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**Social Security for Immigrants and  
New Perspectives of Citizenship**

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## **Social Security for Immigrants and New Perspectives of Citizenship**

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### **Abstract**

The aim of the paper is to analyze the social protection and the political condition of immigrants in order to offer the new models of legal safeguard and the new forms of citizenship. Continuous migratory streams raise the problem of regulating the presence of immigrants in a different country that should be directed towards a progressive integration of them in the new community. Instead, the reality shows deep forms of social exclusion and economic exploitation towards immigrants.

Starting from these factual elements, this paper aims to investigate how the social protection of immigrants is still unsatisfactory and, furthermore, if it is possible to set up a “territorial citizenship” that recognizes political rights for immigrants. The basic idea of the research is that the presence of foreigners in our country should not be seen as a threatening factor, but above all, as an occasion of human and cultural enhancement and not only as an economic resource (which is often exploitation and it produces what can be called, a modern form of slavery).

In this perspective, it is possible to obtain new theoretical and practical patterns of advanced democracy that, takes (beyond the *ius sanguinis* and the *ius soli*) the *ius domicilii* as a renewed paradigm for citizenship. The basic idea of this paradigm is the concept of contiguity based on the importance of sharing a common space.

From this perspective we face with a kind of citizenship according to which, rights depend on territory and not on a matters of blood and birth. The presence of immigrants in our land is not a brute fact but an institutional one because it edifies our social reality. If we adopt this model of citizenship, it turns back the original meaning of the term citizenship as membership to a city whose space, as the German saying goes, gives freedom (*Stadtluft macht frei*). In this perspective, the debate about citizenship concerns the requirements for a change as such.

**Keywords** : Immigrants, social security, rights to political participation, citizenship, sovereignty;

**Corresponding Author:**

## The Ethics of Alterity and the Inclusion of the Other

The migratory streams that have recently taken place from the southern coast of the Mediterranean Sea, mainly towards Italy, bring together some delicate questions about the regulation of the foreigner in the new country. This phenomenon represents, at the same time, an opportunity to redefine the sense of our identity, thinking of the intercourse between citizen and foreigner, and wondering about the nature and the meaning of the limit which divides *us* from the *others*, *us* from the *rest of the world*.

In the region of the Mediterranean Sea, the arrival of the immigrants is an occasion to think about our identity according to the treatment reserved for foreigner people. Italian cost and its strategic position is very tempting for the outsiders due to the relative accessibility of its borders. Thus, the Italian border represents for the foreigner the hope for a new beginning. This can be noticed not only in the human vicissitudes of people on the run, but also in our legal ideas and institutions through which we sketch the face of our Republic.

If that corner of the World that saves people from shipwreck, reveals itself as a tipsy ground it is most likely as much frail as the welcoming and supportive identity of a country.

Identity is the result of a free work of each person and each group, nevertheless thus each of us discovers its own identity it 'doesn't mean that I work it out in isolation, but that I negotiate it through dialogue, partly overt, partly internal, with others. [...] My own identity crucially depends on my dialogical relations with others'<sup>1</sup>. There is not 'identity without alterity'<sup>2</sup>.

Some sociological studies highlight that the migratory streams do not follow either the rules of the market or the ones of the social development of the destination country<sup>3</sup>. They rather stand out as an expression of an exceeding claim that usually has not an equivalent offer.

Very often the reply to a request of help is epitomized, as Habermas underlines, in the slogan 'the boat is full', which lacks the willingness to look at things also from the other side's point of view<sup>4</sup>. Indeed, while from the economical point of view the prevailing tendency is the one ordained to create a common space without frontiers for the free movements of goods, capital and persons belonging to certain status (i.e. workers or European citizens), from the legal point of view, barriers are built thanks to the law, which materialize the type of offence of *clandestinity*, with its negative consequences.

So there is a struggle between the desire and the need to emigrate, usually exceeding to the willingness to receive, as if the alternative were a forced

<sup>1</sup>Taylor, C. (1994). 'The Politics of Recognition', in Amy Gutmann (ed.) *Multiculturalism: Examining the politics of Recognition*, Princeton: Princeton University Press, 34.

<sup>2</sup>Amato Mangiameli, A. C. (1996). «*Desiderai essere un cittadino*». *Oltre il retaggio simbolico della moderna sovranità*, Torino: Giappichelli, 168; Cotesta, V. (1999). *Sociologia dei conflitti etnici. Razzismo, immigrazione e società multiculturale*, Roma-Bari: Laterza, 188.

<sup>3</sup>Barlassina, F. M. (2002). 'Ospitalità, cultura e diritto. Lo straniero: ospite od ostile?' in *Lo straniero e l'ospite*, Astorri, R. & F. A. Cappelletti (ed.), Torino: Giappichelli, 33.

<sup>4</sup>Habermas, J. (1994). 'Struggles for Recognition in the Democratic Constitutional State' in Taylor, C. *Multiculturalism: Examining the politics of Recognition*, Amy Gutmann (ed.), 107.

choice between the *protection of others* and the *protection from the others*<sup>1</sup>. The result is the closure of the West that is likely to cause the failure of universalistic design of the United Nations, the involution of our democracies and the formation of regressive identities based on the rejection of the others. The West seems to forget its moral debt toward the rest of the world that ‘invaded early with its robberies and later with its promises’<sup>2</sup>.

This kind of approach is mainly constant toward the foreigner in need of help and not toward those whose wealth, competence, genius are attractive for the destination country. They constitute in fact the *creative class*<sup>3</sup> for which, the rich countries seem available to enter ‘a war for talent’.

But for all the others, the poor, the needy and the unskilled, it becomes real the image of the foreigner as hostile, unpopular and enemy that we can find in the pages of the literature. Among the many we can recall for its expressive bluntness, the image of the foreigner in *The Castle* of Kafka. The land surveyor K. is described in this way: ‘You are not from the castle, you are not from the village, you are nothing. Unfortunately, however, you *are* a stranger, a superfluous person getting in everyone’s way, a man who is always causing troubles – why, the maids have had to move out of their room on your account – a man whose intentions are unknown’<sup>4</sup>. In this passage is clear that the nature of the foreigner is expressed in a negative way: you are *not* one of us, there is not any link of blood, of birth between us; for this reason, you should not stay here. The community cannot find anything to share with you. At worst, you are something, but unfortunately, something different from us and this is sufficient to consider you a despicable person.

In the Kafkian description it is possible to find the Habermasian idea of the ‘exceeding existential’ of the immigrant. And what is exceeding is clearly unnecessary, mostly bulky. There is not for it available space because it rather steals from the community its precious time and resources causing indeed a lot of troubles.

It is interesting to perceive that the Greek word *hostis* does not mean just the foreigner but also the enemy, the one who is hostile<sup>5</sup>. Plato in the *Cratylus* wondered if the names through which we designate the world around us reflect the essence of the things or rather they are the result of a convention untied with the ontological dimension of the objects. Sadly, about the foreigners, the first theory is prevailing. Foreigners are too often considered by nature dangerous, dirty, criminal, harbinger of diseases, aggressive with women. This belief exudes as much intentionally from the political debates as unthinkingly

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<sup>1</sup>Scerbo, A. (2006). ‘Il passo sospeso della libertà: il diritto di asilo nell’ordinamento italiano’, in *Il diritto d’asilo*, Bilotta B. M. & F. A. Cappelletti (ed.), Padova: Cedam, 119.

<sup>2</sup>Ferrajoli, L. (1994). ‘Dai diritti del cittadino ai diritti della persona’, in Danilo Zolo (ed.), *La cittadinanza. Appartenenza, identità, diritti*, Roma-Bari: Laterza, 289.

<sup>3</sup>Florida, R. (2002). *The Rise of the Creative Class. And How It's Transforming Work, Leisure and Everyday Life*, New York: Basic Books; Id., (2005).

<sup>4</sup>Kafka, F. (2009). *The Castle*, Oxford: Oxford University Press, 46-47.

<sup>5</sup>Conte, A. G. (2010). ‘Elend: Il linguaggio dell’alterità’, in *Lo straniero e l’ospite*, Astorri, R. & F. A. Cappelletti (ed.), cit.,7.

from the discussions among common people<sup>1</sup>. Wrongly it is thought that it is impossible to change what the nature shaped in that way.

But thinking rightly, this judgment is the expression of a prejudice through which we make a self-defence for what we don't know and what we fear. Using the words of the Italian philosopher Norberto Bobbio, prejudice is, 'an erroneous opinion strongly believed for true'<sup>2</sup> not easily correctable because it is reluctant to be submitted to the *critical* control of the reason. Instead, it has a *practical* reason which expresses all its strength and it 'generally depends on the fact that believing in a false opinion and considering it as the truth, corresponds to my desires, stimulate my passions, support my interests'<sup>3</sup>. Reasons of opportunism prevail over the reason of civilization axiologically based<sup>4</sup>.

Following this reasoning, we need to specify that the prejudice can be individual or collective. It is collective when it is shared by a group and is directed towards another group and therefore it is more dangerous than the individual one, because the latter is based, for example, on the superstitious believes about luck and bad luck.

The dangerousness of collective prejudices depends on the fact that 'many conflicts among groups, that can degenerate in violence, derive from the falsified way in which a group judges the other, provoking misunderstanding, rivalry, enmity, or mockery'<sup>5</sup>. Who feeds prejudices is not inclined to change its position not even in front of the patency of its falsity. With the irrationality of the theory, the subject 'challenges the facts, affirms his opinion independently of facts'<sup>6</sup> expressing the will and the need to be adapted to the common feeling of the group to which he belongs.

As a rule, the prejudice has a factual part and a part based on value. Let's consider these two parts to the treatment towards immigrants. They can be different for somatic traits, language, history, culture and religion. The seed of the prejudice is nourished by the value judgment referred to the factual judgment and therefore it is thought that immigrants are, for those objective features, inferior and that they deserve a different treatment compared to the citizens. They are considered worthy of the works of the three D, *dirty, dangerous, demanding*, without rights for social protection and civil liberties.

The explosive dynamite of the discriminatory treatment is the value judgment. Therefore, the problem arises when objective differences are wrongly interpreted. When the majority or the prevailing culture, after a comparison evaluates it as inferior to the other group, it is easily inferred that,

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<sup>1</sup>For example, in Italy the political party *Lega Nord* is famous for its anti-immigration politics.

<sup>2</sup>Bobbio, N. (2010). *In Praise of Meekness: Essays of Ethics and Politics*, Milano: Il Saggiatore, [*Elogio della mitezza*],107.

<sup>3</sup>Id., 108.

<sup>4</sup>Scerbo, A. (2010). 'L'incontro con l'alterità tra legislazione e giurisdizione', in *Lo straniero e l'ospite. Diritto. Società. Cultura*, R. Astorri, F. A. Cappelletti, (ed.) cit., p. 205.

<sup>5</sup>Bobbio, N. (2010). *In Praise of Meekness: Essays of Ethics and Politics*, cit., [*Elogio della mitezza*], 109.

<sup>6</sup>Cotesta, V. (1999). *Sociologia dei conflitti etnici. Razzismo, immigrazione e società multiculturale*, cit., 212.



because the immigrant is not one of us, he is, for this reason, worse than us. The next step is the discrimination with its poisoned fruits of social exclusion, and in the most serious cases, the political persecution.

*When and where* all this happens, there is a problem of racism which is more or less clear according to the contact with the migratory streams. We could say that racism does not rain from above, it is not an attitude showed outside some circumstances<sup>1</sup>. Usually people are not racist in general, but racism emerges in particular situations. In fact we can have some feelings for one group such as of indifference or of sympathy. The thousands of refugees who arrive on our coasts pose a request of need. To reply adequately to this need support, Taylor suggested, is not a matter of courtesy but it is what they deserve as an entitlement: the respect of their *dignity*. Ignoring this, in the most difficult cases, it can endanger the lives of immigrants and in any case, it 'can inflict a grievous wound, saddling its victims with a crippling self-hatred. Due recognition [...] is a vital human need'<sup>2</sup>. We can remember the beautiful poem *In memoriam* by Giuseppe Ungaretti which expresses this deadly unrest through the story of Moammed Sceab, an Arab friend who emigrated to France. The aspiration to be integrated among the French prompts him to change his name in Marcel. But in the eyes of the French he remained Moammed, but Moammed was not anymore recognized amongst the Arabs because of his new name of Marcel. No more Moammed for some, or even Marcel for the others. The race towards the integration in France, never seemed to find a compromise, but this effort and every step towards integration, hopelessly constituted a step further and further away from its origins. The rejection of this blurred identity stripped Marcel-Moammed of the same reason to live. This rejection has had the disastrous consequences. He committed suicide in Paris.

### **Social Security**

Starting from the work of Thomas H. Marshall *Citizenship and social class* of the 1950, social rights were conceived as rights covered by citizenship. They were seen as *inevitable capstone* for the development of the concept of citizenship, considered of being able to create unity among the people<sup>3</sup>. The intention was to ensure at least egalitarian social conditions within States. However, after the Second World War, the European legal systems recognized the essential character of social rights, which could not be limited within the

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<sup>1</sup>Bobbio, N. (2010). *In Praise of Meekness: Essays of Ethics and Politics*, cit., [Elogio della mitezza], 126; Castles S. & M. Miller, (2012). *L'era delle migrazioni. Popoli in movimento nel mondo contemporaneo*, Bologna: Odoya, 296. (Orig. Title, (1993). *The Age of Migration. International Population Movements in the Modern World*, New York: The Guildford Press).

<sup>2</sup>Taylor, C. (1994). 'The Politics of Recognition', in Amy Gutmann (ed.) *Multiculturalism: Examining the politics of Recognition*, cit., 26.

<sup>3</sup>For example the war pension was considered able to build, in the United States, an American identity; Schall, C. E. (2012). 'Is the problem of European citizenship a problem of social citizenship?' in *Sociological Inquiry*, 82(1), February, 133.

boundaries of citizenship. It has become obvious that social rights should be also extended to foreigners, but the path that was chosen was that of the *prize* and not the recognition of real rights<sup>1</sup>. In fact, today the recognition and guarantee of social rights are subordinated to the residence permit or, sometimes to a possession of a job. Immigrants get forms of *denizenship* or *almost citizenship*, or a *status of infracitizenship* because they have some, but not all the rights of citizens<sup>2</sup>. So it is true that citizenship raises a matter of justice because it operates a selection amongst subjects: including some and excluding others, and recognizing rights only of the citizens<sup>3</sup>.

Social rights meet the practical needs that are common to all men. The extent of need can vary because of the particular circumstances of each individual. However, because they are fundamental rights, they must be considered universal rights.

Social rights consist in access to goods and services fundamental to the well-being of the person and the healthy development of the personality of each individual; they are at the core of human dignity and for this reason they cannot be restricted by artificial differentiations<sup>4</sup>.

They are configured as rights of material equality and also as a prerequisite for the enjoyment of other fundamental rights. They face, in fact, situations of vulnerability and immigrants often find themselves in these circumstances. For this reason it is a matter of justice to meet their needs.

But usually the legal condition of immigrants is regulated by laws which are the result of the prevailing majority which has not included immigrants as subjects of the decision. Citizens decide about the situation of the non-citizens. In some way, *some* decide for *others*. Problems arise when the majority decides that social rights can be restricted to citizens, denying the universal character established by national constitutions and international law. The legal conditions of immigrants are characterized by insecurity and precariousness, in sharp contrast with the nature of the rule of law<sup>5</sup>. From the legal point of view, it is important to understand that the test of integration is the recognition of rights<sup>6</sup>.

In the opposite perspective laws consider immigrants as workers and not as persons. As Max Frisch said: 'We wanted workers and we got people'.

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<sup>1</sup>Solanes Corella, À. (2004). 'El acceso a los derechos sociales por parte de los inmigrantes, un ejemplo: la vivienda', in M. J. Añón (ed.), *La universalidad de los derechos sociales: el reto de la inmigración*, Valencia: Tirant lo Blanch, 251.

<sup>2</sup>Castles, S. & M. Miller, (2012). *L'era delle migrazioni. Popoli in movimento nel mondo contemporaneo*, cit., 300; De Lucas, J. (2002). 'La herida original de las políticas de inmigración. A propósito del lugar de los derechos humanos en la políticas de inmigración', in *Isegoría*/26, 64.

<sup>3</sup>Trujillo Pérez, I. (2000). 'Cittadinanza, diritti e identità', in Dalla Torre G. & F. D'Agostino (ed.), *La cittadinanza. Problemi e dinamiche in una società pluralistica*, Torino: Giappichelli, 171.

<sup>4</sup>Solanes Corella, À. (2002). 'Inmigración y derechos humanos', in *Mediterráneo Económico: Procesos migratorio, economía y personas*, 1, 118.

<sup>5</sup>De Lucas, J. (2001). 'Sobre las garantías de los derechos sociales de los inmigrantes', in *Cuadernos Electrónicos de Filosofía del Derecho*, 4. Available at <http://www.uv.es/CEFD/4/Delucas.html> [4 June 2013].

<sup>6</sup>*Ibidem*.

People who cannot be considered just as objects or as a docile and cheap manpower<sup>1</sup>, but above all as subjects of rights. So it is true what Castles and Miller highlight; while immigration is useful for the economy<sup>2</sup>, at the same time it complicates politics especially when immigrants raise their voice against the unfair condition they are subjected to. They should be silent workers and invisible persons. But this can be true for ghosts not for true people. Too often they are also feared as ghosts especially the ones with unfamiliar culture, coming from parts of the world usually associated to violence and extremism<sup>3</sup>. To be honest, we should admit that their contribution is not merely economical but also social and cultural because it is a richness that throughout the world people of different national origins, different languages, customs, religion, can come into contact<sup>4</sup>.

For the illegal immigrants the laws recognize the right to education and the right to health in emergency cases, usually reserving the right to work and housing right to the legal ones. But the reality faced every day by immigrants is far from being fair. Marginalization, illiteracy, unhealthy houses and unfair work conditions are elements almost constant.

Citizenship replaces equality as basic category of justice and democracy<sup>5</sup>.

As a confirmation of this, we can consider the Italian legislation about the right to housing. According to Art. 40.6 of the T.U. on 'the regulation of immigration and rules governing the status of foreigners', the non-European citizens with a long-term residence status<sup>6</sup> and the ones legally resident with a residence permit of at least two years, with a regular employment or self-employment activity, have, on an equal footing with citizens, the right to housing and other social benefits. But Art. 11 of the Decree Law, 25 June 2008, n. 112, converted into Law, 6 August 2008, n. 133 recognizes this right of foreigners legally resident for ten years in the State or continuously for five years in the same region.

It is more than evident that these requirements are not fair. This right is conditioned by the same requirement of ten years to obtain the Italian citizenship. So, as highlighted above, citizenship continues to play a crucial role. It is impossible to wait five or ten years to obtain this fundamental right

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<sup>1</sup>*Ibidem*.

<sup>2</sup>It is well-known that migration helped the growth of the world economy. As Khalid Koser remembers, migrants are usually amongst the «most dynamic and entrepreneurial members of society; people who are prepared to take the risk of leaving their homes in order to create new opportunities for themselves and their children»; Koser, K. (2007). *International migration. A very short introduction*, Oxford: Oxford University Press, 10.

<sup>3</sup>*Op. cit.*, p. 11.

<sup>4</sup>For example music styles as reggae, jazz, gospel and bhangra originate in migration, as well as post-colonial literature: for example Hanif Kureishi's *The Buddha of Suburbia*, Zadie Smith's *White Teeth*, Monica Ali's *Brick Lane*, *Op. cit.*, p. 104. Consider also for the colonial literature, Karen Blixen's *Out of Africa* or long before as a result of the contact between East and West, Montesquieu's *Persian Letters*.

<sup>5</sup>Ferrajoli, L. (2001). *Diritti fondamentali*, Roma-Bari: Laterza, 23.

<sup>6</sup>The European Union (EU) grants European resident status to non-EU nationals who have legally and continuously resided for a period of five years within the territory of an EU country (long-term residents). In this sense art. 9 T.U (n. 191/1998).

recognized by the Universal Declaration of Human Rights at Art. 25, by the International Covenant on Economic, Social and Cultural Rights at Art. 11, and by the Convention n. 97 of the International Labour Organization (Convention concerning migration for employment). At this point it is hard to understand what it means *on an equal footing with citizens* as the law says, because it is not equal at all.

It is a very delicate right which cannot wait too long because it is strongly linked to health, education, privacy, and human dignity.

As Kahlil Gibran said ‘Your house is your larger body. It grows in the sun and sleeps in the stillness of the night; and it is not dreamless. Does not your house dream? and dreaming, leave the city for grove or hill-top?’. A house is a place where we preserve the most precious things, and above all our dignity and the right to freedom.

As Javier De Lucas rightly says, fundamental rights are not merchandise and their recognition is not a matter of charity and mercy, it is what they deserve as human beings<sup>1</sup>. The principle of solidarity should be considered an imperative, as an essential part of justice. It must be required, both by the state as by private citizens, no less than it is in the case of freedom and equality<sup>2</sup>.

### **The Future of Democracy: New Perspectives of Citizenship**

Which is the future of democracy? Isn’t in its nature to be open to the change? The future of democracy should involve resident immigrants. If we observe the evolutionary line of political rights, it presents a progressive trend to broaden the rights holders. From the adult male bourgeois owner, it has come to universal suffrage for men and women. Democracy replaced the notion of honor with the one of dignity ‘now used in a universalist and egalitarian sense, where we talk of the inherent “dignity of human beings”’<sup>3</sup>.

Democracy cannot be exclusionary, otherwise it risks to lose its essence of ‘open society’<sup>4</sup>. The resident immigrants face a form of *aristocratic democracy*, that is a kind of privilege based on what it is called ‘genetic and geographical lottery’ in which the will does not play any role<sup>5</sup>; it is in fact a

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<sup>1</sup>De Lucas, J. (2001). ‘Sobre las garantías de los derechos sociales de los inmigrantes’, in *Cuadernos Electrónicos de Filosofía del Derecho*, 4, (<http://www.uv.es/CEFD/4/Delucas.html>).

<sup>2</sup>De Lucas, J. (2002). ‘La herida original de las políticas de inmigración. A propósito del lugar de los derechos humanos en la políticas de inmigración’, in *Isegoría*/26, 72.

<sup>3</sup>Taylor, C. (1994). ‘The Politics of Recognition’, in Amy Gutmann (ed.) *Multiculturalism: Examining the politics of Recognition*, cit., 27: «Democracy has ushered in a politics of equal recognition, which has taken various forms over the years, and has now returned in the form of demands for the equal status of cultures and of genders». See also Bellamy, R. (2008). *Citizenship. A very short introduction*, Oxford: Oxford University Press, 78.

<sup>4</sup>Bobbio, N. (2010). *In Praise of Meekness: Essays of Ethics and Politics*, cit., [Elogio della mitezza], 134.

<sup>5</sup>De Lucas, J. (2002). ‘La herida original de las políticas de inmigración. A propósito del lugar de los derechos humanos en la políticas de inmigración’, in *Isegoría* 26, 63 and 65.

matter of luck to be born in a rich and peaceful country or have parents citizens from those places.

The traditional model of citizenship uses the *ius soli* and the *ius sanguinis*. We could say that the *ius soli* is more including than the *ius sanguinis*. In fact the *ius sanguinis* can raise the problem concerning the children of immigrants born and raised in the new country that are *culturally* citizens of it, but *legally* they are foreigners. This is the kind of problem that Italy is facing at the moment.

A large numbers of people, in particular the second generation people, consider themselves as Italian, but for the country they are not legally Italian. The Parliament is in fact considering the idea of changing this regulation, adopting also the *ius soli*.

Besides this, according to the Italian law, immigrants can obtain citizenship by *naturalization*, if they have been legally resident for ten years. But this seems to be a very long time if we consider that resident immigrants are *already part of us*. Their presence amongst us is not a *brute fact* but it is an *institutional one* because they participate with us to edify our society.

*Contiguity* or *ius domicilii* should be the new title for citizenship<sup>1</sup>. We should overcome the legacies of nationalism and be open to the idea of an *advanced democracy* which includes resident immigrants at local and national politics. Nationality cannot be used as an instrument of a negative discrimination because it goes against the universal trend of human rights<sup>2</sup>.

Participating to politics is an occasion of articulating freedom. In fact, as Hanna Arendt said, while labour is the reign of necessity, politics is the reign of freedom. The *bios politikos* is a kind of second life besides the private one<sup>3</sup>. The instruments of politics are the tools for discussion and persuasion; there isn't space for violence in public, which instead can be present in the private realm.

For the immigrants the reason to be in the new society cannot be just to satisfy, from their point of view their material needs, and from the society point of view, the needs of the market. The reason should be also to participate to the public debate as subjects and not only as objects. Usually we relegate to the private what we are ashamed of. Probably, denying their participation in politics is a way to hide the terrible conditions we offer them.

Resident immigrants without political rights are robbed of a human form of communication. They just live, as Hanna Arendt said, a biological life instead of a biographical one. A life without discourse and action "has ceased

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<sup>1</sup>La Torre, M. (2004). *Cittadinanza e ordine politico. Diritti, crisi della sovranità e sfera pubblica: una prospettiva europea*, Torino: Giappichelli, 238; Brubaker, R. (1992). *Citizenship and Nationhood in France and Germany*, Cambridge Mass.: Harvard University Press.

<sup>2</sup>De Asís Roig, R. (2009). 'Derechos humanos: integración y diferenciación', in *Inmigración, Multiculturalismo y Derechos Humanos*, Marcos del Cano, A. M. (ed.), Valencia:Tirant lo Blanch, 43.

<sup>3</sup>Arendt, H. (2003). *Vita Activa. La condizione umana*, Milano: Bompiani, 19. Ead. (1958). *The Human Condition*, Chicago: University of Chicago Press.

to be a human life because it is no longer lived among men”<sup>1</sup>. Their *voice* should become *word*. As Aristotle said, also animals have voice, but only human beings have word. Word is what we rationally share in public. Denying it to immigrants means that we consider them something less than us, a kind of animals (of work probably). The reason to do so, is that, (as Aristotle said) *word* is able to clarify the difference between just and unjust, while voice is able to express what is pleasant or painful; *Word* corresponds to the *logos apophantikos* that clearly shows the reality for what it is, rescuing it from the unfair game of lights and shadows.

Allowing immigrants to participate in politics, gives them a real opportunity to be free. A German saying goes that the air of the city gives freedom (*Stadtluft macht frei*); political rights are the modern instruments for their freedom. In the past at the city gates, it was written the word freedom.

Today it should be written in our consciousness, being clear that freedom is not safe and fair if it is not freedom for all.

In conclusion democracy can be defined as the *thought of possibility*<sup>2</sup> because it is incompatible with irreversible decisions. This irreversibility does not affect either the rules of the democratic game. They can be changed.

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<sup>1</sup>*Op. cit.*, p. 128.

<sup>2</sup>Zagrebelsky, G. (2007). *Il «crucifige!» e la democrazia*, Torino: Einaudi, p. 7.