



# Past and present experiences of “natality” in border crossing. An Arendtian reading of the agency and rights of refugees

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## Abstract

Recent crises in Europe and beyond have renewed a longstanding debate on the status and treatment of refugees. Hannah Arendt famously questioned the limits of universalistic human rights discourse based on the widespread phenomena of statelessness and displacement that emerged during and after World War II. In this paper, we analyze recent patterns of inclusion and exclusion of refugees in Italy through the lens of Arendtian narrative and theorizing. We consider three cases of interaction between families, schools, and other public institutions in light of the shifting normative framework before and during the war in Ukraine. Two major insights emerge from this analysis. From a pedagogical point of view, the most promising educational practices with refugees are those centered on enabling their agency and corresponding experiences of “natality”. From an ethical-political perspective, these practices highlight a latent tension between the universalistic scope of human rights enshrined in the human rights declarations and their structural dependence on the particular norms and procedures enacted by nation states. The understanding and teaching of human rights within our political communities is inseparable from the practices that engage with refugees. In this sense, our practices of inclusion and exclusion affect the understanding of national borders as a barrier or threshold with other political communities, but also the interpretation of our own ethical-political principles.

**Keywords:** Refugees, Human Rights, Hannah Arendt, Agency, Inclusion, Exclusion, Ukraine, Minors

## 1. Introduction

Recent crises in Europe and beyond have renewed a longstanding debate on the status and treatment of refugees. The current understanding of these crises is, indeed, significantly indebted to the conceptual and legal heritage of the XX

century, and especially to the experiences of mass statelessness and dislocation that emerged in Europe in the wake of World War I and later exploded in the tragic persecution against ethnic and religious groups that marked World War II. The time of re-interpretation of human rights and re-organization of political boundaries that

immediately followed these experiences is still a focal point to understand the contemporary language of rights, asylum, migration, and humanitarian help. The 1951 Refugee Convention and its 1967 Protocol of the United Nations are, to this day, the main point of reference in international law when it comes to the treatment of refugees and the protection of asylum seekers. There is, however, increasing concern about the application of the treaties, especially in a time of massive migratory phenomena originated by old and new kinds of crisis: economic, political, military, and environmental (Benhabib, 2020, pp. 79-82). In this shifting scenario, it is useful to reconsider how the status of refugees was intellectually framed in the years following War World II, to then assess its evolution as it emerges from recent experiences of border crossing, rejection, and inclusion.

The account presented here is meant as an interdisciplinary contribution to this inquiry through philosophical and pedagogical lenses; in the following paragraphs, we will also explore some interactions between this philosophical-pedagogical reading and some emerging insights on the concepts of border, border-crossing, and boundary in recent geographical scholarship. The aim of this interdisciplinary inquiry is to open up new questions and avenues for joint research and Citizenship education spin-offs.

## 2. Refugees crises from the XX to the XXI century: an Arendtian reading

In 1951, the same year when the UN Refugee convention was signed in Geneva, Hannah Arendt published *The origins of totalitarianism*, a landmark book in which she questioned the limits of universalistic human rights discourse based on her analysis of the condition of stateless and persecuted people before and during World War II (Arendt, 1958). Her intellectual account was inspired by her own experience as a war refugee, which she recounted for the first time in the essay *We refugees*, published in 1943 (Arendt, 2007). Her personal path through antisemitic persecution entailed crossing border after border to save her life, and ultimately to heavily rely on the help of

other refugees as she arrived in the United States in 1941. She remained a stateless person up until 1951 when she finally got access to US citizenship.

Arendt observed that when the condition of being stateless and a refugee became a mass experience, the existing moral discourse on the universality and inalienability of human rights dramatically showed its ineffectiveness: people deprived of their social connections and political status were exactly in the position to enjoy rights based solely on their being human, and instead they found out that those rights would be enforced only if some political community accepted them as citizens and took responsibility for their protection. In this sense, Arendt claims, “we became aware of the existence of a right to have rights (and that means to live in a framework where one is judged by one's actions and opinions) and a right to belong to some kind of organized community, only when millions of people emerged who had lost and could not regain these rights because of the new global political situation” (Arendt, 1958, pp. 296-297). The emergence of these masses, not only deprived of a home but also of the possibility of finding a new one, lead to a detrimental transformation of the societies where these were temporarily displaced, as highlighted by all those democratic countries that ended up abandoning these crowds to “a form of lawlessness, organized by the police” and a regime of “unrestricted and arbitrary domination” that was not dissimilar to the treatment offered by the totalitarian countries (Arendt, 1958, pp. 288-289).

Based on this analysis, Arendt was skeptical of the renewed confidence in human rights discourse that followed the 1948 Declaration, and she insightfully noted that post-War solutions to the problem of persecuted peoples still based on the nation-state model, like the establishment of a sovereign Israel in Palestine, would only end up generating new masses of displaced and refugees, in this case Arabs pushed out of their homeland (Arendt, 1958, p. 290; Paz and Kook, 2021). The insistence on this logic of identity and exclusion in “a global, universally interrelated civilization”, she cautioned, may ultimately “produce barbarians from its own midst by forcing millions of people

into conditions which, despite all appearances, are the conditions of savages” (Arendt, 1958, p. 302).

Arendt was more hopeful in view of the concrete actions of solidarity, activism, and reinterpretation of their condition displayed by the refugees themselves, something she experienced during her own years as a refugee (Arendt, 2007, p. 273). She pointed out that, when faced with the devastating consequences of being deprived of our community and left to our bare existence “mysteriously given us by birth”, humans are still capable to be saved “by the unpredictable hazards of friendship and sympathy, or by the great and incalculable grace of love, which says with Augustine, ‘*Volo ut sis* (I want you to be),’ without being able to give any particular reason for such supreme and unsurpassable affirmation”. (Arendt, 1958, p. 301). This unique potential that human agency has of inaugurating something genuinely new and discontinuous from the mechanisms that determined the boundaries of the present is derived, she argues, from our “natality”: the fact that each new person brings into the world a “new beginning, the action they are capable of by virtue of being born” (Arendt, 1998, p. 247), and with it a capacity to “forgive” and overcome the past to reconfigure our social relationships.

In the last couple of decades, migration and human rights scholars have applied these Arendtian concepts to the current debate on refugees and their rights, especially by highlighting the parallels between the unprecedented masses of displaced and stateless individuals of the 1940s with the crowds of undocumented migrants of the 2000s and 2010s (Ranci re, 2004; Hayden, 2008; Krause, 2011; G ndogdu, 2015; Owen, 2018; Stonebridge, 2018; Holohan, 2019; Schinagl, 2019; Fiske, 2020). Recent scholarship in border studies is clearly aware that, within that timeframe, the global scenario has significantly changed: the clearly defined national borders whose crossing determined the fate of many XX-century refugees have been now largely replaced by ubiquitous “border spaces” of control and exclusion, dis-located borders that extend their influence inside and outside traditional geographical and political frontiers (Brambilla, 2010, pp. 74-76), such as in the case of the

buffer zones that the EU has established in Turkey and North Africa or the “offshore processing centers” that Australia opened in the Pacific countries of Nauru and Papua New Guinea (Essex, 2019). Moreover, the borders are becoming increasingly personal: for some, they disappear, such as in the case of EU citizens, while for others, whose legal ways to move towards the EU or the USA are effectively non-existent, they evolve into barriers rather than thresholds (Schulze Wessel 2016; Schulze Wessel and Razum, 2022). Yet, the idea of a “right to have rights” still proves especially apt to evaluate the moral and legal problems that arise in those liminal spaces created outside or inside national boundaries (ships, camps, shelters, prisons), where refugees are confined in a deeply uncertain status when it comes to their effective ability to claim the rights they are formally entitled to by international law (Kesby, 2012; Hirsch and Bell, 2017; Kmak, 2020; Riva and Hoffstaedter, 2021). This condition is especially morally problematic in the case of minors that find themselves captive in this kind of contexts, and that have been consequently designated as “Arendt’s children” (Bhabha, 2009). A large share of these child migrants are in fact in a position of functional statelessness, with their fundamental rights being formally recognized by international law, but practically unenforceable because of the absence of political institutions willing to take responsibility for them (Belton, 2010; Barbulescu and Grugel, 2016).

### 3. Recent patterns of inclusion and exclusion in Italy: three cases

Based on this recent revival of interest in the application of Arendtian narratives and theorizing to current refugee crises around the world, we adopted a similar framework to look into recent patterns of inclusion and exclusion of refugees in Italy. We considered, in particular, three cases of interaction between families, schools, and other public institutions in light of the shifting normative framework before and during the war in Ukraine.

Inclusion policies developed from the 1970s when, after the arrival of large numbers of immigrants, Italy turned from a country of

emigration into one of immigration. Today around five million immigrants are present in Italy, eight percent of the overall population. The foreign population in Italy is highly diverse in terms of country of origin, age, gender, and legal status<sup>1</sup>.

In the mid-2000s, large numbers of refugees fled from African countries and the Middle East to escape persecution, war, and famine, and in 2015 this phenomenon culminated in the worst migration crisis in Europe since World War II. In that period, the Italian public debate focused on the distinction between “economic migrants” and “refugees” or “asylum seekers” (UNHCR, 2019), with reference to the 1951 Geneva Convention. In contrast to economic migrants who choose to move in order to improve their lives, refugees have been forced to leave their country without a real choice to save their lives from humanitarian crises, armed conflicts, persecution, or violations of human rights.

The Constitution of the Italian Republic ensured the rights of those in need of asylum in Italy as early as 1947. However, the gap between that statement and its enforcement is evident. Even though the right to asylum is enshrined in the Italian Constitution, the complexity and slowness of the recognition process inhibits the participation of many international protection applicants (Fontana, 2019).

Beyond that, it is also clear how inclusion and exclusion practices vary depending on the different categories of migrants seeking asylum.

<sup>1</sup> As of first January 2022, there were 5,193,669 foreign residents in Italy. In 2021, the majority of asylum and protection permits were granted to citizens of Pakistan, Bangladesh, and Nigeria. According to Ministry of Interior data updated on 11 June 2022, 132,129 people fleeing the conflict in Ukraine arrived in Italy since February: 69,493 women, 20,181 men, and 42,455 minors. As of 31 August 2022, according to the latest Report published by the Ministry of Labour and Social Policy, there were 17,668 unaccompanied foreign minors in Italy. Currently, the largest country of origin is Ukraine (5420, 30.7%), followed by Egypt (3389, 19.2%) and Tunisia (1654, 9.4) (Istat, annual report 2022).

We analyzed from a comparative perspective three different cases of asylum application management, taking the current period as a reference, from the outbreak of war in Ukraine in February 2022. The interest in these three cases is linked firstly to the statistical significance of the three groups, and secondly to the different reception strategies activated for each of them by our country.

The *first case* concerns adult asylum seekers, present in our country since the late 1940s. Italy has not created clear instructions on the areas of reception of asylum seekers and refugees, despite a significant, although variable, yearly number of permits for international protection released each year (Table 1). Moreover, the system of reception for asylum seekers and refugees is guided by an emergency approach. The refugee’s reception should be carried out in three steps: a) rescue and first aid, to be realized in government structures; b) initial reception, which should take place at regional or interregional level centers called hubs; c) a second reception and integration, to be implemented in the National Protection System for asylum seekers and refugees, spread throughout the national territory (Catarci, 2016).

The most problematic aspect of the “classic” reception of refugees is the absence of a future life project that would allow for autonomy in employment and housing, as well as the possibility of moving to other European countries based on their life plans (Fontanari, 2018). Inclusion policies should thus entail not only basic assistance but also all those needs related to information and guidance regarding access to the local network of social, work, and health services, on top of employment support to facilitate social inclusion. For those who have abandoned the people, places, and social roles of their previous life, being provided with proper time and space is vital to cope with these losses and to compose and come to terms with their own stories.

Year	Number of permits
2018	51,500
2019	27,029
2020	13,467
2021	31,000

Table 1. Yearly international protection permits in Italy 2018-2021.

Source: Istat, 2020; 2021; 2022.

The *second case* concerns unaccompanied foreign minors, who are assimilated in terms of age and vulnerability to the condition of asylum seekers, at least until the age of majority, through the recognition of a residence permit for humanitarian reasons (Traverso, 2020). Their total number registered in Italy has been highly variable over the years (Table 2). The legal definition of ‘unaccompanied foreign minors’, proposed by the European Community in 1997, has certainly helped define this particular form of migration but it risks inhibiting an evolutionary vision of the growth paths of these young people: they are, in fact, minors, but they also quickly become legal adults, since they are predominantly between 16 and 17 years old at the time of their arrival in Italy. They are also foreigners by citizenship, but they become students of our schools, thus participating in Italian culture; they are formally not accompanied by an adult figure, but they often make the migration on a family mandate and with frequent exchanges at a distance with their family of origin (Granata and Granata, 2019).

Compared to other European countries, Italian services are broader and more diversified. Beyond food and accommodation, they also take into consideration learning the Italian language, receiving legal protection and health care, and in particular access to school, which is not provided in any other European legislation. However, the Italian system has been defined as an unfinished reception, particularly when it comes to the transition to majority and autonomy (Giovannetti, 2008). Young refugees have little interaction with the social and cultural environment since most communities for minors are peripherally located, at the margins of cities or in small isolated municipalities, with few possibilities of communication with the outside world and society.

Year	Unaccompanied foreign minors
2018	10,787
2019	6,054
2020	7,080
2021	12,284

Table 2. Unaccompanied foreign minors present and registered in Italy at December 21<sup>st</sup>, 2018-2021.

Source: Ministero del Lavoro e delle Politiche Sociali, 2018; 2019; 2020, 2021.

The *third case* we wish to discuss concerns asylum seekers from Ukraine following the conflict that began in late February 2022. For them, with an unprecedented decision, on 4 March 2022 the European Union formally acknowledged the existence of a mass influx of displaced persons deserving special temporary protection, thus activating its Directive 2001/55/EC and initiating a special reception plan, distinct from the general provisions for the inclusion of asylum seekers (Ambrosini, 2022). The influx of Ukrainian citizens who sought international protection in Italy was unprecedented and vastly outnumbered the general figures of the previous years (Table 3).

Specifically, the Italian legislation on the reception of Ukrainian refugees (DPCM 28 March 2022), which was drafted based on the European Union directive, provides for: one-year renewable international protection, immediate access to health care and the education system, and the possibility of seeking regular employment in each territory. The great novelty of this approach is the possibility of recognizing the autonomy and responsibility of refugees, and guaranteeing the possibility of seeking autonomous housing solutions, with a contribution of 300 euros per person and 150 euros for minors (thus expressing trust in the refugees and in the housing market, which is usually disinclined to open its doors to foreign tenants). Excluded from this program are the foreign people who were living in Ukraine and left the country with the rest of the population (students, foreign workers on temporary contracts, and asylum seekers).

2022 Ukrainian refugees in Italy	
Women	113,692
Minors	62,575
Unaccompanied minors	5,042

Table 3. Ukrainian citizens seeking international protection in Italy in 2022.

Source: Istat, 2022; Ministero del Lavoro e delle Politiche Sociali, 2022.

#### 4. Promising practices: from agency to “natality”

Representations of the refugee figure respond to a complex and ambivalent view, based on the regulatory framework, the central and municipal resources available for its applicability, and the socio-cultural and media climate. As Didier Fassin (2011) explains, between the end of the 20<sup>th</sup> century and the beginning of the 21<sup>st</sup>, two approaches took shape in this process: the humanitarian approach (particularly at the end of the 20<sup>th</sup> century) and the securitarian approach (starting with the 21<sup>st</sup> century). Whereas in the early 1990s, the collective narrative about refugees is heavily focused on the dynamics of suffering and trauma, thus prompting compassion and assistance devices, in the early 2000s, a narrative centered on insecurity, crime, and terrorism prevails, thus inspiring the rise of anxiety, fear, and security devices (Khosravi, 2007). Although in times of economic crisis the latter tends to prevail, to the point of criminalizing the former, both approaches coexist in our reception system: the refugee is at one time a subject to be protected (vulnerable, suffering, and needy) and at another time a subject to be protected from (threatening and dangerous for others, the natives in particular). In both approaches, although profoundly different, there is a lack of attention to the uniqueness of the actions and efforts displayed by the refugees in building a new life for themselves (D’Agnese, 2020).

The Arendtian perspective stands out as particularly illuminating for overcoming these passivizing and dehumanizing approaches to refugees and for bringing to the light those practices that, instead, enhance the agency of these people within the new community. According to her, refugees, as humans, should

be given the chance to express their agency, to introduce a “novum” into history, to begin something that was not there before, thus refuting any mechanistic reading of socio-historical processes (Arendt, 1958). The fact that a person is capable of action means that the unexpected can be expected from him, “that he is able to perform what is infinitely improbable. And this again is possible only because each man is unique, so that with each birth something uniquely new comes into the world” (Arendt, 1958, p. 47). By their natality, humans realize themselves and the plurality takes place in a community.

From a pedagogical point of view, the most promising educational practices with refugees are, indeed, those centered on enabling their agency and corresponding experiences. Human rights are fully embodied in contexts that do not “manage” refugees as passive subjects, but rather aim at developing their capabilities and supporting mutual learning processes that redesign the boundaries of the learning community. In other words, refugees had to be able to express their capacity to actualize natality and take the initiative to build their new lives. Refugees dwell concretely in loss and death, their past, their house, and daily life has been stolen and the present is a constant threat. Because of this dramatic situation, they act to save their life but also to enact their projects and their humanity, attempting to give a new meaning to their lives. In this way, they would be – if placed in the conditions to be able to do so – in the condition to “take initiative” and actualize “natality” in the new society (D’Agnese, 2020).

In Hannah Arendt’s thinking, the construct of natality is articulated in relation to what she identifies as the three fundamental forms of human activity: labour, work, and action, which have the task of preserving the world. Of the three, the most closely related to the human condition of natality is action: “the new beginning inherent in birth can make itself felt in the world only because the newcomer possesses the capacity of beginning something anew, that is, of acting: an element of action, and therefore of natality, is inherent in all human activities” (Arendt, 1958, p. 9). In this sense, action and natality are the central categories of political thought.

The transmissive nature of education is challenged by the construct of natality. But, if one aim of education is to teach people to enact their humanity and search for new meanings of their life, even in unfavorable conditions, refugees embody education at its best (Levinson, 2001). The educational bearings of a political application of Arendt's thought could be crucial for the whole community. However, the currently prevailing forms of refugee reception do not align with her perspective (Catarci, 2016).

If we look at the three cases of application of the U.N. Refugee Convention that we have considered (classical refugees, unaccompanied minors, and "special" refugees from Ukraine), it appears that the passivity/action dichotomy is indeed the crucial node in the reception system of the three categories of refugees, as it happens to be applied in very different ways. The reception model for classic minors and refugees, while virtuous and generous in intentions, is in need of major changes. In particular, the separation of people from the ordinary life of society makes their subsequent integration and action in the community difficult, if not impossible.

In the context of their life as refugees, there are three main areas where they have a chance to express their agency and autonomy: *housing*, *employment*, and *skills*. These three assets represent the major challenges, from a social and educational perspective, for the inclusion of all refugees.

When dealing with these dimensions, the logic behind the reception of unaccompanied minors and classic refugees is similar.

As far as *housing* is concerned, prolonged stay in host communities – for minors and adults – inhibits the possibility of developing autonomy in the choice of a living place. In the case of minors, paradoxically, the longer the length of stay in the community, the less the children develop autonomy skills, according to the process of "regressive infantilization" (Sbraccia, 2011). In the case of adults, the inability to choose how to live and with whom, hinders the possibility of developing agency and autonomy skills for their lives.

Regarding the *employment*, the issue is even more delicate. If for minors there are few opportunities for knowledge and training in the field of work while in their host community, for adults the long wait for the attribution of the refugee status and the lack of recognition of their educational qualifications makes it difficult to enter the world of work quickly. Assisted and protected the former, precarious and unrecognized the latter, minors and adult refugees live in a suspended situation that effectively excludes them from the community.

Finally, regarding the *skills*, if in the case of unaccompanied minors the school experience guarantees a broader education and the acquisition, in many cases, of a qualification, for adult refugees there is only basic literacy. In both cases, there is a lack of opportunities to develop specific skills for autonomy, such as financial skills that allow one to assess the cost of a rent or the adequacy of a salary, closely linked to the two previous dimensions (housing and employment).

Different, at least in the regulatory premises and invested resources, appears to be the reception of Ukrainian refugees. With regard to *housing*, according to European regulations, they can choose whether to be placed in facilities, spend a budget on renting a house, or be taken in temporarily by a family.

In addition, when it comes to *skills* and *employment* opportunities, educational qualifications can be recognized and, in theory, people can carry out their own profession in the country of asylum. In practice, in Italy, the procedure for recognition of qualification is so slow and complex that it discourages most professionals and brings them to look for other countries to realize this aim. Minors, who have arrived mainly in the wake of their mothers, are entitled to immediate inclusion in school settings, although within a system that does not always adequately recognize their prior skills.

Some authors have questioned whether it is legitimate to differentiate how refugees are received and included in this way (Ambrosini, 2022; Costello and Foster, 2022). Undoubtedly, the different treatment of people fleeing war and persecution appears problematic and discriminatory (i.e. migrant people in Ukraine,

mainly from African countries, are not recognized in Italy as Ukrainian citizens, even though they are both fleeing the same war). But it can also be seen as an opportunity to rethink the boundaries and modalities of the new practices of reception and inclusion that emerged after the war in Ukraine, to then extend such promising practices to all refugees in the future according to a logic that recognizes the refugees' capacities and agency.

### 5. A reconsideration of boundaries: from “natality” to embodied rights

From an ethical-political perspective, the practices of inclusion and exclusion that we have explored highlight the latent tension between the universalistic idea of human rights enshrined in the international declarations and its problematic incarnation within the particular norms and procedures enacted by nation-states increasingly concerned with the control of their legal boundaries and geographical borders.

In this problematic context, the agency of refugees and stateless persons, whenever it finds proper conditions to be expressed and recognized, acquires a transformative aspect, as it highlights the tension between formal citizenship as a legal status and substantive citizenship as the activity of finding a place in the cultural and social fabric of a political community, contributing through study and work to its development and, finally, coming to publicly raise claims and affirm rights as active players of that society. Even outside of the boundaries of citizenship as a given status, all those practices that enable the refugees' agency also lead them to express “acts of citizenship” (Isin, 2008) that do now flow from the legal boundaries of citizenship, but rather display the non-identity between those boundaries and the universalistic moral principles that are supposed to be the sources of justification of any democratic and egalitarian polity. In this way, “paradoxically, the rights-claiming migrant, who transgresses the borders of political communities, comes to represent the citizen *par excellence*, calling on the state to do justice to its universal foundations” (Rees, 2017, p. 6). These forms of civic agency suggest the possibility of

reframing our understanding of the normative meaning of the borders of democratic communities through the lens of the Arendtian category of natality, which, as we have previously suggested, appears particularly apt to frame the condition of the refugee.

In *The human condition*, Arendt draws from Greek and Latin sources to point out two inseparable aspects of human agency: one that is related to the ability to initiate (*archein, agere*), the other related to the task of achieving and bringing to a conclusion (*prattein, gerere*). The first aspect is the one rooted in the human condition of natality and signals the irreducible contribution that comes from the individual, but it is the second that later prevailed, especially in the impersonal political language of norms and institutions. This is a great loss that needs to be remedied, since, she argues, the political space, marked by the human condition of plurality, thrives only when the novelty of individual action can intertwine with the actions of others to jointly define a shared world, a space where political power is always shared, a form of acting together with others (Arendt, 1998, pp. 189; Musso, 2014, pp. 55-60; Vergani, 2020, pp. 119-123). In this perspective, action “always establishes relationships and therefore has an inherent tendency to force open all limitations and cut across all boundaries”; limitations and boundaries, human institutions and laws are structurally vulnerable to the impetus of change transformation that “arises from the human condition of natality”. This is especially true in the case of territorial perimeters, both “the fences inclosing private property” and “the territorial boundaries which protect and make possible the physical identity of a people”. As each generation participates through their actions in the task of building the world they will inhabit with others, it becomes increasingly clear that “the boundlessness of action is only the other side of its tremendous capacity for establishing relationships, that is, its specific productivity” (Arendt, 1998, pp. 190-191). This spontaneously disruptive tendency of action rooted in natality is complemented by the human attitude towards speech, which is in turn rooted in the condition of plurality, “of living as a distinct and unique being among equals”. The composition of action and speech that originates



among different humans sharing the same world is dynamic, it constantly redefines agreements and arrangements, so that each generation and each new encounter can express its “answer to the question asked of every newcomer: ‘Who are you?’” (Arendt, 1998, p. 178).

Thorough her entire intellectual journey, Arendt has been deeply committed to the possibility that these pre-political spaces of action and conversation can decisively renew the realm of political relationships and constantly regenerate a plural community of different yet interdependent subjects. In her reading of Aristotle’s *Nicomachean Ethics* (Arendt, 2005, pp. 5-39), she points out that a prominent aspect of Socratic agency was the inquiry for relationships beyond the walls of the polis, a trait direly needed by a civilization whose most fundamental weakness was the constant agonism among city-states enclosed behind their narrow borders. Friendship, in this sense, is for Aristotle prior to justice, and when the order of legal justice crumbles, it is up to the human ability to establish friendly relations through interpersonal agency so that the world can be rebuilt anew.

The immediate expression of this kind of agency is, Arendt argues, a fundamental freedom of movement that can be construed as “the freedom to depart and begin something new and unheard-of or as the freedom to interact in speech with many others and experience the diversity that the world always is in its totality”; this freedom constitutes “the substance and meaning of all things political” and without it “there is no political space in the true sense”. For this very reason, however, “the means by which one can establish a political space and defend its existence are neither always nor necessarily political means” (Arendt, 2005, 129), but they rather need to be found in the ethically inspired actions of those that, outside pre-established boundaries, creatively open new shared perimeters of encounter and interaction (Hayden and Saunders, 2019).

This Arendtian reading of the tense relationship between agency and borders is significantly in tune with the recent evolution of border studies. The increasing amount of border-crossing phenomena born of globalization has loosened the connection between territorial

borders as institutionalized perimeters of political sovereignty and national boundaries as homogenous and stable forms of cultural identification (Paasi, 2013, pp. 478-483). As a consequence, in recent decades, border studies have moved from a focus on territoriality and sovereignty to a more processual, practice-based understanding of borders (Paasi, 2007). Arendt’s analysis of the condition of refugees signals a farsighted awareness of this contemporary development, both normatively and methodologically.

From a normative point of view, it is important to note that the Arendtian perspective shares some relevant sensibilities with XXI-century border studies, but it should not be seen as an anticipation of the borderless globalization narratives that marked the end of the XX-century. Arendt recognizes that all human experiences of communal life develop within significant normative boundaries and that systematic neglect and violation of legal and geographical borders is actually a frequent feature of totalitarian movements (Arendt, 1958, pp. 389-398). In *The human condition*, she writes that “before men began to act, a definite space had to be secured and a structure built where all subsequent actions could take place, the space being the public realm of the polis and its structure the law” (Arendt, 1998, p. 194). In this sense, for her, the existence of a bounded legal space is constitutive of a community within which people can move in freedom (Lindahl, 2006, pp. 881-883). The concept of a “right to have rights” is, after all, not the offspring of a universalistic Kantian cosmopolitanism, but rather a critique of the problematic status of people who, even after getting into national borders that should protect their freedom, remain suspended within immaterial boundaries of exclusion. This concern is consistent with much recent geographical literature devoted to the problematic proliferation of border zones and borderlands (Newman, 2017) that, well beyond national frontiers, put border-crossers within normative bubbles that separate them from the entertainment of their rights. The right to have rights is, in this sense, an early inquiry into the “law of the land” that should govern old and new borderlands created by the tension between Modern imaginaries of territorial sovereignty

and unprecedented phenomena of human displacement.

Arendt's aim, then, is not to contest the role of boundaries in general, or even specifically of national borders, but rather to highlight that their ethical and political value depends on how in practice they enable or suppress the expression of the human conditions of plurality and natality. What she contests is not the territorial dimension of the *nomos* that regulates our coexistence, but its Schmittian understanding as a boundary that springs from a primordial relationship of the people to soil (Jurkevics, 2017, pp. 347-349) to preserve the separation of the own and the strange (Lindahl, 2006, p. 895). For Arendt, instead, boundaries constantly emerge from intersubjective agency and their normative goal should be that of enduring freedom and plurality. This stance is inspired by her methodological focus on the experience and agency of refugees; a focus that is, again, consistent with recent research trends in border studies. Borders are in fact increasingly characterized based on the kind of agency that surrounds them and that determines their impact on the lives of those that cross them. This methodological sensitivity for agency at the borders emerges in several contemporary lines of inquiry: on the bordering practices that sovereign states and private actors enact outside of traditional frontiers (Johnson et al., 2011, pp. 61-63), on national boundaries construed "as processes that exist in socio-cultural action and discourses" (Paasi, 2007, p. 72) rather than as territorial heritages of Modern politics, on the performativity of borders, with the application of Judith Butler's understanding of gender boundaries as repetitions of stylized repertoires of agency to the continuous reproduction of geopolitical boundaries through collective actions (Butler, 1988; Johnson et al., 2011, pp. 66-67).

It is with the same methodological focus on agency, confident in individual initiative and interested in experiences of border-crossing, that we look at the most promising practices we explored. Unfortunately, in many ways, these practices constitute an exception rather than the norm: surely the securitarian logic of border surveillance inspires a widespread suppression of the individual agency of refugees, but the

language of humanitarian protection also reflects a questionable understanding of asylum that admits only those who are ascribed a moral status of innocence and victimhood, and consequently frames hospitality as an act of care towards passive subjects in need (Ticktin, 2016, pp. 257-262). As Arendt noted, asylum was never conceived as a measure for the masses, but only for the few exceptional cases of those who were persecuted for specific actions, leaving all the rest, including her, in the cold (Arendt 1958, 280-194; 2007, 264-265). The practices of hospitality and empowerment of refugees that we have endorsed, instead, embody assumptions about the moral status of all those who are involved that do not align with the structural disparity of the relationship between those who manage and those who are managed, the political community that grants certain rights and those who temporarily and conditionally entertain them.

In these promising contexts of practice, human rights are first and foremost embodied rights, the outcome of agency originated from within the refugee groups and empowered from without, by the community of those willing to enable and correspond to their initiative. These kinds of practice become especially crucial when the legal framework that should protect those rights is constantly eluded and bypassed by the institutions that are supposed to enforce it in the first place. So where institutions show their deficiencies, often with the support of citizens that identify with the boundaries of a closed community, it is up to concrete gestures of empowerment and solidarity to create spaces of enabled agency and authorized voice. In this sense, speaking of embodied human rights serves to point out how, from an Arendtian perspective, those rights are "created through human decision and determination" and "instantiated through our action" (Parekh, 2007, 759). Going beyond Arendt's pessimism on human rights discourse, local experiences of self-organization, mutual solidarity, and critical deliberation among refugees in many places around the world serve to unsettle "the logic that expulsion from citizenship as conferred by states and at the heart of the Westphalian world order is a catastrophe, necessarily stripping people of agency (action), opinion and the ability to

participate” (Fiske, 2020, pp. 563-564).

These promising practices are, in a sense, practices of moral resistance and contestation of a narrow understanding of citizenship as a privilege of belonging. In the moral perspective they open, the border crossing of refugees can be reframed from being the violation of a norm, with the consequent burden of a liminal condition of suspicion and suspension within the community, into a risky but potentially transformative new beginning, an experience of natality that initiates relations with other human beings on different terms. The outcome is an acknowledgement of mutual responsibility and an invite to consider that the boundaries of citizenship are boundaries of active recognition and cooperation rather than the perimeter of a legal status that is granted based on traits that are fundamentally independent of a person’s agency, such as their factual circumstances of birth or their ancestors’ lineage.

## 6. Conclusions

The problem of borders, and their crossing, is essential to the understanding and teaching of citizenship and human rights in democratic societies. Our practices of inclusion and rejection express our understanding of national borders as a barrier or threshold with other communities, but also more generally our interpretation of the ethical-political principles that preside over democratic life. By looking at the experiences of refugees and their forms of agency as they attempt to cross borders, overcome exclusions, and initiate new lives, we learn more about the dynamic nature of belonging and participating in the political community, and about the questionable nature of the ideal and material boundaries that allow or deny human cooperation and development. The aim of this learning process is not to romanticize mobility and border-crossing, but rather to keep our practices of boundary construction in sight and open to scrutiny and contestation (Pratt, 1999, p. 156).

These issues cannot be resolved exclusively from the point of view of political theory or constitutional law, since the justification of the boundaries of the demos, including questions

regarding who should be a member and who should not, what voices count and which claims should remain unheard, can only be answered through practices that open up a space of hospitality consistent with the principles of liberal democracy (Benhabib, 2020, pp. 91-92). This “boundary problem”, following its formulation by Frederick Whelan, “is one matter of collective decision that cannot be decided democratically [...] We would need to make a prior decision regarding who are entitled to participate in arriving at a solution [...] [Democracy] cannot be brought to bear on the logically prior matter of the constitution of the group itself, the existence of which it presupposes” (Whelan, 1983, p. 22).

Arendt’s awareness of the importance of pre-political forms of moral agency and her understanding of the irreducible plurality of the public sphere, where human agency constantly questions and pushes preset normative limits, offer a more dynamic and inclusive picture of the borders of the political community, where the refugee and the citizen are both essential to define the boundaries of the polis (Makris, 2019, pp. 77-81). As Arendt noted, the possibility of civic friendship among citizens and refugees, their ability to share the same world in action and discourse, is the only proper ground where to host the diversity that inevitably populates the political community and constantly questions the significance of its borders. This awareness has profound implications for civic education and refugee hospitality practices.

In the field of Citizenship education, we suggest, then, that an interdisciplinary approach that jointly encompasses the philosophical, historical, and geographical understanding of the refugee crises between the XX and XXI centuries is essential to properly introduce the students to the structural tension between the historical specifications of citizenship, with their corresponding legal incarnations, and the ideal profile of citizenship in democratic theory. The study of geographical and political borders should be paired with the abundant history of refugees’ and migrants’ border-crossing that accompany them and the corresponding evolution of the interpretive and normative concepts used to take stock of it. This should also offer important occasions of recognition

and mutual learning in all those educational settings inhabited by refugee minors and second- or third-generation migrants, whose personal stories are intertwined with that history.

In the field of hospitality practices, the lesson we draw from the cases we examined, together with the Arendtian lesson we articulated, is that the recent legal and political framework articulated in Italy and the EU to prepare the reception of refugees from the war in Ukraine should not be construed as the idiosyncratic product of a state of exception, but rather as the promising early draft of a new normal. The massive amount of Ukrainian citizens successfully accepted and supported in the EU since the start of the conflict shows that a more

empowering and open-ended approach to refugee reception appears to be, *prima facie*, applicable to similar influxes of asylum seekers from other crises. Although specific cultural and contextual aspects of each refugee crisis are relevant to the historical trajectory of their reception, the Arendtian lesson suggests that only practices that enable the generative natality of the refugees' agency are consistent with the traits of our human condition and, ultimately, with the principled assumptions we rely on to justify the normative boundaries of our democratic communities as communal experiences of cooperation and deliberation among free and equals.

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