

MIGRATION AND HUMAN RIGHTS: The Ethics of Alterity and the Inclusion of the Other

Keywords: Migration, Human Rights, Prejudices, Human dignity, Law, Philosophy, Literature

Learning Objectives: The students will be able to analyze the main problems raised by the current migratory. They will investigate the reasons why very often migrants are exploited, their human rights are abused and why richer countries usually refuse requests for help coming from people escaping poverty or war in their home countries. The students will be able to interpret if the slogan “the boat is full”, that epitomizes, as Habermas said, the unwillingness to help, could be a reasonable answer from a human rights perspective.

Material:

J. Habermas, *Struggles for Recognition in the Democratic Constitutional State* in A. Gutman (Ed), *Multiculturalism: Examining the Politics of Recognition*, Princeton UP, 1994, pp. 107-147, in particular the paragraph *Immigration, Citizenship and National Identity* pp. 135-142;

K. Koser, *International Migration. A Very Short Introduction*, Oxford UP, 2007;

F. Kafka, *The Castle*, Oxford UP, 2009;

G. Ungaretti, *In memoriam*, (poem) available online <http://cargocollective.com/lefke/Giuseppe-Ungaretti>.

Additional recommended reading:

Stephen Castles, Mark J. Miller, *The Age of Migration. International Population Movements in the Modern World*, The Guilford Press, New York 1993.

Synopsis of Material:

In order to understand the reasons of the abuse of migrants and refugees, it is important to know and face the many prejudices against foreigners. It is useful to consider the problem from a famous novel like ***The Castle by Kafka*** which expresses the irrational hate against and fear of strangers. This novel helps to understand why the stranger is usually considered a “superfluous person getting in everyone’s way, a man who is always causing problems”. Reading the poem ***In memoriam by Guiseppe Ungaretti*** can be useful since it expresses how difficult it is for a stranger to become a member of a new country and to be considered a part of it. At the same time, the poem reveals the pain of losing own traditions and culture.

In ***Struggles for Recognition in the Democratic Constitutional State***, Habermas underlines the difficulties of the ethnic and cultural minorities for recognition of their collective identities. Habermas suggests considering the problem from a moral point of view. From this perspective, there is a basis for a liberal immigration policy that gives rise to an obligation not to limit

immigration quotas to the recipient country's economic needs, but to establish quotas according to criteria that are acceptable from the perspectives of all parties involved.

International Migration by Koser is a useful introduction to the problem. Thanks to this reading the student will be able to define who is a migrant, to distinguish between regular and irregular migration, to identify who are refugees and asylum seekers, to distinguish between high skilled and low skilled migrants, adults and children. Here the positive contribution of migration in a new society is well explained, considering it from a point of view of the economic, cultural and human enhancement.

Recommended Background Information:

Students should be familiar with the **United Nations Convention on Migrants' Rights**. The Convention does not create new rights but aims to guarantee equality of treatment, same work conditions, and a decent life. They should also know the **Convention Relating to the Status of Refugees**.

Discussion Questions/Activity:

Considering the novel, the poem and Habermas's and Koser's texts, the students are invited to rationalize why strangers are usually not welcomed and to express the typical fears against them. The discussion could begin by inviting students to answer the following questions: Which is the spontaneous reply to migration? How are the strangers usually welcomed? Is it possible to notice a different treatment in terms of welcome between rich and poor migrants? Do the religious beliefs, or the cultural backgrounds, or the ethnic origins, represent factors that, in some way, can influence the reply to the request of need coming from migrants?

The discussion can help to understand how irrational some types of fear are and to recognize how heavy these fears burden laws. Regarding this matter, the students could answer the following questions: Do we fear the presence of migrants? And if yes, why? Does the stranger represent a threat for the new country? And if yes, from which point of view? From the moral point of view, does country "belong" to its citizens?

Follow up questions could include: If you were a person in need, what answer would you like to receive? Considering the matter from the perspective of the values of freedom and human dignity which kind of moral and legal obligation could we find? Do you think that the national and international legislations can properly face the problems raised by migration?

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