

The notion of Stateless people and charity throughout Hannah Arendt's *The Origins of Totalitarianism* (1951). The case of Undocumented People in France

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The purpose of this paper is to focus on two elements that Hannah Arendt deals with in Chapter 9 of *The Origins of Totalitarianism* (1951): the condition of “stateless men” and their consequent position as “object of charity” that their particular situation produces. In order to look beyond these notions, we would like to introduce a parallel with the status of undocumented people in contemporary France, with a particular focus on normative policies that concern them.

Arendt's concept of stateless people is developed as the direct consequence of a new perspective that emerges with the institutionalisation of Human Rights. This new setting results from previously approached reflections on man's principle of alienability, derived from 18th and 19th thinkers, that presupposes a new position of the human being as a subject freed from the power of God's legislation that was applied so far. It means that Man himself is the direct responsible for his legal status and precisely because of his privileged position as part of humanity. This position is supposed to guarantee him fundamental and basic rights, such as legal protection, shelter, the right to work, to speak his language, to express his political choice, etc.

However, if on the one hand Hannah Arendt recognizes the statement of this new uncommon set, that provides for the inalienable rights of human beings¹, on the other hand she affirms with precision its dangerous and paradoxical nature, which is basically involved in this institutionalised practice of creating a “different” group to which a certain “kind” of people are supposed to belong. How is it possible, she seems to imply, to imagine the coexistence between a self-regulated Man and the context in which he affirms his position by the presence of policies given by the State-Nation itself? The idea of depending on these “new laws” contrasts with the revolutionary asset that Human Rights Organisations take into account, in the sense that, in order to be capable of taking advantage of these policies, man has to be part of a structure to which he is, at the same time, dependent and subjugated. Hence, Arendt's *perplexity [on] the rights of*

man (Chap.9-II) is manifestly perceived because of the inclusion in the Human Rights' community and, at the same time, exclusion from a referential national community that condemns stateless people. Exclusion that, originally aimed at developing a strong impulse towards positive emancipation, finally becomes a sort of "positive action" addressed to/against stateless groups.

The position of Arendt about the survival of this category of stateless people is developed through an idea of others' charity. Indeed, it is the only tool that could provide for the subsistence or, better, the existence itself of these people against the political organisation that they expect to join, that excludes them and on which they rely at the same time. In this sense, one of the aspects that characterize stateless people is their particular "privileged" position that brings to the impossibility to take advantage on their rights because of the "non-belonging" position, so to speak, in regards to any representative group. This struggle supposes, as the author describes, that "[...] neither the country of origin nor any other agreed to accept the stateless person."² It is precisely in that sense that we can reinforce Arendt's strong theoretical position by a contemporary example, that provides for practical implications through French undocumented people's position.

Facing the impossibility to claim their rights because of their situation as illegal immigrants, undocumented people hinge upon two different references: on the one hand the Nation's legal rules from which they are –to use author's idea- paradoxically excluded; on the other hand they can live through their permanent statement of "limbo" sustained by philanthropy. They are simple "human beings", definitely not citizens. They cannot enjoy legal protection, except one provided by helping centres' volunteers, they cannot have access to a private shelter, different from temporary places furnished by ONG institutions, they cannot have a job, nor receive medical assistance. Roughly they wouldn't survive, if charity didn't exist. The lack of an unobtainable legal position in front and due to parameters of their host Nation is either the cause or the consequence of their position: they need documents in order to gain recognition, they need recognition to obtain documents. Furthermore, the risk that they concretely face in their position is the complete absence of self-sufficiency that creates a situation of permanent frustration and despondency.

Arendt expresses this legal and, to some extent, psychological obstacle, giving a remarkable example that, in the case of French undocumented people, is as bitter as -sometimes- true: for the stateless, the alien condition is definitely less encouraging than the criminal one, as the latter induces a recognition by the State. Hence, a considerable number of illegal immigrants in France face a sort of dilemma, which represents the hope of an “escape” from the impasse. Either they accept to get into a legal process (asking for regularisation, asylum or refugee’s status) that could possibly (most of the time this is the case) ends with a negative answer bringing them to the extreme option of OQTF (obligation to leave French territory); or they *prefer* to involve in some minor crimes, (for instance drug deal). This situation could *at least* give them the sensation to be governed and ruled from a Nation that rejected them so far. To be part of a community means to obtain the protection by legal rights, with the consequences that we previously mentioned. Human rights seem to grant citizenship before the recognition of human status. Hannah Arendt’s discourse seems to appear still so influent nowadays.

In order to conclude our reflection, we would like to mention a last idea that the author suggests about the condition of these stateless people, which perfectly fits with the undocumented people situation that we briefly traced here.

The prolongation of their lives is due to charity and not to right, for no laws exists which could force the nations to feed them; their freedom of movement, if they have it at all, gives them no right to residence which even the jailed criminal enjoys as a matter of course; and their freedom of opinion is a fool’s freedom, for nothing they think matters anyhow.³

1 “Since the Rights of Man were proclaimed to be “inalienable”, irreducible to and undeductible from other rights or laws, no authority was invoked for their establishment; Man himself was their source as well as their ultimate goal.” Hannah Arendt (1951) *The Origins of Totalitarianism*, San Diego, New York, London, Harvest HBJ Book p. 291

[2](#) Hannah Arendt (1951) *The Origins of Totalitarianism*, San Diego, New York, London, Harvest HBJ Book. p.283

[3](#) Hannah Arendt (1951) *The Origins of Totalitarianism*. P.296

