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Citizenship-Based Durable Solutions: Hannah Arendt Revisited

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Abstract

This paper examines Arendt's political thinking in discourse spanning twenty-five years, as it explicitly and implicitly pertains to the need for restoration of nation-state citizenship in addressing the implications of statelessness. The efficacy of traditional durable solutions that are predicated upon restoration of such citizenship is also considered, in the context of UN statistical data and selected ethnographic evidence. Arendt's thinking serves as a theoretical lens to conceptually assess Cohen and Van Hear's *Refugia* proposal, as an imagined case study and potentially effective alternative durable solution, also in reference to selected ethnographic evidence. The paper concludes that Arendt's experience as a stateless person is an event that visibly and implicitly corresponds across her contemporarily relevant body of thought, that citizenship-based durable solutions are ineffectual, and that restoration of nation-state citizenship should not be considered imperative in formulating solutions to address the implications of statelessness.

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Abbreviations

BPF	Between Past and Future, Hannah Arendt (1968)
C&VH	Robin Cohen and Nicholas Van Hear
DRC	Democratic Republic of Congo
EDPs	Externally Displaced Persons
HPG	Humanitarian Policy Group
IDPs	Internally Displaced Persons
OPT	Occupied Palestinian Territories
Origins	The Origins of Totalitarianism, Hannah Arendt (1951)
Refugia	Refugia: Radical Solutions to Mass Displacement, C&VH (2020)
THC	The Human Condition, Hannah Arendt (1958)
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNCCP	United Nations Conciliation Commission on Palestine
UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East

1. Introduction

1.1 Overview

In *Refugia*, Cohen and Van Hear point to mass displacement as "one of the most pressing global issues of our time" (Refugia.2020). In 2019, there were 79.5 million displaced persons worldwide: 26 million refugees (including 5.6 million Palestinians), 45.7 million IDPs, and 7.8 million other EDPs (UNHCR.2020). As Milner notes in the context of refugees, the majority experience protracted displacement, with about eighty-percent of refugees having been in exile for more than five years, a situation characterized by the UN as "one in which refugees find themselves in a long-lasting and intractable state of limbo" (Milner.2014). C&VH question whether "the three conventional 'durable solutions' (local integration, resettlement, and return) offered by the refugee agencies can address the challenge on the scale needed" (Refugia.2020), also echoing Milner's suggestion that additional analysis of traditional and alternate solutions "and the relationship between displacement, membership, and citizenship could identify new ways of understanding the meaning of solutions and how they may be pursued" (Milner.2014). Traditional durable solutions are inherently predicated upon restoration of nation-state citizenship, which is often prohibitively challenging. Such predication likely explains why so many refugees experience protracted displacement.

Refugia is presented as an imagined case study and alternative durable solution, one in which restoration of state-based citizenship is not a prerequisite to addressing symptoms of the problem of refugee statelessness. C&VH propose *Refugia*, as a refugee-organized transnational polity that is not predicated upon the construct of territorialized nation-statehood, to catalyze 'utopian' thought and discussion, asserting that 'utopianism' is an "essential component of human progress and a powerful means of reasoning" (Refugia.2020). They acknowledge that thinking beyond "taken-for-granted assumptions", such as the notion that state-based power structures are the exclusive means of defining the political order of the world, is hard, but essential, given the intractable challenges refugees currently face and will otherwise continue to face in future (Ibid).

Hannah Arendt's early discourse in *Origins* is often cited as a definitive source of one such taken-for-granted assumption that "the only means whereby the stateless of the twentieth century could overcome their dire circumstances was to become … citizens in an existing nation-state" (Refugia.2020). C&VH "beg to differ" regarding this assumption. This dissertation

argues that whilst a narrow interpretation of Arendt's observations in *Origins* vis à vis the relationship between the loss of nation-state citizenship and the effects of statelessness may appear to support such a categorical assumption, a lateral assessment of Arendt's thinking across her entire body of work, starting with but not limited to *Origins*, and coupled with evidence from contemporary refugee experiences, suggests that, today, Arendt might 'beg to differ' with such an assumption herself.

This dissertation is based on the methodology described below. Its primary objective is to engage in a theoretical analysis of Arendt's discourse as it explicitly and implicitly pertains to the need for restoration of nation-state citizenship in addressing the implications of statelessness. Arendt's thinking is also applied as a theoretical lens through which to consider selected evidence from actual refugee experiences in the context of assessing the efficacy of traditional durable solutions. The dissertation concludes with a conceptual assessment of *Refugia*, as an imagined case study and alternative durable solution, drawing upon the preceding findings.

1.2 Methodology

1.2.1 Analytical Approach

The analytical approach in this paper is primarily theoretical, focusing on lateral dialogue with Arendt's body of work between 1943 and 1968. This approach is motivated by a desire to engage with her thinking in a holistic manner, exploring its visible and less obvious applicability to the problem of statelessness. The author is also intrigued by the utopian thinking of C&VH in *Refugia*, which provides a contemporary purpose for engaging with Arendt. The paper revisits Arendt's thinking inspired by the goal of challenging 'taken-for-granted' assumptions, such as the need for restoration nation-state citizenship as a basis for durable solutions, leading to a conceptual assessment of *Refugia* through the lens of Arendt's thinking. To ground the analysis, the paper also considers UNHCR and ethnographic evidence pertaining to actual refugee experiences, providing a selective, albeit limited, reality check in respect of the paper’s theoretical observations and a more concrete, supplemental point of reference in its conceptual assessment of *Refugia*.

1.2.2 Research Questions

This paper addresses the following questions: "To what extent is restoration of nation-state citizenship necessary to mitigate the implications of refugee statelessness, considered through

the lens of Hannah Arendt's theoretical discourse? Are traditional durable solutions for refugees, which are predicated upon restoration of nation-state citizenship, effective in practice? To what extent does C&VH's Refugia proposal represent a conceptually effective alternative to traditional durable solutions, viewed through the lens of Arendt's thinking?".

1.2.3 Theoretical Foundations

Origins is an appropriate starting point in understanding Arendt's political thought with respect to the problem and implications of statelessness, but her discourse spans several decades, and ought to be considered as a body of inter-connected thought. Balibar notes that "more than any great thinker, perhaps we might suggest that Arendt is one who never wrote twice the same book … she would allow herself to become transformed by the writing itself, and by the *correspondence* between the writing and the *event*, although this correspondence probably is neither straightforward nor completely *visible*" (Balibar.2007). In considering what Arendt had to say about statelessness, there has been a tendency to primarily focus on her earlier discourse, in which she *visibly* opined on that subject. This dissertation looks within the layers of that early discourse, and within later discourse, with the hypothesis that her personal experience as a stateless person was an *event* that implicitly *corresponds* across her lifelong body of work.

1.2.4 Evidence

Ethnographic evidence is sourced from one study of DRC refugees in Uganda and Australia (Ramsay.2018) and two studies of the Palestinian refugee situation (Allan.2014, Peteet.2005). Ethnographic data was chosen over more potentially generalizable quantitative data because of its richness and texture in portraying the human experience in displacement. Case examples are relied upon selectively and instrumentally, such that the dissertation does not purport to employ a case-study analytical approach.

1.2.5 Limitations and Trade-offs

This author would have preferred to conduct primary field research, but this was not feasible. However, she/he has visited the situations depicted in the ethnographies, which facilitates understanding of ethnographic findings. Moreover, she/he is not an anthropologist, so relying on the findings of experts in such epistemology enhances the credibility of evidential data. Numerous ethnographies were surveyed and selected based on their relevance in the context of the themes of this paper, as well as this author's firsthand familiarity with those cases. Such

choices may result in evidential bias, but this trade-off is considered acceptable.

Although this author has consulted with one of the authors of Refugia, on a conceptual level, such consultation this was not approached in a structured or advisory capacity. The dissertation's characterization of the *Refugia* proposal is conceptual in nature.

Arendt's discourse is voluminous and complex, and some might say elusive. This survey of Arendt's body of work was comprehensive, however, it is not feasible to incorporate all such discourse within the scope of this paper. Although the paper refers to the discourse of others, it does not purport to be a comparative analysis of Arendt's thinking vis à vis that of other thinkers. Therefore, the paper's theoretical foundations are selective and primarily limited to the work of Arendt, a trade off considered acceptable given the questions it addresses. Arendt said of her own work that “each time you write something you send it out to the world and it becomes public, obviously everyone is free to do with it what he pleases, and this is how it should be … you should rather try to learn from what other people do with it” (Arendt.1958). Arendt's objective was to invite her students to actively engage with her in thought, to promote discussion and learning, which has been a fundamental motivation in undertaking this dissertation.

2. Hannah Arendt on Statelessness

2.1 Introduction

Arendt’s early discourse regarding the problem of statelessness is based on personal insights as a stateless person. *Origins* and essays prior to that seminal work arguably say as much about the origins and implications of statelessness as they do about the origins of totalitarianism. In such early discourse, one finds foundational concepts such as 'mere life', or ‘bare life’ as later popularized by Agamben, and the 'right to have rights’, as well as Arendt's views on situationally-specific topics such as Palestine and the formation of Israel. Post-*Origins* discourse is not as overtly personal, nor situationally-specific, but this paper asserts that such later thinking inherently augments her earlier foundational thinking vis à vis concepts regarding statelessness. The following is a selective assessment of Arendt's body of discourse, as it explicitly and implicitly pertains to such concepts.

2.2 Bare Life and the Right to Have Rights: *Origins*

The term 'bare life' is often associated with Agamben, who popularized the term in *Homo Sacer*

(Agamben.1998), based on the discourse of other thinkers. Benjamin first used the term in describing the result of legal, state violence, speaking of '*bloß leben'* (*mere life* or *la vita nuda*) as life that remains when "the rule of law over the living ceases" (Benjamin.1921). Agamben contrasted *la vita nuda*, or *zoē,* with Aristotle's characterization of political life as a higher expression of life, or *bios*, describing 'bare life' as the residual expression of life that remains when one is deprived of participation in *bios* (Agamben.1998). He took ownership of the term 'bare life' as a derivative of Aristotelian thought and an expression of "the simple fact of living common to all living beings (animals, men and gods)" (Ibid). Irrespective of who coined the term 'bare life', it can be thought of as the expression of life that remains when one is excluded from participation in political life and is not afforded the protection of the rule of law.

In *Origins*, Arendt observed that "the Nazis started their extermination of Jews by first depriving them of all legal status (the status of second class citizenship) and cutting them off from the world of the living by herding them into ghettos and concentration camps … the point is that a condition of complete rightlessness was created before the right to live was challenged" (Arendt.1951). Agamben borrowed from Arendt's work to illustrate 'bare life', portraying concentration camps as *nomos* or spaces of biopolitical control that were established to store and eliminate humans subjected to a state of exception by the Nazi regime (Agamben.1998), choosing not to focus on rightlessness, at the same criticizing Arendt for not having continued her "penetrating analyses" from *Origins,* in *THC* (Ibid). Overlooking implicit analytical connections between *Origins* and *THC*, as discussed below, Agamben instead borrowed from Foucault's concept of governmentality (Foucault.1978) to extend the concentration camp analogy to portray modern refugee camps as contemporary *nomos*, also criticizing Foucault for not having made this connection (Agamben.1998). Agamben's portrayal of modern refugee camps as biopolitical 'bare life' warehouses has popularized the term 'bare life', cited in a proliferation of humanitarian discourse[1]. Distractingly, such discourse also links imaginaries of adverse physical living conditions in refugee camps, akin to naked existence, to the concept of 'bare life'. Thus, the term 'bare life' has come to be a conflated representation of both the biopolitical and physical attributes of life that is often observed in camps. Such conflation supporting critical instrumentalization of 'bare life', as opposed to deeper understanding of the concept in the context of rightlessness. In *Origins* and other discourse, Arendt provides a more meaningful understanding of 'bare life' as a condition of rightlessness, homelessness and statelessness,

[1] Searching Google for "bare life and refugees" yields 8.8 million results.

and with more credibility having herself experienced life as a refugee.

Arendt's most personal discourse is found in *We Refugees*, which she penned in real-time as a German Jewish refugee (Arendt.1943); insightful discourse because it provides *témoignage* as to what it meant to experience displacement and exclusion, the cause of which she referred to as "the outlawing of the Jewish people in Europe, followed by the outlawing of most European nations" (Ibid), echoing Benjamin's reference to 'mere life' as what remains when the rule of law over the living ceases (Benjamin.1921). Noting that the European refugee experience was not unique to Jews, Arendt concludes that "refugees driven from country to country represent the vanguard of their peoples – if they keep their identity" (Arendt.1943). Arendt's *We Refugees* allows the reader to acutely understand what it means to be stateless, underlining the struggle to maintain identity as the most salient challenge. Agamben borrowed Arendt's title to produce his own version of *We Refugees*, mis-portraying main themes in Arendt's version as the decline of the nation-state and refugees' loss of citizenship (Agamben.1995). In Arendt's work, these themes actually emerged later in *'The Rights of Man': What are They?* (Arendt.1949) and in *Origins* (Arendt.1951). The point being that Arendt's earliest commentary on displacement in *We Refugees* emphasized the need to preserve identity.

In *Origins*, Arendt discusses widespread statelessness resulting from tacitly coordinated European laws that created sovereign rights of denationalization that transcended national borders (Ibid). For example, Jews excluded from German citizenship, seeking asylum in another country, were routinely treated as aliens or enemies in the asylum countries. Although Arendt does not mention her own experience, this is what happened to her in France. In *Origins*, Arendt describes statelessness in the third-person until making a seminal point that: "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" (Ibid). Arendt was speaking from personal experience as a stateless person that had lost citizenship and lost the 'right to have rights' accordingly. She was making the point that loss of citizenship had reduced stateless people to Arendt's version of 'mere life', or 'bare life', having been deprived of "all distinctive political qualities and [having] become human beings and nothing else" (Ibid), a situation where being human was not enough, in and of itself, to participate in political life and access supposedly inalienable rights.

Arendt's observation in *Origins* was made at a time when mass statelessness was a relatively novel phenomenon. Millions of Europeans had recently become rightless, pursuant to exclusion from citizenship. One could hastily conclude that she was categorically making the point that the only way to emerge from 'bare life', regaining the 'right to have rights', is to regain citizenship. Prior to when she wrote *Origins*, many had assumed that the Rights of Man were somehow inalienable, derived from being human rather than being a citizen. Her fundamental point in *Origins* was that this assumption was not valid in her experience, and that being reduced to 'bare life' as a mere human exposed the reality that being human was not enough to guarantee access to the 'right to have rights'. Rather than her main point being that citizenship itself confers any such guarantee, or that restoration of citizenship is the only way of emerging from 'bare life'. Arendt was simply stating a firsthand observation that she and others only became aware of a 'right to have rights' upon losing that right and was not necessarily proposing restoration of citizenship as a solution. As Owens points out, "nowhere did she set out a blueprint for how to design" a solution to the effects of statelessness (Owens.2010). Canovan notes that Arendt "emphatically denied that her role as a political thinker was to propose a blueprint for the future or to tell anyone what to do" (Canovan.1988).

Exceptionally, Arendt did express specific opinions regarding the solution for Jewish statelessness in Israel. She was against partition of Palestine pursuant to UN Resolution 181 (UNGA.1947), and openly opposed the creation of an exclusive Jewish nation-state, noting in *Origins* that whilst that solution might have provided for Jewish citizenship in Israel it had "merely produced a new category of refugees, the Arabs, thereby increasing the number of stateless and rightless by another 700,000 to 800,000 people" (Arendt.1951). In 1948, she had argued that "it is plain that at this moment and under the present circumstances a Jewish state can only be erected at the price of a Jewish homeland" (Arendt.1948). She instead endorsed establishment of a homeland for Jewish refugees, one shared by Arabs, initially established under international trusteeship, eventually leading to a confederal form of shared political community (Ibid). Arendt did not view exclusive Israeli citizenship as a viable solution to Jewish homelessness and statelessness, even though loss of European citizenship had led the Jewish people, including her, into rightlessness and 'bare life'. She instead endorsed reinforcing Jewish identity by establishing a shared Jewish homeland, one based on a new form of collaborative Jewish-Arab political community that would avert the problem of homelessness for both Jews and Arabs.

Some have noted that Arendt did not repeat the phrase 'right to have rights' in future discourse,

suggesting that it may have just been an ephemeral reference made in *Origins* (deGooyer.et.al.2019). Similarly, she did not specifically refer to totalitarianism or 'mere life' (as 'bare life') in future discourse, attracting criticism from Agamben, as noted above (Agamben.1998). The present analysis contends that Arendt implicitly continued to develop such themes in subsequent work, albeit in a less visible manner, as her discourse became less personal and situationally-specific.

2.3 Action and Speech: The Human Condition ("*THC*")

In describing *la vita activa*, Arendt designates three fundamental human activities – labour, work and action – corresponding to conditions under which life on earth has been given to man (Arendt.1958). Action (inherently including speech), unlike labour (activities that biologically maintain the human body) and work (activities that construct tangible 'things'), is the only activity that does not pertain to the body or things, made possible through plurality, or interaction among human beings, constituting political life (Ibid). She notes that by having others to perform labour for us, and by choosing to rely on work-related things created by others, we can survive, but that without plurality, action and speech we are "literally dead to the world", living life that "has ceased to be human life because it is no longer lived among men" (Ibid). Recall that Arendt earlier clarified in *Origins* that the 'right to have rights' means "to live in a framework where one is judged by one's actions and opinions" (Arendt.1951), foreshadowing a key point she reinforces in *THC*, describing action and speech as constituting *la vita activa*. So being deprived of the 'right to have rights' is akin to 'bare life', literally being deprived of the second "rights", being human rights (deGooyer.et.al.2019), but more fundamentally being deprived of the first "right" to act and speak as a member of human community, engaging in political life.

Owens (2009) notes Balibar's summation of Arendt's views vis à vis rights:

> "Arendt's idea is not that only institutions create rights, whereas, apart from institutions, humans do not have specific rights, only natural qualities. Her idea is that apart from the institution of community (not in the sense of "organic" community, another form of naturalistic myth, in the sense of reciprocity of actions), *there simply are no humans*" (Balibar.2007).

Arendt's idea is that civil or national rights are those granted by the state through citizenship, whereas human rights, whilst not inalienable, are derived from the freedom of action and speech in community with other humans. Assertions that Arendt failed to continue developing

Origins thinking, such as the 'right to have rights', in later work are not valid. Without re-articulating specific terms, Arendt implicitly enriches our understanding of rightlessness in *THC*. 'Bare life' and loss of the 'right to have rights' are manifest in deprivation of identity and agency (the freedom to act and speak, being seen and heard), occurring upon exclusion from the right to participate in political community and life, irrespective of whether this is precipitated by exclusion from the institution of citizenship. The latter exclusion often entails the former, and certainly did when Arendt observed the decline of the nation-state in *Origins*, but it is exclusion from political life, action and speech, that is the salient cause of being deprived of the 'right to have rights' and reduced to 'bare life'.

2.4 Beginnings and Setbacks: Natality and Human Rights

Natality is a consistent theme throughout Arendt's discourse, inspired by thinking of others including Augustine, Heidegger, Kafka and Kant (Birmingham.2006). Birmingham's analysis of Arendt's conception of natality in *THC* enhances our understanding of 'bare life' and the 'right to have rights'. Arendt suggests that we experience two forms of natality that, although distinct in nature, are inseparable (Ibid). Physical natality, best thought of as 'first birth', when one takes on bodily characteristics, initiating an *arche* that culminates in fatality (Ibid). The fortunate are physically born with specific citizenship that confers national rights. In contrast to such national rights, Arendt asserts that physical birth, in and of itself, does not convey inalienable human rights, as discussed above. At first, natality is a physical event and then "with word and deed we insert ourselves into the human world, and this insertion is like a second birth, in which we *confirm* and take upon ourselves the naked fact of our original physical appearance" (Arendt.1958). 'Word and deed' corresponding to 'action and speech' as described in *THC*, and the 'right to have rights' as described in *Origins*, corresponding to the right to participate in such human activity.

One physically born but deprived of the opportunity to *confirm* that initial appearance by participating in action and speech is one whom Arendt would assert is "literally dead to the world". Such deprivation being the same as never having been fully born because of having been deprived of the right to experience a second, 'linguistic birth'. In other words, being deprived of the 'right to have rights' following the event of physical natality and, therefore, confined to 'bare life' from the beginning. Such *confirmation* links both forms of birth, making them inseparable if human life is to be manifest. A second birth cannot occur without the first, and the first is not complete in terms of realizing a human life without second birth. Both births

forming the *arche* that begins with physical birth. For a stateless person that had previously undergone 'second birth' and then been deprived of national rights (citizenship) and the right to action and speech (the 'right to have rights'), the result is a setback in the *arche* of life and being reduced to 'bare life' as though 'second birth' had never occurred. The puzzle being addressed in this dissertation is whether regaining citizenship, through traditional durable solutions for example, is required to experience a new 'second birth', overcoming the natal setback, or whether the 'right to have rights' can be regained through alternative solutions, thereby reversing and/or mitigating 'bare life' in advance of citizenship being restored, if this is even necessary at all.

2.5 Junctures in the Arche of Life: *Between Past and Future* ("*BPF*")

In *BPF*, Arendt utilizes poet René Char's description of his experience in the French résistance, and a Kafka parable, to further advance her thinking regarding the arche of life, positioning the 'present' as a rolling juncture between past and future (Arendt.1968). For Char, participation in the résistance was a "treasure", an extended gap in his otherwise private past and future life of thought and writing, during which he and other "challengers" formed a "public space" between themselves where freedom could appear (Ibid). He and his résistance colleagues formed a clandestine political community, acting in their then present to avoid an undesirable imagined future. Arendt depersonalized this illustration, utilizing Char as a proxy for her own experience in France where, as a stateless person, she and other challengers helped Jews escape the Nazis, altering her own future and that of other refugees. Both she and Char supplemented political action with speech in their respective discourses at that time. Arendt reminds us of a Kafka parable concerning a combatant battling two antagonistic forces, one pressing from behind, the past, and the other blocking the way forward, the future. The forces intersect in the present, where the past aids the combatant in fighting the future, pushing him forward, and the future supports his fight with the past, pressing him backward. The combatant sidesteps both forces and becomes an "umpire over his antagonists in their fight with each other" (Ibid). Trajectories of the past and imagined future terminate in the present and the actual future is a diagonal deflection that begins in the present because of political action and speech. Freedom is the ability to observe, think, act and speak.

Arendt is asserting that the arche of life is never rectilinear because of the interacting forces of past and imagined future in the present. Actions and speech in community with others, experiencing political life and second natality, create a diagonal future trajectory commencing in

the gap between past and future. In *BPF*, Arendt does not explicitly refer to statelessness, 'bare life' or the 'right to have rights', but she is corresponding with her own experience during exile in France, her response to a lost past and anticipated future being political action and speech. Reinforcing her own identity by helping other Jews, which she noted as being most important, speaking in *We Refugees* at that time, while acting in political community to influence the future. The initial gap between past and future for the rightless being 'bare life' and finding a way to act and speak in political community being one means of regaining the 'right to have rights', seeking a deflected future. Pessimistically referring to Kafka's combatant, Arendt notes that "he … unable to find the diagonal which would lead him out of the fighting-line … will 'die of exhaustion', worn out under the pressure of constant fighting, oblivious of his original intentions, and aware only of existence of this gap in time … though it seems to be a battlefield and not a home" (Ibid). This sad ending being implicitly analogous to extended 'bare life' in protracted displacement.

3. Traditional Durable Solutions

This section defines and assesses the efficacy of traditional durable solutions for refugees, considered traditional in this paper because they are predicated upon restoration of citizenship in a traditional nation-state. It then considers case examples in the context Arendt's thinking.

3.1 Citizenship-Based Durable Solutions

3.1.1 Resettlement

UNHCR advocates *resettlement* in another country as a durable solution "for those who cannot return [home], either because of continued conflict, wars or persecution … to aid this process, we provide cultural orientation, language and vocational training, as well as access to education and employment" (UNHCR.2020). In 2019, only 107,800 refugees were resettled, representing just 0.4% of registered refugees in that year (Ibid). Whilst a vast majority of the 26 million refugees likely views resettlement, and the new citizenship that might entail, as the holy grail of potential solutions, the odds of such resolution are very slim in practice.

3.1.2 Returning to Place of Origin

UNHCR describes voluntary repatriation as a durable solution "for refugees who have made the brave decision to return home … together with the country of origin and international

community, UNHCR strives to facilitate their choice" (Ibid). In 2019, 5.6 million displaced persons returned home, but only 317,200 were refugees, representing 1.2% of the refugee population in that year, the remainder being IDPs and other EDPs, many of whom had been recently displaced (Ibid). For actual refugees the window of opportunity for repatriation is narrow and relatively short in practice.

3.1.3 Integration Within the Host Community

According to UNHCR "another alternative for those who are unable to return home is *integration* within the host community. This is often a complex process which places considerable demands on both the individual and the receiving society. However, it also has benefits, allowing refugees to contribute socially and economically. Over the past decade, 1.1 million refugees around the world have become citizens in their country of asylum" (Ibid). Extrapolating that level of narrowly defined 'success', being contingent upon citizenship, with an unlikely assumption that there will be no additional refugees registered in the interim, suggests that only 4.2% of the existing refugee population will achieve integration over the next ten years.

The UN advocates durable solutions that are predicated upon restoration of nation-state citizenship, with only marginal success in practice.

3.2 Resettlement: *Impossible Refuge*

Ramsay's recent ethnographic research on refugee women from DRC (Ramsay.2018) in both Kampala, during asylum, and Australia, following resettlement, challenges "the assumption that resettlement of refugees is an automatic solution to displacement", arguing that "not only is the resettlement of refugees not a durable solution; for some its is not a solution at all" (Ibid). Her findings are presented sequentially – displacement, asylum, resettlement – but Ramsay asserts that these are "not exclusive experiences and are certainly not able to be mapped onto a linear trajectory that corresponds to politico-legal status" (Ibid), echoing Arendt's conclusion that the arche of life is never rectilinear because of interacting forces of past and imagined future.

Referencing Malkki's depiction of liminality for Hutu refugees seeking asylum in Tanzania as "a rite of passage: a temporary state preparing the way for membership in a recognized and honored category [of] true nationhood", through resettlement (Malkki.1995), Ramsay observes that liminality can be protracted both during asylum and post-resettlement (Ramsay.2018). Many of her subjects were unable to conceive, and childbirth for them is not an event on a linear

timeline of life, but rather part of a more circular process in which own personhood and societal regeneration are realized through reproduction. Displacement and the stresses of survival interrupt this arche, such that Ramsay's subjects experience both physical and existential displacement "in which the uncertainty of physical survival throws the certainty of future regeneration into question" (Ibid). Displacement means being stuck in liminality, between past and future in 'bare life', unable to reproduce to realize a meaningful life for themselves and their imagined offspring. Arendt similarly viewed passage from past to future as a non-linear journey, identifying a gap in exile that corresponds to what Ramsay describes as liminality for those women, whose linguistic birth is contingent upon the capacity to rear children, a 'right' that is suspended in liminality. For them, action and speech are manifest in reproduction, akin to what Arendt characterized as the 'right to have rights'.

Ramsay notes that whilst for her subjects the promise of resettlement may secondarily represent the possibility of eventual citizenship, it primarily represents the possibility of achieving the 'right' to bear and rear children (Ibid). She documents destructive strategies undertaken by women in Kampala to improve their chances of resettlement, such as intentionally partnering with abusive spouses with the "best" ethnic profile under agency resettlement criteria, exacerbating the effects of liminality and placing them at risk (Ibid). In Australia, Ramsay further observes that resettlement is not as imagined by refugees in Kampala. Asylum stressors are replaced by stressors of racism and otherness, despite restoration of citizenship in a new country (Ibid). She notes that the resettlement imaginary "does not just emerge out of fantasy", being propagated by UNHCR and media (Ibid). Arendt would not likely have viewed resettlement as a 'durable' solution to 'bare life' for Ramsay's refugee colleagues, given that they remain 'dead to the world' and deprived of the 'right to have rights' even with new citizenship. In addition to resettlement being a rare outcome in practice, it may not even be a viable solution to the conditions of rightlessness that Arendt described.

3.3 Return or Integrate? The Palestinian Experience

3.3.1 Background to Protracted Displacement

In May 1948, the state of Israel declared 'independence'. Forced expulsion of the Palestinian population that had already begun in 1947, accelerated upon that declaration. In 1947, UN Resolution 181 ended the British mandate over Palestine and was supposed to lead to the partition of Palestine into separate Jewish and Arab states, comprising 56.5% and 43.5% of

land area, respectively, with slight demographic majorities in each (UNGA.1947). In April 1948, at least 250 men, women and children from the village of Deir Yassin were massacred, followed by a further nine massacres in October 1948 (Akram.2011). Paramilitaries carried out the mass expulsion, implemented with intended permanence. Ben Gurion ordered destruction of 430-500 villages and landmines were planted in rubble to inhibit return (Khalidi.1988). Homes that were spared were allocated to Jewish settlers (Akram.2011). Resolution 181 was effectively ignored and, by mid-1949, eighty-percent of the Arab population, comprising 700-800,000 people, had become refugees. Most fled to camps in Lebanon, Jordon (then including the West Bank), Syria (then including Golan Heights) and Egypt (then including Gaza). Debating the legitimacy and morality of these events is beyond the scope of this paper, but what some portray as ethnic cleansing (Pappe.2006) intensified the problem of statelessness globally, as asserted by Arendt in *Origins* (Arendt.1951) and other discourse (Arendt.1948).

The above events, exacerbated by further Arab expulsions in 1967, and coupled with the effects of Resolutions 194 and 302, in 1948 and 1949 respectively, set the stage for what is the largest and longest protracted refugee situation in existence, entailing 5.6 million refugees (UNHCR.2020). Elements of those resolutions are useful in framing discussion of this case example.

3.3.2 UN Resolution 194: Affirmation of the 'Right of Return'

Resolution 194 led to the establishment of the UNCCP, in 1948, which was mandated to "facilitate the repatriation, resettlement and economic and social rehabilitation and the payment of compensation" to Palestinian refugees, incorporating all three traditional durable solutions (UNGA.1948). UNCCP still exists on paper, but was de-funded by 1952, when it became apparent that it would be unable deliver on its mandate (Akram.2011). Resolution 194 also explicitly affirmed a Palestinian 'right of return', which already existed under the UDHR ("Everyone has the right to leave any country, including his own, and to return to his country"):

> "refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible" (UNGA.1948).

The legal legitimacy of such 'right of return' is contested by Israel and has been the subject of

considerable debate, the substance of which is beyond the scope of this paper, however, Akram notes that the UNGA has since reaffirmed Resolution 194 annually referring to such return as an 'inalienable' or 'natural' right, suggesting that it has become "binding as a matter of customary international law" (Akram.2011). Legally binding, or not, the 'right of return' is embraced by Palestinians the world over, notwithstanding the reality that actual return is not a viable durable solution given: the permanent methods utilized in conducting expulsions, Israel's repudiation of such a right, and the international community's unwillingness to enforce the UDHR and its own resolution.

Peteet (2005) and Allan (2014) present ethnographic research, together spanning 45 years (1979-2013), primarily focusing on Palestinians in Lebanon, but also considering Palestinians in other asylum countries, presenting findings that are generalizable, despite differences in the politico-legal experience of refugees across locations. For example, in Lebanon refugees do not hold citizenship and have minimal national rights, in Jordan they hold a form of legal citizenship having access to many, but not all rights that typically come with such status, whereas in Syria refugees enjoy full national rights, or at least they did before the Syrian war, except for citizenship itself. In OPT, refugees have very few rights whatsoever (Lynk.2019). The 'right of return' applies to all refugees, irrespective of nation-state citizenship or politico-legal status.

Realistically or not, in the immediate aftermath of Resolution 194, and irrespective of country of asylum, refugees believed in the prospect of returning to Palestine as not only a right, but also a potentially feasible solution. Following the end of twenty-two years of Israeli occupation of southern Lebanon in 2000, a half-century post-Resolution 194, the border "became a site of pilgrimage both for Lebanese and for Palestinians – especially for those born after 1978, who had never seen Palestine with their own eyes … they filled their pockets with Palestinian earth, and saw relatives from the OPT through barbed wire, after decades of separation" (Allan.2014). Post- 2000, during the Al Aqsa Intifada, refugee communities were radicalized, "reinvested with importance and credibility, as a moment, moreover, when an end to their struggle seemed to be in sight" (Ibid). In 2011, inspired by Arab Spring, the so called March of Return saw Palestinians from the OPT, Lebanon, Syria and Jordan march to borders with Israel, including some 40,000 refugees in Lebanon alone, prompting the editor of Israeli newspaper Haaretz to note that "the nightmare scenario Israel feared since its inception became real – that Palestinians would simply start walking from their camps towards the border and would try to exercise their right of return" (Ibid). Since 1948, Palestinians have regarded the 'right of return' as a right to an

imagined future, even though the perceived feasibility of such return has waxed and waned over the years.

It is not just myth that, even today, Palestinian refugee families cherish keys from formerly-owned properties in their homeland. Both those keys and the 'right of return' are symbols of Palestinian identity. Recalling Arendt's *We Refugees,* overcoming the effects of statelessness begins with maintaining one's identity and, whilst this might have been possible for Palestinians without Resolution 194, the 'right of return' has reinforced Palestinian identity and solidarity. It has also enabled political action and speech by Palestinians, albeit not always constructively during Intifada. Both Allan and Peteet document liminality among Palestinians, especially in Lebanon and the OPT, where refugee descendants still inhabit camps and face discrimination, not having citizenship or equal rights in Lebanon, nor any rights at all in the OPT, but also in Jordan, where they have citizenship but still experience such liminality. Palestinians have formed an evolving political community predicated upon a 'right of return' that enables them to contemplate a future that will be better, with or without restoration of citizenship. Even if the gap between past and future, as characterized by Arendt, has been protracted beyond what she may have contemplated when describing their plight in *Origins*.

The 'right of return', especially in Lebanon, where both Palestinians and Lebanese authorities have instrumentalized that right to resist integration that might serve to mitigate the effects of liminality (Peteet.2005; Allan.2014), has been a mixed blessing. On the one hand, reinforcing Palestinian identity and enabling political action and speech, but on the other hand underpinning a gap-like battleground between a cherished past and an imagined future, contributing to protracted liminality. Allan observes "that camp residents are well practiced at finding small-scale, resourceful solutions to bigger problems in order to get by and at inhabiting a hopeful politics of what might or ought to be" (Allan.2014). In Lebanon, the latest generation of refugees may be more accepting of integration as a non-citizenship based partial solution, while simultaneously acting in political community, fueled by a notional 'right of return'. That right perhaps being a partial manifestation of the 'right to have rights', facilitating existence beyond 'bare life' from an identity and action/speech perspective.

3.3.3 UN Resolution 302: Creation of UNRWA

In 1949, Resolution 302 created UNRWA, "established at the outset as a short-term 'relief and works' agency" and reaffirmed UNCCP's protection role as "the frame of reference for the

required durable solution, pending which UNRWA was to continue to provide relief" (Akram.2014). Ironically, UNRWA was supposed to be a temporary solution to address the practical needs of refugees, but only in Jordon, Lebanon, Egypt and Syria, whilst UNCCP was supposed to pursue durable solutions, providing protection to all Palestinians. As it turned out, UNCCP is basically missing-in-action, whilst UNRWA still exists as a fully-operational agency. Palestinian refugees have historically been subjected to a protection gap because: Palestinians are excluded from the 1951 Refugee Convention and, therefore, UNHCR protection; UNCCP is defunct; and UNRWA has not until recently had a formal protection mandate (Akram.2014). Fortunately, UNRWA has assumed a protection role that has evolved over the last ten years (Lilly.2018), both through its own initiative as a self-directed institutional actor (Betts 2012), and through gradual recognition of such a role for UNRWA by the UNGA (Lilly.2018). Today, UNRWA's protection mandate is formally articulated alongside its original relief and works mandate under its UNGA-approved five-year strategic plan (UNRWA.2020).

UNRWA's evolutionary role as a self-directed, transnational agency is pertinent from an Arendtian perspective. As Peteet observes, ethnographically, UNRWA's role was historically met by skepticism and resistance from refugees, due to perceived complicity of the UN in the expulsions, and a belief that UNRWA was created to enable refugee warehousing (Peteet.2005). But in later work, Peteet notes that refugees "may be reduced to 'bare life' momentarily but they quickly reconstitute their social and political worlds in the camps and suggest thinking beyond 'bio', state and citizenship as sites of political membership and identity" (Peteet.2016). UNRWA has partially enabled this transition, an example of what Arendt describes in the context of mitigating the effects of statelessness and 'mere life' through identity reinforcement and linguistic rebirth. The majority of UNRWA staff are Palestinians, and its approach to refugee participation "has evolved … from participation as a means of programme implementation towards an active, free, and meaningful partnership between the Agency and the refugees it serves" (Rempel.2010). The latest stage of such evolution is evidenced in UNRWA's self-directed adoption of a protection role, as a constructive platform for Palestinian 'action and speech', in Arendt's terms, which has partly filled the gap left by the early disappearance of the UNCCP. The relationship between UNRWA and its refugees is not perfect, as noted by Allan who observes an underlying element of distrust vis à vis UNRWA among refugees in Lebanon, but at the same time observes fear among refugees that UNRWA may be dismantled, because of the negative impact that might have on Palestinian identity and political voice (Allan.2014). The UNRWA-refugee relationship is perhaps an example of serendipitous co-dependence,

because of what Farah refers to as a "blur[ed] boundary between benefactor and beneficiary" (Farah.2010), as opposed to an example of more deliberate, bottom-up transnational socio-political community configuration as suggested by C&VH in *Refugia*.

4. *Refugia:* Time for Utopian Thinking?

This section of the paper considers *Refugia* as a suggested solution to the problem of mass displacement, focusing on its core principles as opposed to practicalities, which are explained more fully in the book itself (Refugia.2020). Annex A illustrates *Refugia*, as an imagined case-study set in the year 2030, but it is not necessary to read the case-study to follow the discussion below. This analysis of *Refugia* is based primarily on Arendt's thinking with respect to statelessness and, secondarily, draws upon the ethnographic findings in respect of actual refugee situations discussed previously.

4.1 What is *Refugia*?

Influenced by frustration regarding the international community's failure to meets its obligations with respect to refugee and migrant protection, such as those suggested in respective donor-driven Global Compacts of 2018, *Refugia* is portrayed as having begun as a "global socio-political movement agitating to resolve mass displacement" (Ibid), evolving into a transnational confederal polity that is neither a new nation-state nor a supranational organization; nor the result of a new refugee-oriented version of what Easterly refers to as the donor-driven Big Push in the context of development aid (Easterly.2006). A polity that is self-governed through a democratically elected virtual assembly, with the objective of constructing socio-political community and eventually achieving economic self-sufficiency, through development and utilization of refugee human capital (Refugia.2020). Visually, one can imagine *Refugia* as "a loosely connected archipelago that brings together hundreds of refugee communities in many territories" (Ibid), transcending national borders through virtual community. Rather than being based on specific ethnic, national or territorial identities, or traditional forms of citizenship, *Refugia* is based on a shared identity derived from the common experience of displacement, and a shared desire for social justice and dignity (Ibid), created by refugees exercising self-agency, with the support of rich, emerging-rich and asylum states, rather than the other way around with refugees as mere subjects.

C&VH provide suggestions for such self-organization, taking care not to propose prescriptive plans, because it is "crucially important" that *Refugia* is designed and implemented on the

premise of self-determination with a guiding principle of "nothing about us without us" (Ibid). They introduced the concept of *Refugia* in 2015, with the objective of suggesting what could be, versus what should be, attracting commentary and contributions from numerous experts in the field of displacement studies (Ibid). They are already achieving what seems to be their primary objective, which is to encourage thinking beyond taken-for-granted assumptions and traditional durable solutions in considering the growing problem of mass displacement.

4.1 Utopia as Method

C&VH champion 'utopia as method' as suggested by Levitas (Levitas.2013), and 'realistic utopianism' as suggested by Rawls (Thomas.2017), thinking differently and challenging "taken-for-granted" assumptions, rejecting a common perception that whilst a utopian derived idea might be desirable it will ultimately be impossible, or merely a "figment of the imagination" (Refugia.2020). Levitas asserts that as a method of challenging and looking beyond current policy discourses, utopian thinking is often appropriate and necessary to overcome policy limitations (Levitas.2013). The *Refugia* proposal has been criticized as being utopian, in the sense of being unrealistic. Given the very limited success achieved through traditional durable solutions, as discussed previously, it seems that such solutions are examples of unrealistic or even dogmatic utopianism. What C&VH consider impossible in the context of migration, is accepting "a situation where millions of people flee for their lives and languish in despair without trying to envisage a radical alternative" (Refugia.2020). It is perhaps inevitable that such impossibility will drive radical solution finding, and the *Refugia* proposal can be viewed as an attempt to steer that drive in a constructive versus detrimental manner. C&VH conclude that even a scaled-down outcome consisting of twenty *Refugium* entities world-wide, versus hundreds, or self-organization resulting in a global social movement, versus a more formalized transnational polity, would represent success (Ibid), being better than accepting the status quo. *Refugia* is considered below with both comprehensive and scaled-back outcomes in mind.

4.2 Membership versus Citizenship

Membership in the *Refugia* community is voluntary, open to all refuges and migrants and anyone else who wishes to join. Becoming a *Refugian* is motivated by the desire to belong to such a community, both for the sake of belonging and for other potential well-being benefits of such membership. *Refugians* strive for the foundation of a just and good society, "one which allows a decent life, a life worth living, for all" (Ibid), reminiscent of Sen's assertion that "the

organizing principle that places all the different bits and pieces into an integrated whole is the overarching concern with the process of enhancing individual freedoms and the social commitment to bring that about" (Sen.1999). Membership in *Refugia* does not preclude restoration of nation-state citizenship and is not necessarily a substitute for such citizenship, but where such restoration is elusive, as it is for most refugees, membership provides an alternative foundation for belonging, pursuing rights, and imagining a better future.

4.3 Restoration of Identity

In *We Refugees*, Arendt emphasized the importance of identity in mitigating the effects of the refugee experience (Arendt.1943). Ethnographically, as noted previously, the Palestinian 'right of return' and the participative nature of UNRWA, have served to reinforce identity and community belonging among such refugees. *Refugia* suggests voluntary membership in a transnational movement that is predicated upon shared identity resulting from the common experience of displacement, rather than shared citizenship or ethnic characteristics. Eventual citizenship in *Refugia* or actual nation-states, while not precluded, is not a precondition for restoration of identity as a *Refugian*. Although a *Refugian* flag and anthem have been conceptualized (Refugia.2020), these are demonstrations of rather than requisites of such identity. *Refugian* identity offers the prospect of restoring individual and community identity that is insulated from ethnic, national or political baggage.

4.4 Enabling Action and Speech

Arendt emphasized the importance of the freedom to act and speak, being seen and heard, as a means of accessing plurality to realize human versus bare life. This paper suggests that such freedom is a possible manifestation of the first 'right' in the 'right to have rights'. As suggested in *Origins*, loss of nation-state citizenship may initially strip away this first 'right', but Arendt's thinking in later discourse such as *THC*, suggests that restoration of such citizenship is not necessarily a must-have condition of human life. *Refugia* does not suggest that restoration of nation-state citizenship is not a worthwhile goal, but that to the extent that such restoration is an elusive outcome, alternative modes of action and speech need to be sought. *Refugia* is envisaged as a transnational polity, with democratically elected leadership, perhaps with recognition by and participation in the UN. But even as a less structured transnational social movement, *Refugia* would provide refugees with the opportunity to act and speak as members of a socio-political community, in a manner not unlike how UN affirmation of the 'right of return'

and an evolved UNRWA have facilitated action and speech for Palestinians. *Refugia*, unlike UNRWA, would not be subject to a UN mandate and would not entail historical, political legacies, such as those highlighted by Peteet and Allan.

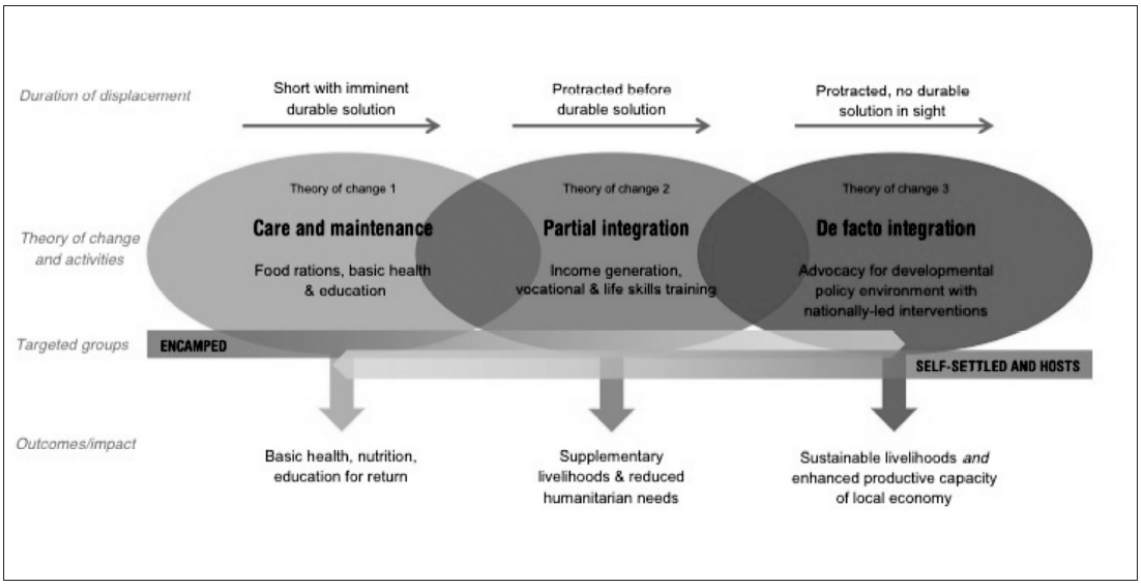
C&VH note that UNRWA resembles a quasi-state, operating transnationally across its fields of operation, is largely staffed by Palestinians, and may represent "an admittedly imperfect, but, nonetheless, real-world example of transnational governance that could preconfigure that of *Refugia*" (Refugia.2020). While expulsion of Palestinians was taking place 70 years ago, as discussed previously, Arendt proposed a new form of confederal polity, versus partition or establishment of an exclusive Israeli state, as an alternative solution to Jewish and Arab statelessness (Arendt.1948). That polity would have initially been formed under UN trusteeship, with a view to eventual independence and confederal self-determination. It is likely too late to revisit Arendt's proposal, but it is notable that Palestinian experience and aspirations in respect of self-determination suggest that assuming a leadership role in *Refugia* might serve as a similar alternative for a Palestinian future, should formation of a Palestinian nation-state prove impossible.

4.5 Minimizing Liminality in Gaps Between Past and Future

In the context of Arendt's thinking, as discussed previously, displacement can be thought of as a gap between past and future for refugees and migrants. Junctures in the arche of life where troubled pasts intersect with imagined futures, and the right to act and speak with others in political community influences the duration of such junctures and actual future trajectories. Realizing such 'right to have rights' in Arendt's thinking represents a second, or linguistic, natality that allows the arche to continue as human versus bare life. *Refugia* would potentially provide a platform for self-determination through action and speech in more immediate phases of displacement, perhaps mitigating protracted displacement, but more importantly mitigating protracted bare life by enabling participation in an established political community almost immediately.

In this paper, it has been noted that the high bar entailed in traditional durable solutions, such as resettlement or repatriation that are predicated upon restoration of nation-state citizenship, can lead to exacerbation of the effects of liminality or 'bare life', unrealistic imaginaries of the future, suspension of rights of action and speech, and protracted displacement. In Lebanon, return as a durable solution has historically inhibited integration. *Refugia* does not preclude resettlement

or repatriation, nor does it suggest or imply not integrating in host countries. *Refugia* is sufficiently adaptable to accommodate host country integration to the extent and manner practicable in a given situation and would also be compatible with phased displacement solutions that support partial or de facto integration, not based on nation-state citizenship, such as those depicted in a recent HPG report:



Source: Crawford et al, 2015

One could view *Refugia* as both a mode and form of non-traditional integration, not being predicated upon nation-state citizenship, and as a platform for negotiating with host governments, as well as leveraging arms-length funding from the UN and donor states, which might include compensation from origin states, such as Israel in the case of Palestinians. Refugia would effectively empower refugees to play a lead role in navigating the phases of displacement depicted above.

The *Refugia* proposal promotes identity and suggests opportunities for action and speech through democratic participation as a member of political community based on shared identity. And more importantly, scope for self-determination in realizing actual future trajectories, irrespective of whether restoration of nation-state citizenship forms part of that future. *Refugia* may not represent an exact manifestation of what Arendt had in mind when thinking about the 'right to have rights', but it does represent a much closer facsimile than might otherwise be available in displacement, and a means to minimize liminality in gaps between past and future.

5. Discussion

5.1 To what extent is restoration of nation-state citizenship necessary to mitigate the implications of refugee statelessness, considered through the lens of Hannah Arendt's theoretical discourse?

Narrow consideration of Arendt's early discourse in *Origins* could suggest that her view was that restoration of nation-state citizenship is necessary to mitigate the *implications* of statelessness, but revisiting such discourse suggests that Arendt was simply stating a personal observation that, subsequent to being deprived of citizenship, she and others only became aware of a 'right to have rights' upon losing that right and that being reduced to life as a mere human simply exposes the reality that being human is not enough to guarantee access to that right. Rather than her point being than that citizenship itself confers any such guarantee, or that restoration of citizenship is the only way of mitigating the *implications* of statelessness. Examination of Arendt's lifelong body of work reveals that her experience as a stateless person was an event that visibly and less visibly corresponds across that discourse, pointing to more substantive remedial imperatives than citizenship. In *We Refugees*, Arendt emphasizes the importance of maintaining identity as a refugee. In illustrating *la vita activa* in *THC*, her depiction of action and speech as a manifestation of human life, directly relates to and augments her observation in *Origins* that the right to be "judged by one's actions and opinions" and to "belong to some kind of organized community" is constitutive of the 'right to have rights'. In *BPF*, Arendt's portrayal of the present as a juncture, or battleground, between past and future, concludes that being able to act and speak in political community provides a means to achieve linguistic rebirth, influencing actual future trajectories that are more desirable than imagined trajectories, warning that the result of not having the right to act and speak in community can lead to prolonged junctures, or liminality. Arendt's post-*Origins* discourse, although less personal and not as obviously pertaining to statelessness, was clearly influenced by her own experience in statelessness, and is not consistent with the view that restoration of citizenship is categorically necessary to emerge from 'mere life' and reverse deprivation with respect to the 'right to have rights', being the most prominent *implications* of statelessness, from Arendt's perspective.

5.2 Are traditional durable solutions for refugees, which are predicated upon restoration of nation-state citizenship, effective in practice?

Durable solutions, as defined and pursued by the UN (repatriation, integration, resettlement),

are considered 'traditional' in this paper because they predicated upon the restoration of citizenship. They are not effective in practice, based on objective evidence in UNHCR data, which indicates that success rates in achieving such traditional solutions for refugees are marginal, at best. Repatriation, or return, may be a solution for some early-stage displaced people, but is an elusive objective for actual refugees. In Palestinian ethnographies, it is observed that actual repatriation is realistically improbable, although the 'right of return' does function as a source of Palestinian identity and a platform for action and speech in political community, supported by the presence of UNRWA, which are important factors from Arendt's perspective in that they may partially mitigate liminality. However, these derivative effects of such 'right of return' are independent of the efficacy of 'repatriation' as a traditionally implemented durable solution. Moreover, the 'right of return' is also seen as an inhibitor vis à vis integration, especially in Lebanon. As a solution, the relevance of integration is limited, in practice and as defined and pursued by the UN, in so far as success is predicated upon restoration of citizenship. In Ramsay's ethnography, it is noted that resettlement is not an automatic solution to displacement, and for some it is not a solution at all. Misleading imagined futures in resettlement can, at worst, lead to harm and, at best, prolonged liminality for refugees. As a basis for traditional durable solutions, restoration of actual nation-state citizenship as a measure of success is too narrow in and of itself, suggesting that to extent that durable solutions continue to be predicated upon restoration of nation-state citizenship, such solutions will remain largely ineffective.

5.3 To what extent does C&VH's *Refugia* proposal represent a conceptually effective alternative to traditional durable solutions, viewed through the lens of Arendt's thinking?

The *Refugia* proposal is a conceptually effective alternative to traditional durable solutions, based on Arendt's thinking, and a more realistic solution given that *Refugia* is not predicated upon restoration of nation-state citizenship, which is prohibitively challenging. *Refugia* does not preclude restoration of such citizenship, which no durable solution formulation should. Moreover, from a 'right to have rights' and 'bare life' perspective, *Refugia* would entail a readily accessible source of constructive identity and platform for socio-political community action and speech, minimizing the nature and protraction of liminality, irrespective of whether nation-state citizenship is eventually restored. *Refugia* suggests a new configuration of integration, given that *Refugians* would be inherently embedded within existing nations-states, compatible with

existing models of partial or de facto integration. Irrespective of whether *Refugia* manifests as a formally governed democratic transnational polity or as a scaled-back, but nonetheless robust, global socio-political movement, *Refugia* would be premised upon inclusive institutional principles, including *inter alia*: voluntary versus mandatory membership, universal versus national or ethnic identity construction, self-agency versus donor-driven policy formulation, and self-reliance versus dependency. In addition to representing a conceptually effective and more inclusive alternative to traditional durable solutions, *Refugia* represents a more realistic approach to realizing meaningful future trajectories in junctures between past and future, than unrealistically expecting traditional durable solutions to become more effective.

6. Conclusion

This paper revisits Hannah Arendt's discourse as it pertains to the need for restoration of nation-state citizenship in mitigating the implications of refugee statelessness. It was inspired by a desire to explore within the layers of her early discourse, in which she visibly opined on that subject, and within later discourse, which was less personal and situationally-specific, exploring a hypothesis that her personal experience as a stateless person is an event that at first visibly, and then implicitly, corresponds across the arche of her life's work. It was also inspired by a desire to challenge a 'taken-for-granted' assumption that restoration of nation-state citizenship, through traditional durable solutions for example, is necessary to mitigate 'bare life' and regain the 'right to have rights'. Arendt's thinking is applied as a theoretical lens through which to consider actual refugee experiences in the context of traditional durable solutions and to conceptually assess the merits of *Refugia*, as an imagined case study and suggested alternative durable solution. The paper concludes that restoration of nation-state citizenship should not be categorically viewed as necessary in mitigating the implications of refugee statelessness in so far as Arendt's discourse suggests more important considerations, that traditional durable solutions predicated upon such citizenship are not effective in practice, and that in the context of these findings, the *Refugia* proposal represents a conceptually effective alternative to traditional durable solutions. As a theoretical lens, Arendt's lateral body of thought is contemporarily relevant in the study of statelessness and durable solutions to address its implications.

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Annex A

Source: Verbatim excerpt from *Refugia* (2020)

REFUGIA 2030

It is 2030 CE.

Trends that emerged in the first part of the 2000s towards the polarization of liberal cosmopolitans and illiberal parochials have hardened. This is reflected spatially by the division of the world into metropolitan, liberal megacities with progressive administrations, often in conflict with the authoritarian national governments of the countries in which they sit: the latter's power is drawn from conservative supporters in smaller towns and the countryside.

Even more seriously, identity conflicts fuelled by ethnic, nationalist, and religious loyalties, and exacerbated by climate breakdown, continue to convulse many parts of the world, particularly a swath of territory from western China to western Africa: religious and ethno-nationalist insurgents are locked in intermittent low-level conflict that erupts into full-scale war from time to time. Big and 'emergent' powers – China, India, Russia, Europe, the United States, Brazil, Indonesia, Iran, Saudi Arabia, and others – continue to be dragged into many-sided proxy wars. Commentators term this condition as 'permaconflict', and millions of displaced people are on the move as a result.

More positively, a transnational polity called *Refugia* is consolidating itself after a shaky start following the failure of the Global Compacts on Refugees and Migration that were meant to regulate and make safe the movement of migrants and refugees. Beginning as a global socio-political movement agitating to resolve mass displacement, Refugia is not a new nation-state, but rather a transnational or cross-national entity. Confederal in character, the best analogy is with a loosely connected archipelago that brings together hundreds of refugee communities in many territories, be they in neighbouring societies or in more distant countries of settlement. Refugia is in part spontaneously fashioned and in part the outcome of a grand bargain – between richer states and 'emergent' countries, countries neighbouring conflict zones, and, crucially, refugees themselves.

The constituent territories of Refugia are in effect licensed – or at least tacitly tolerated – by the nation-states or local authorities within whose territories they lie. A collective name for such hosts has been coined by some refugees. *Somewhereland*, they call it – a pointed way of defining places that have encouraged refugee settlement or, at least, tolerated their presence[2]. While not according refugees full citizenship or even processing most of their asylum claims, some south European, African, west Asian, and South American states have taken an early

[2] We are not quite sure but suspect that the name Somewhereland is an ironic nod to Goodhart (2017), who, in his analysis of the appeal of populism, saw the world as divided between 'Anywheres' (liberal, rootless metropolitans) and 'Somewheres' (grounded provincial folk deeply committed to places in small towns and the countryside). It is instructive that that the refugee activists who coined the word 'Somewhereland' avoided the terms Anywhereland or Nowhereland, despite the fact that the social construction of Refugia has drawn on utopian thinking. In this respect, we note that the original meaning of utopia was 'no place', and that William Morris's most famous utopian tract was titled *News from Nowhere* (1890). Refugians clearly want to be somewhere!

lead in accommodating one or more *refugiums* (components of the transnational collectivity Refugia). Small, local communities and many municipal administrations of liberal-run megacities have done likewise – sometimes against the wishes of the authoritarian nation-states in which they lie. There are now, in 2030, over 300 refugiums worldwide.

Governance

Refugia has some of the symbols of trans-nationhood, having adopted the flag and the anthem of a 'Refugee Nation', designed and composed by Syrian refugees in 2018. However, at the heart of Refugia are self-governing constituent components, which Refugians confidently proclaim will eventually be self-supporting. Refugia as a whole is governed by a transnational virtual assembly, elected by Refugians from all the constituent components of the polity. Periodic face-to-face refugee assemblies have also been convened, the first in Europe (2018), with subsequent parliaments in Asia, Africa, and the Americas. These overarching structures represent Refugia globally, but there are also constituent assemblies in each refugium that feed into this global representation, as well as represent the interests of Refugians to their particular host society – and also channel the concerns of the host society to Refugians.

Refugians hold multiple belongings: they can move among different parts of Refugia, and, where negotiated, between those Somewherelands that are sovereign nations or common travel areas. This is facilitated by the *Sesame Pass*, which encrypts the entitlements that Refugians hold.[3] Many Refugians are also citizens or recognized residents of the Somewhereland states that license their territories, in which case they are subject to the laws of both Refugia and the Somewhereland host state. Some Refugians live in discrete territories or spaces; others live side by side with Somewherelanders, especially in large, metropolitan cities.[4] The upshot is that refugees are no longer primarily the responsibility of the Somewhereland nation-state that 'hosts' them, but of a more diffuse entity – Refugia.

Interestingly, a considerable number of citizens of Somewhereland 'host' societies have become Refugians by choice, where local assemblies have accepted their applications. When interviewed, those who have become elective Refugians have said they seek alternative forms of living to those in authoritarian democracies that hold sway in much of the world. Therefore, as well as those displaced by conflict, Refugia attracts the left-outs of neo-illiberalism, just as authoritarian democracies appealed to and incorporated the left-behinds of neo-liberal globalization from the 2010s.

[3] The *Sesame Pass* is available as an app, while subcutaneous chips and even old-fashioned cards are offered. Based on platforms independent of the big tech corporations, they provide a secure digital identity, access to entitlements, the means of participation in governance, and support many other aspects of Refugia membership. The functions of an early model Sesame card were first outlined by two friends of Refugia, Cohen and Van Hear (2017). The name derived from the expression 'open Sesame' (Arabic: سمسم يا إفتح) used in the Arab folk tale, Ali Baba, showing the way to a cave of treasures. The principal treasures Refugians seek are security and dignity. One might note in passing that the Chinese retail giant, Alibaba, has also appropriated the Arab folk tale to develop a 'Sesame Credit score' for its customers, a rather different exercise.

[4] Literary critics have noticed that in this respect, Refugia is in some ways a benevolent version of China Miéville's dystopian novel *The City and the City* (2011) and also resonates with Mohsin Hamid's novel *Exit West* (2017).

Economy

Refugia's economy builds on the skills of Refugians in cultural and creative industries, education, and digital commerce and services and is based on the proliferation of various kinds of distance work. Some employment has been negotiated in special Refugee Economic Zones located between Refugia and Somewhereland.[5] Also by mutual agreement, some Refugians can work in Somewhereland proper, with agreed proportions of tax revenue having been negotiated by the two polities. However, as Refugia becomes more autonomous economically, this kind of dependent work is diminishing. Refugia as a whole is at the forefront of innovations under the aegis of Global Green, the successor to the Green Emergency Deal, which two-thirds of the world's countries signed up to in the early 2020s.

Substantial portions of the stock of housing and commercial property are held in trust by Refugia to accommodate and provide workspaces for the 'churn' of Refugians passing through different parts of Refugia over time or moving on to Somewherelands that have admitted them. In keeping with Global Green, the stock of Refugians in any one refugium is determined by a 'Capacity Rating', derived from an algorithm negotiated with the host society. Devised by Refugian digital specialists wary of covert control by the technology corporations, the algorithm includes such elements as local housing stock, employment and self-employment numbers, ecological impact assessments, and various demographic indicators that support the liberal provisions of Refugia's progressive outlook. In most cases, the agreed Capacity Rating has obviated the need for a repressive immigration policy.

Refugians pay some taxes or contributions to the nation-states within which they live, but also to the wider Refugia polity. A portion of the latter revenue provides support for those who choose to stay in their regions of origin – in a similar manner to the way in which remittances have been deployed. Taxes also provide a means of cross-subsidy among differently endowed parts of Refugia.

Overall character

Refugia at large is not based on ethnicity, nationality, or religion. Permaconflict has convinced many people of the fallacy of basing communities on narrowly defined identifications. Inevitably, some heritage identities still persist in vestigial form. However, Refugians have of necessity been pressed into collective activity across such affiliations by their experience of forced movement, the hostility of some host governments, and the process of building new communities. Differences are respected, but Refugians have been driven by their everyday challenges to create a new kind of polity that is democratic, self-sustaining, and forward-looking – and not based on identity politics.

Since Refugia has been formed cumulatively and incrementally, the confederal transnational polity has been able to experiment with forms of inter-governmental relations and economy to see what works and what does not. In terms of borders, most of the constituent units of Refugia have negotiated a porous border with surrounding host states, slowly and incrementally moving goods, information, and people between old political borders without disrupting long-held territorial identities. Some have created 'social ecotones' (mutually accessed public spaces).

[5] These were first proposed by Alexander Betts and Paul Collier (2017) and have proved a means of providing employment in some cases, though there have been persistent complaints of exploitation by employers.

This gradual evolution of zones where different ethnicities cohabited became necessary when trials of completely open borders triggered outbreaks of violence by xenophobes in the illiberal nation-states.

In terms of economy, parts of Refugia are at the forefront of post-capitalist global utopian experiments to supplant actually existing capitalism. Some have tried out peer-to-peer, sharing economies and horizontal forms of sociality, which seek to prefigure a post-capitalist networked society and green economy – based on production and distribution of information and knowledge rather than market-based relations.[6] Other parts go along with conventional capitalism – though of a Social Democratic, welfarist kind – unlike the neo-liberal and authoritarian variants of capitalism that still are found in many Somewherelands. (As mentioned, some Refugians reluctantly work in a number of economic zones located in the ecotones between Refugia and Somewhereland.)

In sum, Refugia is a pragmatic arrangement, a kind of secession by mutual agreement. For their part, authoritarian and illiberal states see it as in their interest to shuffle off the issue of displacement to the displaced themselves, while the displaced and those seeking an alternative to authoritarianism relish the prospect of a self-managed new society that they create by and for themselves. As Refugians readily concede, they certainly do not currently live in Utopia, but this has not prevented them from dreaming utopian dreams and making plans for a better future for themselves and their children.

[6] These Refugians are ‘new historical subjects’, akin to Paul Mason’s (2015) fully networked individuals.