
ONTOLOGY OF ASYLUM

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Introduction

Borrowing from Shé Hawke and her text on liminal subjects and related ethics of hospitality, we have entitled this edited volume “Ontologies of Asylum.”¹ Hawke, also contributing to this volume, conceptualizes an innovative ethical thinking of how to embody hospitality toward the liminal Other (migrant, refugee...); playing with the *hospitality-hostility* etymological divide, she inaugurates a new kind of thinking, being able to in-corp-orate rather than assimilate the other, by calling this move “the ontology of asylum² - i.e. as thinking, being able to reflect upon “refugee and migrant ‘bodies’ seeking cultural in-corporation.”³ Her insightful essay and the current world-wide refugee situation has invited to expand on the notion of ontology of the asylum.

Increasing numbers of refugees in diverse parts of the world has initiated a new episode in debates about asylum and human rights issues in academic, political and legal domain that demonstrate the complexity and salience of migration challenges for contemporary societies on one hand and indicate the emergence of new conceptual and political vocabularies in asylum rhetoric the on the other. The refugee crisis in Europe points to the thought-provoking argument that “organizations as well as the single states – all the solemn evocations of the inalienable rights of human beings notwithstanding – have proved to be absolutely incapable not only of solving the problem but also of facing it

¹ See Shé Hawke, “Graft versus Hofstede: Waters that Convey and Harbors that Reject Liminal Subjects – Toward a New Ethics of Hospitality,” in *Borders and Debordering: Topologies, Praxes, Hospitableness*, eds. Tomaž Grušovnik, Eduardo Mendieta and Lenart Škof (Lanham, Boulder and New York / London: Lexington Books, 2018).

² Ibid. See xiii (Introduction), and p. 198 for the ontology of asylum.

³ Ibid.

in an adequate manner”, as Agamben put it.⁴ The need to revisit the notion of asylum taking start from different humanistic and social science viewpoints therefore comes timely and foremost as a necessity to investigate the ontologies that constitute asylum, focusing particularly on its social, cultural, religious, legal, political and ethical dimensions. Hence, the current special issue of Poligrafi devotes attention to assessing theoretical foundations, philosophical categories, ethical presuppositions, moral logics, legal and practical conditions, which the notion of asylum rests on.

When coming across the notion of asylum many of us most likely think of contemporary refugees and migration movements. Several of us probably also think of human rights, not surprisingly of course, since Article 14 of the Universal Declaration of Human Rights (1948) advocates for everyone’s right to seek and to enjoy in other countries asylum from persecution, which was framed as a response to the atrocities and horrors of the Second World War, when the world faced a large number of refugees and stateless people in need of protection. While it is true that the rights of refugees were legally formalized in contemporary form with the United Nations Convention Relating to the Status of Refugees in 1951 (the UN Refugee Convention) – under which seeking asylum came to be understood as a fundamental human right that states have to provide universally without distinction – one must not neglect the fact that idea of asylum has a long philosophical and political history.⁵

Mark Goodale offers particularly valuable characterization of human rights, which can be constructively extended to ontological understanding of asylum; as he says, human rights may be approached broadly – as “the phrase that captures the constellation of philosophical, practical and phenomenological dimensions through which universal rights, rights believed to be entailed by a come human nature, are enacted, debated, practiced, violated envisioned and experienced.”⁶

⁴ Giorgio Agamben, “Beyond Human Rights,” in *Radical Thought in Italy*, eds. Paolo Virno and Michael Hardt (Minneapolis: University of Minnesota Press, 1997), 160.

⁵ Matthew E. Price, *Rethinking Asylum: History, Purpose, and Limits* (Cambridge: Cambridge University Press, 2009).

⁶ Mark Goodale, “Toward a Critical Anthropology of Human Rights,” in *Human Rights: An Anthropological Reader*, ed. Mark Goodale (Chichester and Malden: Wiley-Blackwell, 2009), 378.

What is evident from his standpoint is a claim that human rights, including the right to seek and enjoy asylum, involve concepts, practices and experiences, which are prior to and go beyond the merely instrumental or legal aspects of rights.

In line with this argument, the Poligrafi special issue has been initiated precisely to bring attention to the ontological aspects of asylum, not take it for granted or given but to consider the underlying presuppositions that determine what is to count as an asylum, how it is brought into being, what are its categorical and existential preconditions, what concepts it is comprised of, how it is practiced and so on. While acknowledging that asylum exists as a result of historical conditions, ethical frameworks and socio-political circumstances, which had affected manifestations of asylum concept in variety of historical context,⁷ this introductory article however follows a different quest – drawing from Foucault’s theoretical framework, it principally aims to elucidate the right to seek asylum as framed in international law, particularly in relation to contemporary politics and legal practices and to some extent also, our present everyday lives.

Outline of Ontology of Asylum

If ontology is a basic “doctrine of being,” then countless classical and contemporary thinkers may be rightfully be called ontologists.⁸ Notwithstanding the multiplicity of the topics and variety of paradigmatic approaches to notion of asylum, grasping it at ontological level, ensuing Glynos and Howarth,⁹ necessarily involves reflecting on its social, political, ideological and ethical dimensions, as well as focusing on related objects, processes, events, determination, dependency, composition and so on. Taking one step further, ontology, as used by Heidegger, refers to an “empty sense of nonbinding indications” – indefinite and

⁷ See e.g. Simon Behrman, *Law and Asylum: Space, Subject, Resistance* (London: Routledge, 2018).

⁸ See Roberto Poli and Johanna Seibt, ed., *Theory and Applications of Ontology: Philosophical Perspectives* (Dordrecht, Heidelberg, London and New York: Springer, 2010).

⁹ Jason Glynos and David R. Howarth, *Logics of Critical Explanation in Social and Political Theory* (Abingdon: Routledge, 2007), 104.

vague directive of how being should in some thematic way come to be investigated and come to language:

Ontology of nature, ontology of culture, material ontologies – they form the disciplines in which the content of the objects in these regions is drawn out as subject matter and displayed in its categorial character. What is thus made available then serves as a guide for problems of *constitution*, the structural and genetic contexts of *consciousness of objects* of this or that kind.¹⁰

Clearly, ontology refers to an approach that involves an investigation into objects' existence, their interdependence with other objects, their inherent logics and embeddedness in social hierarchies. The pathway to understanding the notion of asylum ontologically is thus not in looking for the unity of its objects, its uniform type of statements, its common concepts or themes; rather than unity, following Foucault, we will encounter a variety of possibilities that, however enable the use of different topics or even the integration of the same theme into a different whole. For this reason, Foucault relies on discovering systems of dispersion between objects, types of statement, concepts, or thematic choices to see if there is a regularity in dispersion.¹¹

Ontology of asylum accordingly embraces plurality of approaches into a singular form while recognizing multiplicity of distinctive ways for grasping asylum – such as humanitarian, political, theological, activist, historical, institutional etc. –, which may be pursued as fragments that emerge around the notion of asylum and combine into a single system of “discursive formation”; this encompasses examining the mode of its being, paying attention to how it has emerged, why, when and where it appeared, and why it has remained in our contemporary societies in the present form. Ontological examination then inherently involves the examination of practices, politics, knowledge, logics and rationalities that had constituted the grounds of asylum in a broad sense. This is why it is possible to associate asylum with religious texts, antique mythology, classical philosophy, international law and contemporary politics

¹⁰ Martin Heidegger, *Ontology - The Hermeneutics of Facticity*, trans. John van Buren (Bloomington: Indiana University Press, 1999), 1–2.

¹¹ Michel Foucault, *The Archaeology of Knowledge*, trans. Alan Mark Sheridan-Smith (New York: Pantheon Books, 1972), 37.

while at the same time admit the qualitative differences in how asylum is formed in each specific domain or field. However, all too often the analogies and similarities between the ideas of distant periods and those in modern times are being developed, which may lead to omitting the contextualization of examined concepts and neglecting vital questions concerning the functions of asylum in a particular historical period, its practical implications and scope within tangible social relations, power and governance.

Congruently the right to seek and enjoy asylum likewise should not be comprehended as a simple right designed in response to the atrocities and horrors of the Second World War, but rather as a concept that emerged under the positive conditions of a complex group of ethical, social and political relations – a right that can only be understood if not taken as given but examined through its underlying presuppositions that determine what is said about asylum, how it is brought into being, what its categorical and existential preconditions are, what concepts it is comprised of, how it is put into policies and practice and so on.¹²

Some Thoughts on Politics and the Right to Seek Asylum

Foucault affirms the ontological view in the above-mentioned sense by claiming all objects are historically contingent. His move opens way to explanations of rival discursive frameworks, which result from epochal social practices of power, while admitting the power relations and their constitutive role in our conception of reality. The key idea behind Foucault's notion of power / knowledge is that social practices always incorporate power relations, which become constitutive of the subject as well as of the objects of knowledge. Argued by Johanna Oksala, Foucault in this manner accomplishes the politicization of ontology,¹³ which, I believe, is indispensable for bringing the question of politics into ontological investigation of the modern right to seek asylum.

¹² Glynnos and Howarth, *Logics of Critical Explanation*, 108.

¹³ Johanna Oksala, "Foucault's politicization of ontology," *Continental Philosophy Review*, 43, no. 4 (2010).

In the *Archaeology of Knowledge*, Foucault repeatedly argues that in order to characterize specific discourse it is necessary to determine – not what has been said about a particular object but why a particular statement appears at a particular place, and not any other, or, in his words, it is necessary to “grasp the statement in the exact specificity of its occurrence; determine its conditions of existence, fix at least its limits, establish its correlations with other statements that may be connected with it, and show what other forms of statement it excludes.”¹⁴ This essentially brings our focus to examination of knowledge, practices, ethics and types of rationalities, that in turn made the intelligibility of the right to seek asylum possible.

On the other hand, this method may take the opposite stand and start from the “history of the present.”¹⁵ In order to explain the contemporary political and ethical problems, this method explicitly and self-reflectively instigates with a diagnosis of a current situation. After locating the existing technology of power this approach seeks to identify where it arose, took shape, gained importance;¹⁶ in words of Foucault, this is “a matter of analyzing, not behaviors or ideas, nor societies and their ‘ideologies,’ but the problematizations through which being offers itself to be, necessarily, thought-and the practices on the basis of which these problematizations are formed.”¹⁷

This way, the examination of asylum would for instance start from Article 14 of the Universal Declaration of Human Rights and ask “how did we get here?”¹⁸ Line of inquiry would then attempt to explain the right to seek asylum as an effect of governmental policies, logics, and rationalities, which had legitimized fields of political intervention in individuals’ private lives – it would link the right to seek asylum to the very acceptability of integrating the domains of human rights, such as

¹⁴ Foucault, *The Archaeology of Knowledge*, 107.

¹⁵ David Garland, “What is a ‘history of the present?’ On Foucault’s genealogies and their critical preconditions,” *Punishment & Society* 16, no. 4 (2014).

¹⁶ Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics* (Chicago: The University of Chicago Press, 1983), 119.

¹⁷ Michel Foucault, *The History of Sexuality: The Use of Pleasure Volume 2*, trans. Robert Hurley (New York: Vintage Books, 1990), 11.

¹⁸ Dreyfus and Rabinow, *Michel Foucault*, 119.

liberty, freedom, dignity, equality, security and well-being, into state policies and governmental practices.

This is something that I argue here i.e. that the contemporary right to seek asylum has only become possible due to governmental logic, through which subjects became integrated into political scheme. This right, put shortly, is an effect of evolving governing practices, appearing in the texts as early as in 16th century, dealing with the question of best governing of the state. Increasingly, these texts had presented a ruler, traditionally utterly indifferent to its subjects' welfare and well-being, as the main protector of rights relying mostly on the language of *pastoral power*, which, as Foucault (2007) explains, enabled the state to appear as a beneficial power with responsibility to take care of each individual and the population as whole (*Omnes et Singulatim*). The security and prosperity of the individuals and the population had gradually entered politics as a new assignment of the government, ever more involved with the logic of good management. The new task of government was thus progressively defined by the objective to ensure people's security, prevent hunger, to improve living conditions, to increase wealth, upsurge longevity, broaden education, to preserve dignity, ensure health care and the like.¹⁹ It is in the light of this governmental power, Foucault says, that the

The "right" to life, to one's body, to health, to happiness, to the satisfaction of needs, and beyond all the oppressions or "alienations," the "right" to rediscover what one is and all that one can be, this "right" – which the classical juridical system was utterly incapable of comprehending, was the political response to all these new procedures of power which did not derive, either, from the traditional right of sovereignty.²⁰

Correspondingly, it is the same political framework that gave rise to the right to seek asylum, which offered a space of its emergence in a form of a *right* and as a *legitimate entitlement* that modern individuals can rightfully claim within the relationship between an individual and

¹⁹ Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977–78*, ed. Michel Senellart, trans. Graham Burchell (New York: Picador and Palgrave Macmillan, 2009).

²⁰ Michel Foucault, *The History of Sexuality*, trans. Robert Hurley (New York: Pantheon Books, 1978), 145.

the state. Modern right to seek asylum is not an apolitical discovery, an ultimate form of protection, but rather is inherent part of politics, something that has been and remains to be produced by liberal political practices and technologies of power, which for Foucault are inherently linked to modern biopolitics.²¹

Political Significance of Contemporary Right to Seek Asylum

When it comes to present-day refugees, Hannah Arendt is one of most widely cited authors who convincingly argued in her seminal *Origins of Totalitarianism* that human rights can only be realized through the membership of the political community. Her position invites to consider the implications and relevance it has in relation to political significance of asylum, especially in view of contemporary migration movements typically affected by objective-oriented selectivity of semi-permeable national borders that manifests in the construction of illegality of people and their movement. At the time when Arendt was writing *Origins*, the UN Refugee Convention had not yet entered into force. It cannot be a surprise then, her statement in relation to the stateless and refugees that “the prolongation of their lives is due to charity and not to right, for no law exists which could force the nations to feed them.”²²

The significance of UN Refugee Convention stems precisely from overcoming this gap and creating moral and legal obligation on the level of international law that obliges the state parties to give shelter to people in need of protection. Producing legal responsibility of states to protect the refugees and process their asylum claims bears analogies to Arendt’s most important, and, perhaps in her view the only true human right, the right to belong to a political community, which she articulates with her well-known phrase ‘the right to have rights’. Having this in mind, one can see that the right to seek asylum comes as a decisive category for it creates a channel and constitutes a political and legal standing for individuals; thereby it paves a way to active member-

²¹ Michel Foucault, *The Birth of Biopolitics Lectures at the Collège de France, 1978–79* (Basingstoke and New York: Palgrave Macmillan, 2008).

²² Arendt, *Orgins*, 296.

ship, enabling individuals to regain their political and legal identity, offering a “place in the world which makes opinions significant and actions effective,”²³ as Arendt puts it. The right to seek asylum with its supplementary principle of *non-refoulement* represents the elementary building block in the architecture of the asylum system that directly infringes the sovereign right of states to control the admission to their territories. While states have the right to control the entry of aliens under international law, including to control issuance of residence permits, expulsions or deportation orders, their sovereign right to remove, expel or extradite foreigners is limited by the right to seek asylum and principle of *non-refoulement*.

The emancipatory power of the asylum and the UN Refugee Convention must therefore be read in relation to the existing contemporary migration policies, in which migrants are dealt with in a very specific way; migration policies and strategies are predominately designed to admit entry only to those migrants that have something to offer – job skills, resources to invest, shared ethnicity, cultural or social capital. The right to seek asylum in this sense works against the self-centred interest of the nation-states and bypasses the ordinary avenues of migration for it legally binds states to accept asylum seekers on their territories regardless of what they have to offer in terms of the above-mentioned selection parameters. This makes right to seek asylum an instrument that goes beyond the state power, or more precisely, an instrument that transforms the state power by integrating the responsibility to protect refugees into state policies and incorporating human rights ideas into the state and functioning.

The relevance of asylum in contemporary political context manifests in yet another view, which was, in the eyes of Foucault, deemed especially important. Namely, fundamental human rights for him were not those right listed in contemporary declarations of rights, but rather “that of private individuals to effectively intervene in the sphere of international policy and strategy.”²⁴ Right to seek asylum, in its aims at

²³ Ibid.

²⁴ Michel Foucault, “Confronting Governments: Human Rights,” in *Power: Essential Works Of Foucault 1954-1984*, ed. James D. Faubion, trans. Robert Hurley and others (New York and London: The New Press, 2001), 475.

least, corresponds to his appeal that “the will of individuals must make a place for itself in a reality of which governments have attempted to reserve a monopoly for themselves, that monopoly which we need to wrest from them little by little and day by day.”²⁵ In the light of going against the state interest, the right to seek asylum may also be viewed in the lines of Jessica Whyte²⁶ who advocates that Foucault’s statement about fundamental rights should be read as a right of an individual “not to be governed like that, by that, in the name of these principles, in view of such objectives and by the means of such methods, not like that, not for that, not by them.”²⁷ In part at least, this corresponds also to the effects, which the right to seek and enjoy asylum bears on legal subjectivity of refugees and political recognition of their claims.

Power through the Right to Seek Asylum

The right to seek asylum carries within an idea of universality and applicability to all human beings based on their human nature and human dignity. Regrettably, the practice shows it does not come with unproblematic, ready-made solutions that meet the challenges of the contemporary migration movements. To understand asylum ontologically, we must turn also to power relations that manifest not only in what has been said about asylum, but look at the inherent qualities of international law, which has proven not to be immune to exclusionary practices which nation-states employ.²⁸ One way of doing this is to look at the international law in practice, specifically its politics of victimhood for this is undoubtedly the place where a myriad of political dimensions and power relations intersect.

²⁵ Ibid.

²⁶ Jessica Whyte, “Human rights: confronting governments?: Michel Foucault and the right to intervene,” in *New Critical Legal Thinking: Law and the Political*, eds. Matthew Stone, Illan rua Wall and Costas Douzinas (London: Routledge., 2012), 14.

²⁷ Michel Foucault, “What is Critique,” in *What Is Enlightenment? Eighteenth-Century Answers and Twentieth-Century Questions*, ed. James Schmidt (Berkeley, Los Angeles and London: University Of California Press, 1996), 384.

²⁸ Alison Kesby, *The Right to Have Right: Citizenship, Humanity, and International Law* (Oxford: Oxford University Press, 2012), 103.

If we take a closer look at how the figure of a victim is articulated in relation to the right to seek asylum in practice, either in international law or local contexts, we soon realize that victimhood is far from being clear-cut and unambiguous. To disentangle the question of power that conveys through the notion of asylum, one must look at the questions such as who counts as a person entitled to protection under the UN Refugee Convention, what the elements of the criterion for recognition of the status of refugees are, who determines the outcomes of asylum application, what constitutes the legitimacy of an asylum claim, what method determines the category of refugee; what argumentations substantiate the existing techniques and dividing practices of the politics of asylum recognition; what patterns of domination are thereby unfolded; and whether a “technocratic legalistic’ classification of refugees” right to asylum counterposes the idea of human rights.

Why people suffering from extreme poverty, shortages of food and water, natural disaster, inaccessible medical services, violation of economic and social rights cannot benefit from asylum protection or non-refoulement principle? Why fleeing from violence committed by groups as varied as guerrilla armies, criminal gangs, family members, and clans does not qualify for granting asylum? Under which conditions international law allows nation-states to derogate from its obligations? Why UN regime relies mainly on sustaining refugees’ life in camps? Why does international law not prohibit detention of asylum seekers? Why the problem of refugees is treated symptomatically and not prevented at its root-cause? Which problems pertaining to refugees could be objectively (but are not) avoided? These are but few questions pointing to disappointment and problematic features of the contemporary international asylum law.

Far from saying the UN refugee regime should be abandoned, however, its inherent selectivity makes it impossible to turn the blind eye to the failure of not adhering to basic components of asylum, human dignity, integrity, safety. Evident in this is the fact that asylum as a human right with the UN regime carries the dual ability to emancipate

and dominate, to protect and discipline²⁹ and can be only be viewed as a codification of unceasingly changing power relations³⁰ that postulate particular relations of domination manifesting in the multiple less visible, even common-sense hierarchies and forms of subjections that take place within our societies.

Sociocultural Dimension of the Right to Seek Asylum

In addition to the level of politics and the level of international law, the right to seek asylum is also heavily determined at its sociocultural level. The right to seek asylum, as socially embedded phenomenon, is unavoidably affected by persons who exercise moral agency in context of local social reality. For instance, the fact that the Refugee Convention does not define the procedures, which the signatory states are obliged to follow when examining an individual's claim for protection, leads to flexibility of the asylum procedures, for they are left to each signatory state to develop on their own. The vagueness in this respect allows for disparities among different states as their governments can craft asylum laws based on their different resources, national security concerns and histories. Ensuing Wilson, the right to seek asylum may be framed *identically* on the international level for all party states, but its articulation will diverge when it is brought into concrete relationships in a certain socio-historical context.³¹

Therefore, the question of concern in ontological investigation is twofold, first it inquires how human rights law frames and shapes local value systems and, second, how local value systems in turn resist or comply with the transnational law standards and how social actors develop different ways of understanding and applying international law. Ontological view in this respect necessarily entails various questions, to list few: are "voices" of asylum seekers within the status determination procedures "translated" to meet the terminology of international

²⁹ Costas Douzinas, *The End of Human Rights: Critical Legal Thought at the Turn of the Century* (Oxford and Portland (Oregon): Hart Publishing, 2000), 175.

³⁰ Whyte, "Human rights: confronting governments?" 16.

³¹ Richard Ashby Wilson, ed., *Human Rights, Culture and Context: Anthropological Perspectives* (London: Pluto Press, 1997), 13.

law? What are the *de facto* consequences of securitization of refugees' discourse? How many refugees are nation-states willing to accept, and why (only that many)? How is the right to seek asylum interpreted and implemented in practice? How is its universality circumscribed and by which reasons?

The example of the right to seek asylum in present refugee crisis confirms that the appropriation of "global" human rights ideas at the local level always entails translation, modification and transformation of meaning³² and that the ways how officials use human rights and how people understand them in everyday life are varied and complex. Speed proves true about human rights practice, that it should be seen as a process of justifying and amending global discourses in line with the values of local environment, where social actors mobilize the discourse of human rights within culturally specific conditions and the on-going negotiations between meaning and authority.

Nowadays even more so, the question of asylum is especially acute as the power dimensions clearly manifest through the justification of nation-states' interest, which tighten the existing asylum policies and fortify migration control laws. In political context, the identity of refugees is constantly evoked in relation to the issues of national security, border control, illegal migration and national sovereignty, thereby, overshadowing the debate on their human rights. The recent refugee crisis showed not only that there is lack of interest for refugees' human rights in many European countries but also that their main aim has been to minimize the numbers of refugees coming from Africa and Middle East, or at least, to keep the situation within the limits of "acceptable" and "controllable," where the "acceptable" is typically determined by the estimation of costs that refugees pose in terms of administration, integration support, provision of social care, public services and legal advice, in connection with the negative impact of asylum migration

³² Shannon Speed, »Gendered Intersections: Collective and Individual Rights in Indigenous Women's Experience,« in *Human Rights: An Anthropological Reader*, ed. Mark Goodale (Malden (Mass.): Wiley-Blackwell, 2006); Sally Engle Merry, *Human Rights and Gender Violence: Translating Transnational Law into Local Justice* (Chicago and London: The University of Chicago Press, 2006).

inflows on unemployment, social welfare systems, security and national identity.

Brief Overview of Contributions

The common denominator of the articles in this issue is that asylum appears within historical conditions, ethical framework and socio-political circumstances that had determined the manifestations of the idea of asylum in a variety of contexts, including biblical writings, Greek mythology, medieval theology, contemporary intellectual reflections, as well as modern political and legal practices, and, finally, in everyday lives nowadays. Evidently, the notion of asylum has been affected and tackled within the wide range of philosophical, theological, anthropological, sociological, feminist and related approaches, dealing with a variety of dimensions, involving more normative accounts of how “it should be” as well as a descriptive account of how “it is”.

The volume begins with *Kelly Oliver's* text, which highlights as the paradox of refugee detention when expressing grave concern over contemporary detention centres and refugee camps that turn refugees into criminals and charity cases simultaneously. The contemporary migration regimes, which were supposed to treat refugees with compassion and sympathy, she says, are systematically dehumanizing them with dooming them to life in detention centres that look like, and are run like, prisons.

An entirely different scope of asylum is pursued in text by *She Hawke*, who takes us back to Greek mythology to explain the ontology of maternal asylum, through a recovery of Metisian genealogy. Her application of mythico-narrative refiguration attempts to clarify what the story of Metis was / is, what it might mean and breaks the dominant masculinised terra-centric narratives and doxology, recovering maternal divinity for future focus. The gender dimension is highlighted also in the text by *Nadja Furlan Štante* who clearly recognizes the significance of actively involving women in the process of reconciliation, healing traumas and religious peace-building for the purposes of recognizing and critically deconstructing negative gender stereotypes to which woman as victims of violence in the war are often subjected to.

Turning from gender to the question of ethics, *Lenart Škof* draws a reflection on migration crisis and its humanitarian consequences in view of the loss of sensitivity towards toward grave injustice experienced by contemporary migrants. In his article, Škof argues that approaching the question of refugees in an appropriate manner, a new ethico-democratic response needs to be offered based on ethics of vulnerability, community and liberation. *Klaus-Gerd Giesen's* paper touches upon the salient question of statelessness from the point of view of political philosophy, namely by comparing the status of stateless people to the Kantian conception of cosmopolitan citizenship and defines minimum moral standards of protection which are, as he conduces, to a large extent not met in the current political situation.

Focused on canonical writings is the article by *Samo Skralovnik*, who presents the value of hospitality in the Bible and other Jewish sources. As he shows, reflecting on a very heterogeneous biblical tradition, biblical and non-biblical sources, there is a common core value, the value of welcoming and respecting the alien (refugees), representing genuine opportunity of turning religious text into intercultural and inter-religious dialogue in today's world. The question of hospitality is also tackled by *Maja Bjelica*, who reviews the writings of Jacques Derrida, showing that the concept and the act of offering asylum is situated in the broader question of hospitality and argues that, even Derrida himself, despite persisting in advocating "the impossible" perspective of hospitality, strives for the unconditional "yes" and directly connects hospitality and ethics, which are, in his view, inalienable, inseparable.

Moving to the empirical socio-legal analysis of the asylum, *Barbara Gornik* offers a reflection on the recent amendments of the Aliens Act by the government of the Republic of Slovenia. She critically assesses the reasons listed as legitimate circumstances for derogation of the Republic of Slovenia from respecting the right to seek asylum in the light of international law. *Ilona Silvola* offers another descriptive and empirically oriented contribution, resulting from fieldwork research of the refugee situation in Evangelical Lutheran Church of Finland, where she argues that sanctuary offered by the church can be understood as a way of providing the asylum seekers a way to enter "the space of appearance" where their voice can be heard. *Bojan Žalec* too relies on Arendt,

by highlighting the importance of the inclusion of man in the world in Arendt's sense of the term, which embraces the inclusion in the public and political sphere. On the other hand, Žalec also concentrates on the dissimilarities between the situations of refugees in Arendt's time and in the present, which he sees as results of the implementation of new technologies that Arendt in her time could not imagine.

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