On the Right Side — Borders of Belonging

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Abstract

Today the open borders of the European Union are becoming increasingly securitised, boarded and barb wired lines of exclusion. Fuelled by the media and their increasing portrayal of the refugees and migrants as opportunists and terrorists, subsequent political discourse has done little to generate forms of recognition that work against identification of the asylum seeker as a hate figure. Despite the amplified visibility of the plight of the refugees and migrants and sensational headlines and images that enter our everyday lives, the exclusionist sentiment persists.

This article grew out of the discussion panel that followed a screening of the documentary On the Bride’s Side (Io sto con la Sposa) (2014). Written and directed by an Italian journalist Gabriele del Grande the film follows a fake wedding party comprising five Palestinians and Syrians fleeing the Syrian war on a journey from Milan to Sweden to claim political asylum together with a number of Italians who have joined the party in support and solidarity.1

Keywords: migration, asylum, refugee, borders, Derrida, Kant, identity, borderlands, hospitality, immigration, cosmopolitanism

The condition of a refugee is the paradigm of a new historical consciousness (Arendt 1978: 55–67).

The catalyst for this article was a screening of On the Bride’s Side, a documentary which challenges our perception of migration, asylum seekers, and borders which transform masses into people and numbers into names. Made in 2014 by the Italian journalist Gabriele del Grande, who both wrote and directed it, the film depicts both a political act of defiance and a real and fantastic story as it follows a journey from Milan to Sweden taken by five Palestinians and Syrians fleeing the Syrian war with the intention of claiming political asylum. For this purpose, they and a number of Italians who have joined them in a gesture of support and

1 This article was first presented as a paper at Borders, Skepsi’s ninth conference, held at Woolf College, University of Kent, on 27 May 2016. Parts of this article have previously appeared in my essay ‘Visions of Europe: The Ethics Behind the Aesthetics’ (Stamselberg 2014).
solidarity present themselves as a wedding party, hence the title. The film highlights the two foci of this article: the concepts of borders and hospitality in the context of migrancy.

Today, the increased visibility of the boat people, of the walkers, crawlers, runners, detainees, the young and the old, the discouraged ones, the ones that are turned away and sent back, only to try again, provokes mixed reactions in us. But their plights are subverted to their motives and fates, which, whether sensationalised or not, whether deserving or opportunist, are analysed on the front pages of daily newspapers. One can argue that our gaze does not bypass their presence anymore; they are no longer merely miscellaneous pieces of cultural debris but instead resist the tendency to mythologise them and are able both to play with and to question the distancing effects of representation.

The addition of refugee and other migrant voices to the choir of post-national Europe questions the nature of belonging and reimagines exclusion through the spatial architecture of the political. The experience of border crossing and of redefining boundaries and belonging is at the centre of refugees’ and other migrants’ existence, and the effects of this mobility have in the past decade radically defined the European social, economic and cultural landscape. At the same time, the discourse of national revival that currently prevails in Europe calls for accepting the narrative of the Western condition as a criterion, championing localism and regionalism over globalism, thus further scrutinising the plight of both refugees and other migrants.

This article presents a cognitive frustration that attempts to make sense of the notions of exclusion and belonging through both a rhetoric of border, wherein a concern lies with the lines delimiting contents and concepts, and tracing traits of border-like edges through the concepts of hospitality. In order to make sense of the perpetual uneasiness between politics, which requires one to take a position, and philosophical work, which demonstrates ongoing commitment to questioning and critique, I turn to the French philosopher Jacques Derrida as my main theoretical springboard. It is my belief that his repeated attempts to rationalise aporias consistent with the relationship between politics of identity and différance transcend the existing dichotomies and offer an alternative way of engaging with and understanding the dialectics of exclusion.

1. **Borders**

In the context of refugees and other migrants, a border, or what Balibar terms a borderline, can be broadly defined as the dividing line or frontier between two nation-states; Balibar describes it as ‘combining administrative, juridical, fiscal, military, even linguistic functions’ (Balibar 2009: 191). Picture a border, and what comes to mind? It might be ‘Customs, police, visa or
passport, passenger identification [...]’ (Derrida 1993: 12); perhaps the transit camps into which tens of thousands of migrants are tucked and ‘the no man’s land of harbour or railway areas’ where they are left (Balibar 2015; original emphases). The definition of a border might be simple; this section will explore its complexities.

Borders present, as Smith and Varzi argue, an opposition of two different types: in a geographical context, those corresponding to qualitative differentiations in the underlying territory (coastlines, rivers, etc.) are bona fide (or physical) boundaries, while those that are induced through human demarcation are fiat boundaries (2000: 401–02). In other words, a fiat boundary is a man-made construct to indicate, for example, the extent of a region, a country, etc. However, while a bona fide border is stable, barring the effects of nature, a fiat border is not, as an examination of maps showing the political divisions of Europe over the past two hundred years or so will confirm. A fiat boundary is therefore contingent, dependent on changing events and conditions that are unpredictable, in particular the goodwill or otherwise of the two nation states that the fiat boundary divides.2

However, as Borradori points out, borders or, as she terms them, boundaries are not used merely to demarcate a political or physical entity:

Like geography, the philosophical job of clarifying the meaning of concepts categories and values as well as of theoretical fields such as ethics and politics consists in drawing boundaries around them (Borradori 2003: 145).

For example, the European Union can be thought of not only by reference to its geographical boundaries but also as a philosophical concept, namely a political and economic union of the member states. The significance to this concept of not only boundaries and limits but also the relations of inclusion that they establish becomes apparent from an analysis (or deconstruction, to use a Derridean term) of it: they are essential to the European Union’s promise of open borders within the Union and other associated concepts, such as the issue of European identity or belonging, what Amin calls the ‘Idea of Europe’ (Amin 2004), to which I’ll refer again. Conceptual boundaries are fiat boundaries and are therefore susceptible to change, just as geographical fiat boundaries are, and, just as an alteration to a geographical fiat boundary indicates a change to the area it demarcates, so, says Borradori, any modification of a conceptual boundary indicates a redefinition of both the concept itself and the framework of related concepts in which it’s situated (2003: 145).

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2 As Smith and Varzi observe, ‘people kill each other over fiat borders, and they give their lives to defend them’ (2000: 405).
Derrida’s reflections on the concept of boundary focus, Borradori says, on ‘the fact that a boundary is as much about identification as it is about exclusion’ (2003: 145); in other words, the boundary that identifies something, be it a physical feature on a map or a concept, by the same token defines what is excluded from the identification. However, continues Borradori:

Derrida’s contention is that traditional philosophy tends to evade the double function of boundaries by down-playing their contingency. [...] The Western philosophical tradition denies the potential instability intrinsic to any contingent [i.e. fiat] boundary (2003: 145).

Philosophy is failing its responsibilities, says Borradori, if it does not ‘call into question the way in which we understand the identity of what [a boundary] encircles’ (2003: 146). Since a modification to a conceptual boundary corresponds, as we have seen, to a redefinition of the ‘identity of that it encircles’, that identity cannot be regarded as certain; it is therefore called into question. Furthermore, it can also be argued that the double function of boundaries means that any change to the boundary must also indicate a change to what is excluded from the identification. Accepting both the contingency of boundaries and of the structural ambiguity that pertains to their double function is, therefore, the way in which we understand the identity that the boundary demarcates.

Both critical reflection on the nature of limits and boundaries and acknowledgment of their double function transform our views of identity, which philosophical thought conceives to be established by the exclusion of what lies beyond the boundary within which the identity is enclosed; there are thus two identities understood as self-contained totalities, which are mutually excluded (Borradori 2003: 146). The consequence of this concept of identity is that identity is seen as being internally homogenous. It is this, the assumed internal homogeneity of identity, that Derrida deems to be the fault of traditional metaphysics, his objection being that one totality is not ‘perfectly immune to the other’ rather the reverse, as ‘traces of what a totality expressly excludes are always silently contained within it’ (Borradori 2003: 146) — the reference to ‘trace’ reminding us of Benjamin: ‘The trace is the appearance of a nearness, however far removed the thing that left it behind may be. […] In trace, we gain possession of the thing’ (Benjamin 1999: 447). Critical reflection on or deconstruction of the nature of limits and boundaries, Borradori maintains, ‘searches for these traces and uses them to give voice to what doesn’t fit the dominant set of inclusions and exclusions’, the dominance of one set over another being the by-product of the rigid, irreducible pairs used by different theoretical fields. ‘Deconstructive interventions detotalize self-enclosed totalities by placing them face to face with their internal differentiation’ (Borradori 2003: 147–48).
A limit or boundary is, therefore, not necessarily a rigid and impermeable *cordon sanitaire* around a totality; it can be flexible and porous, allowing the passage of those ‘traces of what a totality expressly excludes’, arguably traces of the Other. Boundaries are not like solid walls; they are pierced by openings or thresholds, ‘those mysterious zones of interaction that mediate between different realities’ (Galloway 2012: vii), zones in which the Self meets the Other. Borradori is discussing conceptual limits and boundaries in the context of metaphysics, but the same observations hold good for borders in the sense of a frontier between two nation-states. Rather than being unbroken lines of demarcation, these, too, are like thresholds, ‘those mysterious zones of interaction that mediate between different realities’, a phrase which resonates with the phrase ‘the place[s] where the opposites flow into one another’, Balibar’s definition of borderlands (Balibar 2009: 210). Borders are akin to borderlands.

While borders in general give rise to the ontological issues already discussed and may be difficult to individuate as a result, in the context of borders as frontiers between nation-states, their definition and status are problematised by the phenomenon of the borderland, whether we understand that term as land located on or near a frontier or boundary or, figuratively, as an indeterminate state or condition. If a border is, in fact, borderland, its ability to demarcate precisely the extent of a nation-state is compromised; this problematises the definition of a border as a line that divides one nation-state from another. Since citizenship is determined by reference to a nation-state, problematising the definition of a border has the effect of also problematising the border’s status in determining citizenship and identity.

Borders, as McMaster argues, ‘are breaking down, shifting and, in some cases appearing or disappearing altogether’; this has ‘repercussions for the traditional constructs of citizenship’ (2003: § 15). Refugees epitomise this problem:

[1]In many cases they do not reside in their ‘country’ of birth, but neither are they citizens of their new country or place of residence. Before they are granted legal citizenship of their new country, [refugees] are ‘non-citizens’, not belonging, legally non-existent. They are caught in the proverbial no-man’s land, in the borderlands of existence, marginalised, without power or access to the institutions within the country of residence; they are in the shadowlands of citizenship (McMaster 2003: § 15).

Being ‘legally non-existent’, McMaster continues, refugees are ‘recognised as the “other” and positioned as outsiders’ (McMaster 2003: § 17). Refugees and other migrants, as I argue elsewhere, thus ‘become the real border citizen’ (Stamselberg 2014: 82), waiting in ‘the borderlands of existence’ for citizenship and hence access to the benefits of being a citizen, who exists by reference to a nation-state defined by its borders.
Rumford indicates the uncertain status of borders, when he argues that ‘whereas borders were once singular and existed at the boundary of polities, they are now multiple and are dispersed throughout societies’ (2006: 160), a point extended by Balibar, who ‘argues that Europe itself is a borderland, a zone of transition and mobility without territorial fixity’ (Rumford 2006: 162; citing Balibar 2004). Although mobility is recognised ‘as one of the main productive forces of our age’, (Mezzadra 2007; quoted Stamselberg 2014: 82):

[T]he most mobile population, the migrants, are subjected to the action of mechanisms that tend to produce specific forms of immobility, culminating in the administrative detention system that has been established throughout Europe – and beyond its borders’ (Mezzadra 2007; quoted Stamselberg 2014: 82).

I referred earlier to the concept of European identity or belonging. This ‘Idea of Europe’ is a concept predicated on shared cultural commons that, Amin asserts, ‘has a long and varied history’ and is based around four so-called myths of origin: ‘first, the rule of Roman law; second, solidarity based on Christian charity and mutuality; third, liberal democracy rooted in the rights and freedoms of the individual, and fourth, commonality based on reason and other Enlightenment universal principles’ (Amin 2004: 6, 2). It is the perceived absence of these shared cultural commons that marks a person as not ‘belonging’ to Europe and therefore a stranger, the Other. The influx of the Other in increasing numbers across European borders, argues Amin, challenges the Idea of Europe’s parameters by implying that they are no longer capable of supporting the authenticity of European identity or belonging; the Idea of Europe therefore needs to be reinvented (Amin 2004: 17–28).

The quotation from Derrida in the paragraph that introduces this section comes from ‘Finis’, the longer of the two essays which comprise Aporias. The phrase occurs in a passage which begins with Derrida’s statement that the ‘crossing of borders always announces itself according to the movement of a certain step [pas] — and of the step that crosses a line’ (Derrida 1993: 11). ‘Customs, police, visa or passport, passenger identification’, says Derrida, are the visible signs of the line’s institution, and the line is there whether the ‘certain step’ crosses it or not. If they are to arrive at their intended destination on the other side of the border, however, migrants and other refugees will have to take that ‘certain step’. Hospitality, which I discuss in the next section, then displaces but does not, however, supersede the importance of the border, as Derrida makes clear:

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3 The historical myth of origin is the view that a people or culture can be understood by discerning and listing essential cultural characteristics of a particular nation or culture.

4 It can therefore be argued that problematising the parameters of identity also questions historical essentialism, which supports the notion of authenticity being tied to historical myth of origin.
Nowadays, a reflection on hospitality presupposes, among other things, the possibility of a rigorous delimitation of thresholds or frontiers: between the familial and the non-familial, between the foreign and the nonforeign, the citizen and the non-citizen, but first of all between the private and the public, private and public law, etc (Derrida 2000: 47–49).

2. Hospitality

Derrida’s ‘On Cosmopolitanism’ (2001) is the text of an address he gave at the invitation of the International Parliament of Writers in 1996 during its conference dedicated to the subject of cosmopolitan rights for asylum seekers, refugees, and immigrants held that year at Strasbourg, a topic as relevant today as it was twenty or so years ago. Derrida takes as his starting point the question of villes franches (free cities) and villes refuges (refuge cities) as places where migrants can find sanctuary for his discussion of the ‘original concept of hospitality’ in the context of cosmopolitanism (2001: 5); in other words, is there a duty of hospitality owed to person Derrida defines in ‘Finis’ as the arrivant, and, conversely, has the arrivant the right to hospitality on his arrival?

2.1 The arrivant

Derrida digresses from his discussion of borders and thresholds in ‘Finis’ to pose the questions: ‘What is the event that most arrives [l’évenement le plus arrivant]? What is the arrivant that makes the event arrive?’ He then recounts how he ‘was recently taken by this word, arrivant, as if its uncanniness had just arrived to [him] in a language in which it has nonetheless sounded very familiar to [him] for a long time’, before explaining his definition of the term:

The new arrivant, this word can, indeed, mean the neutrality of that which arrives, but also the singularity of who arrives, of he or she who comes, coming to be where s/he was not expected, where one was awaiting him or her without waiting for him or her and without expecting it [s’y attendre], without knowing what or whom to expect and what or whom I am waiting for — and such is hospitality itself, hospitality toward the event (Derrida 1993: 33; original emphases).

The arrivant is, therefore, not just any person who arrives but the very person who performs an act of arrival by crossing a given threshold. In so doing, the arrivant affects the experience of the threshold itself, bringing to light the possibility of it prior to one’s having any knowledge of the existence of an invitation, a call, a nomination, or a promise.

However, Derrida quickly makes it clear that he is not concerned with simply ‘someone or something that arrives, a subject, a person, an individual, or a living thing, even less one of the migrants [he had] just mentioned’ (1993: 34; added emphases) but with what he calls ‘the arrivant, the most arrivant among all arrivants, the arrivant par excellence’ (1993: 33; original

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5 The translator here adds a note: ‘Arrivant can mean “arrival,” “newcomer” or “arriving.”
emphases); the *arrivant* is ‘whatever and/or whoever in arriving does not cross a threshold separating two identifiable places’ (ibid.).

This notwithstanding, Derrida’s descriptions of this ‘*arrivant* par excellence’ could well apply with very little modification both to all migrants who arrive irregularly and to the nation-states in which they arrive. The very unexpectedness of the absolute *arrivant* makes the possibility of welcoming him or her problematic:

He surprises the host—who is not yet a host or an inviting power—enough to call into question, to the point of annihilating or rendering indeterminate, all the distinctive signs of a prior identity, beginning with the very border that delineated a legitimate home and assured lineage, names and language, nations, families and genealogies. [...] The absolute *arrivant* does not yet have a name or an identity. [...] Since the *arrivant* does not have any identity yet, its place of arrival is also de-identified: one does not yet know or one no longer knows which is the country, the place, the nation, the family, the language, and the home in general that welcomes the absolute *arrivant* (1993: 34; original emphases).

Does not this to some degree describe the plight of migrants caught in the no-man’s land of a camp awaiting a decision from the powers that be as to their ultimate destination, effectively in neither the country in which they’ve arrived nor the one they’ve left?

Almost as an afterthought to his definition of *arrivant*, Derrida adds ‘—and such is hospitality itself, hospitality toward the event’ (1993: 33). In other words, hospitality is a result of the act of arrival, not a premeditated decision on the part of the ‘host’: ‘One does not expect the event of whatever, of whoever comes, arrives and crosses the threshold — the immigrant, the emigrant, the guest, or the stranger’ (ibid; added emphases).

However, Derrida gives no further insights in ‘Finis’ into any concept of hospitality from the point of view of either the host or the *arrivant*. For these we must revert to ‘On Cosmopolitanism’.

2.2 Hospitality: the aporia

Discussing the ‘original concept of hospitality’ in ‘On Cosmopolitanism’, Derrida identifies it as ‘a double or contradictory imperative within the concept of cosmopolitanism’ (Critchley & Kearney 2001: ix), the classic Derridean aporia, that is, a kind of impasse or insoluble conflict between rhetoric and thought.

Derrida begins by identifying the concept of cosmopolitanism. To do so, he cites examples of how hospitality to the stranger was understood from the time of Moses up to the twentieth century. However, especially relevant to this article are his observations concerning Hannah Arendt’s text ‘The Decline of the Nation State and the End of the Rights of Man’ (Arendt 1967), a text which, says Derrida ‘we should closely scrutinise’. In it, Arendt recalls that the right of asylum has a sacred history and that it remains ‘the only modern vestige of the medieval
principle of *quid est in território est de território*’ (Arendt 1967: 280, quoted Derrida 2001: 7). Arendt is referring to the maxim that ‘whatever is in the territory is of the territory’; in other words, the justification of one’s presence is the mere fact of one’s presence. Arendt continues:

But although the right to asylum had continued to exist in a world organised into nation states, and though it has even in some individual cases survived two world wars, it is still felt by some to be an anachronism and a principle incompatible with the international laws of the state (1967: 280, quoted Derrida 2001: 7).

Derrida follows this with the comment that:

When Arendt was writing this, *circa* 1950, she identified the absence in international charters of the right to asylum (for example in the Charter of the League of Nations. Things have doubtless evolved since then […] but further transformations are still necessary (Derrida 2001: 7).

Indeed, in today’s climate, when the right to political asylum is less and less respected in Europe, we might well agree with Derrida when he says that:

There is still a considerable gap separating the great and generous principles of the right to asylum inherited from the Enlightenment thinkers and from the French Revolution and, on the other hand, the historical reality or the effective implementation (mise en oeuvre) of these principles. It is controlled, curbed, and monitored by implacable juridical restrictions; it is overseen by […] a ‘mean-minded’ juridical tradition (2001: 11).

2.3. Hospitality: according to Derrida

It would, however, be a mistake to assume that this aporia makes hospitality completely unworkable. If it were, what are almost Derrida’s closing remarks would have been otherwise:

All these questions remain obscure and difficult and we must neither conceal them from ourselves nor, for a moment, imagine ourselves to have mastered them. It is a question of knowing how to transform and improve the law, and of knowing if this improvement is possible within an historical space which takes place *between* the Law of an unconditional hospitality, offered *a priori* to every other, to all newcomers, *whoever they may be*, and the conditional laws of a right to hospitality, without which The unconditional Law of hospitality would be in danger of remaining a pious and irresponsible desire, without form and without potency, and of even being perverted at any moment (2001: 22–23; original emphases).

The law of unconditional hospitality needs the conditional laws of a right to hospitality in order not only to survive but to remain forceful.

More important insights into Derrida’s thinking on hospitality are to be found in *Of Hospitality* (2000). Derrida first argues that the whole idea of hospitality depends upon an altruistic concept of absolute hospitality and is inconceivable without it. However, since genuine hospitality faced with any number of unknown Others is not a possible scenario, he argues that it is precisely the internal tension between the possibility and the impossibility of absolute hospitality that keeps the concept of hospitality alive. The more existential example of

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6 *Of Hospitality* comprises the transcripts of two seminars given by Derrida in January 1996 (printed on the recto pages) with a parallel ‘Invitation’ from Anne Dufourmantelle (printed on the verso pages).
this tension is that the notion of hospitality requires one to be the master and hence controlling. To be hospitable, one must first have the power to host. As such, hospitality makes claims to property ownership and partakes in the desire to establish a form of self-identity (2000: 3–74).

Furthermore, the host must, in order to be hospitable, also have some kind of control over the people who are being hosted, as Derrida later argues, maintaining that any attempt to behave hospitably is also always in part betrothed (translator’s terminology) to the keeping of guests under control, to the closing of borders, to nationalism, and even to the exclusion of particular groups or ethnicities (2000: 151–55).

Consequently, the political difficulty of immigration consists precisely in negotiating between these two imperatives, between the unconditional and the conditional, between the absolute and the relative, between the universal and the particular. Nonetheless, this identification of a contradictory logic at the heart of the concept of hospitality and thus cosmopolitanism is staged in order not to paralyse political action but, on the contrary, to enable it.

It is to one of the Enlightenment thinkers that Derrida turns towards the end of his address to deconstruct the logical structure of the concept of hospitality (2001: 20–23). Kant, says Derrida, ‘seems at first to extend the cosmopolitan law to encompass universal hospitality without limit […] expressly determines it as a natural law’ (2001: 20). Such a law ‘[b]eing of natural or original derivation […] would be, therefore, both imprescriptible and inalienable (ibid)’, in other words, it could neither be lost by effluxion of time nor taken away by any action.7

Derrida is referring to Kant’s essay ‘To Perpetual Peace: A Philosophical Sketch’, written in 1795, so a little more than two centuries before Derrida is speaking, and in which he formulates what he terms ‘cosmopolitan right’ (Kant 1983: 107–44). In it, Kant indeed makes the statement that ‘[c]osmopolitan right shall be limited to conditions of universal hospitality’ (118; original emphasis). By ‘hospitality’, he explains, he does not mean an act of philanthropy but what he considers to be a ‘natural right’, namely ‘the right of an alien not to be treated as an enemy on his arrival in another’s country’ (ibid.).

It is by the exercise of this natural right, Kant maintains, that ‘distant parts of the world can establish with one another peaceful relations that will eventually become matters of public law’ (ibid.). Any treaty formalising such ‘peaceful relations’ between two or more nation states

7 ‘Imprescriptible’ and ‘inalienable’ are both legal terms.
could, in all probability, expressly include provisions concerning respective *rights of residence* (or as Kant terms it the ‘right to be a *permanent visitor*’) as distinct from the ‘right to visit’.

Kant makes it clear that the natural right encapsulated in his term ‘hospitality’ only affords the alien the right to be a *temporary* visitor. The right of residence may be requested, but this ‘would require a special, charitable agreement to make [the alien] a fellow inhabitant for a limited period’, i.e. the alien can only become a ‘fellow-inhabitant’ if the law of the foreign nation-state so allows.

Derrida prefaces his discussion of Kant with the observation that:

> All human features, all finite beings endowed with reason, have received, in equal proportion, ‘common possession of the surface of the earth’. No one can in principle, therefore, legitimately appropriate for himself the aforementioned surface (as such, as a *surface-area*) and withhold access to another man (2001: 20; original emphases).

That ‘an infinite dispersion remains impossible’ is because of ‘what is erected, constructed, or what sets itself up above the soil: habitat, culture, institution, State, etc’ (2001: 21). As a result, ‘[a]ll this, even the soil upon which it lies, is no longer soil pure and simple, and, even if founded on the earth, *must not be unconditionally accessible* to all comers’ (ibid; added emphases). It is ‘thanks to this strictly delimited condition (which is nothing other than the institution of limit as a border, nation, State, public or political space), [that] Kant can deduce two consequences and inscribe two other paradigms upon which it would be in our interest to reflect tomorrow’ (ibid), as outlined above.

Derrida’s one comment on Kant’s condition that hospitality only extends to a right of visitation and excludes a right of residence, which is, therefore, ‘made dependent on treaties between states’, is that it ‘is this limitation […] that perhaps, amongst other things, is what remains for us debatable’ (2001: 22). He has more to say on Kant’s ‘defining hospitality in all its rigour as a law’ (ibid). As a result, Kant has assigned to it ‘conditions which make it dependent on state sovereignty, especially when it is a question of the right of residence’ (ibid). Derrida continues:

> Hospitality signifies here the *public nature* (*publicité*) of public space, as is always the case for the juridical in the Kantian sense; hospitality, whether public or private, is dependent on and controlled by the law and the state police. This is of great consequence, particularly for the ‘violations of hospitality’ about which we have spoken considerably, but just as much for the sovereignty of cities [i.e. the *villes franches* and *villes refuges* referred to above] on which we have been reflecting, whose concept is at least as problematic today as in the time of Kant (ibid; original emphases).

This is the aporia, the ‘double or contradictory imperative within the concept of cosmopolitanism’, a ‘concept that a country like France has been keen to adopt in fashioning its self-image of tolerance, openness, and hospitality’ (Critchley & Kearney 2001: ix):
On the one hand, there is an unconditional hospitality which should offer the right of refuge to all immigrants and newcomers. But on the other hand, hospitality has to be conditional: there has to be some limitation on rights of residence (ibid).

The political difficulty of immigration consists precisely in negotiating between these two imperatives, between the unconditional and the conditional, between the absolute and the relative, between the universal and the particular. Nonetheless, as Critchley and Kearney observe, ‘Derrida’s identification of a contradictory logic at the heart of the concept of cosmopolitanism is not staged in order to paralyse political action, but, on the contrary, in order to enable it’ (Critchley & Kearney 2001: x).

Europe, in the sense of the European Union, a territory that today is increasingly defined by its immigration practices and its discourse of political rights, is being re-nationalised. Introducing exclusion to the vocabulary of belonging forces us to re-conceptualise the politics of community, solidarity, identity and difference. However, exclusion is not limited to the European experience. An intrinsic part of social relations, it figures prominently in the discourse of identity as well as in that of political and legal modernity. The tension between recognition and a sense of belonging, on the one side, and the subjective marginalisation of exclusion, on the other, is reflected in the normative ideal of public discourse. These themes are not mutually exclusive. Rather, they are fundamentally interrelated.

There are two concepts of hospitality that today divide European and national consciousness. The word ‘tolerance’, today often used by so many, is assumed to be a legacy of the Enlightenment; Kant for example ‘understood tolerance as the emancipatory promise of the modern age’ (Borradori 2003: 159). But, claims Derrida in his dialogue with Borradori, ‘[t]he word “tolerance” is first of all marked by a religious war between Christians, or between Christians and non-Christians’ (ibid: 161; Derrida speaking). Primarily a Catholic, Christian virtue, tolerance has been appropriated into non-Christian discourse and language. A form of charity:

[T]olerance is always on the side of the reason of the strongest, where might is right; it is a supplementary mark of sovereignty, the good face of sovereignty, which says to the other from its elevated position, I am letting you be, you are not insufferable, I am leaving you a place in my home, but do not forget that this is my home […] (Borradori 2003: 127; Derrida speaking).

As such, tolerance is not a condition of hospitality but a limitation of it. In other words, it is a conditional, circumspect, careful hospitality that requires the Other to follow rules, a way of life, language, culture, political system, etc. This conditional hospitality, offered only with the
proviso that given rules and regulations are followed and obeyed, comprises an invitation. On the other hand, pure or unconditional hospitality comprises no invitation, and:

[O]pens or is in advance open to someone who is neither expected nor invited, to whomever arrives as an absolutely foreign visitor, as a new arrival, non-identifiable and unforeseeable, in short, wholly other (Borradori 2003: 129; quoting Derrida).

This expression of unconditional hospitality hinges on Kant’s distinction between two kinds of right: as Derrida terms them in ‘On Cosmopolitanism’, the ‘right of residence (Gastrecht, which has the connotations of invitation by the host discussed in ‘On Hospitality’)’ and the ‘right of visitation’ (Besuchsrecht) (2001: 21). Visitation without an invitation circumscribes the conditions under which one is invited and thus welcomed as an unforeseen and unexpected visit to come. As such it introduces an element of danger. The ability to let one’s guard down, stand down one’s defences and abolish borders often proves to be impossible. However, can hospitality without risk, backed by certain assurances, immunised against the unexpected and otherness, be a true hospitality? The unconditional hospitality advocated by visitation rather than invitation is a practical impossibility. Furthermore, its concept is devoid of any legal or political status.

But without at least the thought of this pure and unconditional hospitality, of hospitality itself, we would have no concept of hospitality in general and would not even be able to determine any rules for conditional hospitality (with its rituals, its legal status, its norms, its national or international conventions)’ (Borradori 2003: 129; original emphases; Derrida speaking).

It is precisely unconditional, pure hospitality, insists Derrida, that recognises and accepts the alterity of the Other. Not even dependent on a decision, unconditional hospitality is neither juridical nor political. Nonetheless, it is the very condition of both. The paradoxical nature of the two hospitalities lies in their simultaneous qualities of heterogeneity and indistinguishability (Borradori 2003: 128–30; Derrida speaking). What creates unconditional hospitality is its inability to retain its unconditionality when faced with the coming of the Other; in Derrida’s words:

I cannot open the door, I cannot offer him or her anything whatsoever without making this hospitality effective, without, in some way giving something determinate. This determination will have to re-inscribe the unconditional into certain conditions. ‘What remains unconditional or absolute (undedingt if you will) risks being nothing at all if conditions (Bedingungen) do not make of it some thing [sic] (Ding)’ (Borradori 2003: 129–30; original emphases; Derrida speaking).

We might well agree with Borradori, when she comments, in response to Derrida’s observations just quoted, that ‘[t]he fact that these two poles [unconditional hospitality and hospitality by invitation] are at once heterogenous and indissociable is, philosophically, very difficult to think’, and her questions which follow are as relevant today as they were when posed
back in 2001, in the wake of 9/11: ‘How can political discourse assimilate it? Might the modern ideal of cosmopolitanism be the answer?’ (Borradori 2003: 130). But it is beyond the scope of this article to answer them.

Bibliography


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Filmography

*On the Bride’s Side (Io sto con la Sposa).* 2014. dir. by Gabriele del Grande, Antonio Augugliaro and Khaled Soliman Al Nassiry (Gina Films, DocLab)

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8 This is an edited version of the text of the Alexander von Humboldt Lecture in Human Geography ‘Europe as Borderland’, delivered at the University of Nejmegen, 10 November 2004 (pdf <http://gpm.ruhosting.nl/avh/Europe%20as%20Borderland.pdf> [accessed: 10-Jul-17]).