and will be beneficial to me (…) this is not hospitality" (Seffahi, 1999:169). Similarly, a state that provides to the stranger from its surplus, "from generosity or good nature" or according to measures of convenience, is not acting on hospitality (Seffahi, 1999:174). "For to be what it 'must' be, hospitality must not pay a debt or be governed by a duty" (Derrida, 2000b:83). Unmotivated and unpredictable, the giving of hospitality can only exist in such a vacuum of incentives.

This understanding of unconditional hospitality and our duty to respond have often been criticised as utopian or for undermining the space (the home, the state) that makes conditional hospitality possible in the first place. Along these lines, German journalist Thomas Assheuer, interviewing Derrida in 1998, suggests that the notion of "*tout autre*/the wholly other",[167] could be used as a new name for utopia. Derrida, albeit defending the critical powers of utopia and the latter's resistance against "'realistic' or 'pragmatic' cop-outs", refutes such an association, distinguishing the impossible from the dreams, demobilisation and inaction the conceptualisation of utopia usually points to. The impossible has instead duration, proximity and urgency (2005a:130–1) and constitutes the core challenge for an ethical decision. Instead of being utopic, it is aporetic. Understood in this way, the impossible is something deconstruction

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[167] *Tout autre est tout autre,* the wholly other is every other: Derrida considers the wholly other to be every human being, in their singularity, without the need for this Other human being to have a recognisable, fixed and foreseeable identity in order to be accepted and to be able to demand a commitment of unconditional responsibility (2002a), a type of bond not defined by their membership in a community or state or other grouping (1994). See also Vaughan-Williams' discussion of singularity to this effect (2007).

constantly engages with (Attridge, 2010: 59).[168] Striving to reach the impossible in the context of hospitality, I argue, does not negate conditionality but informs it to the greatest possible extent. The commitment to unconditional hospitality does not destroy the main positions of the host and the Self, the inside part of the borders, but instead opens them up to the greatest possible extent towards the unknown and the real meaning of being ethical, responsible and just.

Conditional hospitality, on the other hand and contrary to common understanding, also constitutes a transgressive step:

> it is as though the laws (plural) of hospitality, in marking limits, powers, rights, and duties, consisted in challenging and transgressing *the* law of hospitality, the one that would command that the "new arrival", be offered an unconditional welcome (Derrida, 2000b:76).

Such understanding presupposes that hospitality is only understood as an unreserved gesture against traditional understandings, which would consider it in the same wavelength as tolerance and charity, or as a necessary gesture for fulfilling a state's economic or other (self-)interests. Laws, rights and duties that derive from conditional hospitality, albeit necessary in practice, are always bound to fall short of the spirit of a hospitality deserving to be so called. The stranger and Other is welcomed with conditions or on condition (Ahmed, 2012:43): these range from the time of her stay to questions of personal merit, from her usefulness to the host to issues of successful integration. In the case of the irregular or undocumented migrant she is often unconditionally turned away. As such, conditional hospitality constitutes a transgression of unconditional hospitality.

This other side of the transgressive step is something that Kant has missed, according to Derrida. More concretely, the former is missing the inherent tension and contradiction between "the law, in the absolute singular" and "the laws in the plural". Hence, in attempting to conceive a law of hospitality in juridical terms, Kant is in

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[168] Derek Attridge, in his discussion of deconstruction's involvement with the impossible, cites a long list of Derridean statements over the years that relate the experience of the impossible with deconstruction in general and concretely with the concepts of the gift, law, responsibility, decision, hospitality, etc. (2010:60).

essence destroying the principle he has set out to create. "*The* law and the laws [of hospitality] are both contradictory, antinomic, *and* inseparable (…), [t]hey incorporate one another at the moment of excluding one another" (Derrida, 2000b:81). Contrary to the Kantian understanding, hospitality cannot come about by acting "in accordance with duty" or even "from or out of duty", as Kant distinguishes.[169]

> For if I practice hospitality "out of duty", this hospitality of paying up is no longer an absolute hospitality, it is no longer graciously offered beyond debt and economy, offered to the [O]ther, a hospitality invented for the singularity of the new arrival, of the unexpected visitor (Derrida, 2000b:83).[170]

4.4 The threshold of undecidability

> *The* law [of unconditional hospitality] is above the laws. It is thus illegal, transgressive, outside the law, like a lawless law, *nomos anomos*, law above the laws and law outside the law (…) But even while keeping itself above the laws of hospitality, *the* unconditional law of hospitality needs the laws, it *requires* them. This demand is constitutive. It wouldn't be effectively unconditional, the law, if it didn't *have to become* effective, concrete, determined, if that were not its being as having-to-be. It would risk being utopian, abstract, illusory and so turning over into its opposite. In order to be what it is, *the* law thus needs the laws. (Derrida, 2000b:79)

These two understandings of hospitality are therefore heterogeneous, i.e., they can be bridged only "by an absolute leap beyond knowledge and power" and are at the same time indissociable. Opening my door to the Other is not without risk, does not occur

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[169] Kant in the *Groundwork of the Metaphysic of Morals* argues that only acts performed out of duty have moral worth. This is not to say that acts performed merely in accordance with duty are worthless (these still deserve approval and encouragement), but that special esteem is given to acts, which are performed out of duty.

[170] Discussing duty elsewhere, Derrida comments in relation to Kierkegaard that if duty is obeyed "*only in terms of duty*, I am not fulfilling my relation to God. In order to fulfill my duty towards God, I must not act *out of duty*, by means of that form of generality that can always be mediated and communicated and that is called duty. (…) 'The duty becomes duty by being traced back to God' (Kierkegaard, 1983:68). Kant explains that to act morally is to act 'out of duty' and not only 'by conforming to duty'. Kierkegaard sees acting 'out of duty', in the universalisable sense of the law, as a dereliction of one's absolute duty. It is in this sense that absolute duty (towards God and the in the singularity of faith) implies a sort of gift or sacrifice that functions beyond both debt and duty, beyond duty as a form of debt" (Derrida, 2008:64).

without giving something determinate; the unconditional therefore needs to be inscribed in the conditional, otherwise it may remain inexistent (2003:129–130). This is the paradox and the aporia of hospitality.[171]

The place of the *aporia* of hospitality is the threshold; hospitality is a threshold phenomenon for Michael Naas, "another way of saying that it is and must remain, in its every conceptuality, an *open question*" (2002:154). A philosophical puzzle or a state of puzzlement, *aporia* hides in its form, the privative morpheme a- and -poros, the essence of hospitality. *Poros* being the passing, the crossing over (usually of a sea or river), aporia is the impasse, the topos of without-passage. In "Beyond Aporia?", Sarah Kofman (1988) underlines the inherent difficulties in translating *poros* and *aporia* and their semantic richness. They are in essence untranslatable:

> to recognise the untranslatability of *poros* and *aporia* is to indicate that there is something about the terms, which Plato borrows from a whole tradition, that breaks with a philosophical conception of translation, and with the logic of identity that it implies. (Kofman, 1988:9–10)

The terms pertain instead "to the logic of the intermediary" (Kofman, 1988:27). As with the case of conditional and unconditional hospitality, these terms do not exist within the limits of a binary logic but instead coexist and interact in a non-dialectical movement. Aporia is for Kofman the mother of philosophy and at the same time analogous to the sea in its chaotic expanse and ceaseless movement (Kofman, 1988:10, 17). This aporetic space, which "Plato likens to Tartarus[172] – a chaos without bounds, the intolerable itself" (Naas, 2008a:60), is filled with indeterminacy and uncertainty that in their turn render any decision difficult or impossible.

The need to remain at this threshold is indeed disorienting and even paradoxical: if hospitality is the aporetic experience as Derrida suggests, how can one experience the aporia? Can aporia be experienced? How can chaos or a passing, which is never traceable, like a path traced in water or on the sea surface, be experienced?[173] The

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[171] See Derrida (1993:13–21) for a detailed discussion of the Derridean aporia(s).

[172] Below Hades, Tartarus in Greek mythology was where souls where judged after death.

[173] "What would such an experience be?" asks Derrida in *Aporias.* "The word also means passage,

answer is tentatively affirmative, but we need to be warned that there is a sort of double bifurcation in the aporetic experience, what Derrida calls "the aporetic crossroads", a sort of "double postulation, contradictory double movement, double constraint or double bind [that] paralyzes and opens hospitality, holding it over itself in holding it out to the other, depriving it of and bestowing on it its chance" (Derrida, 2000a:15). The task, therefore, can never be simple: thinking and deciding about hospitality is akin to attempting to address an aporia from within an aporia. Our thinking and deciding will need to be aporetic both in their nature and their locality; and it is at this aporetic locality that "political, juridical, and ethical responsibilities have their place" (Derrida, 2003:130).

This aporetic topos is the undecidability. Any attempt to reach a decision without crossing the aporia or lingering on its threshold is one that has fundamentally failed to take its responsibility to the Other or the decision's effect on the Other seriously into consideration. A decision based on such an attempt, that is, on certainty and calculation, reveals instead a conception of responsibility owed towards a state of affairs, a system of rules, the state or other ruling body, not a responsibility towards the Other, either as a stranger, a foreigner or as a fellow member in a shared community. Decisions based solely on calculability and certainty of rules are apt to entertain a totalising perception of the Other, of categorisable figures, falling neatly in undeniable strategies and courses of action. In the case of Farmakonisi, the obvious decision to be taken was either to keep the foreigners from crossing illegally, out of Greek waters and inside the Turkish border or later, when things went awry, to save the strangers who managed not to drown, according to the obligation under the *International Convention for the Safety of Life at Sea* ("SOLAS"), to which Greece is a signatory. The fact that the first decision to push back seemed so obvious and was followed without questioning was, according to most reports, what led so many people to their deaths in the case of Farmakonisi and elsewhere (ProAsyl, 2013). The need for a decision based on calculation and certainty is an attempt "at freeing oneself from the

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traversal, endurance, and rite of passage, but can be a traversal without line and without indivisible border. Can it ever concern, precisely (in all the domains where the questions of decision and of responsibility that concern the border – ethics, law, politics, etc. – are posed), surpassing an aporia, crossing an oppositional line *or else* apprehending, enduring, and putting, in a different way, the experience of aporia to a test? And is it an issue here of an *either/or*? Can one speak – and if so, in what sense – of an *experience of the aporia*? An experience *of the aporia as such*? Or vice versa: Is an experience possible that would not be an experience of the aporia?" (Derrida, 1993, 14 –15).

uncertain terrain of being". This "attempt at freeing oneself from the aporia of such notions as decision and responsibility" (Anker, 2009:54) is at the root of the worst violence suffered by the Other. Similarly, as Lawrence Hatab argues alongside Derrida, the search for a decisive ground in ethics can be understood as an attempt to escape the existential demands of contention and commitment (2008:241). Moral "decisions" and the sense of "responsibility" for decisions may in fact be constituted by the global *undecidability* of ethical questions.

It is important here to clarify that "[t]he undecidable (...) is not merely the oscillation between two significations or two contradictory and very determinate rules, each equally imperative (...) or the tension between two decisions". It is the experience of that which is obliged to give itself up to the impossible decision. "A decision that didn't go through the ordeal of the undecidable would not be a free decision, it would only be a programmable application or unfolding of a calculable process. It might be legal; it would not be just" (1990:963). Therefore, for Derrida, and the argument of this thesis, a responsible decision worthy of its name must first pass through the undecidable and thus uncertain space of aporetic temporality. For Derrida, the undecidable is the precondition for decision, just as certain events are only possible as impossible.

> If there is decision and responsibility they should pass the test of aporia and the undecidable. From this moment – which is not just a phase, it is, in a way, an interminable moment – by the trial of this impossibility to decide or to dispose of a previously defined rule that would allow one to decide. In a certain way, I must, beyond all not know where to go, not know what to do, not what I should decide, so that a decision where it seems impossible – should be possible. And therefore a responsibility.[174]

To not know, to not have the condition of calculability and certitude, is thus the space for a true decision to occur. If one knows where one is going, there is no need for decision, for it is simply a matter of following a path, a path not made by first being held in the uncertain space of aporia and indecision, but one made simply through an

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[174] Transcript of Safaa Fathy's documentary film *Derrida's Elsewhere,* cited in Michael Anker (2009:44).

already known and thus determinable space.

The "ordeal of the undecidable" is thus the space from which a true and free decision occurs, according to Derrida. Without this aporetic space of uncertainty, there would be movements of thought in calculability, movements structured around preconditioned knowledge, but there would not be the absolute responsibility of making a decision when one does not know, or have access to previously known outcomes or conditions.

> In short, any decision, in the sense we are now discussing, is momentarily without measure. This decision without measure, this decision structured around undecidability, is a decision thus in excess or outside of being in general. It opens up, in its excess, the possibility of a world beyond calculation and totalisation. The excess of decision in undecidabilty does not end once a decision is made, for as soon as a decision is made, it folds back into the aporia of future decisions (Derrida, 2009).

As such, hospitality is perfectible in perpetuity, it is in essence, as other Derridean aporetic schemas, a hospitality-to-come. This does not refer to a future, perfect hospitality, nor to a time where hospitality of this kind will finally be present, since hospitality is not a regulative idea in the Kantian understanding. In it there is the impossible – its promise is inscribed in hospitality itself, "a promise that risks and always risks being perverted into a threat". The commitment in the possibility of the impossible and in the undecidability of each decision, which should remain disconnected from calculations of knowledge and science, provides the nexus, the threshold between conditional and unconditional hospitality (Derrida, 2003: 120, 115). "Ethical judgment (…) takes place in an ungrounded way, indeed becomes only possible from such groundlessness" (Raffoul, 2010:6).

4.5 From immunisation to autoimmunity: hospitality to come?

> I could (…) inscribe the category of the autoimmune into a series of both older and more recent discourses on the *double bind* and the aporia. Although *aporia*, *double bind*, and *autoimmune processes* are not exactly synonyms, what they have

in common, what they are all, precisely, charged with, is, more than an internal contradiction, an [un]decidability, that is, an internal-external, nondialectisable antinomy that risks paralyzing and thus calls for the event of the interruptive decision. (Derrida, 2005b:35)

Despite being critical of the biomedicalisation of the hospitality narrative, I need to engage here with a medical concept par excellence – that of autoimmunity. However, in the hospitality context I argue that immunisation and autoimmunity as discussed by Derrida not only constitute interesting political concepts, but that the latter, appearing as another expression of the Derridean ethical *aporia*, may also be considered in ethical terms, thus supplementing in a useful way my exploration of a new kind of hospitality ethics.

Autoimmunity, a medical and biological term, refers to the system of immune defences of an organism turning against its own healthy cells and tissues. Autoimmune diseases are presented as a "painful, suicidal, and terrifying relation to one's own body" (Andrews, 2011:3). With Jacques Derrida, autoimmunity enters the deconstructive philosophical discourse. It is very often argued to be a concept that appears late in Derrida's life, approximately in the last decade of his work, with its *loci classici* being first and foremost "Faith and Knowledge" (1996/2002a in English), then the discussion he has on autoimmunity with Giovanna Borradori in *Philosophy in a Time of Terror* (2003), shortly followed by *Rogues* (2005b). It is true that Derrida first engages explicitly and in depth with autoimmunity in 1996, when describing how both religion and science, i.e., faith and knowledge, traditionally define themselves in "a logic of autoimmunisation". This means that both are described in terms of some kind of absolute sovereignty, wholesome and untainted: "'immune' in the sense of 'unscathed', untouched by Otherness, and invulnerable to ingression" (Lewis, 2014).[175] Derrida attempts here to show that such an immune disposition is essentially untenable "due to the very logic of immunity itself, according to which it is always possible for immunity to turn back on itself to become autoimmunity" (ibid.).

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[175] "We are here [the relation between religion and tele-technoscientific reason, i.e., science] in a space where all self-protection of the unscathed, of the safe and sound, of the sacred (*heilig*, holy) must protect itself against its own protection, its own police, its own power of rejection, in short against its own, which is to say, against its own immunity. It is this terrifying but fatal logic of the autoimmunity of the unscathed that will always have associated science and religion. (Derrida, 2002a:79–80)

Starting with immunity, Derrida relates it to being exempt:

> The "immune" (*immunis*) is freed or exempted from the charges, the service, the taxes, the obligations (*munus*),[176] the root of the common of community.[177] This freedom or this exemption was subsequently transported into the domains of constitutional or international law (2002a:80, fn27)

such as in the categories of diplomatic, parliamentary and public office immunity. Similarly, ecclesiastical immunity coincides with the inviolability of the asylum of churches and monasteries and a special status with regards to the exertion of state power. Seen biologically, "the immunitary reaction protects the 'indemnity' of the body proper in producing antibodies against foreign antigens". While it is clear that Derrida sets out his thinking based on the biological aspect of the term, he is attempting to extract a theoretical ethico-political context for it, feeling "authorised to speak of a sort of general logic" of immunity and autoimmunisation (ibid.).

It is in this logic that one can situate his attempt in *Philosophy in a Time of Terror* and *Rogues* to address terrorism and the internal tensions of democracy in terms of autoimmunity. Democratic states and communities and democracy in general[178] strive to be immune: safe and clearly demarcated borders, stable politics, autonomy, self-protection and self-sufficiency. These are accompanied by a tendency for democracies to close in on themselves and exclude the outside, on which they often depend for their survival, and with it exclude foreign elements and Otherness. This tendency for self-closure is a kind of repression, which has nefarious consequences, namely producing *within*, in autoimmunitary fashion, the outside dangers it tries to preempt. "[R]epression in both its psychoanalytical sense and its political sense – whether it be

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[176] Signifying obligation but also gift.

[177] Derrida considers immunity to be related in différ*a*nce with community, but, as later with Esposito, who makes a similar point, this is not a distinction or debate I will be addressing here.

[178] It is important to clarify here that Derrida is not referring to democracy only in terms of democratic government or system confined to a state. As Dan Bulley helpfully summarises: "Following Plato's portrait of the democrat in the *Republic*, Derrida associates democracy with freedom/liberty (*eleutheria*) and license (*exousia*), which is also whim, free will, ease, freedom of choice, the right to do as one pleases. Thus, from Ancient Greece onwards, 'democracy' is conceived on the basis of this freedom [Derrida, 2005b:22]. This freedom and license associates itself with the concept of human rights, the rights that protect one's democratic freedoms" (Bulley, 2009:26).

through the police, the military, or the economy – ends up producing, reproducing, and regenerating the very thing it seeks to disarm" (Derrida, 2003:99). The examples given are cases where democratically elected parties ascend to power (as in Algeria in the 1990s, with the election of an extremist Islamic party, or Germany in the 1930s, with the Nazis' rise to power) with the aim of attacking democratic freedoms or even putting an end to them, what in essence is considered to be democracy's constitutive flaw par excellence. Terrorism could also be linked to another facet of autoimmunity: once again, the openness of democratic societies allows it to take root and flourish (for instance through the freedoms of speech, movement, etc., as seen in the cases of home-schooled terrorists), while efforts to suppress it often lead to the suspension of democratic tenets and human rights, in an illustration of how democratic freedoms may attack their own defences from within.

Despite and beyond the links with terrorism and the internal dynamics of democracy, immunity and autoimmunisation brings us back to the oppositional register of the Self and Other seen earlier in this work. This exact opposition is at the core of immunity: from the biological connotation of resistance or fortification against infection, disease and other elements external to the Self to a more political one, "[i]n order to function, [immunity's] definition must presuppose the principles of non-contradiction and excluded middle, according to which (…) – given that there is no third possibility – the exclusion of the [O]ther fully defines what the self is" (Lewis, 2015). This definition is hierarchical, as the immune system protects the Self from the Other (substance, disease, foreign element), drawing simultaneously the boundary between the two. "The self radically excludes all otherness: individuals are individual substances which do not depend on others for their existence, and they are radically separated from these others" (ibid.). Autoimmunity comes to occupy this boundary and transform it into a threshold.

I argue that Derrida places autoimmunity there as a reaction to the danger posed by 9/11 and terrorism in general, which would risk identifying life within politics with security and sovereignty and the ensuing fear / need for protection with the core of subjectivity. Autoimmunity challenges this because it allows Derrida to relate life with danger and the unforeseen, against all technical and legal systems that seek to immunise it by closing borders, strengthening surveillance or increasing policing. By

doing so, he promotes the choice to remain open to Otherness against the conflation of security with sovereignty, and as such makes us consider the arrival of the uncategorisable Other at the border as a part of an "autoimmunitary process, [a] strange behaviour where a living being, in quasi-*suicida*l fashion, 'itself' works to destroy its own protection, to immunize itself against its 'own' immunity" (Derrida, 2003:94). I engage with this way of looking at the Other's arrival at the border in the next section.

4.6 Hospitality as an autoimmunitary concept?

"Inscribed (…) into a veritable 'best of' collection of Derrideo-phemes or deconstructo-nyms" (sic) of other aporias, Naas argues that autoimmunity "breathes a new life" into these earlier aporetic terms. It does this by one means in particular: by addressing practices or actualisations of concepts (of democracy, at least in his discussions in 2003, 2005b) instead of focusing solely on the concepts per se and their discourses, as is done with the earlier terms of justice, gift, hospitality (Naas, 2008a:135). I find myself disagreeing with Naas, however, not only because I find the terms "Derrideo-phemes" and "deconstructo-nyms" inane, feeding into a negative representation of Derrida's oeuvre in the Chomskyan or Searlian vein,[179] but mainly because a contradiction soon follows: while he finds autoimmunity to breathe a "new life" into earlier Derridean concepts and aporias, he subsequently accepts (Naas, 2008a:135–6) that it relates to différ*a*nce – a concept elaborated as early as the 1960s – and its real political nature, *contra* its critics.

Despite my disagreement on this point and Naas' chronological contradiction, I think he is right both to relate autoimmunity with Derrida's early work and to see in it a connection with practice. Contrary to the common belief discussed earlier, autoimmunity should be considered as an ever-present Derridean concept. Not only because autoimmunity as a term appears earlier than "Faith and Knowledge", both in *Specters of Marx* and the *Politics of Friendship* (Haddad, 2006: 512) but also, I would like to argue, because it is already presented in "Plato's Pharmacy" (1981) and is related to

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[179] The caricature of convoluted French philosophy: Noam Chomsky blames Lacan, Derrida and Žižek summarily for "empty intellectual posturing" (2012) and argues that their work is lacking in actual theory, whereas John Searle accuses Derrida of general theoretical "terrorist obscurantism" (1983).

pharmakon: "this 'medicine', this philter, which acts as both remedy and poison, already introduces itself into the body of the discourse with all its ambivalence" (1981:70). [180] While the two terms are not synonymous, autoimmunity, just as *pharmakon*, is constituted by a very specific ambivalence. Both function in ambivalent ways, at once remedying and poisoning a body: the physical body, a body politic, a community or system. This should not be seen as simply a case of a double meaning, ambiguity or even polysemy, "but of a word with no self-identical meaning" (De Ville, 2010:6; n 13).

Immunity (as the rapport between an exogenous antibody generator/ a threat/ a foreigner on one side and the body/ organism/ state/ community on the other) and autoimmunity (as the system's own defence resulting both in self-protection but also self-harm) are not and cannot be seen as clearly defined and absolute opposites, but two processes defining each other. The image of an immune system functioning as an absolute and safe boundary towards the outside is false. Autoimmunity, being a proof of this, constitutes the *limen* where inside and outside linger, being in essence inseparable. "Autoimmunity exposes the external as intrinsically internal" (Johnson, 2010). Derrida agrees: "[b]etween the immune and that which threatens it or runs counter to it (...), the relation is neither one of exteriority nor one of simple opposition or contradiction. I would say the same about the relationship between immunity and autoimmunity" (2005b:114).

Understood in these terms, can autoimmunity be applied to hospitality? I argue that it can and should. If, when approached deconstructively, *pharmakon* points to the binary of the stable categories of the Self and Other, as well as inside and outside in Plato and, by implication, in Greek/ Western rational thinking and philosophy in general, so

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[180] Among other things, which refer to the relation between speech, writing and Platonism, and as such cannot be discussed here in full length, Derrida points out that while Plato in the text of his dialogues refers to a series/family of words such as *pharmakeia-pharmakon-pharmakeus*, any reference to *pharmakos*, a family term and "an experience present in Greek culture even in Plato's day", is conspicuously absent. The experience understood here is a sacrifice ritual in the context of a catharsis for the polis: *pharmakos* "has been compared to a scapegoat" whose expulsion from the city or death outside the city walls was deemed necessary at a time of disaster, invasion, famine or plague in order to placate the gods and purify the city's interior. "The *evil* and the *outside*, the expulsion of the evil, its exclusion out of the body (and out) of the city – these [were] the two major senses of the character and of the ritual [of pharmakos]" (Derrida, 1981:129–30). One cannot fail to notice here the striking similarity between *pharmakos* with the later, Roman law figure of *homo sacer*. Diken and Lautsen consider *pharmakos* to be the concept/ritual predecessor of *homo sacer* (2005:109) without, however, providing any attestation to that.

too does autoimmunity. Derrida reiterates this point in one of his earlier (i.e., than "Faith and Knowledge") references to autoimmunity, while being interviewed about drugs and addiction. In the following extract, he refers more specifically to Aids:

> The various forms of this deadly contagion, its spatial and temporal dimensions will from now on deprive us of everything that desire and a rapport to the other could invent to protect the integrity, and thus the inalienable identity of anything like a subject: in its "body", of course, but also even in its entire symbolic organization, the ego and the unconscious, the subject in its separateness and in its absolute secrecy. The virus (which belongs neither to life nor to death) may always already have broken into any "intersubjective" space. (1995:241)

Autoimmunity thus serves to deconstruct the concept of the self (Johnson, 2010). Esposito seems to be arguing along the same lines when he also talks about Aids:

> What is affected by Aids is not only the health protocol but an entire ontological scheme: the identity of the individual as the form and content of its subjectivity. True, cancer also eats away at it, just as vascular disease shakes its foundations. But Aids ravages its subjectivity because the disease destroys the very idea of an identity-making border: the difference between self and other, internal and external, inside and outside (2011:62).[181]

Borradori, concluding her interview with Derrida on the real and symbolic suicides of autoimmunity in democracies, agrees that the role of autoimmunity "is to act as a third term between the classical opposition between friend and foe. As we have seen, to identify a third term is a characteristically deconstructive move aimed at displacing the traditional metaphysical tendency to rely on irreducible pairs" (Borradori in

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[181] Although Esposito departs from Derrida's work in his study of immunity/autoimmunity, and their work shows many similarities, they reach different "conclusions", if they can be called that, with the former suggesting a rethink of community in order to address the perverse effects of immunisation/autoimmunisation. In the context of his general work, where he attempts a more positive and affirmative reading of biopolitics, here Esposito emphasises a hierarchical Self/Other divide despite seemingly arguing against "the incompatibility between self and other" (2011:171) and the impermeability of the boundary between the two. The need that he advocates, to embrace the Other in order to form the subject's own identity, is a testament to this. Unfortunately, although extremely interesting, this is not something I can engage with here; it remains a point for a future project to address.

Derrida, 2003:152).

Accepting therefore that the concept of autoimmunity befuddles the traditional hierarchical opposition between Self and Other and, as a process, breaks down boundaries, divisions and the need to sustain them through preventative measures (and, in the case of hospitality, militarised and violent techniques), I argue that it cannot but be considered as an essential part of hospitality. Hospitality is autoimmunitary. As argued earlier, hospitality cannot be considered as such if it is not plagued by the dangers of autoimmunity; "would a hospitality without risk, a hospitality backed by certain assurances, a hospitality protected by an immune system against the wholly [O]ther, be true hospitality?" asks Derrida (2003:129). Hospitality is autoimmunitary in its inherent contradiction between unconditional openness and calculatory management of borders. This autoimmunitary logic, in a skewed understanding of border, community and organism protection, leads to tragedies such as the ones experienced in Farmakonisi, Lampedusa and elsewhere. This is not the only form autoimmunitary may take, however; a more positive and affirmative understanding is possible.

To understand hospitality as autoimmunitary in an affirmative way, one should be prepared to look at autoimmunity in a different light to the one in which it has usually been seen (and rightly so) in British IR scholarship: i.e., linked to a great extent with discussions of terrorism post-9/11,[182] focusing mainly on the inherent self-destructive dynamics of democracies and less on state or institutional subjectivity. Albeit a helpful analytic instrument to this effect, autoimmunity, as I have just argued, can also be read in a different way: I think the time has come for the opening up of the concept's purview and logic to include hospitality and its ethics and practices, keeping in mind that Derrida indeed "granted this autoimmune schema a range without limits"(2005b:124). This, I argue, would parallel Derrida's own move from a negative to a positive understanding of autoimmunity:

> autoimmunity makes it possible for the integrity of the organism to be
> destroyed, it can precipitate the end of life, but it also opens up the possibility

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[182] Namely, Nick Vaughn Williams' 2007 article "The Shooting of Jean Charles de Menezes: New Border Politics?" and Dan Bulley's *Ethics as Foreign Policy* (2009).

of prosthetic grafts, transplants, and implants, which can prolong life. The "intruder" to which one is hospitable may turn out to be an enemy or a friend. It is this duplicity in value that Derrida uses to authorise his *generalisation* of the logic of autoimmunity. (Lewis, 2014)

Such a positive understanding involves the opening up to the stranger as the opening to the incalculable, to *ce qui arrive et l'arrivant*, i.e., to what may happen, or to the event, and to the one who arrives, whoever this is, despite fears of any deleterious consequences.

> We must be cautious to not easily discount autoimmunity as a mere poison threatening to destroy our defences, but as a possible medicine that opens up chances and hope. The threat is perfectly apparent; however, what is the optimistic chance of autoimmunity? Quite simply, hospitality. In this regard, autoimmunity is not an absolute ill or evil. It enables an exposure to the other, to what and who comes – which means that it must remain incalculable. Without autoimmunity, with absolute immunity, nothing would ever happen or arrive; we would no longer wait, await, or expect, no longer expect another, or expect any event. (Derrida, 2005b:152)

The relation with people, the strangers arriving at the borders, does not need to be one of exteriority, nor one of antagonism. The presence of the Other, who by "intruding" addresses me, calls me into an ethical relation and provokes a consideration of my responsibility, where sameness and the hierarchy between Self and Other can be significantly undermined. The core of this intersubjectivity, as advocated and presented in the previous chapter by Levinas and sustained throughout the work of Derrida, is the essence of the positive understanding of autoimmunity and of the ethics of hospitality considered and advocated here. Seizing the opportunity in an open and nonhierarchical manner lies at the heart of the ethics of hospitality as advocated by this thesis, as does the need to keep in mind the autoimmunitary nature of this opportunity, in other words, that it can be seized and handled in different and contrasting ways, remaining nonetheless open to every eventuality. The opportunity given by the presence of the Other is an "opportunity or chance and threat, threat as chance: autoimmune", while hospitality is "already a question of autoimmunity, of a

double bind of threat and chance" (2005b: 82, 52, respectively) beyond a clearly delineated subject-object relationality. Bulley refers to this when discussing the autoimmunitary subject, refuting a common criticism, namely that the deconstructive understanding of the subject is an absent subject:[183]

> The subject is neither object nor non-subject; rather, it never fully *is*. It is never fully either present or absent, subject or object (...); yet it is both at the same time. It is always a becoming object of the subject and a becoming subject of the object, or, as Williams more elegantly puts it, [s]ubjectivity undergoes a perpetual play of (de)constitution or "constitutive loss of self". (Williams, 2001:133, cited in Bulley, 2009:34)

The hyperbolic promise and hopeful chance to treat the opportunity of the Other's arrival in an ethical way is instituted by the need to be open to the à-venir, to the to-come. Opening up to the unforeseen, to what comes each time in a unique and novel way, seems to me to be the only or at least the best possible ethical way of being and relating with the Other – otherwise, to repeat Derrida's words in the above reference, "nothing would ever happen or arrive" beyond a circle of harm and violence calculated and confirmed *a priori*. This ethics of hospitality, understood thusly, is affirmative; affirmative in the way Braidotti, who does not harbour a great deal of sympathy for Derrida,[184] defines as follows:

> In affirmative ethics, the harm you do to others is immediately reflected on the harm you do to yourself in terms of loss of *potentia*, positivity, capacity to

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[183] Bulley here refers to Christina Howells' criticisms that the deconstructed subject resembles more the non-subject of structuralism (i.e., part of the system, which makes the subject, as a relational entity, existent) than a subject in its own, deconstructive, right (Howells, 1998). His tackling of the said criticisms address equally successfully, I think, her later suggestion (2007) that the deconstructive subject owes more to the Sartrean one than Derrida was willing to admit.

[184] Often referring to herself as standing in the Deleuzian part of post-structuralism, Rosi Braidotti considers Derrida's work to be underlined by mourning and as a result not affirmative enough. She takes issue with the "Levinas-Derrida school (sic), currently pursued by Butler, Critchley, and others, [where] the emphasis falls on vulnerability as the defining feature of the human. The potential capacity to be wounded and hence to require the care, solidarity and love of others becomes, by extension, the major ethical requirement" (2011:304). While she goes on to argue in favour of a nomadic affirmative ethics where Otherness is addressed beyond hospitality and justice, in particular in "the ways in which [it] prompts, mobilises and allows for flows and affirmation of values and forces that are not yet sustained by the current conditions", she fails to clarify what this means exactly, and ends up admitting that "Levinas' case is complex" (2011:305), and his understanding of Otherness very close to the Deleuzian (and her) understanding of the ethics of affirmation.

relate and hence freedom. Affirmative ethics is not about the avoidance of pain, but rather about transcending the resignation and passivity that ensue from being hurt, lost and dispossessed. One has to become ethical, as opposed to applying moral rules and protocols as a form of self-protection. An adequate ethical relation is capable of sustaining the subject in his or her quest for more inter-relations with others, i.e., more "Life", motion, change and transformation. The adequate ethical question provides the subject with a frame for interaction and change, growth and movement. It affirms life as difference-at-work and as sustainable transformations. An ethical relation must confront the question of how much freedom of action we can endure. (Braidotti, 2011: 289)

Ethics of hospitality is pregnant with this affirmative move: an interruptive decision, the one we saw Derrida calling for in the opening quote of this section, is needed. Addressing the hiatus of the inherent undecidability of hospitality, such a decision is necessary so as to call the bluff of the autoimmunitary aspects of hospitality. More recent work on radical immunology may be able to help us to this effect, by showing how immunisation is not only illusory but that autoimmunity, in this case an opening up to growing numbers of stranger Others at the border, may bring productive and fertile transformations to the Self.

4.7 Departing from Derrida: autoimmunity at the border as a vital paradox

Failing in most cases to find the cause of these diseases, western medical practice presents autoimmunity as a completely paradoxical procedure (Burnet, 1969:vii) that consists of a kind of "category crisis", undermining the foundational capacity of the immune system to distinguish between "self" and "non-self". "Many practising immunologists even go so far as to characterise their discipline as the 'science of self/non-self discrimination'" (Cohen, 2004:7), as Burnet, the father of immunology, named it.[185] In a traditional understanding, this is not far from the truth: the immune

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[185] Australian microbiologist Frank Macfarlane Burnet, "the Colossus of modern immunology" (Cohen, 2004:7) introduces this binary of self/non-self (SNS) as early as 1949 (Tauber, 2000:242). His book *Self and Not-Self: Cellular Immunology Book One* defines this distinction as an axiom of

system needs to "fight" against "alien" intruders carrying infectious diseases, bacteria, viruses, or parasites to "defend" the body. "This was after all how biological immunity was initially imagined by its first theorist, the Nobel prize winner Elie Metchinkoff, who defined it as the organism's 'natural capacity' for 'host defen[c]e'" (Cohen, 2004:7). However, this initial understanding of immunity had very soon to be altered, since the natural capacity for host defence was observed to turn against the self, an event that was reimagined by immunologists as suicidal attack. "Horror autotoxicus" is what Paul Ehrilch (the second theorist of immunity, who was the first to notice this "suicidal attack", and who shared the 1908 Nobel prize with Metchnikoff) called it.

It should not be considered a coincidence that Burnet, who coined the self/non-self distinction, was interested in philosophical biology. Influenced by Alfred North Whitehead's theorisations of "self-creation" and "self-identity", where "the self emerges from the activity of encountering an objective world" (Anderson and Mackay, 2014:153), but also perhaps by Jung,[186] for whom the Self (always with a capital S) is a central archetype, which defines the totality and an individual's sense of meaning and purpose without any reference to the outside world or the Other, and is realised through the process of individuation (Jung, 1991:275–354), Burnet's binary in explaining immunity's function betrays in its wording a certain self-centred philosophical speculation on individuality. "Immunology has always seemed to me more a problem in philosophy than a practical science" says Burnet (1969:17, also cited in Anderson and Mackay, 2014:150), and it is this speculative philosophical foundation that I want to unearth and challenge. I believe Derrida's approach of autoimmunity is the best way to do so.

Looking at immunologists' formulations, it is easy to demonstrate that the way immunity and autoimmunity are conceptualised confirms that the body and the individual is considered as a non-contradictory, self-affirmed entity that easily recognises the "alien" and as such rejects it. The "horror autotoxicus" is as a result a "dysteleogic" possibility, which is irrational, fearful and out of the ordinary.

Burnet's clonal selection theory, which generally explains how the immune system responds to infection: "[t]he need and the capacity to distinguish between what is acceptable as self and what must be rejected as alien is the evolutionary basis of immunology" (1969:vii).

[186] While there is vast speculation about this (for instance, Tauber and Podolsky, 1994), a clear link to Jung has not been established (Anderson and Mackay, 2014:150)

Addressing parts of the Self as alien constitutes a horror. Drawing the parallel to my discussion of hospitality, the way the self is *a priori* conceived in the traditional approaches to hospitality discussed earlier – i.e., as a Self which is non-contradictory and fixed in her identity (an identity often deriving from the community to which she belongs) – cannot but lead to a view in which the responsibility deriving from the presence of the Other, and in practice from the Other's presence at the borders, is seen as a horror, a toxifying and poisoning horror that should be resolved either by turning the Other back (in traditional approaches of a communitarian nature) or by accepting her after quotas are administered, concerns about brain-drain are addressed, etc. (as in neo-Kantian approaches to hospitality and the ethics of migration).

What both sides of the parallel (biology's understanding of immunity/ autoimmunity and traditional understandings of hospitality) conceal, however, is that they are both based on the foundation of an inimical Self versus Other relation. The *auto* of "horror autotoxicus" and of "autoimmunity" disguises a reductionist conceptual merging of the morally diverse category that is the Self with the physiological functions of a bodily system (Tauber, 2000:242). Traditional understandings of hospitality act in a similar, albeit reverse mode: they confuse a certain defence mechanism of systems (where self-protection, in the form of a state's closing down of borders and boundaries, appears as the logical, if not "natural", step) with the diversity that the human category of the Self can take, as in its ethical, political, psychological and existential meanings. They assign to the autonomy of the Self and her ability to define her own boundaries a natural, supposedly scientifically proven immunity, characteristic of a narrow definition of survival where the unaccounted, permitted presence of the Other is considered to undermine it. The Self has to impose on the Other and reject her as alien in order to survive. As it is understood in this parallel, the autoimmunity

> ensconces a foundational assumption of Western political rationality – that is, to be a person means to have a body – in and as "human nature". Part of biological immunity's success, both as a medical concept and a cultural explanation, derives then from its function as a "hybrid" (in the sense Bruno

Latour gives to the term)[187] that naturalises the social relations of property ownership as a physiological imperative. Conversely autoimmunity becomes anathema not just because it wreaks havoc in human bodies but also because it confounds the political ontology that underlies our entire way of life. Perhaps that is also why "autoimmunity" continues to provoke if not horror at least misunderstanding, despite all efforts to the contrary (Cohen, 2004:8).

My effort to present here a different understanding of autoimmunitary hospitality is another effort to the contrary. In my project's case, the hybrid is the mediation of international political theory in presenting the strife at the borders and the lack of underlying ethical responsibility towards the Other that arrives there as a natural phenomenon, when in fact this is an association based on traditional understandings of ethics – understandings that are themselves derived from the primacy of the nation state and an inimical Self/Other relation. Autoimmunity, I have already argued, allows us to see beyond this and focus on cases of real life where individual ethical responsibility has surpassed such "natural" understanding of responsibility and the world.

There have been recent attempts by radical immunologists to debunk the way autoimmunity is portrayed as a self-destructive horror and expose the intricacies that autoimmunity presents in Burnet's traditional schema of self/non-self. These scientists, like Polly Matzinger (1994; 1998), challenge the traditional host vs. alien model of immunity by "taking autoimmunity not as a paradoxical exception but as a *normal abnormality*" (my emphasis – Cohen, 2004:9). It is suggested that the immune system does not function along the distinguishing line of "self/non-self" and that while autoimmunity (or autoreactivity) may be a form of danger, it does not need "necessarily [to] be dangerous and can indeed be useful" (Matzinger, 1998:407). It is "the presence of events (rather than entities) that locally endanger or stress tissue"

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[187] Bruno Latour in *We Have Never Been Modern* (2002) explains that a hybrid is the result of any process of association and that it will always defy the categories assumed beforehand for explaining it. Opposing nature to society, natural to artificial and reality to construction in an attempt at purification will paradoxically give rise to more hybrids. The reason for this is that the scientific phenomenon observed in a laboratory is rarely if ever the pure expression of a reality, but is rather the one that resisted the laboratory's effort to investigate it. Such efforts are in essence mediations, intended to mobilise reality. Once we cannot pin it down, we fabricate it. Therefore, whatever is referred to as a natural phenomenon is, in fact, an association that would not be possible without the laboratory, the research programme, and the specific way that is developed for describing it in a research paper. What is accounted for as real is a construction, therefore a hybrid.

(Cohen, 2004:10) and not the alien entities, which may actually be benign or even necessary. Thus, the need is to focus on the "qualitative assessments of lived relational dynamics" and not "a permeable frontier that needs to be defended" (ibid.). Immune selfhood is much more ambiguous than has been traditionally understood, contemporary studies warn, "and deeper understandings of immune tolerance have highlighted how much of the foreign the immune system actively ignores" (Tauber, 2015:390). Not only that, but autoimmunity may be a critical requirement for a stable and positive environment in which the self can be maintained. In addition, and as logically follows, similar studies suggest that the language used traditionally to define autoimmunity clouds the new ways of thinking around the immune and the autoimmune, and that such language, in essence constituted by "semantic remnants of a dichotomous self/non-self theory", should be modified if not replaced (ibid). The fact that autoimmunity can be a healthy and useful process (Mutsaers, 2016:120) bringing about necessary evolution shows the "intriguing paradoxicality proper to an autonomous identity" (Varela, 1991:85). The Self is not a delineated entity that needs to be threatened by the Other or sacrifice herself to respond to the demand of the Other's presence: to the contrary. Autoimmunity (and by extension, autoimmunitary hospitality) is a normal abnormality that opens up all kinds of new possibilities.

> As such it materialises a critical tension that Western political philosophy and Western bioscience both collude to make disappear. Our notions of selfhood and identity assume the singularity of "a body" that we possess as the ground of our being. Yet autoimmune illnesses reveal that this singularity is fairly problematic if not entirely illusory. Indeed, they suggest that our sense of selfness is predicated on the disavowal of our own otherness as well. (Cohen, 2004:10)

I argue, thus, that as the scientific conceptualisation of autoimmunity is contingent on specific vital philosophical assumptions about what we imagine our embodied "selves" to be, and as Tauber and other contemporary historians of science and immunologists suggest that these assumptions are problematic if not outright erroneous, the same logic applies for those fears raised for the immune Self and border by an ethics of hospitality governed by the ethical responsibility for the Other. As I argued at the beginning of this thesis, the traditional conceptualisations of hospitality depend on

certain fundamental assumptions about how we envisage the Self to react in situations where a decision about hospitality needs to be made. Informed by community concerns, an egotistical view of human nature, mainly Hegelian theorisations of the Self/Other relation and Rawlsian understandings of justice, hospitality as unconditionally open to the Other is considered utopian, the equivalent of "shooting oneself in the leg". However, just as Tauber and others do in the scientific field, I argue that we need to challenge traditional ethics's assumptions and embrace the affirmative autoimmunity of an open ethics of hospitality: if "'autoaggressive immune behaviours' could lead us to ask new questions about what our 'self' is anyway" (Cohen, 2004:10), then similarly ethical practices of solidarity in camps of strangers, of assisting undocumented, irregular migrants, and of accepting larger numbers of stranger Others than the quotas defined by state policies or considered "safe" for the community, can lead us to ask us whether "conventional wisdom" regarding what hospitality should entail is really wise and whether it is obliterating the possibility of a myriad positive transformations for the Self and Selves. "If, for example, autoimmune disorders represent the body's violent misrecognition of parts of itself as non-self, how stable can the received notions of 'self' be?" (ibid.) is a question that resonates with the ethics of hospitality I am proposing here. An autoimmunitary understanding of hospitality complicates and problematises the ethical understanding of the Self who cannot just have a singular and unified approach towards the Other: upon the Other's/Others' arrival, the Self does not necessarily have to display threatening or self-protective reactions, but may open up to the unexpected, potentially fecund changes such arrivals bring. "As autoimmune illnesses might provoke productive differences: differences that can lead to transformations, which are at once personal and political, local and global, material and spiritual" (Cohen, 2004:9), so can autoimmunitary hospitality.

Conclusion

Pharmakon, autoimmunity, hospitality: if it were not for the tragedy involved, Derrida would perhaps smile at the coincidence that Farmakonisi, the island of *pharmakon* (or should it be best related to *pharmakos?*),[188] a potential place of salvation and safe

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[188] See earlier footnote.

haven, proved due to a lack of hospitality ethically considered and a failure to uphold the law and laws of hospitality, to be a place of sacrifice and an anonymous, cold tomb. The Syrians, Libyans and Others of different nationalities or of still unidentified provenance call for a change in the way our ethical responsibility is understood and materialised. Ethics of hospitality, as an opening to the Other, stranger and foreigner, 'accompanies this call and helps us to hear and address it. This ethics provides the framework for challenging and underlining the importance of these crimes *against* hospitality, such as the ones taking place in the Mediterranean today, at the gates of the European Union, in detention camps and "hospitality centres", pitting them against the lesser crime *of* hospitality, what states and international law call the illegal crossings of borders, illegal stays, etc.[189]

It could be argued, as Assheuer does, that the advantage of hospitality towards other moral concepts is that it is "less abstract and perhaps more apt for thinking a justice which always has to address itself to a singular [O]ther". In addition, according to Derrida, "the topic of hospitality focuses on what is today most concretely urgent and the most proper for the articulation of a political ethics" (Derrida, 2005a: 132). However, what does it mean to speak of political ethics? Isn't hospitality only an ethical concept and, in this sense, probably apolitical? Referring to Levinas and comparing the way he addresses peace, Derrida finds that he gestures towards an understanding of hospitality, which is "neither purely political, in the traditional sense of this term, nor simply apolitical. It belongs to a context where the reaffirmation of ethics, the subjectivity of the host as the subjectivity of the hostage, broaches the passage from the political towards the beyond of the political or toward the 'already non-political'" (1999a: 82). This passage is in essence the *à-venir*, the space and temporality of the hospitality to-come. While envisioning hospitality to come is useful in opening up the decision of hospitality practices to the unknown, considering the responsibility towards the Other beyond the political or the apolitical, Derrida fails, I

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[189] The expression crime *of* hospitality, or *délit d'hospitalité*, (re)appeared in French politics and the discussions around immigration during the protests against the infamous Debré law in 1997, which, following the Pasqua laws of 1993–94, renders criminal the provision of accommodation and shelter to "illegal" immigrants. Derrida denounced this crime in late 1996 at a speech in the Théâtre des Amandiers in Nanterre, during a solidarity evening with *sans papiers* (1997). In his "A word of welcome", he suggests that crimes of hospitality should be distinguished "from an 'offense of hospitality [*délit d'hospitalité*]', as today it is once again being called in French law, in the spirit of the decrees and ordinances of 1938 and 1945 that would punish – and even imprison – anyone taking in a foreigner in an illegal situation" (1999a:71).

believe, to consider the implication this might have in the practice of hospitality. Considering the ethical responsibility to the Other as bearing heavily on the political is paramount for the way in which hospitality may function and hospitality practices be implemented. Accepting a Levinasian ethical responsibility towards the Other and the third as described in the previous chapter, i.e., an unconditional opening to the call of Otherness, tips the balance of the undecidable towards a more open, more responsible hospitality.

The eternally returning question of how the moral exigency of such more open or unconditional hospitality relates to the juridical world order, indeed remains unanswered, at least in full. "The reference to Kant is at once indispensable and insufficient. A cosmopolitical right (*Weltbürgerrecht*) that would regulate what Kant called "universal hospitality" would already today constitute the perspective of an immense progress if our international agencies wanted to put it into effect" (Derrida, 2005a:133); however, this does not need to be the case. Nor is it the case that Kant with *Weltbürgerrecht* has resolved the hospitality ethics conundrum: closely delineating the conditions of such a right so that it belongs only to citizens with rights of visitation and not invitation or residence for a limited period of time, he most substantially fails to do so. Partial solutions such as the cities of refuge [190] fail as well in their limited scope. "[T]his riddle seems insoluble. But a task whose solution is by the same token the object of a knowledge, a task which a simple recognition would render accessible, would this still be a task?" (ibid.) Reflection and examination in the deconstructive vein should "question and refound [current axioms and principles], endlessly refine them and universalise them, without becoming discouraged by the *aporias* such work must necessarily encounter" (Derrida, 2003:114). There seems to be no other option than to insist on this task, work on these aporias, question and re-found them, since the alternative in the form of an ethics of immigration or even hospitality understood in the traditional IR and neo-Kantian way is "instituted, politically deliberated, juridically constructed", inevitably and indefinitely retaining "within it a trace of the violent nature with which it is supposed to break, the nature it is supposed to interrupt, interdict or repress" (1999a:89).

The violent exclusions and pure violence at work in these traditional approaches are

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[190] See fn 96 earlier.

not, as I have argued earlier in this work, accidental but constitutive. Rooted mostly in a Western philosophical tradition of hierarchical relationality, IR approaches relate to hospitality as they do to other foundational ethical and political concepts: by claiming their permanent nature, that hospitality is what it has always been and that the ways to account for it are rather specific. Derrida calls this "fabulous retroactivity", i.e., the way in which laws, constitutions (he specifically refers to the American Declaration of Independence) but also practices "use performative utterance in order to found their legitimacy on the existence of conditions that only come into existence through the utterance itself" (Esterhammer, 2001:17). In our case, this could be explained as traditional IR approaches that not only take current conceptualisations and practices of hospitality for granted but also present them as the inevitable consequence of human affairs and development. Derrida's text "Plato's Pharmacy", briefly touched on earlier, along with *Adieu to Emmanuel Levinas* and "A Word of Welcome", as well as other works, have shown us "that what is ultimately feared in effecting these exclusions is death, resulting in a turn towards that which provides security, that is, a privileging of the home, the authentic, the true, reason, the proper, and/or the subject" (De Ville, 2010:20–1). The raising of intransigent boundaries, be they actual or metaphorical, limiting the openness of hospitality or tying it to considerations of quotas and other legal instruments, serve, therefore, as an antidote to fear and the unforeseeable event. Derrida's conceptualisation of hospitality, on the contrary, accentuates this fear, by emphasising the need for an openness to this unpredictable to-come. One has to be careful, however, so that autoimmunity does not suffer from this "fabulous retroactivity", this time of the scientific type. As shown above, autoimmunity can and must instruct us towards more open borders and a more eager embrace of our responsibility towards the Others. We have seen in this chapter that such an opening to the future may not be wholly optimistic but may also account for the worst. This atemporal suspension, the restlessness of the undecidable at the heart of hospitality, the urgent need to continuously engage with it, is the only way to challenge and overcome the stable categories engendering violence:

> awaiting without horizon of the wait, awaiting what one does not expect yet or any longer, hospitality without reserve, welcoming salutation accorded in advance to the absolute surprise of the *arrivant* from whom or from which one will not ask anything in return and who or which will not be asked to commit to

the domestic contracts of any welcoming power (family, State, nation territory, native soil or blood, language, culture in general, even humanity). (Derrida, 1994:81–2).

Autoimmunity informs the undecidable in an affirmative responsible way and undermines the possibility for the worst.

5 / DETENTION/CAMP FOR STRANGERS: FROM IMMUNITY TO AN AUTOIMMUNITARY TOPOS

Introduction

In the midst of the worst economic crisis in the state's history, Greek authorities announced in 2012 that they planned to open 30 detention camps to house 30,000 "illegal" immigrants by 2014. These facilities – officially named "closed hospitality centres" – were to be created at unused military sites under a €250-million programme funded by the European Union (AP, March 2012). The detained immigrants would outnumber Greece's prison population, then estimated at 12,500. In line with the idea of "Fortress Europe",[191] Frontex (the EU's controversial border control agency which was established in 2004 and has acquired increased powers and funding over the years),[192] and given similar facilities in Calais, southern Malta, the Italian island of Lampedusa and elsewhere, the camp appears to have made a forceful comeback in European national and international politics as an important instrument of border and movement management. Under the current security context, it has acquired

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[191] Used since the mid-1990s to describe the increased sealing off of the EU's borders, the term was actually coined during the Second World War as a propaganda term (*Festung Europa*) to mean the fortification of Nazi-occupied territories in the continent as a defence against operations launched mainly from Britain and Allied territory in general. "Hitler himself coined the term," according to Luftwaffe commander Adolf Galland (cited in Keeney, 2012:30). Interestingly, the same name was given by the British Air Force and Allied powers to the operations from the UK targeting Axis-occupied parts from 1940 to 1944.

This semantic difference can also be seen in the current use of the term "Fortress Europe": its derogatory use is invoked in critiques by human rights organisations and others in order to condemn unfair EU immigration and trade policies, and especially the cost in human lives of the former; whereas it is at the same time promoted in a positive light at a national political level, as in the case of Austria's far-right Freedom Party, where *Festung Europa* was actually a slogan in the recent European elections, and was presented as a project that should be pursued further (Tava, 2014).

[192] Following the signing of the Schengen Convention for EU internal free movement in 1990 and the Amsterdam treaty in 1999, the European Council on Justice and Home Affairs created the External Border Practitioners Common Unit – a group composed of members of the Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) and heads of national border control services – in a persistent effort to strengthen the cooperation between EU members in the area of migration, asylum and security. In turn, the unit coordinated six ad-hoc centres on border control at national level: a Risk Analysis Centre (Helsinki, Finland); Centre for Land Borders (Berlin, Germany); Air Borders Centre (Rome, Italy); Western Sea Borders Centre (Madrid, Spain); Ad-hoc Training Centre for Training (Traiskirchen, Austria); Centre of Excellence (Dover, United Kingdom); Eastern Sea Borders Centre (Piraeus, Greece). To improve the workings of the unit, a few years later the European Council created Frontex (the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union) with the Council Regulation (EC) 2007/2004, which may be found here: http://frontex.europa.eu/assets/About_Frontex/frontex_regulation_en.pdf (last visited on 5 December 2011).

exclusionary dimensions, which set it apart from its traditional relief and humanitarian aid role, as observed in the like of camps for refugees, internally displaced people, etc.

This new security context is defined by the revolution in surveillance techniques and technologies, their fusion with military and police practices and the emergence of a discourse that connects flows of population with global threats like terrorism or pandemics of contagious viruses. The great increase in the number of forcefully displaced persons affected by armed conflicts and other violent situations,[193] the recurring revelations of the existence of modern slave labour camps, [194] the controversies over the legality of detention camps and their practices in the context of the war on terror, the substantiation of what the ICRC calls the "hidden global internment network" in order to describe CIA extraordinary renditions and the relevant "'black sites" "in European states are among the main practices that reflect how states" have gradually altered their commitments to formally agreed hospitality conventions.[195] The new emerging image seems to be defined by "a widespread employment in Western democracies of clauses of exception to the writ of *habeas corpus*" (Hogan and Marín-Dòmine, 2007:2). While the camp is not at the heart of all these practices, it does distinguish itself as a basic characteristic of the break from this central axis of the rule of law (MSF UK, 2016) with its function being to enclose people, particularly foreigners who usually have not been found guilty of any crime other than being irregular and undocumented, i.e., having either no identification papers or not the correct kind, eroding basic rights such as the right of freedom of movement, with countries imposing varying limits of detention without persecution (Spain up to 40 days, Italy 60 days, etc.). With the EU Returns Directive of 2008,[196] which allowed for the detention period to be increased to up to 18 months, along with a 5-year ban on re-entry for those previously forcibly returned, the camp becomes the central site of

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[193] Malik, S. "UNHCR report says refugee numbers at 15-year high," *Guardian*, 20 June 2011 available at: http://www.guardian.co.uk/world/2011/jun/20/unhcr-report-refugee-numbers-15-year-high (last visited on 25 November 2011).

[194] The Sonapur labour camp in Dubai, re-education labour camps in China but also similar camps in Europe (in Italy's Puglia region in 2006, near Krakow in the same year, in Britain in 2011).

[195] See for instance: UNHCR's condemnation of Austria, Slovenia and FYROM for their restrictive practices imposed on refugees (TRT World, 2016); UNHCR's concerns regarding the legality of the EU/Turkey plan (UNHCR, 2016), etc.

[196] Council Directive 2008/115/EC is available here:

http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2010737%202008%20INIT.

detention practices and the main impediment for strangers to move freely and to access their full range of rights during asylum application procedures.[197]

This chapter argues that among these camps, there is a type that I will tentatively be calling the camp for strangers, in order to define the makeshift or temporary camps for undocumented, irregular or uncategorisable migrants. Such initially self-made camps may at a later stage often come under the administrative control of nation states and international organisations[198] and be turned into sorting centres or end up being evacuated.[199] No matter the way they evolve, camps for strangers are in their first instantiation the spaces where the autoimmunitary ethics of hospitality I presented in the previous chapter can be further explored. My main contention is that these are the *topoi* where immunisation of borders fails, negative understandings of autoimmunity are breached and ethical responsibility is best enacted by the host-Selves. My argument is based on a double ambivalence: on the one hand, contrary to the official narrative that sees the camp as a "space of protection",[200] detention camps are allowed to exist as an essential instrument for turning away strangers, either by deportation and/or discouragement against future attempts at border crossing.[201] Deportation in

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[197] See the discussion on Moria camp later on.

[198] Or potentially by private security companies, even though this has not been the case so far.

[199] The best known case is the camp of Idomeni at the Greek borders with FYROM. See also the cases of the Hara camp in Northern Greece and Kara Tepe camp and the Village of Altogether in Lesvos, among others. An exhaustive list of these and other camps in Northern Greece, with maps, reports and live updates can be found at the independent reseaech page http://moving-europe.org/

[200] The 2014 *The Oxford Handbook of Refugee and Forced Migration Studies* fails to properly refer to camps at all. In a short chapter of 10 pages, it makes reference instead to encampment (the term "camp" is indexed under encampment, as a synonym) and self-settlement as "a policy which requires refugees to live in a designated area set aside for the exclusive use of refugees, unless they have gained specific permission to live elsewhere". Reading as a policy manual, the camp is considered a "space of protection" where "the host state is obliged to ensure that the human rights of the refugees are upheld". The creation of such spaces of protection is informed mainly by three concerns: Firstly, the concern about how large numbers of refugees can be incorporated within the society of a country; secondly, the concern addressing the practicalities of providing for the immediate basic needs of the refugee population; and thirdly, the concern about the state's security, "often the most pressing" one of all (Bakewell, 2014:128–9). There is no critical engagement with either other aspects of encampment or with addressing these concerns.

[201] Greece has been repeatedly condemned for degrading detention conditions by the European Court of Human Rights and for using these spaces in order to push back before asylum applications are properly considered (for instance, in the recent Case of MD vs. Greece, 2015). The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), created by the European Council convention of the same name, has highlighted some of these problems, in a public statement concerning Greece: "The reports on the 2005, 2007, 2008, and 2009 visits all paint a similar picture of irregular migrants being held in very poor conditions in police stations and other ill-adapted premises, often disused warehouses, for periods of up to six months, and even longer, with no access to outdoor exercise, no other activities and inadequate

this context is no longer seen as a policy option but instead "as what has come to stand as the apparently singular and presumably natural or proper retribution on the part of state powers" to the problem of irregular immigration (Peutz and De Genova, 2010:1); this can be reasonably deduced both by the low recognition rates of asylum claims (Neumayer, 2005:44) and the excessive spending on (often privatised) border management technologies (an excess at odds with the current climate of financial crisis). Detention camps of immigrants, which in their 21st-century emergence embodies various elements of previous camp forms, therefore define this first ambivalence: the tension between the proclaimed obligations of states to protect strangers who arrive at the border and the essential role of the camps in the punishment / banishment of strangers in reality. As such, they are a quintessential symbol of a state's effort for immunisation.

However, at the same time, there are a series of camps of strangers that, makeshift and self-organised, seek to address the basic needs of immigrant Others, provide first-aid and respond in the best possible way to their call to embrace the responsibility of the Self. These camps attract a lot of attention and despite their usual remote locations, they become the epicentre of actions of assistance, solidarity and voluntary work of an individual and networked character beyond traditional charity structures.[202] The vast number of examples of people abandoning their everyday lives (and often their countries)[203] to address the needs of migrants arriving at the border are indicative of occurrences where the embracing of an unconditional ethical responsibility takes

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health-care provision. Recommendations to improve the situation nevertheless continued to be ignored. Despite significant numbers of irregular migrants entering Greece via its eastern land and sea borders over a period of years, no steps were taken to put in place a coordinated and acceptable approach as regards their detention and treatment" (CPT, 2011).

[202] Traditional charity definitions talk of a distance between giving and actively participating in the causes one gives to, implying a vertical structure from the donor/sponsor to the object of donation/in need. The choice of the word "object" is indicative here (Bekkers and Wiepking, 2011). Research also points to the negative association between charity and volunteering (Hill, 2012:2–3).

[203] For example Rayann Haries, the Malaysian cook who arrived alone in Lesvos to set up an open-air kitchen for the migrants arriving at the shore to the group of Spanish lifeguards (Dean, 2015), or the Kempsons, a British family living on Eftalou beach who initially opened their door to the migrants arriving on the beach near their house, only then to become full-time volunteers and organisers of assistance to all arrivals. These are a drop in the vast sea of individuals selflessly assisting the tidal wave of migrants from the Middle East and Africa, and who often do not belong to NGO networks or other centrally-organised efforts (Koukoumakas, 2015). In March 2016 there were more than 80 aid organisations helping migrants in Lesvos, with UNCHR and the International Rescue Committee among them. However, "the majority are small and staffed by self-organised volunteers; many were set up in response to the current crisis" (Garen, 2016) before the arrival of larger INGOs "organ[ised] informally out of necessity" (Nianias, 2016).

place. The relations ensuing may be asymmetrical (migrants depending on the assistance of the hosts-volunteers) but they are also relations of fraternity and responsibility, which enrich the lives and perceptions of Otherness in a mutual manner.[204] And this autoimmunitary example is all the more remarkable, since it occurs in the context of rising xenophobia and far-right rhetoric, along with the escalation of anti-immigration policies in Europe and in times of acute economic crisis, especially in the case of Greece, where the camps I have referred to are mainly located. This constitutes the second ambivalence.

Seen in this way, this chapter considers the camp for strangers as an interesting locus for both ethics and politics and a challenging concept, which tests the way International Relations understands the responsibility towards strangers and the ethics of hospitality. Through my conceptualisation of an autoimmunitary hospitality, I will argue that the camps for strangers, the makeshift encampments where irregular and undocumented migrants are kept, function against the initial immunising purpose of camps in general: they constitute spaces where the individual ethical responsibility towards the third is materialised in a spirit of spontaneity and solidarity, often to the point of self-sacrifice.

I will proceed with my argument in the following manner: in the first part, I embark on a general descriptive definition of the camp, before looking in more detail at the contemporary research on the camp, which manifests the strict security narrative permeating the detention camps run by central authorities. From there, I attempt in 5.3 to superimpose this securitisation aspect on Didier Bigo's reading of the "banopticon" *dispositif* in order to inquire into one of the main influences on said research: biopolitics. In 5.4 I explore further the biopolitical aspect of an ethics of hospitality, with a focus on its Agambenian vein (5.4.1), and then the relation between the camp for strangers with the autoimmunitary ethics of hospitality I examined in chapter four (5.4.2)

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[204] There is an abundance of stories concerning hosts-selves, volunteers and others who are involved in assisting migrants, who later follow from afar the progress of the migrants' trip to a final destination, being personally invested in the trip and its safety. See here for example the story of Italian photographer Massimo Sestini, who set up the website "Where are you?" in an effort to locate migrants he had photographed and was acquainted with over the years (Stefani, 2015).

5.1 Definition

The word camp derives from a 15th-century loanword from the Italian *campo*, meaning arable land, and appears in similar forms in other, Latin-based languages. This root is only challenged by the German *Lager*,[205] which is found in the origin of the Russian word for camp, Gulag. Its association with the Second World War and the complementary word "'concentration' renders it a *mot malade*, an 'ill word'", as French scholars would have it (Kotek and Rigoulot, 2000; Bernardot, 2008).[206] The camp could be defined as an arbitrary and imposed roundup of persons beyond the realm of the penitentiary system, for an indeterminate amount of time, with an aim to restrain, re-educate or oblige these persons to work (Bernardot, 2008:12). Regarding the aim of camps, David Rousset, whose 1945 testimony of the Nazi camps was perhaps the first to emerge, argues that they were not simple economic organisms, as is often maintained, but were above all instruments of penal, social and political punishment, dominated by the idea of absolute repression (Rousset, 1965).

Often the camp is situated in an *ad hoc* or pre-existing site serving military, policing, economic and social purposes. Sofsky, in his study of Nazi camps (1993), mentions that earlier camps were situated in old, dilapidated factories (the case of Dachau), empty breweries (such as Oranienburg), old prisons, disused monasteries even old ships (the camp in Bremen). Later camps tended to "have no past": sites were cleared especially for the erection of the camp, which was built according to strict designs. Power would occupy space and transform it completely. In addition, the last or "modern" (according to Sofsky) camps were zoned, i.e., divided into regions where activities were functionally separated (Sofsky, 1993:122). Such organisation is much scarcer in current camps. Camps for undocumented immigrants in general are usually located outside cities, on the periphery of ports, in the suburbs or rural environs. Diken argues that this is part of a contemporary strategy to keep migrants and asylum

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[205] The place of lying down, such as a bed, lair, camp, storehouse.

[206] Perhaps it would be useful here to note that there is a whole debate around the use of the word camp among activists, relevant NGOs, assistance and support networks involved with non-status migrants and strangers. The term "informal camp" is used for informal settlements while migration experts, scholars and international organizations such as Migreurop (a network of approximately 42 associations, activists and researchers from several European Union member states, Sub-Saharan, Maghreb and Middle East countries) claim to use the term to refer not only to a specific enclosed space but "the collection of mechanisms that constitute points of forced interruption along migratory routes" (2009:3), such as waiting zones at airports, for instance. Migreurop calls them invariably *camps d'étrangers*, camps for foreigners/strangers.

seekers dispersed and "isolated from the amenities and cultural facilities concentrated in cities". Given that migrants are not able to afford transport, it is in this way most likely that they will spend their time confined to the camps (Diken and Lautsen, 2005:87)[207] – depending of course on whether they are allowed to exit the camps in the first place or whether the camps in question are self-made, where migrants squat under the distant observation of the authorities.

With regards to the frequent parallels drawn between the prison and the camp, the obvious difference remains the judicial context of the former, with the prison functioning as an administrative and penal detention centre. According to some scholars (Wormser-Migot, 1973; Kotek and Rigoulot, 2000), the early but also later concentrationary systems functioned as a supplement and in parallel to the official and legal repression apparatus, with the camp used by society in order to exclude the persons who are not officially guilty of any crime and therefore cannot be referred to the judicial apparatus. The camp has not, therefore, "the mission to sanction errors or real crimes but to rid us of those whom a regime invested with rights and powers considers as harmful or dangerous for itself" (Kotek and Rigoulot, 2000:13). Despite this obvious trait, the absence of judicial procedure is not always pertinent: one may end up in a camp after a trial. It is perhaps the material and topographic element which makes the difference. In prison there is a tendency towards individualisation: cells are indispensable, isolation is often used as punishment. In a camp, cells are rare, isolation an exception: one sleeps, works and defecates in front of everyone. Prisons are always enclosed and surrounded by barbed wire while in the case of the camp this is not an absolute. In some Russian gulags there was not even barbed wire, given that there was nowhere to go in the icy expanses surrounding, them while in other types of camps the nearby towns could often hide great dangers.

The form of camps may vary between more "open" spaces (such as accommodation centres or reception centres) to "closed", prison-like structures like detention and waiting centres. Today in Europe the camps range from prisons, as in Germany and

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[207] To comply with Greek law, immigrants in remote camps in Lesvos needed to walk 50 kilometres to a state-run detention centre where they could be registered and follow a further 6.5-kilometre walk to reach the central port. It was illegal for locals to give them a ride and for public buses to allow them to board, since according to the law that was overturned only in July 2015, assisting migrants was equivalent to people-smuggling. Anyone breaching the law was fined €100 and there were at least two arrests (Kingsley, 2015).

Ireland, to detention centres, or "hotspots" as they are now euphemistically called, in the Greek islands and on the borders with Turkey, which latter were often not planned in advance and so are located in makeshift buildings.[208] Camps are also the answer to the high risk of shipwrecks and boats capsizing while transporting migrants across the Adriatic, from the Italian *Centri di permanenza temporanea e assistenzato*, French *zones d'attente*/waiting zones and *centres de rétention*, Belgian closed centres for asylum seekers, to buffer camps which mark the actual border of the European Union: Morocco, Spain (Ceuta, Melilla, Canary islands), Algeria, Ukraine, Malta or Lampedusa.

In his attempt to form an inventory of camp types (and not a typology), Michel Agier considers "the four major types of gathering spaces, as these are seen by UN, humanitarian, and policing agencies: "cross-border points" in the UNHCR's official terminology; "transit centres"; "refugee camps" or "refugee settlements"; and camps for "internally displaced persons"" (Agier, 2011b:39). Reflecting on these differences, he further enriches them by making a broader distinction, again in four parts, "according to the function that they occupy in a wider mechanism of survival, control and distancing". These are: a. self-organised refuges ("cross-border points", informal camp-grounds, "jungles", "ghettos", "grey zones", "squats"); b. sorting centres (transit centres, "way stations", "holding centres", camps for foreigners, waiting zones); c. spaces of confinement (refugee camps, UNHCR rural settlements) and d. unprotected reserves (camps for internally displaced persons). The camp for strangers on which I am focusing corresponds mainly to the first type. Self-organised refuges, which are characterised by "extreme material precariousness" but usually good organisation, they can remain largely invisible and unclassifiable for national and international organisations and, according to Agier, sometimes become sites of urban stabilisation. Occupants usually remain out of sight of the local population while tending to form communities without identity. Such examples can be seen in Lesvos, Idomeni and other places near borders. As mentioned before, these spaces may turn into centrally (as in UNHCR or state) governed centres or hotspots. Before they do, they can be "open" or "closed", and unidentified waiting periods for their residents are very common (Agier, 2011b:39–59).

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[208] See for instance the Moria hotspot in Lesvos. It is interesting to note that Doctors Without Borders and Oxfam suspended activities there in March 2016 to avoid being complicit in an "unfair and inhumane" treatment (EurActiv.com, 2016).

In contemporary scholarship there is the understanding that the camp has become "banal", common, and its existence is to be expected to grow in numbers (Agier, 2011b and 2014; Bernardot, 2008; Hogan and Marín-Dòmine, 2007 among others). While the use of the camp is becoming commonplace and is multiplied, it also seems to evolve depending on its geographical position. It is argued that whereas in the non-western world it has retained its character of accepting refugees or serving purposes of humanitarian relief (for instance, the refugee camps described above by Agier), in the western, democratic world it takes the form of a repressive space where immigration is connected to the threat of terrorism or a general fear of undermining state stability (Bernardot, 2008:214). This geographical differentiation between democratic and non-democratic milieus, between the camp's repressive and humanitarian relief character, is difficult to ascertain from the hard facts. It becomes further complicated when one looks at camps that combine both, such as the ones at the borders of India and Pakistan; or when one considers the recent self-made camps of displaced persons along the borders of Libya following the Arab spring or the commonality of security and exclusionary mechanisms used in all type of camps despite their geographical location or type. Despite these complications, there seems to be a grain of truth in the perception: 83% of the camps under the authority of the UNHCR, the traditional provider of humanitarian relief, are located in Africa (Smawfield, 2015). At the same time, little is officially said about the camps located near or at the European borders, where self-organised refuges are often brought under the control of the authority delegated to nation-states or specific European power instruments, such as Frontex; and what little is said often revolves around a narrative of security, state stability and the threats that are made against it.

5.2 Contemporary research on the camp: an attempt to define the elusive

Despite the ever-wider use of the camp as a space of exclusion and forced enclosure during the First and Second World Wars, it took some time before the camp became the subject of in-depth scholarly research (Wachsmann, 2006; Bernardot, 2008). While the first testimonies of Nazi camp survivors already appeared in the late 1940s (David

Rousset's *L'Univers Concentrationnaire* and Eugen Kogon's *Der SS-Staat* in 1946, Primo Levi's *Se questo è un uomo* and Robert Antelme's *L'Espèce humaine* shortly after and others from lesser-known camp survivors) and with the exception of Hannah Arendt's work, no relevant, systematic historical or philosophical work was undertaken until a few decades later: apart from a few exceptions – studies on individual camps or aspects of the camp system published the 1960s and 1970s (Billig, 1967; Pingel, 1978) which remained largely unnoticed – methodical research was only undertaken for the first time in the 1980s and 1990s (see, for example, Sofsky, 1993; Herbert et al., 1998) (Wachsmann, 2006:248). Whether that was due to the aversion caused by the extraordinary atrocities of the Nazi extermination and concentration camps and of the gulags can only be surmised.[209] Irrespective of the reason, as a result of this relative silence the camp had come to be viewed either as an evil of the past (a place of horror and death, mainly located in Europe for the general imaginary) or a space celebrating life through its humanitarian incarnations, especially in the global south or other areas ravaged by crises. Apart from some sporadic appearances of relative works and testimonies, the study of camps became more systematic in the 1980s, focusing however mainly on the Shoah in the Nazi concentration and extermination camps. A little later, studies appeared on the earlier colonial examples, which still failed, however, to see the camp as a social and political space fully belonging to modern civilisation. Sociologists like Zygmunt Bauman were among the first to be interested in the camp in parallel with the condition of strangerhood (1991, 1995) whereas anthropologists and geographers have sought to explore the social, spatial and environmental repercussions of the camps. Debating the camp along with extraterritoriality and citizenship or as a parallel concept to the *polis* (Agamben, 1998; Agier, 2014), the concept of the camp has made a forceful theoretical comeback, which one could say mirrors in part its increasing use in politics (See for instance Rygiel, 2011 and 2012; Bulley, 2014 among others).

In the detention camps, which I consider to be a reincarnation emblematic of how contemporary exclusionary politics remain uninformed by the ethics of hospitality considered in this thesis (contrary to the camps for strangers), the main aim appears to be the political, social and sociological exclusion through spatial distancing and a

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[209] Wachsmann suggests that "it was less a case of survivors unable to speak, but of an audience – in Germany and elsewhere – unwilling to listen" (Ibid.).

semasiological vacuum. Camps in this respect could be seen as Augé's "non-places" (*non-lieux*): they do not integrate other places, meanings, traditions and sacrificial ritual moments but remain, due to a lack of characterisation, non-symbolised and abstract spaces (Augé, 1995:82, also cited in Diken, 2005:86). Agier also calls them out-places or off-places (*hors-lieux*), places of great ambivalence regarding the reasons for which they are set up, their aims and results, their role as new social milieus for the internees. This extraterritoriality can also be seen in practical terms, when exploring how camps are absent from official cartographies: this is particularly true for the waiting zones and detention spaces at airports or elsewhere, which are often kept from public knowledge.[210] Bauman sees such extraterritoriality as a major characteristic of globalisation (Bauman, 1997); in the case of camps, these are extraterritorial spaces of refuse for the "supernumerary" and the abject Other. As such, detention camps often exist in a state of exception with regards to the rule of law, as tested by the frequent condemnatory ECHR rulings regarding unlawful detention, detention conditions and exertion of violence, etc.[211]

As mentioned earlier, detention is not just an initial stage of the asylum or other status-assigning procedures, nor is deportation their derivative. In detention camps (or in the cases where a camp for strangers falls under the administration of authorities) detention in degrading conditions and threats of deportation appear often be a conspicuous aim.[212] Despite the international legal principle of non-refoulement, deportation defines a post-September 11 environment, preoccupied with border security, where they have

> achieved a remarkable and renewed prominence as a paramount technique for
> refortifying political, racial, and class-based boundaries and purportedly

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[210] Agier here gives the example of the Daddab camps in Kenya, which despite being three times the size of Garissa, the administrative county where they are situated, do not appear in any of the county maps (Agier, 2014:20). Set up more than 20 years ago, the Dadaab camps are the biggest in the world.

[211] A list of ECHR's rulings on migrant detention can be found here: http://www.echr.coe.int/Documents/FS_Migrants_detention_ENG.pdf. Rulings are also recorded in the weekly bulletins of the European Council for Refugees and Exiles (ECRE), which are available here: http://www.ecre.org/media/news/weekly-bulletin.html

[212] See the British Labour MP for Birmingham Shabana Mahmood's description of such conditions in her *New Statesman* article of 15 October 2015. Official figures for decisions on deportations are not published. However, discouragement and delays in registering migrants and their asylum claims along with the issue of the returns following the EU/Turkey deal have repeatedly provoked general outcry (Mahmood, 2015; EuraActiv.com, 2016 and others)

allaying (while in fact further inciting) socioeconomic *in*securities "at home",
"within the "domestic" spaces of nation-states. (Peutz and De Genova, 2010:4)

Although this is not and cannot be an officially stated aim, inhumane detention conditions as well as a covert tendency for unlawful returns and pushbacks suggest that degradation and exclusion of strangers is among the "unwanted" results of the camp. Looking at current developments, it is no secret that dismal reception conditions of migrants have been partly used as repellent techniques to deter future migrants and undermine any potential "pull-factors".[213]

In its European expressions at least, the centrally-run camps[214] seem often to hold a dehumanising vision for their detainees/internees, starting with depersonalisation techniques, since, usually for practical reasons, detainees are not identified by their name but by numbers or by group of belonging (nationality, language, age, etc.) and their division in two broad categories: asylum seekers and irregular migrants. The addition of strict and close surveillance leads to another main characteristic, the violation of fundamental rights (Intrand and Perrouty, 2005:8) such as the freedom of movement, the right to private and family life, the right not to suffer inhuman or degrading treatment or rights specific to minors. In continuation, there is a tendency on the one hand to increase reception capacities (the cases of Italy, France, Belgium and Greece) (UNHCR, 2009; AIDA, 2013) and, on the other, to increase the use of private companies for either everyday management or security and surveillance or both (Fotiadis and Ciobanu, 2013b; Agier, 2014). The novelty which thus defines detention camps today is that they gather a series of characteristics revolving around increasing policing and military control. Agier observes a "functional [and contextual] solidarity (…) between the humanitarian world and the police and military ordering" (2011:5), a connection which proves every policy of assistance (by international governmental or non-governmental organisations towards displaced persons or non-status strangers) to be simultaneously an instrument of control over its beneficiaries.

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[213] This has been recently publicly discussed in the context of the sea rescues of immigrants and the EU's and Britain's unwillingness to continue to invest in them. It is, however, nothing new: "the analysis of 20 OECD countries for the period 1985-1999 further shows that some of the most high profile public policy measures – safe third country provisions, dispersal and voucher schemes – aimed, at least in part, at deterring unwanted migration" (Thielemann, 2006:442).

[214] By "centrally-run" camps I refer specifically to those camps that are run by states of other administrative bodies, rather than by the camp inhabitants themselves'.

He finds that this connection, this proximity, is accompanied by "even more frequent and commonplace 'slippages' in the exercise of power over the lives" of non-status strangers, which "relegate the stateless to the very limits of life" (2011:12). This relegation derives not only from a de-politicisation of subjects, which is to be expected for persons in places of which they hold no citizenship, but also from a targeted dehumanisation: this is accomplished, according to Agier, "[b]y speaking only of circulation and flows, the management of entrants or the control of encumbrances" (2011:17). This is further aided by the fact that individuals in the camps are linguistically and practically unidentifiable: they are "entrants", stateless, displaced, "supernumeraries" (according to Mike Davis), "human refuse" (according to Zygmunt Bauman), "bare life" (for Giorgio Agamben) or "pariahs" (for Eleni Varikas and Loïc Wacquant),[215] and the expelled: in a nutshell, they are undesirable and superfluous individuals, who are "disconnected from any political system able to offer them a place and protect them" (Caloz-Tschopp, 2000:24) at a time when the rejection rate of asylum applications in Europe has risen above 90% (Agier, 2011b:24). For theorists like Edkins and Pin-Fat, who look at the camp as the normalising locus of the state of exception, there are "certain, albeit, limited parallels [that] can be drawn between detention camps and the concentration camps, if only in the sense that both can be identified as examples of modes of being where there are no power relations and resistance is impossible" (2005:17). Finally, detention camps, especially in Europe, show similar "common characteristics in terms of (in)effectiveness, of stated and real goals" (Intrand and Perrouty, 2005:9). While overall detailed statistics are hard to come by (if nonexistent), existing figures tend to suggest almost a zero rate for asylum provision (ibid.; also, Valluy, 2005).

To recapitulate, it is this security narrative and the resulting militarisation of the treatment of strangers, accompanied by the exclusionary character of the detention camps and hotspots, which I consider to be the differentiating characteristic indicative of immunisation. This immunising emphasis on security and exclusion is translated into lack of collective identity for occupants and their construction as dangerous, the militarisation of procedures – which usually tends to reorient or stop migratory flows

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[215] In the books: *Planet of Slums* (2006), *Wasted Lives* (2003), *Homo Sacer* (1998), *Les Rebuts du Monde* (2007) and *Urban Outcasts* (2007) respectively, mentioned by Agier (2011b:18) and also mentioned in my introduction.

instead of resolving the status of occupants – and finally, "slippages" of power towards illegality and violence during these procedures, which remain unaccountable. The efforts focusing on "diversion of flows", stopping or reorienting them as mentioned above, could perhaps be seen in the European attempts to "externalise" detention camps either in the countries of provenance or in countries outside the EU's borders, seen as buffer zones – "Regional Protection Areas" (RPAs) or "Transit Processing Centres" (TPCs) respectively, according to the British cabinet and Home Office paper "A New Vision for Refugees", published in early 2003 and taken up by the European Commission and the UNHCR in the same year. This externalisation is apparent in attempts to keep strangers in Libya for example (Italian–Libyan Friendship Treaty), which is not a signatory to the 1951 Geneva Convention, or in eastern European countries such as Ukraine, Belarus or Moldova (Readmission Agreements with Eastern European Countries), through the European Neighbourhood Policy programme (Le Cour Grandmaison, 2007:133–4). The more recent case is the EU/Turkey joint plan to "address the migration crisis" (Council of Europe, 2016),[216] which led to the creation of more detention centres but this time on Turkish soil (Kern, 2016). Following the construction of the stranger as a threat in the public imaginary, European Commission and UNHCR initiatives are inscribed, according to Jérôme Valluy, "in a context of increasing pressures from the part of national governments and successive presidencies of the European Union" (2005). Efforts aiming to intern strangers in

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[216] The EU/Turkey Joint Plan, signed on 18 March 2016) foresees that:

1) All new irregular migrants crossing from Turkey to the Greek islands as of 20 March 2016 will be returned to Turkey;

2) For every Syrian being returned to Turkey from the Greek islands, another Syrian will be resettled to the EU;

3) Turkey will take any necessary measures to prevent new sea or land routes for irregular migration opening from Turkey to the EU;

4) Once irregular crossings between Turkey and the EU are ending or have been substantially reduced, a Voluntary Humanitarian Admission Scheme will be activated;

5) The fulfilment of the visa liberalisation roadmap will be accelerated with a view to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016. Turkey will take all the necessary steps to fulfil the remaining requirements;

6) The EU will, in close cooperation with Turkey, further speed up the disbursement of the initially allocated €3 billion under the Facility for Refugees in Turkey. Once these resources are about to be used in full, the EU will mobilise additional funding for the Facility up to an additional €3 billion to the end of 2018;

7) The EU and Turkey welcomed the ongoing work on the upgrading of the Customs Union.

8) The accession process will be re-energised, with Chapter 33 to be opened during the Dutch Presidency of the Council of the European Union and preparatory work on the opening of other chapters to continue at an accelerated pace;

9) The EU and Turkey will work to improve humanitarian conditions inside Syria.

camps, which are either located within the borders of the countries that migrants want to abandon or in third-party countries, resulting in all cases in keeping strangers away from destination countries under the pretext of sorting and in deterrence, constitute part of a reality of repression and of an essential ban on immigrants, and are integral characteristics of the modern detention camps or hotspots.

This ambivalence and tension regarding scholarly readings of the camp reflects a more general and fundamental bifurcation in the camp scholarship. The approach of IR and IPT to the camp is mainly constructed around Giorgio Agamben's work, either in agreement or in dissenting terms. These approaches see camps and other hospitality practices either in the Agambenian way, i.e., in exceptionalist terms, as located in abject spaces bereft of meaning, where human beings are trapped at the eternal threshold between inside and outside, devoid of agency and subjectivity; or attempt to refute the Agambenian approach for reasons of de-politicisation and de-subjectification, emphasising the variability and potential of abject spaces as bearing meaning and provoking acts of sociality, solidarity and resistance. The latter is usually, but not exclusively, identified with the autonomy of migration. Either way, camp scholarship, as well as the debates around most current hospitality practices, share to a certain extent the biopolitical framework to which I briefly referred in section 1.3.3 and in the latter part of 3.1. I will now return to it in order to see how it can, if at all, enlighten an understanding of the ethics of hospitality.

5.3 The biopolitics of the camp: the detention camp as the banopticon

Following on the securitisation and militarisation of the border management narratives as symbolised in the case of the camp, it is no wonder that the panopticon, in its Foucauldian understanding as a metaphor for the modern "disciplinary" society and its tendency to observe and normalise in a "movement that stretches from the enclosed disciplines, a sort of social 'quarantine', to an indefinitely generalizable mechanism of 'panopticism'" (Foucault, 1977a:216), is often mentioned in scholarly discussions about the camp and immigration management in general (Engbersen, 2001; Mizroeff, 2005; Lyon, 2006; Walters, 2008). Recognising both the oppressive

omnipresence of the concept for immigration, security, surveillance studies and other relevant disciplines and its conceptual shortcomings, there have been different attempts to modify it. Josef Ansorge's use of the political metaphor of Cuntz's Tower is a case in point (2011): Cuntz's proposal to store all Germans' data is used as a supplement to the panopticon in order to add the digital dimension to the surveillance and management of the Other, which would now acquire a more sophisticated power of identification and sorting. Suggestions for modifications notwithstanding, the panopticon as a metaphor for the camp can still stand for the "understanding for the modern period as a series of linked endeavours to control and discipline people into what [Foucault] called docile bodies" (Mizroeff, 2005:124).

In the same biopolitical reading, the camp can be seen as an apparatus, the Foucauldian "*dispositif*", made up of a "thoroughly heterogeneous ensemble consisting of discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic propositions" (Foucault, 1980:194). Agier sees it similarly when he looks at the interactions among UN and humanitarian organisations and their personnel, activists and NGOs, doctors and others who travel from camps in Africa to Sangatte in northern France or to detention camps elsewhere and at an established, specialised camp economy, where often private companies produce not only survival kits for internees, building materials, water pipelines, sanitary provisions, etc., but also institutional knowledge and camp *savoir faire*. Their interaction creates "a consensus simultaneously compassionate and technical", which, sometimes inadvertently, assists the sovereign Self, the European Union and other developed countries in the West in avoiding the scandal of an official "humanitarian crisis" by accommodating the control and often the rejection of the Other, in the face of undesirable strangers (Agier, 2014:22–23). In this light, detention camps can indeed be seen as the Foucaudian *dispositif*[217] par excellence:

> a sort of – shall we say – formation which has as its major function at a given
> historical moment that of responding to an *urgent need*. The apparatus thus has

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[217] Foucault talks of the *dispositif* in his 1977 interview "The Confession of the Flesh" (1980: 194–228), which was going to be the title of his fourth volume of the *History of Sexuality*, which was prevented by his death. *Dispositif* is translated in many ways, sometimes in the same text as "apparatus", "construction", "device", "machinery", "deployment".

a dominant strategic function. This may have been, for example, the assimilation of a floating population found to be burdensome for an essentially mercantilist economy: there was a strategic imperative acting here as the matrix for an apparatus which gradually undertook the control. (Foucault, 1980:195)

Didier Bigo combines both concepts to talk of the banopticon, or a "Ban-opticon *dispositif*" as he calls it (2006:6), which, in addressing a general feeling of insecurity and unease that was exacerbated globally post-9/11, is "a form of governmentality (...) characterized by three criteria: practices of exceptionalism, acts of profiling and containing foreigners, and a normative imperative of mobility" (ibid.). Bigo opts for *ban* instead of *pan* because the surveillance and the impediment of free movement is not imposed on entire populations (as *pan*, meaning whole, would have it) but is kept especially for specific "unwelcome" categories, namely irregular migrants, general foreigners and strangers, which sovereign states would like to have banned. Borrowing the term "ban" from Nancy's discussion of the a*ban*doned being (Nancy, 1983) and Agamben's treatment of it, i.e., linking it to the old Germanic term designating both exclusion from the community and the command and insignia of the sovereign, Bigo presents the banopticon as the key to understanding how the detention and surveillance of "a small number of people, who are trapped into the imperative of mobility while the majority is normalised, is definitely the main tendency of the policing of the global age" (Bigo, 2006:35). That is how a clear-cut relation between the Self and Other, a Self who is normalised and an Other whose movement, localisation, life and death is defined through a strictly hierarchical order, is established.[218] Understood in this way, the banopticon *dispositif* allows us to analyse and see how discourses on immigration presenting the Other as a threat, institutions (such as INGOs, public agencies, governments, etc.), structures (detention centres, waiting zones, etc.), relevant laws and administrative measures (on immigration, repatriation, EU Return Directives, etc.) (Bigo, 2006:34–5) come together and are all symbolised in the figure of the camp.

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[218] See my discussion in 1.3.3 and the latter part of 3.1 on Agamben and the biopolitical reading of the Other's subjectivity.

5.4 Ethics in the camp for strangers: from the biopolitical to the autoimmunitary

5.4.1 Ethics and biopolitics

But how do these discussions shed light on contemporary society's relationship with the stranger? Is there an ethics of hospitality to be found in the camps? Can there be an ethics of the camp that addresses the distinction between inside and outside? If the other is the *homo sacer*, how are we to relate with her, how are we to relate with a figure with whom we share nothing but her fundamental nakedness? Diken and Laustsen ask this same question in order to argue that "a truly universal ethics is one which testifies to the nakedness of *homo sacer*, a nakedness that is shared by all" (2005:177) and they turn to Agamben's reflections on testimony, the remnant and shame in order to articulate such ethics. The former is juxtaposed with the sovereign exception as the ambivalence of bearing testimony to something, which is impossible to bear testimony to, be it the Holocaust concentration camps or bare life in general. In this sense, testimony, with its aporetic nature, rises against the unspeakable sovereign violence and exclusion. Similarly, the remnant is equally aporetic, existing between the human and *homo sacer*, a residue that cannot be destroyed, "the real political subject" (De la Durantaye, 2009:229), a "redemptive machine" that permits the salvation of the whole from which it emerges as the signification of division and loss (Agamben, 1999:162), opening a way towards a non-statal and non-juridical politics and human life, towards a possible escape from state violence. However, for Agamben, the ethics of the camp is really based on the idea of shame. Shame derives from the nakedness of the subject, from the act of one's testimony, from one's witnessing her own desubjectification, her own becoming *homo sacer*. It is the "shame that drowned us after the selection, and every time we had to watch, or submit to, some outrage" within the limits of the camp, as Levi writes at the beginning of *The Reawakening* (Agamben, 2002:82, Ojakangas, 2011:699). Witnessing and shame, being non-juridical concepts, contrary to responsibility, are the real ethical concepts par excellence, Agamben argues. "Ethics is the sphere that recognizes neither guilt nor responsibility; it is, as Spinoza knew, the doctrine of happy life," which is why every ethical doctrine that claims to be founded on these two notions, even if "interiorized and moved outside law", is necessarily "insufficient and opaque" (Agamben, 2002:22–24).

This understanding of the ethics of the camp is in deep contrast with what I consider in this project to be a desirable ethics of hospitality, inspired by an unconditional responsibility towards the Other, which I take to be embedded *a priori* in all human relations, as posited by Levinas and the affirmative acceptance of the autoimmunitary by Derrida. The doctrine of the happy life, being the aim of Agambenian ethics, has no place for a responsibility understood in these terms (Agamben, 2002:24). Instead, Agamben bases his understanding (and subsequent rejection) of responsibility on its juridical origins in the Latin verb *spondeo* and its meaning of "becoming a guarantor of something for someone with respect to someone". Understanding responsibility as the quality of being essentially a sponsor, he reaches the conclusion that the gesture of responsibility is thus genuinely juridical and not ethical (Agamben, 2002:21–24). As such, responsibility is an obligation, similar to that of a guarantor of a bond or of a freed prisoner, and has nothing noble or ethical about it. In this sense, responsibility is for him intertwined with *culpa*, liability or the attribution of damage, what he considers to be guilt. These two, responsibility and guilt, have been the two aspects of legal imputability, which were only moved outside the legal framework by ethical philosophers later and "wrongly", as one can surmise from Agamben's writings. Responsibility and guilt are insufficient and opaque concepts (2002:22), two characteristics that always stand out when the distinction between ethics and law is brought to the fore. For this reason, and for the fact that they cannot have corresponding legal consequences, responsibility and guilt should not be used as ethical categories, according to Agamben.

As Catherine Mills rightly observes, though (2003), Agamben fails to acknowledge that responsibility can also be traced to the Latin verb *responso*, i.e., to answer, to reply or respond to the other. It is exactly this capacity for response forming the core of Levinasian ethics, explored earlier, that addresses the Other in the camp and may potentially protect her from harm. Following up on Levinas' contemplation of hospitality, which avoids the subordination of ethics to knowledge and the categorisation of the stranger Other, for instance with respect to refugees who deserve protection and irregular migrants who do not, Derrida also argues instead that "there is a structure of responsibility built into human relations that precedes other forms of relating such as knowing or perceiving" (Barnett, 2003:5). Suggesting that our ethical

responsibility towards the stranger Other, the irregular immigrant, etc., supersedes our attachment to a place, Derrida theorises ethics, as we saw in the previous chapter, as a constant return to the responsibility towards the Other. Hospitality thus is not a mere region of ethics, but "ethicity itself, the very principle of ethics in its entirety" (Derrida, 1999:94). As we saw, for Levinas the responsibility towards the Other is absolute and inviolable; one is exposed to the Other in a face-to-face relationship, but this is not a reciprocal or a symmetrical relation. One is always and already responsible to and for the Other, prior to any calculation or reflection by a self-conscious subject. The subject is, as he puts it, always one-for-the-Other (Levinas 1981, 135–140).

As expected, Agamben is critical of the Levinasian ethical understanding of responsibility, finding it to be a complex rendition of the juridical category of the sponsor seen earlier. The happy life at which his ethics aims has nothing to do with the Other; "there is no 'one' Other – there is only the self and the positive action to create a new reality" (Fiorovanti, 2010:9). As we have seen, Agamben, under the influence of Deleuze, considers that the Self would ideally be singular and devoid of identity in a post-statal end of historic time. Therefore, first the Other's nakedness in bare life, and later the singularity of the Self that knows no Other, undermines the possibility of biopolitically considering an ethics of hospitality.

5.4.2 Ethics and the autoimmunitary

Speaking of the camp, Agier identifies another ambivalence, to which I referred very briefly earlier: on the one hand, the camp is fundamentally characterised as a precarious, banal, indifferent *hors-lieu*, an off-place, which, despite the variety and diversity of camp types, is still in essence a place beyond which normal life takes place, outside of the law and an "outside" of life in general; on the other, the camp has a potentially vibrant nature, when it becomes a place where actual life takes place, through resocialisation of strangers, as a possible locus of community, resistance and solidarity, of political tensions and agitations, acquiring a meaning for itself and for its internees (Agier, 2014:16–17). A similar tension or ambivalence is noted by Kim Rygiel in her discussion of the Calais "Jungle": the "first image of the camp as a place of illegality and abjection is juxtaposed by a second image of "the jungle" as a makeshift community, where migrants reveal their resourcefulness in navigating increasingly

difficult border restrictions" (Rygiel, 2011:10). Bulley underlines the importance of such communities in granting greater agency and meaning to the displaced in refugee camps as well as in countering the instrumentalisation foreseen by the camp (Bulley, 2014:66–8).

Some camps in Greece, a central point of entry of the migrant fluxes towards Europe in the last decade,[219] can be seen as archetypes of the camp for strangers. Makeshift and open-space camps that appeared in late 1990s, transitory points located near ports (such as the ports of Patras and Igoumenitsa, where ferries left for Italy) or land borders, are defined by the "vibrant nature" and resocialisation that Agier observes. Such camps, like the Pikpa camp in Lesvos, the Idomeni and Hara camps in the north of Greece and others, are created as a reaction to the hospitality vacuum created by the official, state-run detention camps. The island of Lesvos is central in the migration flows to Europe, as it "offers an invaluable case study in the promises, pitfalls, and progress in the West's humanitarian response to the ongoing refugee crisis. From landing beaches staffed mainly by volunteers to the registration centers and transit camps run by professional aid organizations" (Hernandez, 2016), I think Lesvos gives a significant picture of the distinction between immunity and autoimmunity in the form of camps. I will therefore be focusing on two camps located there: the detention camp of Moria and the Pikpa camp for strangers.

In the case of Lesvos (as with other islands), the only way for immigrants to leave the island and continue their trip is to first be registered. However, registration, a lengthy, complicated procedure in itself, is only possible if the people in transit are arrested and detained in a detention facility away from the port, reconstructed in 2013. Officially described as a "first reception centre" and later called a "hotspot", the Moria detention camp, the largest registration point in the east Mediterranean, is a properly closed camp, fenced off with barbed wire. Living conditions are lamentable due partially to the fact that it was built to provide about 600 places for long-term detention, a number that was very fast surpassed.[220] Regardless of numbers, the Moria camp has fast deteriorated and is now characterised by dire conditions: understaffed, with severe shortages in food and medicine provisions, queues to use necessary

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[219] At least until the EU / Turkey Join Plan, as agreed on in March 2016. See relevant footnote 216.
[220] It enclosed approximately 4,000 migrants in April 2016 (Squires, 2016).

services,[221] unhygienic sanitary facilities (Mahmood, 2015; Squires, 2016) and, what is worse, a division of the camp into a part for those who are expected to meet asylum granting criteria, i.e. Syrians, and into a part for all others (in spite of being also eligible), creating tension among groups of immigrants themselves. As is to be expected, immigrants' hunger strikes and riots are common and the camp is permanently guarded by riot police. Police, assisted by the European agency Frontex, is also appointed to identify migrants and bring them into the camp. Accusations that identification is also followed by interrogations in order to obtain information concerning migration patterns have been made, but there is no official evidence to back them up (W2EU, 2013). Conditions in Moria and its role in pushing back potential refugees following the EU/Turkey Joint Plan led the International Rescue Committee (IRC) and the Norwegian Refugee Council (NRC) operating in Lesvos to join Doctors without Borders and the UNHCR in voicing concerns and scaling back activity in the camp (EurActiv.com, 2016; see also fn 208).

Based in the south of the island along with traditional aid organisations such as the International Rescue Committee, the hotspot of Moria had failed repeatedly to address the needs of incoming migrants and asylum seekers, the vast majority of whom land on the northern shores of the island. Its failure, however, did not lie merely with its geographical position, but mainly with the extensive focus on detention and control, overriding the obligation genuinely to address the needs of the immigrants arriving on the island. As a symbol of the immunising tendency of the Greek state and the European Union to secure and safeguard their borders, the Moria detention camp failed both the laws of hospitality, i.e., to respect and meet the international legal standards of human conditions and asylum granting procedures *and* the law of hospitality, the unconditional welcome of the Other in need.

At least until December 2015, migrants arriving in the north of the island were welcomed and taken care of by local residents and volunteers on an *ad hoc* basis, which steadily crystallised into a successful, concentrated effort to address the primary

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[221] Mahmood reports in October 2015 a more than 11-hour wait for a migrant to register with the authorities of the camp (Mahmood, 2015). Registrations and asylum applications lodged through skype, implemented from the spring of 2016, have failed to address the problem effectively, with immigrants waiting for more than 20 days to connect and be allocated a timeslot for their application (Boltje, 2016).

subsistence needs of the immigrants arriving by boats from Turkey. The surge in migrant arrivals in summer 2015 was met by a surge in volunteers, who were now coming from places outside Greece, individually and in groups (see fn 203). Informed by social media, moved and determined to respond to the call of strange Others in need, they assisted in sea rescues; in the provision of water, food and other goods; addressed medical needs; offered transport – thus breaching the law (see fn 207) – and basic guidance to the boatload of immigrants arriving daily; and liaised with people back home to fundraise and recruit more volunteers, among a variety of other services (Hernandez, 2016).[222]

In the vacuum created by the insistence on immunising the borders in the form of ineffective, hospitality-cancelling detention camps, camps for strangers like the Pikpa camp (also called the Village of all together) were created. On what had previously been a summer camping site for children, latterly fallen into disuse, a group of Greek volunteers set up in 2012 a base for refugees arriving in Lesvos. In one of their press releases, they present themselves in the following way:

> "Village of all together" was born in Lesvos in 2012 from the need to create a solidarity network as an answer to the consequences of the economic crisis but even more as an organized action to ensure that the local population will not become a victim of the Golden Dawn's propaganda. Unlike other non-governmental organizations, the "Village of all together" is not a legal entity but a network of citizens, collectives, groups and other organisations in Lesvos with a common goal to act altogether. (...) [T]he "Village of all together" defends the right of the refugees to a fair treatment and simultaneously, it promotes the creation of open hospitality centres in support of local community. PIKPA is a self-managed-autonomous space and has no access to any state or European funds. This self-managed space has hosted during this time [in the first three years of its existence] more than 6.000 refugees, some for a few days and others for up to a year. The refugees include asylum and

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[222] A series of small organisations were born from the initial presence of these individuals. See the Starfish Foundation, the Dutch Stichting Bootvluchteling (the Boat Refugee Foundation), and the ProActiva OpenArms, a nonprofit extension of a Barcelona-based lifeguard company after its owner's mobilisation following the international outcry caused by the photo of Alan Kurdi, the three-year-old Syrian boy whose body washed ashore (Hernandez, 2016).

family unification applicants and/or vulnerable groups of newly arrived refugees e.g. people with disabilities, sick, pregnant etc. There, we offer food, clothes, medicines, hygiene, legal counseling, and medical help as well as we organise activities (sic) for children and classes of Greek and English and occasionally, we provide them with transport expenses and social support. (...) Our main objective is to stand in solidarity with the refugees and fight against the illegal arrests and any practice of humiliation or atrocities conducted in the sea or at the borders.[223] (...) Our dream is to create proper reception and hospitality centres for every refugee as well any Greek national who has been a victim of the economic crisis, the racism and any xenophobic propaganda. (Latsoudi, 2015)

The "Village of all together" is no more ambitious than the other camps for strangers functioning in Lesvos and elsewhere on the Greek territory. Instigators, volunteers, temporary and long-term camp facilitators – in a nutshell, host-Selves – fulfil the demands both of the law and the laws of hospitality. With personal cost and in danger of being persecuted, they embrace an open ethics of hospitality in a spirit of Levinasian fraternity and against deep-rooted, philosophically sustained fears of the Other and of the "autoaggressive immune behaviour" a less conditional opening to the Other may entail.

Conclusion

While for Derrida the moment of ethical fulfilment is the arrival of the Other in a disjointed messianic time, in the future-to-come, "the very relationship with the Other [being] the relationship with the future" (Levinas, 1999), with her welcome always to be negotiated, the fulfilment of the Agambenian biopolitical project, which informs and influences poststructuralist debates on hospitality, consists of the creation of a new conception of life, of a ""happy life" (...) that has reached the

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[223] In June 2015, in an effort to challenge the law that forbade the transport of immigrants (see fn 207), the Village of all together organised a convoy with over forty cars that travelled from the north part of the island, where immigrants have landed, to the port of the island. In addition, the Village has participated in legal procedures in support of citizens being tried for having transported immigrants against the law.

perfection of its own power and its own communicability – a life over which sovereignty and right no longer have any hold" (2000:113–14). Such a life foresees a possible coexistence between *bios* and *zoe* while life will find its unity in a pure immanence to itself, in "the perfection of its own power". Communicability (that is, language) (2000:95) is dealt with in greater detail in Agamben's *The Coming Community*, where the notion of *quodlibet*, "whatever singularities", is developed. Language is the nexus of an envisaged future community, consisting of "whatever singularities", where common identity and commonality are not the community's prerequisites. Within this perspective, Agamben's conception of "whatever singularity" indicates a form of being that rejects any manifestation of identity or belonging and wholly appropriates being to itself, that is, in its own "being-in-language" (Mills, 2003). Until the advent of this community, though, how can these singularities treat their inclusionary exclusion from sovereign power and their nakedness in life? Agamben, in advance of such a liberating, non-statal future, seems to suggest a bleak present: trapped in their condition of bare life, singularities are unable to react. Being singular, they also lack agency, political or communal, and the ability to escape their situation. In this sense, the Agambenian paradigm of *homo sacer* has nothing to contribute to a possible rethinking of hospitality ethics, where the subject has to be defined as a host or guest in order subsequently to overcome this identity and to become an openness to the Other, a welcome of the Other. Host-Selves and immigrant strangers are trapped in a dialectical economy of a Self/Other-as-object relationship.

Despite these criticisms, however, Agamben's analysis of biopower and theorisation of bare life might offer us certain useful elements to critically asses the ethics of hospitality and a valuable basis on which to develop a critique of the liberal/humanitarian discourses of citizenship. This basis is mostly found in the way Agamben traces and specifies explicitly the problematic in the priority given to national security and citizenship over the ethical obligation to the Other (Papastergiadis, 2006), an obligation theorised in such a way as to overlook the reality of an abject Other. Derridean ethics of hospitality, with their aversion to the dualism of "us" and "them" and insistence on an *undecidable* threshold,[224] often overlooks the

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[224] The undecidable, often found in translations that Derrida himself has overseen as undecideable or indecideable, is essential for understanding Derrida's thought – for the needs of this thesis, the

existing mechanisms expressly deployed to create such dualisms. Such mechanisms treat abject Others, such as strangers and undocumented migrants, ambivalently: sometimes the impact of their presence at the threshold is exaggerated, at other times it is trivialised, but the right to exert violence on them is almost always justified. While the ethics of hospitality does call for a new international law of hospitality and for a new politics (Derrida, 1999:101), it fails to account in a satisfying manner for the violence and marginalisation to which the Other is exposed.

Informing Derridean ethics of hospitality with an autoimmunitary aspect acts in this respect as a corrective move. It leads us to ask questions about the Self and address *de profundis* our ethical responsibility towards the Others. Against the fear of an autoimmunitary harm, the ethics of autoimmunitary hospitality overcome self-protection and exit the threshold of undecidability towards the unknown of opening up to it.

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terms undecidable and undecidability have been used all the way through, altering where necessary the spelling of citations.

CONCLUSION

Mare mortum and the hospitality landscape

In a recent article, Roland Bleiker, David Campbell and others (2013) discuss how the figure of the asylum seeker is often represented in the (Australian) media. Rarely alone, but in medium or large groups with a focus on boats, and without recognisable facial features, her representation is made to connote threats to security and sovereignty, rather than the humanitarian challenge her plight normally entails. "These dehumanising visual patterns directly feed into the politics of fear" and "establish the conditions of possibility for political discussions" (Bleiker, Campbell, Hutchison, & Nicholson, 2013:399, 414). Dehumanisation and depersonalisation of the Other, be she a refugee or an undocumented immigrant, reduces her to an abject and liminal Other, whose "plight, dire as it is, nevertheless does not generate a compassionate political response" (Bleiker, Campbell, Hutchison, & Nicholson, 2013:398). Taking Bleiker et al.'s argument to its logical conclusion, a humanising visualisation of an asylum seeker's plight may lead to compassion, empathetic political discussions and eventually a compassionate ethical response. The well-documented case of the death of Alan Kurdi could be a case in point: the dead body of a three-year old Syrian that was washed ashore in Turkey in September 2015 was immortalised in a picture that travelled rapidly around the world, making global headlines. The response was swift: the French President publicly stated the following day that this death "must be a reminder of the world's responsibility for refugees", calling for a common EU refugee policy (Daily Sabah, 2015.), while other heads of states commented that the photo was shocking, moving and indicative of what the refugee crisis really is – a "human catastrophe" (Hand, 2015). The incident even became central to the electoral debate during the Canadian federal election (Austen, 2015), while it caused a great surge in donations, the creation of at least one related NGO (See fn222), the mobilisation of volunteers, and even a temporary volte-face on the part of one of the most anti-immigrant organs of the British national press, with the *Daily Mail* reporting on "the horrific human cost of the global migrant crisis" (Hall, 2015).

However, the ensuing compassionate political response that Bleiker et al. expected

was not to be. In a counterintuitive manner, the "common refugee policy" that Hollande asked for ended in an EU deal with Turkey that has attracted widespread criticisms regarding its legality (Human Rights Watch, 2016b) and which, in the first three months after being implemented, has been proven to put people in transit in grave danger (Michels, 2016). Concurrently, the number of unaccompanied and missing refugee children has steeply risen (Jenkins, 2016) and many of the policies outlined in the opening sentences of the introduction continue to be implemented unhindered.

The reason for this, I have consistently argued in this thesis, is that political considerations and decisions do not occur in response to calls for responsibility or for the engendering of compassion. On the contrary, compassion and debates on responsibility towards others in need, as in the case of refugees, shatter against state-centric notions of responsibility, primacy of sovereignty, and security fears, which in turn are sustained by a state-centric, security-fixated theory. International Relations and International Political Theory, in their mainstream and hegemonic strands at least, inform responsibility narratives through a hierarchical Self/Other dialectic in which the Self, by which I mean the individual self but also the territorially-bound community and the state, always comes first. The subjects of compassion, ethical responsibility, empathy and their channeling into action are inconspicuously put aside by mainstream theory, silently implying that they belong to the sphere of impracticality and utopia and not the needs of "the real world". Ethical issues of this kind are considered to be in essence unanswerable (Brown, 1992) since the weight of the decision to act compassionately and to take up ethical responsibility lies in essence with the community (2.1). The strands of theory that seek to challenge this outlook (i.e., both human rights approaches and neo-Kantianism) refer to the centrality of the law (rights of free movement and exit), and so do practices of distributive justice and inclusion through membership, respectively; but they discount the fact that when it comes to refugee plights and mobility, the law is consistently flouted, while practices of redistribution of privilege and inclusion via membership are underlined by a decisionism in which authority is assigned once again to the state and the community.

Considering this, the question needs to be asked: is what we have in front of us a

"refugee" or a "migrant" crisis, or is it indeed a failure of theory and action? I argue it is the latter. As Elisabeth Schmidt-Hieber and Lilana Keith, respectively the communications officer and Interim Programmes Director of the Platform for International Cooperation on Undocumented Migrants (PICUM), argue in a recent press release:

> what we see is neither a "refugee crisis" nor a "migrant crisis". The situation which is unfolding has not been caused by refugees and migrants over the past months, but a result of years of political measures which have focused on sealing the EU's borders, including through agreements with non-EU countries to prevent migrants and refugees from coming to Europe, and steadfastly avoided taking progressive steps towards a holistic, pragmatic and just policy framework to regulate modern human mobility. The significant humanitarian challenges to accommodate the number of people currently arriving reflect a crisis of political will. (Schmidt-Hieber and Keith, 2015)

What we see is not a "refugee crisis"; but nor however is it solely "a crisis of political will". As I have argued in the first part of this thesis, it is essentially a failure of ethics – and thus also of that part of IR theory that deals with ethics – to address such crises in an effective manner. The dehumanisation and depersonalisation of the Other is not an issue of visual politics, as Bleiker et al. suggest; instead, it may actually lie within our own theoretical "home". For that reason, I have sought to explore the history of hospitality, the mainstream approaches to migration, the definition of the stranger Other, and the poststructuralist ethics as a an alternative and corrective to them. Exploring the use poststructuralist ethics make of Levinas' considerations of subjectivity and responsibility and Derrida's conceptualisation of hospitality, I then sought to address what I have found to be lacking in order to address the failure remarked above. To succeed in doing so, I have argued for the need to reconsider the expansion of the Levinasian ethical responsibility to all Others through his concept of fraternity and for enriching Derrida's understanding of autoimmunity through an affirmative move tipping the undecidable towards the opening up to the Other. I have explored this affirmative autoimmunitary ethics of hospitality in the makeshift, self-managed camps for strangers, arguing that the selfless, ethical embrace of the Others that is taking place there is an indication of what form this autoimmunitary ethics of hospitality may take when connected to the political.

The history of a concept

The history of the concept of hospitality in the first chapter suggests neither a triumphalist progress to more open hospitality practices, nor an opposite regressive course. The consideration and implementation of hospitality have ebbed and flowed over time: traditionally linked to religion and religious-influenced obligations to neighbours and others, hospitality usually entailed the provision of welcome and sanctuary to the foreigner and the persecuted. After the attempts at a legal definition by natural law scholars, who tried to embed hospitality in property and communication, the notion and practice of hospitality was placed at the discretion of the state or other central authorities, leading Enlightenment scholars to lament what they perceive to be the loss of hospitality's humanitarian character. The brief universalist respite of the French revolutionary episode emphasises a triumphant liberal evolution towards an unconditional opening to the Other – though this opening occurs solely in theory. In practice, it is amalgamated in an oxymoron where the proclamation of universal friendship and hospitality goes hand in hand with the exclusion of foreigners, nobles and other figures who are judged undesirable by the revolutionary milieu. As is to be expected, the consolidation of clearly territorially-demarcated entities, initiated in the Middle Ages and continuing till the 18th century, not only undermined the religious influence on hospitality perceptions and practices, but also gave birth to an increasingly exclusionary treatment of Otherness.

Kant's attempt to supplement the individual authority of these entities with a republican federation of states partly based on a law of world citizenship – a law limited to conditions of universal hospitality (the first direct use of the term in modern times) – fails to overcome this exclusionary treatment, despite Kant's advocacy for the idea that a right of hospitality was universal. Such a right proves in reality to be a right mainly of visitation: an expectation for anything more than a temporary sojourn renders the visitor and foreigner Other an enemy to the Self and the host community.

This treatment acquires in the 20th century biopolitical traits. The better bureaucratic organisation of the state, the proliferation of technology and the need for stronger safeguarding of the state led to the upholding of "paper walls" through the obligatory registration and documentation of individuals and the increasing embedding of human life within institutions and apparatuses of control, such as surveillance, productivity,

health metrics but also citizenship and migration controls that were destined to exclude western and non-western foreigners alike. These developments are to a certain extent related to the horrific violence that results when modern states clash: Arendt's rendering of the tragedy of the Second World War is closely related to a lack of hospitality, where, once again, the exclusionary envisioning of Others led many of these Others to their deaths, and subsequently condemned many more to permanent statelessness.

From the tolerant universalist humanism of the Enlightenment *philosophes* that is externally constituted by its contrast against the figure of the noble savage to Arendt's stateless subject, it is possible to observe again and again the constitution of a Self and community identity *through* the excluded existence of a stranger Other: the stateless, the migrant, the colonial subject, the refugee. This recognition impelled me to clarify the figure that I am interested in: to address the *who* of the autoimmunitary ethics of hospitality I am arguing for.

Was Walter Benjamin a refugee or a migrant?[225]

Which one would Benjamin be considered to be today? On the move since 1927, living a precarious life, dependent on a series of small jobs and having had "28 changes of address" (Leslie, 2015) in seven years in different parts of Europe, Benjamin found it increasingly impossible to survive in Germany, especially after 1933 and Hitler's assumption of power, ending up fleeing Paris a day before the Germans entered it and crossing over to Spain, where he was threatened with deportation back to France. Fearing that he would eventually be returned to Nazi Germany, where he would most probably be in extreme peril (his own brother later died at a concentration camp in 1942), he committed suicide in September 1940.

Walter Benjamin was a migrant. One could obviously remark that the conventions relevant to the definition of his status (namely, the 1951 Refugee Convention, its 1967 Protocol, the 1969 OAU Refugee Convention and other legal texts) were not then in force, and that it was indeed such cases of statelessness, or situations in which citizenship of a specific state could be harmful to an individual, that these conventions

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[225] Title inspired by Esther Leslie's blogpost with the same title (Leslie, 2015).

were created to address. However, his case, I believe, still convincingly identifies the risks of distinguishing between "refugee" and "migrants", therefore between "legal" and "illegal", "deserving" and "undeserving" people on the move. Benjamin's economic difficulties, which made him initially an economic migrant, were aggravated over time by the danger of violence and delegitimation (Leslie, 2015), exacerbated by the increasingly perilous circumstances of the time.

Similarly, migrants may move in search of better living conditions for themselves and their families.

> This is often erroneously understood as a "voluntary" move to benefit from job opportunities and living standards in the country of destination (…) reasons for migration are manifold, multiple and complex. They often include the aim to leave situations of violence, insecurity, discrimination and/or systemic poverty in order to survive. People leaving situations of war are also frequently facing poverty. This complexity is not accounted for in the international protection system. Many of those welcomed as "refugees" today will likely be tomorrow's undocumented migrants. Many will not meet the legal definition of a "refugee" as it is strictly applied by many European governments, or manage to be recognised as such. (Schmidt-Hieber and Keith, 2015)

While in chapter two I do not insist on this point per se,[226] I do argue that strict categorisations entail violence, create confusion about the actual realities and needs of people on the move and about the practical implications of the use of such terms. I have argued that these categories are often slippery and overlapping, permeable to the extent that they enable violent practices of control. They do not always act in favour of the Other who needs protection and assistance, and this is something that an ethics of hospitality should inquire into, researching the use of terms, asking why others do not

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[226] There are arguments for abandoning the use of the term migrant: "There is no "migrant" crisis in the Mediterranean. There is a very large number of refugees fleeing unimaginable misery and danger and a smaller number of people trying to escape the sort of poverty that drives some to desperation." (Malone, 2015). "For reasons of accuracy, the director of news at *Al Jazeera* English, Salah Negm, has decided that we will no longer use the word migrant in this context. We will instead, where appropriate, say refugee. At this network, we try hard through our journalism to be the voice of those people in our world who, for whatever reason, find themselves without one. Migrant is a word that strips suffering people of voice. Substituting refugee for it is – in the smallest way – an attempt to give some back" (ibid).

exist, and making its own, new categories. Noting the recurrence in IR theory of various attempts to name the abject liminal Others that existing categories do not seem to encompass, I argue for the need to form a new and broader category for the abject liminal person, while at the same time, in the body of the thesis, I clarify the reference to the figure of the irregular and undocumented immigrant, preventing the figures of the Other and the stranger and the foreigner from being swallowed up in abstraction.

The Ethical in IR

I argued above that the failure of IR to address effectively hospitality crises and the dehumanisation of the Other may lie with the theory itself. In the second chapter I have argued in greater length that despite the so-called "ethical turn" in International Relations, issues related to the abject liminal figures in society go mostly unnoticed and substantially unchallenged. The failure properly to consider the ethics of hospitality – and to draw it into the discussion of the responsibility towards such liminal figures of society – is at the root of this problem; and I argue further that if the debate around ethics needs urgently to answer one question, then this should probably be the issue of hospitality. Considering the discourse of rights, the neo-Kantian debates on distributive justice and membership and the ethics of migration, I found that their seemingly neutral and inclusive legal and ethical categories and representations were instead partial and exclusive. Examining the rights of movement and exit, I have tried to show the limitations regarding the inability to enforce the one (freedom of exit) without the other (freedom of movement). I have equally been critical of the other neo-Kantian approaches, as seen on page 258. In the same context, I have claimed that the Rawlsian influence on mainstream Anglo-Saxon IR constitutes part of the latter's problematic relation with, and its essential failure to address the needs of, strangers. I expanded further on this claim in chapter three, when I addressed the issue of consensus in contrast to Levinas' theorisation of responsibility. I have argued these approaches were part of this failure; and I argued that poststructuralism may be the only strand in ethical thinking that can avoid discounting the subjectivity and needs of liminal Others.

In the last part of chapter two, I have shown that despite the common accusations of

relativism, nihilism and even amorality (Sokal and Bricmont, 1997; for a rebuttal see Der Derian 1997:57–8), poststructuralist IR recognises ethics and the ethical relation as central concerns (e.g. Campbell 1998a; 1998b; Walker 1993; 2003). I explored in detail poststructuralist ethics, especially its rendering of subjectivity-formation and the importance of responsibility towards the Other, and finally, the appearance in its narrative of hospitality. Recognising the importance of this work for my own project, I took issue with the remit of hospitality as a concept (whether it can be used in interventions or whether it can satisfactorily stand when the Self in the Self/Other relation is a state), suggesting that hospitality in my understanding is better applicable to the calls of individual Others, or in relation to such practices of Othering as occur during border crossings. There were also two other important issues with the poststructuralist approach that my thesis has tried to overcome: namely, its problematic relation with Levinas' conceptualisation of the third and the insistence that without a sturdy border, the ethics of hospitality cannot exist. Regarding the first issue, I have argued that the advent of the third should not make us give up on Levinas' importance for an embrace of the liminal Other, suggesting that Derrida's influence on poststructuralist readings of Levinas may be one of the reasons why this abandonment happens. As for the second, I have briefly proposed that an autoimmunitary aspect of hospitality ethics can undermine this insistence.

Otherwise than being

"Putting a human face to suffering is seen as a key factor in gaining viewers' attention which is, in turn, essential to trigger not only some form of empathetic affective response but also a willingness to act" argue Bleiker, et al. (2013:408), perhaps also referring to Levinas' emphasis on the face of the Other (even if only implicitly). The empathetic response Bleiker et al. hope for is concomitant with Levinas' understanding of the face as a symbol of immediate ethical process: the face's signal uprightness, poverty and defencelessness. It is this immediate approach of the Other who calls us to respond and act that I have explored in chapter three.

I have argued for the need to make use of Levinas' relational ethics in order to think about and promote efforts to link with Otherness and to undermine the latter's exclusion and dehumanisation in politics and in ethical theory; and I have inquired

into its usefulness for the ethics of hospitality. Inspired by his work, I have attempted to stress the point that we are all "intrinsically bound together in an ethic of responsibility, without ontological detachment clauses" (George 1995: 210) Therefore, "it is impossible to free myself by saying, 'it is not my concern'. There is no choice, for it is always and inescapably my concern" (Campbell, 1994:460, quoted in George 1995: 210).

To do so I have first explored how Hegelian and Kojèvian scholarship has influenced the conception of the Self/Other relation in International Poltiical Theory, finding that these too have been constituted by hierarchy and power and a master/slave binary depicting a constant struggle for survival. I have then essayed to challenge this binary by exploring Levinas' rendering of the human relation and his ethics of responsibility through the face-to-face relationship mentioned just above. I have finally indicated the way that could, in my opinion, overcome the difficulties encountered by poststructuralist ethics regarding the arrival of the third and the difficult passage from the ethical to the political for Levinas' thought (namely, that one can hold an unconditional responsibility both towards the Other and the Others).

I have tried to debunk this commonly held belief by arguing that an intertwinement of the ethical with the political is possible in Levinas' thought through his earlier concept of fraternity. The way fraternity is introduced in Totality and Infinity is twofold: on the one hand, it expresses the uniqueness of the elected self, and on the other hand, the equality between the "brothers", "conveying the encounter of the Self with the Other but also with a multiplicity of Others simultaneously" (Rat, 2013:110). Given that Levinas rarely speaks of hospitality *per se*, fraternity, I have argued, is his implicit reference to it; and it acts as the bridge between the ethical and the political and as a tentative solution to the tensions created during the move from the one-for-the-Other to one-for-the-others and to the attribution of justice. Despite its patriarchical connotations, I argue that fraternity is essential in enabling us enact our responsibility towards undocumented immigrants, who are thus no longer deprioritised in the economy of assistance because of their inherent Otherness, lack of categorisation or distance to the Self. I argue that fraternity can accomplish this without affecting or attenuating the limits of my responsibility to the Other's singularity and alterity.

As I will discuss in the conclusion, the prioritisation of my responsibility will take

place in an autoimmunitary fashion in my effort to spare her from suffering, violence and death in spite of any qualitative caveats.

The naked experience of autoimmunity

This transcendence of the ethical relation with the Other permeates politics, which remains always open to question and problematising. Levinas sees this move from responsibility to questioning as the passage from ethics to politics (1991:84). This "is not a passage of time, but rather a doubling of discourse", i.e., the response to the singularity of the Other's face and at the same time to the community, where the essence of society does not derive from a "struggle of egoisms" but from the inegalitarian moment of the ethical relation (Critchley, 1992:226). Derrida is critical of this doubling of discourse and the passage to the political.

He attempts his own passage by contemplating the threshold between hospitality and no hospitality, conditional hospitality and unconditional hospitality, its laws and the law of hospitality and essentially the threshold of life and death, always in peril because of the worst violence. Derrida ponders extensively and in a multi-layered way the concept of the threshold, considering it as an *aporia* indicative of the issue of hospitality, defining a *limen* between the inside and outside, a beginning of infinite possibilities and responsibilities, but also a *topos* that needs to be transgressed. His lingering on the threshold means that his reflection on borders, and on the need to respond to the dilemmas they pose, is not related to any understanding of those borders as solid and secure, as defined and given – as traditional ethical approaches would have them be – but instead keeps them in question, in line with the essential gesture of deconstructive thinking. Considering the impossibility of unconditional hospitality I have explored the "transgressive step" this entails: the offering of hospitality beyond motivation and predictability and within a vacuum of incentives.

Hospitality in this sense is defined by undecidability, Derrida has made clear, and it is this undecidability of his that constitutes the main takeaway for poststructuralist ethics. I analyse this to the best of my ability, suggesting however that Derrida's exploration of autoimmunity can inform undecidability in an affirmative way. More concretely, I argue that his rendering of autoimmunity can be explored further and

beyond the suicidal character of democracies to which it has often alluded. I have argued that autoimmunity need not emphasise only the threat of the worst but that it can instead make the case for an opening – albeit dangerous – to the unknown, to the coming of Otherness beyond pre-established recognition of identity characteristics and commonalities of the Other with the host organism. In this case hospitality can be considered as a form of autoimmunity in itself.

To assign to the autonomous Self the ability to define in an immunising way her own boundaries, in the belief that this is a natural, supposedly scientifically-proven characteristic, is, I have argued from the beginning of this project, highly problematic. In the context of hospitality, this translates into the supposedly immunising function of borders that are always, I argue, porous, always permeable by the presence of the Other. Influenced by the most recent work on radical immunology, which suggests that immunisation is illusory and that autoimmunity is erroneously conceived as an attack upon the Self, I have argued that we need to enrich Derrida's approach with the possibility that autoimmunity may bring productive and fertile transformations to the Self when the latter opens up to an affirmative, more open, responsible welcome of the growing numbers of stranger Others at the border.

I have suggested that this experience of opening up, this understanding of autoimmunity that tips the scales towards a more open border and hospitality, exists within *a recourse to experience* itself" and what is most irreducible within experience: "the passage and departure towards the Other" (Derida, 1999:103). It is in this "naked experience" (Derrida, 2001:83) that the Self experiences first-hand the struggle involved in ethically addressing the responsibility towards the Others that I have tried to locate in my exploration of the camp for strangers.

The camp: from immunity to autoimmunity

The camp for strangers, I have argued, consists of self-made, makeshift encampments for yet uncateforised immingrants. They are sustained by the presences of indivivuals volunteering, by a series of host-Selves that have embraced their ethical responsibility towards the Others and have responded to their call. The wooden pallets, cartons, plastic sheets, pieces of used carpet, tarpaulins stolen from building sites – these

materials, appearing in the descriptions of makeshift, self-organised camps are all used in the attempt to compensate for the lack of proper flooring in the provisional housing in the camps for strangers, places of hospitality par excellence. Researchers and anthropologists visiting these camps for strangers seem inadvertently to focus on these efforts to build shelters, which usually remain standing longer than intended, allured perhaps by the desperate resourcefulness behind their construction (Agier and Prestianni, 2011:68, 70–75). The threshold of such precarious constructions becomes a symbol of setting foot in a non-owned area, where one is not expected, does not belong and is not necessarily welcome.

Equally symbolic is the threshold of different points of entrance to the European Union: either because such points can be located far away from European borders, as in the "Regional Protection Areas" buffer zones or because the threshold may often appear to be "mobile" according to varying legal interpretations serving different needs: this is the threshold of the Spanish border at cities like Ceuta and Melilla, where for a Spanish judge, national territory starts at the outside fence of the border, whereas for the Spanish government, it starts rather further in, as it corresponds with the line of police officers inside the fence, making all summary returns in this way conveniently legal (ECRE, 31 October 2014). The threshold is again here the fundamental concept for the ethics of hospitality seen earlier, since it stands as a symbolic figure defining the precarious distinction between inside and outside, among subject categories, between Self and the Other, hospitality and persecution.

The threshold of detention camps is somewhat different. Patrick Hayden finds that spaces like detention camps may be part of a "strategy of inclusive exclusion" as he calls it; it "may also be viewed as an attempt to exploit racist and xenophobic tendencies in order to shape perceptions about stateless persons as undesirable "others" seeking to squander the resources of the state and exploit the good will of the nation, thereby corrupting the health and welfare of the nation-state" (Hayden, 2008:262). Whereas detention camps define the ambvibalence where the proclaimed obligations of states to protect strangers at the border hurtle against the dehumanising and punishing role of said camps, the camps for strangers embody a different one: namely the ambivalence of host-Selves selflessly embracing their responsibility towards stranger Others amidst a rise in xenophobia, anti-immigration

sentiments and a serious economic crisis.

Looking at the biopolitical readings of the camp, I settle for the ethical autoimmunitary embodiment of hospitality in the camps for strangers as seen in the example of the Pikpa camp in Lesvos. I have argued that the camp for strangers appeared as a response to the ethical vacuum created by the immunisation of borders, hospitality-failing camps and the general dehumanising treatment of the stranger Other. It also embodies the possibility of implementing an autoimmunitary ethics of hospitality into practice.

For an autoimmunitary ethics of hospitality

The twenty-first century will be the century of the migrant, argues Thomas Nail in a recent book (2015). The twentieth century was considered to be the century of the refugee. In regards to the status of Walter Benjamin, Bertolt Brecht calls him "Flüchtling" in the poem he wrote in his memory, "On the Suicide of the Refugee W.B." (Wizisla, 2009:184), which he composed upon hearing the news of his suicide on the border of Spain and France. The German equivalent word for refugee, "Flüchtling" underlines the notion of *moving*, more the act of flight and less the act of reaching a place of refuge.

The act of moving, the act of reaching a place, the act of enduring dehumanisation before you are accepted, given shelter, food, assistance – this constitutes the threshold that the autoimmunitary ethics of hospitality transgress. There, a responsibility, which is not actively chosen or consciously accepted, is instead assumed in response to the approach of the Other. Is this utopian or impossible? I argue that it is not. Seeds of this autoimmunitary hospitality can be seen not only in the camps for strangers, but also in the solidarity convoys to Calais, in the soup-kitchens of large cities where people that have never been interested in charity or even felt comfortable around foreigners now feel the need to be present and address the call of the Other to responsibility.[227] With

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[227] In an informal interview I had with a 70-year old woman assisting in a soup-kitchen in Athens in January 2016, it was particulary difficult to join the dots between her selfless giving with her raw admission that she always carries an extra pair of gloves for fear of catching something contagious "from these people who come from so far away".

polls showing high percentages of empathy and solidarity felt by the public for the plight of migrants[228] amidst adverse conditions of anti-immigration rhetoric and economic and political crisis and the provision of assistance to the stranger Other growing stronger can only attest to that.

 The embrace of responsibility does not do away with the asymmetry of the ethical relation, but it nevertheless helps us to see eye-to-eye, in the mutually enriching co-presence of Self and Other. Doing away with the need for decisionality and the need to base decisions on certainty and calculation, autoimmunitary ethics of hospitality has rendered us ready for the transgressive step over the threshold where we were called to linger on in the face of uncertainty. The immunisation of borders fails, negative understandings of autoimmunity are breached and the ethical responsibility is affirmatively enacted by the host-Selves.

Ce qui arrive, arrive

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[228] In February of 2016, in the sixth winter of economic crisis, a third consecutive poll showed that at least 84% of the Greek population are empathetic towards to migrants arriving and consider ways to assist them (Public Issue Poll, 2016).

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