

Disentangling the Enlightenment's Paradox about Human Rights, National States and Global Migration: Towards an Eco-ethical Alternative

Guido J.M. Verstraeten, Willem W Verstraeten *

Satakunta University of Applied Sciences
Tiedepuisto 3, FI 28000 Pori, Suomi-Finland

Karel de Grote Hogeschool
Nationalestraat 5, B-2000 Antwerp, Flanders, Belgium
guido.verstraeten@kdg.be

Royal Meteorological Institute, KMI
Ringlaan 3, B-1180, Ukkel-Brussels, Belgium

*Corresponding author's email: [willem.verstraeten \[AT\] meteo.be](mailto:willem.verstraeten@meteo.be)

ABSTRACT— *Global migration causes a clash of the traditional way of ethical thinking which originated from the Enlightenment. The rationale behind this thinking is based on the Newtonian worldview of an absolute space and time observable by an external unaffected observer. Enlightenment is focused around the unique but non-universal conception of human rights, human integrity and human autonomy. All the achievements of the Enlightenment begin with the idea of individual emancipation (i), a one dimensional concept of progress (ii), and a Cosmo-political concept of our planet (iii). However, they end in a deep feeling of fear for the spatial extend (oikophobia) of the enlightened subject. Generally spoken all those values are so called liberal values while the articulation of the communitarian values are rather weak. Ethical considerations without the community cannot exist, contesting the actual coherence of the globalized communities since the ethical conception of wellness, goodness and welfare are not necessarily converging. Therefore, in the light of global emigration there is need for a worldwide general ethical care. But also the humans of the place of arrival need ethical care, because host and guest both are subject of moral considerations. Is there a chance for a general ethical consideration in a globalized world where any country or state any city or village is a multicultural community? This requires the development of a metaphysical foundation of migration ethics based on constancy of place and making room for all aspects of diversity. We start from the ecological worldview of homelands inspired by Leopold's Land-ethics characterized by integrity and autonomy. The conception of emancipation, progress and autonomy of the Enlightenment has to be liberated from the concept of nation state and should be framed in a multicultural context. Its rationale does not longer start from thinking subjects completely isolated from observed objects but from participating beings of a particular space and time. Both are based on the Leibnizian concepts of space and time and finally all this results into feelings of oikophilia, i.e. no fear for the spatial extend anymore.*

Keywords— Migration, human rights, landethics, eco-anarchism

1. A HISTORICAL INTRODUCTION

In the time Jacob accompanied by his eleven sons went to Egypt, there was depletion of food in the land of Canaan. There was no war, terrorism, oppression of minorities, the Hebrews, however, came to Egypt because of ecological reasons such as dryness, huge rainfall, destroying harvest. Obviously pastoral people entered into concurrence with rural people and finally the pastoral people had to emigrate far from the Promised Land. Two hundred years later, however, the Egyptian king forced the Hebrew people to defend his eastern borders against huge invasions of other pastoral people coming from the Sinai desert. In addition he imposed on the Hebrews the Egyptian gods in order to break their cultural and religious tradition they shared with the other Sinai tribes.

Bad conditions of life such as famine have always been the first cause of cyclic migration. It is not surprising because Europe conquered this every seven years returning human tragedy just from the middle of the 18th century. And even in the 19th century two European countries suffered from famine: Ireland from 1845 till 1849 and Finland from 1866 till

1868. Harvest of potato's were poor or completely destroyed in some areas such as Satakunta and Northern Karelia due to heavy rainfall and very cold weather in Spring and Fall. In Ireland the population decreased from 8 million in 1845 till 3.5 million at the end of the 19th century. The massive emigration from western Europe and Scandinavia to America in the 19th century is legendary and exclusively for economical purposes.

Besides lack of food and catastrophes due to unpredictable weather, overpopulation, war and political instability were always the first causes of migration all over the world, religious ideological and social reasons sometimes were triggering the former reasons. So was the Scandinavian invasion of the England, Scotland and Normandy during the Early Medieval caused by overpopulation of the Northern countries but also a side effect of the heritage system that deprived all children from the family goods, except the oldest son. However the emigration of Flemish, Saxon and Rhenish people during the High Middle Ages to Poland and the Baltic States was rather caused by overpopulation. The conquest of America starting at the end of the 15th century, however, and the emigration of Iberian and Anglo-Saxon people afterwards is caused by a mix of demographic, political, social and religious reasons.

In addition forced migration for political reasons were applied by most empires of many walks. The Romans did (the chase away or Diaspora of the Jewish people after the massacre of Masada), Charlemagne did (the exile of the Saxons to Flanders Fields), Turkey expelled three millions Greeks from the Ionic coasts after the Treaty of Lausanne in 1923 and more recently Stalin did (Wolgan Germans), eventually The Soviets forced the Polish to move out of Lemberg (L'viv or Lvov) and to expel the Germans from Posen and Silesia. Finally 12 million black slaves were deported from there African Homeland to North and South America.

Nowadays the situation in the Middle East is quite similar: dryness, lack of fresh water and overpopulation in some politically hot spots such as Gaza, the Beirut area, the Beka Valley. Moreover civil war in Syria, Iraq and Afghanistan encourages people to leave their country. Furthermore young people are facing tremendous unemployment in African countries under the Sahel belt prefer the risky trip across the Sahara and the Mediterranean Sea above a life without future.

2. ON ROAD TO THE `PROMISED LAND: FROM PASTORAL CULTURE TO ORGANIZED MIGRATION FLOWS [1]

Up to the former century these floods of thousands of men and women were rather local movements and the social and political implications for the countries of departure as well as arrival were local and mostly manageable. The latter was possible because the original population was little numerous, expelled by the new conquerors, or sometimes we can speak about a real organized genocide as was the fate of the Indians of North and South America, just like the genocide of Tibet organized by the Chinese communists. In case of minor selective immigration into a good organized country with a substantial local population (Dutch handcraft people immigrated to Russia in Tsar Peter's time, so did Belgian handcraft people immigrated to Sweden and Finland in the 17th century) the foreigners assimilated with the locals and participated to the economic and political expansion of the country of arrival. Culture, languish and religion could however remain a significant obstacle for deep integration. For the Roman Catholic Irishmen settling was hard outside the state of Massachusetts and in multicultural countries such as Brazil most habitants of the slums outside the flourishing cities like Rio are colored. Furthermore, the political and economic upper-class of Canada and the States were mostly white, protestant with Anglo-Saxon roots for a long time. In particular cases the new immigrants refused to integrate. The Amish and the orthodox Jewish people kept their own tradition far from the American way of life.

A very particular kind of economic migration was organized by western Europe in the early sixties of last century. There was need for unskilled people from Maghreb countries and Turkey. The hope was that those immigrants would return to their homelands after some years and in consequence the countries of arrival denied or refused to organize a proper integration program for those new citizen, mostly confessing the Islam. France, however, suffered since the thirties of former century from declining and even negative birth rate. In order to stay in balance with the growing population of Germany after the Second World War the French government encouraged people from North Africa, particularly from Algeria to immigrate to France. The French nationality was entitled just after a short time of residence. The French republic recognize only individual integration denying the communitarian cultural and religious coherence of Maghreb and Turkish people. And so social problems in the French city belts around Paris, Lille, Marseille and Lyon were born.

Contrary to the above mentioned historical migration waves, the refugee flows, are completely different. Popular speech of right wing parties compared this worldwide global phenomenon with the great migration wave at the end of the western Roman Empire. The latter became so weak that the Romans allowed "Barbarians" to settle and defend the border areas of the Great Roman Empire. Internal political and social troubles opened the opportunity for German leaders to start a military carrier while men of their own tribe made part of the Roman troops. After this slow tacit invasion process taking more than 200 years, the military barrier between the Roman Empire and the German woods broke completely down on the 31st December 406.

The above politically collared disinformation is rejected completely and we put forward an analysis based on the

resemblance with the massive migration waves of over 6000 years ago. In that time the climate was so cold and so unpredictable that agriculture and settlement, let alone the creation of urban centers of culture, was completely out of the question. We do not realize enough that the nearly constant temperature of earth, without sudden changes of weather conditions is a very recent phenomenon [2]. Precisely predictable weather is the mother of any rural society, it makes settlement possible, moreover, economical exchanges of goods and services, trade and transport between settlements are organized. Humans life is no longer a matter of survival but a matter of wellness, culture, and of stable social and political organization. In consequence stable climate with periodic rain showers and sunshine are the a-priori boundary conditions of peace. But in that time national borders did not exist, neither countries that organize a generous public space with social and medical infrastructure. Moreover, the actual migration wave benefits of all facilities of planet's global community such as worldwide mobility, globalization of cultural relations, global Diaspora of relatives, social media and worldwide mobile communication.

3. MIGRATION AND FLOURISHING, SUSTAINABILITY AND SECURITY OF OUR PLANET [3]

The core explanation for this recently increasing mobility of people coming from North, West, East Africa and the Middle East towards Europe and from India, Pakistan towards Australia, and eventually the flood of illegal Spanish speaking immigrants to the US, however, are not univocal but rather a interwoven concatenation of ecological, demographic, social, political and economic reasons. Main reason why Canada, the US and the EU are so attractive destinations for immigrants is their high standard of life, the political stability and the complete absence of any risk for war or civil troubles. At face value war and political instability accompanied with violence, poverty, ecological catastrophes involve huge numbers of refugees, but furthermore the tremendous inequality of world's wealth, encourage people of any walk to look for better conditions of life in countries with high standard of life and with a good network of social support such as the US, Canada, Australia and the EU.

Ecological catastrophes, lack of sustainability on the one hand and poverty on the other are triplets. Obviously, earth is extremely stressed by our human activity (exceeding the carrying capacity). Indeed since 1972 we consume more per annum than the planet can produce. Consequently earth's sustainability is in danger. Moreover, the weather became more irregular during the last 50 years, and depletion of primary matter, particularly energy resources threatens the sustainability of earth

Nevertheless the above mentioned flourishing countries of arrival are not free from ecological bad side effects of global warming, but their technical knowhow supported by substantial standby capital produce an appropriate answer to the most tremendous climate disasters. Indeed, technical innovations mostly under Western license, however, were making people more independent from unforeseen weather conditions. Transformation of arid areas in South-East Spain into desert, for example, can be solved by pipelines bringing fresh water from the North to the dry parts of Andalusia. A good management of the ground water layers in the US permits people to settle down in arid areas. In poor countries, however, ecological catastrophes by degradation of land, pollution of fresh water supplies, canals and lakes due to natural causes such as huge rainfall, extreme dry or cold weather, volcano eruptions etc. involve more poverty, disease and malnutrition. These countries are not able to take the proper steps, moreover political instability, internal tensions and war enforce further ecological damage because no proper technical intervention can recover the ecosystem by lack of financial support and international and internal collaboration. Though overpopulation and poverty are twins, the idea that just economic development can expel poverty and involve decreasing birth rates sounds odd so does the argument that poverty only is the cause of all emigration. Neither can the lack of sustainability and ecological arguments explain exhaustively the actual super floods of migrating people.

The economic globalization of the planet, however, involves a complete deconstruction of the traditional way of life. Indeed, new agriculture policy promotes no longer production for local market, but production for export of primary matter converted in industrial prepared fast food. Furthermore, the monoculture of food production requires a lot of pesticides and herbicides, an exaggerate quantity of fertilizers. Meat production, particularly cattle, produces more greenhouse gasses while transport of fresh food by trucks causes an increasing emission of fine dust with negative influence on the conditions of the public health. In addition prime matter for agriculture such as seeds, fertilizers, infrastructure, machinery and transport are all in hands of a few multinational companies like Monsanto/Bayern. In addition, the Western way of life, greatly adopted by a lot of middle class people in former third world countries such as China, Brazil, India produce a lot of waste and increase the energy consumption. At the same time, huge CO₂ emissions and heat pollution are produced by burning their preferred energy recourses, namely coal and wood [3]. Inequality is no longer a query between North and South but inequality of standard of life is a tremendous fact in nations all over the world.

Finally, we notice that globalization of mobility, worldwide communication and the open borders facilitate the organization of worldwide terrorism not only in countries involved in war but also North America and Europe. September 11th 2001, March 11th 2004 Madrid and more recently terroristic attacks in Paris, Copenhagen, Malmo and Brussels show that also safe countries are suffering from local spots of violence. While people run to big cities all over

the world the security problem arises as one of the first concerns of the city government. Open borders and massive migration enforce the need for more security policy and in consequence governments have to spent more budget in order to master all kinds of violence. Criminality and international terrorism spread out over all countries, while floods of refugees are easy opportunities for terrorism to infiltrate in western countries. In times of small public budgets this situation involves dramatic intervention in social and education schemes subsided by public finances. Indeed, increasing costs for security cause shrinking public budgets for public services of any walk or more individual efforts of the working class to afford good skill's training for their children and proper medical care in case of disease.

4. THE UNIVERSAL DECLARATION OF HUMAN RIGHTS ABOUT FLOURISHING, SUSTAINABILITY AND SECURITY

From the above comments we conclude that the main reason for migration is to escape from non-human conditions of life. The sustainability claim, security of person, a just and a good standard life including personal health and education are explicitly included in the Universal Declaration of Human Rights. Only individuals, however, are entitled to these rights, communities are deprived from all except the self-determination of peoples and according to our opinion all rights concerning culture. Donnelly [4] emphasizes that states have exclusive responsibility in implementing them for their own nationals except the right to asylum. The latter is a right to all and must be implemented by all states for any foreigner whose human rights are violated by their own state. In consequence, the Universal Declaration creates an international juristic asymmetric relation of rights and duties between individuals and the states to which they belong. So is any person protected against torture, however, not the state but the executioner and his superiors are sent to the International Court of Justice in The Hague. Nevertheless, any state has to implement an independent and impartial tribunal, a human treatment of prisoners and accept the presumption of innocence. Apart from the Human rights, most UN member states also ratified also Conventions on Economic, Cultural, Civil and Political Rights, eventually they accepted the agreements to reduce global warming [5]. Unfortunately, climate change is just one aspect of sustainability, agreements about energy consumption, genetic modified seeds, biological diversity, water consumption are still waiting. A sustainable environment is a necessary condition for peace and good standards of living, unfortunately not a sufficient one.

Though states are completely sovereign, their membership of the United Nations includes the recognition and active implementation of the Universal Declaration for all their habitants, locals as well as foreigners, and by all citizen of any member state. The latter would suggest that all states over the world converge to a similar standard of flourishing and security as Fukuyama [6] claimed. According to him the end of the Cold War is also the end of mankind's ideological evolution and the universalization of Western liberal democracy. The reality sounds different as Huntington was foreseeing.

Huntington's famous monograph "The Clash of Civilizations" [7] claimed four different scenarios for the new world order: the total ideological and political harmony after equal evolution (Fukuyama), the "we-against-the other" scenario, the mosaic of isolated 200 nations protected from external influences but administered by strong international institutes, or last but not least the complete chaos. Twenty years later, the latter scenario seems to be the winner. Particularly, can the Western civilization and its institutes resist to this huge external demographic stress without collapsing or is there a need for a complete different institutional organization of our planet in order to avoid a more fundamental catastrophe, namely the complete ecological collapse of the earth?

Furthermore, some authors like Benjamin Barber [8] mentioned that the actual chaotic stage is the result of a return to tradition and national borders instead of the option for complete globalization of all domains of human society. Obviously, the enclosure of the national borders of Balkan countries with fences in the hope to expel the mass immigration from the Middle East and Africa make room for the return of national states. The hot political topic, however, is now to open or to close the borders for the new migration flood. Germany and Sweden pretend to manage it, both pulling two other countries with very comfortable public services, namely Belgium and the Netherlands. East European countries, however, expel the human flood by fences or just accept a restricted number of outstanding high qualified and exclusively Christian immigrants. Furthermore, while the respective governments are challenged in order to find sufficient accommodation and substantial budgets for further integration, economic and social problems arise, involving deep ethical questions. Indeed, the Netherlands must put aside 42,500 houses, mostly by priority picked up out of the public share of social accommodation while some Dutch families are still waiting to get the opportunity of social accommodation for years. Positive discrimination of refugees obliged local good skilled people to emigrate from Europe (i.e. Portuguese well skilled people emigrate to Brazil or even Angola and Mozambique). What about the thousands of low skilled people living in the European urban centers, in vain looking for a job? What about the third generation of migrants, mostly coming from Maghreb countries and Turkey who are not integrated in the European society for many reasons? These topics are rather political with some social and economic aspects. However, is the survival of our planet just a question of the simple dichotomy: Globalization or return to the darkness of tradition and national states? Moral honesty and justice are also involved. In case of refugees it is a matter of international law and the convention of Geneva, in case of immigration it is a matter of national law administered by sovereign countries. However, refugee or immigrant, both are foreigners and human beings and besides laws and conventions they are subjects for moral consideration.

5. HUMAN RIGHTS IN THE SCOPE OF THE ENLIGHTENMENT WORLDVIEW OF OIKOPHOBIA AND NATION-STATES

The Western civilization reached its maturity in the 16th century. It is characterized by a secularized conception about authority and power, any human being participates to the public life and is free from any temporal or spatial dependency. Authority referred to tradition, power maintained tradition, however also space and time are secularized. Social action in the public space is no longer a transcendental act, time is reduced to a linear flow of events. Any subject participates to a public space of common interests organized within national states to which any individual subject belongs and makes part of it without any social go-between. Subjects get access to the public meta- topic public space because any social action is rooted in the subjects itself and is not derived from any transcendence [9].

The public space is embedded into Enlightenment's worldview, metaphysically though not univocally influenced by Kantian transcendental conception of space and time. According to Kant space and time are rather transcendental propensities of human mind to order objects simultaneously respectively diachronically. Kant tacitly referred to the Newtonian worldview where an observing and deliberating subject is situated outside the unique homogeneous four-dimensional space-time. The latter is just a frame to put events on a particular place and at a particular time. There is an absolute zero of space and time so that any position and instant of time is an absolute reality and all places and times are in an isotropic continuous environment. This absolute point zero is the unique beginning of space and time. This point zero makes de difference between ever – never and anywhere-nowhere. No places nor times neither space-time compartments are particularly connected to the subject observing the absolute homogeneous space-time from without. The origin of this worldview starts from modern times in the 17th century by DesCartes and, to date, has never end up. Indeed, not only the environment is opposed to the thinking subject, also the subject is opposed to a vague continuous reality. Furthermore, continental philosophers as Bergson [10] and Poincaré [11] claimed a reality that can be completely constructed by the thinking subject while space and time are just transcendental concepts as asserted by Kant, and recently claimed by Allinson [12]. Within this continuous reality the external ultimate order is imposed top-down as Newton imposed the absolute beginning of time and space. Rijnvos [13] emphasized the complete external position of the thinking and moral subject. The environment of any event can be observed from without, while nor the event nor the observer is influenced by this act. Subject's position is very similar to the absolute status of the Aristotle "Prime Mover" and the whole continuous space and time is top-down filled with naked events. Education, work, integrity of life and body, autonomy of any walk, culture and creativity are governed by an authority, which legality is based on rational arguments of the Enlightenment, law and moral life submitted to the declaration of rights, timeless and without any connection with the local do's and don'ts. The modern world is like the monotonous world of Swift's Gulliver Travels, wherein all is correctly organized, all looks the same at any place and at any time but it is a boring world of sad men. Swift wrote a sketch of the coming modern world. Piranesi performed the modern world by his famous painting called Carceri, jail, prison. All rooms are similar and painted in the same grey colors. It is impossible to find your way and some parts are just like the imaginary castle and houses you can find in computer games. This 18th century art predicted the architecture and organization of our post-modern world. Finally, it ends into the postmodern world of Lyothard [14] where everybody cries in the desert, not finding any identity while nobody answers to his cry for recognition, self-identification and moral claims. All this produces the so called oikophobia [15]. This idea about alienated and disoriented subjects was already mentioned in a complete other context by Bachelard [16] and Yi-Fu- Tuan [17], as space causing fear.

The splendid isolation of thinking subject and consequently the basic feelings of fear appear in the philosophical writings of the Enlightenment philosophers and contemporary philosophers like Rawls and others accepting tacitly this Enlightenment a-priori claim. Some of them are so-called classical liberal monists because they attribute only a universal intrinsic status to individuals. In fact, classical liberal monism is deeply connected to Christianity, colonialism and the nation-state [18]. Priority of a moral life, self-understanding and destiny are the cornerstones of self-emancipation, however men's destiny is not the eternal salvation but freedom in all its aspects. Men's life is the struggle between the good (liberty, individuality, rationality) and the evil (despotism, collectivism, blind customs and social conformity): It is the realm of Light against the realm of the Darkness. Men's duty is battle against Darkness and propagate the realm of Freedom. In consequence this kind of secular messianic message was used as a pretext to justify colonialism. To realize this political and economic project all people, particularly the working class, must be mobilized to fight in dark continents, unified around the same flag. Therefore, the Enlightenment promoted the nation-state. The nation-state is the boundary and initial condition of liberalism: any man becomes a citizen with equal rights, without any social mediation and in consequence the nation-state has the moral duty to dismantle the old institutions and to start from the beginning as the French Revolution did. Enlightened classical liberalism shared the Greek monistic rationalism as well as universalism of the Roman variant of Christianity and in consequence it is characterized by the universal human faculties of rationality, free choice and personal autonomy.

Concerning worldview and men's destiny, the enlightened classical thinker John Locke [19] tacitly accept a Cosmo political worldview based on Newton's absolute conception of space and time. The absolute beginning and 'ground zero' of the Universe is a creation of Aristotle 'Prime Mover' and an open space-time given to human beings in common.

Humans have rights and duties: right to interact and dominate nature, duty to maximize the conveniences of life. Their faculties depend ontologically on the 'Prime Mover', not on their community. Human nature is unique as well as universal and it implies industry, energy, enterprise, self-discipline, civility and acknowledgment of others as one's equals. Therefore, humans need a defined territorial boundary, a coherent centralized and unified structure of authority. In consequence, the nation-state has not an intrinsic status but it is just the most efficient instrument to reach human's freedom. Aborigines did not organize their life in such way and in consequence colonialism was a duty for European people. English colonialism was in their own interests because full human liberal life must be rational, inherently calculating and result-oriented.

Stuart-Mill [20], on the contrary, was against homogenization and cultural assimilation because individuals are unique and human uniqueness underwrites moral and cultural diversity. Nevertheless, social and cultural boundary conditions do not involve diversity. Human's uniqueness does! Diversity (individual and communitarian) is inescapable, aesthetically pleasant, encourages competition within a society balancing rationality and reflection on the one hand, emotions and passions on the other hand. Any individual possess the destiny of perfection while empires built around nation-states are the best guarantee to fill up men's destiny because it is mediating the individual and the universal destiny of perfection. Civil society is best boundary condition to realize men's destiny, the highest being on earth and having the moral duty to live according to his status [21]. Though the moral imperative to pursue excellence is universal, the individual way to reach this destiny can be different and Stuart-Mill cherished individual lifestyle and culture but no cultural diversity. Any individual is an object of moral concern but culture does not produce self-determining collective subjects.

Individual freedom, autonomy and reaching a convenient happy life, that is in a nutshell the Enlightenment conception of men's destiny while the nation-state is just an efficient instrument to fulfil human's stay on earth. On the other hand, nation-states as public space and time are morally ordered according to public rules governing all human relations with the environment according to formal procedures. Therefore, nation-states as public institutes also claim a extern position of space and time, by idealizing the irreversible order of facts and transforming it to a phenomena of eternal return of the global progress [22]. In order to enforce its meta-temporal position the public institutes behave as meta-religious institutes and organize pseudo-religious memorials [23]. Zerubavel [24] considers this extern position as a strategy to present the government as the Universal and unique common good so that the insignificance of the citizen becomes straightforward. The latter enforces citizen's feelings of fear and Oikophobia that surround Enlightenment's public space of nation-states while the pseudo-religious tail of their national history supports the pseudo-transcendental position of their liberal enlightened governors.

6. THE ENLIGHTENED PUBLIC SPACE OF NATIONS TRANSFORMED INTO GLOBAL ETHICAL SPACE

Though our postmodern society is globalized, it is an amazing fact that the outstanding thinkers of our times do not actualize the Enlightenment personal achievements. On the contrary they are focused on the boundary conditions of the Enlightenment society, namely the nation-state. The latter is rarely contested and particularly the institutions of the nation state are entitled with more significance. Rawls [25] gives a rather ethical extension to the Enlightenment achievements namely the distributive retribution. Therefore he emphasizes the primer of justice in society as the expression and realization of moral human nature. This is the basis for economic and political institutions. The political conception of justice provides a workable and shared basis of co-operation. The sense of justice and the conception of the good as basis for retribution are moral powers and philosophical concepts, however, is not a matter of human beings but a matter of citizenship. Indeed, needs are political needs, distributive justice is derived from within the political conception of justice and more particularly political liberalism. In fact, the a-priori position of justice as the result of common agreement presuppose a comprehensive basis and must be integrated into political justice.

Rawls puts forward the basic structure of the political liberalism protecting some standard form of citizenship, against 'bad citizen'. After all, justice is a political concept and tacitly accepted because it is the best guarantee for the survival of the liberal nation-state. Rawls opens the highway to a political community ruled by judges far from the real public space and times. Justice requires respect for individuals and it puts sanctions in case of violation, but justice cannot encourage local voluntarism and appreciation. Moreover, modern states adopted the Enlightenment concept of separation of powers and in consequence the juridical power risk to become a completely legal machinery out of control of the political, social and economic context. Particularly, if super-national institutes like the UN and the EU put global juridical power on the national contexts and rights, an infringement on the coherence of local communities is involved. In addition, global international justice is completely inspired by so called Western liberal concepts disposed of its Enlightenment context and is not rooted in local traditions and autonomy. In that case the ethical conception of justice transforms into political justice and in consequence justice reduces to fairness and Enlightenment reasonableness. The latter, however, can be considered as the highway of personal autonomy functionally required by its social, economic and political institutions of modern society. As Raz [26] claimed, autonomy is Western self-understanding and necessary in order to succeed in modern society as instrumental value. While Locke adopted the nation-state as instrument for individual emancipation,

Raz urged recently the claim that the nation-state becomes an instrument to succeed in the modern global world. This is precisely the perversion of the Enlightenment ideas, though this degeneracy was already included in the original germs of the Enlightenment conceptions of men's emancipation. Indeed, adopting the Newtonian paradigm of the absolute point zero as attribution or refusal of essence within the open container of the whole reality was in contradiction with also adopting the nation-state as efficient instrument of men's self-realization. One's global justice and global worldwide society become an a-priori boundary condition of the so called Enlightenment universal achievements, human conceptions of wellness and freedom of individuals deny the social forms of practices of men's local society that shapes human desires, goals and the assigned values of human ethical feelings.

The former claims are enforced by Kymlicka's conception of the moral status of individuals and their societies [27]. Individuals alone are the moral agents and the bearers of rights and obligations, societies and in addition local communities do not have moral status of their own. Human beings are cultural creatures but not in communitarian sense. Culture defines structure and gives sense of identity to its members. Culture is apparently reduced to an instrumental role of autonomy-building and creation of stability. But the stability of what? In supra-national sense it implies just the stability of the globalized world. In a narrow liberal sense, it is denying the traditions of local cultures, their local institutes and even their instruments of coherence, eventually a reasonable global justice destroys any national historical coherence and in consequence members' perceptual and moral world, members' sense of rootedness and a focus of identification.

In consequence of the Enlightened ratio formal procedures reduce the human subject to procedures represented by ID-Cards, civil service-numbers and bonus cards that referred to subject's consumption pattern. Moreover, the own identity built up by mother tongue, culture, religion and the homeland are banned to the private sphere, because these aspects of life are particular and difficult manageable according to global juridical procedures. Any subject does not become citizen of a village, town or homeland, but an anonymous momentum in a concatenation of administrative procedures. The living space is codified according to quantifiable parameters that measure the wellness, welfare, education level of subjects. No trace of tradition of homeland can be recognized within the management of the modern state. Subjects get a life codified by Brussels, Beijing, Washington or Moscow. Objects of any walk lose their space-like and time-like connotation and so does any subject. It is just oikophobia that is looking behind the corner.

Globalization as Enlightenment fulfilment finds its end in global communication by world wide web. Social media give you the impression to have contacts all over the world, but instead of contact with human beings as real friends, you just meet standardized profiles, consuming the same normalized food in a globalized but virtual world. There is no longer room for diversity, tradition, mother tongue and proper social and economic action because time-like and space-like being is against the universality of the human rights declaration and a source of fear. There is equality, but only as consumer of the same products and homogeneous cosmopolitan citizenship without cultural and traditional background because of fear for being from a particular place and in a particular time [28].

7. THE HUMAN RIGHT OF MIGRATION AND ASYLUM ENCLOSED BY ENLIGHTENMENT PARADOX OF INDIVIDUAL EMANCIPATION AND SOVEREIGN STATES

On the one hand the Enlightenment achievements claim universality, on the other hand the nation-state is considered as the ultimate instrument to realize freedom, autonomy, self-identification and emancipation of the individual citizen. Blaise Pascal [29] already mentioned in the 17th century that any state claims justice, although, justice has a completely different meaning on both sides of the Pyrenees. Consequently, any nation-state organizes institutes, formal or not, rooted in the national culture of the state. The rational infrastructure of the different institutes governing the public area of the actual states are based on the Enlightenment conception of human rights, sovereignty of the nation-state, conventions about the international procedures for resolving the relations between sovereign societies. All started from human voluntarism and some vague human ethical principles deeply rooted into the Western Christian tradition and formulated in a philosophical rational framework adopted from the Ancient Greek philosophers. Particularly Aristotle view of the essence of men's life characterized by a destiny of happiness and wellness, influenced modern and contemporary philosophers of any walk to formulate a philosophical concept of justice. Eventually, justice is transformed by Roman juridical concepts into laws and rights, universally accepted by all member states of the UN. While local rights and duties claim participation of all citizen, the supranational juridical frame overrules national legislation, moreover universal rights are not entitled to participating citizen but to any human being. Paradoxes appear when participation to the national public social space requires active citizenship with rights and duties while universal rights does not involve any contribution to the public space. Particularly in case of an extended good organized social scheme the costs are supported by active participants. Such a social security is covering medical care, financial support in case of disability or unemployment, sheltered accommodation for elderly people, etc. It is established as insurance compulsory for all citizen within the territory of the state. In case of any insurance there is a qualifying period for any participant, however, medical support and in case of asylum even accommodation and food make part of the universal rights of any human being from the first day of arrival. Though the procedure of asylum is also governed by multilateral conventions, the latter are still

rooted in a national conception of public spaces and not in the actual global spaces of supranational constructions such as is the case in the EU. The latter is considered as one political space for individuals, but the social space is broken into 27 national social spaces covering the needs of the participating commons. Indeed, there is no common EU social space, neither a worldwide supported social space. Any insurance requires voluntarism, social coherence of nationals, convergence of agreement about political and social do's and don'ts, however there does not exist one worldwide political area because all UN-member-states are sovereign even so do the EU-member-states. Disequilibrium between the global juridical claims for individuals and the respective potentiality of the local public areas are not balanced by common voluntarism of all. To support the social, cultural and economic implications of migration, the paradox of universal claims of individuals - without supporting world community against local common liability without individual reciprocity - seems to become a new challenge. However, Merkel's quote 'Wir schaffen es' without national voluntarism reduces to Germany's joke 'Wir schaffen Deutschland ab', though international conventions obliges refuge relief without any reciprocity.

The end of the Enlightenment was already mentioned by Nietzsche in several writings, particularly in 'Zur Genealogie der Moral' [30], though Nietzsche was rather focused on the absence of any natural foundation of ethical claims. According to our opinion, however, the Enlightenment end is deeply involved by the contradictory a-priori rationale of Western civilization based on rationalism, emancipation and autonomy of a space-like and time-like thinking subjects yet within a virtual public space and public historical time. Moreover, in the scope of Enlightenment achievements any human being is entitled to emancipating Human Rights, however that can only be fulfilled by engagement and voluntarism freely accepted by common's members in the absence of ontological and ethical foundation of those commons. Finally the metaphysical foundation of the Enlightenment contains a fundamental paradox. Indeed, any individual has to realize human emancipation on a local sustainable place but within sovereign nation-states endowed out of any ecological boundary conditions of real space and time. In the light of the above mentioned paradox Human Rights and particularly the human right of travelling and migration need a new public space.

8. THE ENLIGHTENMENT ACHIEVEMENTS AT FIRST WORLD'S WEALTH SERVICE WITHIN GLOBALIZED SUPER-STATES

At first glance the liberal heritage of the Enlightenment is rescued by swallowing up national states in super-states such as the wet dream of the European technocracy and their political collaborators in the traditional political centers of power. The super-states put on the rest of the world the policy of globalized free market and encourage consumption of products evolving from the economical dynamics of the cyclic triad "science-technology-capital growth" [28]. The global political area becomes a worldwide free market of services and goods ingeniously presented as the results of political efforts of untouchable governments [31]. In addition, those super-states or supranational organizations create social terms and technical infrastructure in order to support this "First World lifestyle" adopted by a large amount of middle class people. This flourishing lifestyle caused the proliferation of men's ecological footprint, exceeding the maximum earth carrying capacity since 1972 while most people live according to the third world lifestyle, however, deprived of fresh water, suffering from air pollution, malnutrition and diseases.

Richard Evanoff [32] characterizes this actual manifestation of the global Enlightened World as the realization of the dominant development paradigm based on the myth of continued economic growth. It leads to an unsustainable world, social injustice and poverty for most people. Indeed, globalization is understood in very narrow terms, particularly formulated in Western discourse about wellness, happiness, moral values, progress, subjectivity, and concepts about organization of national and international rights of the private and of the community as well. As already mentioned above these concepts formulated in supra-national conventions, were based on rather Atlantic conceptions of humanity. After 1960 UN-organizations started economic development programs in the new third world countries according to standards that were already applied in industrial countries.

Obviously one phenomenon seems to appear on the whole planet, namely the tremendous grow of fortune of the 1% most richest people in the world. Evanoff called this their way of live the first world life-style. Fifty years ago this life-style could only be afforded by people, mostly blank, American or western European, but now the first world life-style is adopted by all happy few, without any exclusion by race, religion or nationality. Evanoffs claims were enforced by Piketty's monograph 'Le capital du xxi-ième siècle' [33]. Piketty analyses how the distribution of capital was evaluating since the end of the 18th century in France and UK. It is an amazing fact that accumulation of capital reached its maximum at the time when the 1st World War started, declined to its minimum in the late fifties and early sixties and during the first decade of the 21st century it was increasing to the same level as in 1914. Piketty compared his results for both European countries with that from the US, Japan, Germany and even third world countries like India and China and his conclusions were clear and inconvenient: the development paradigm shows favor to the happy 1% most richest people all over the world above supporting the third world people. Finally, Richard Evanoff [32] claimed the assertion that the main reason for the ecological catastrophe is the way how our planet is economically, politically, culturally and socially globally ruled. Therefore, the first world lifestyle involves unsustainable resource use and bad managing nature and particularly native vegetation. Life for third world people becomes unacceptable and political life in Africa and the

Middle East becomes unstable, eventually civil war push a lot of Africans and Middle East people to emigrate to western Europe. Figure 1 illustrates schematically the Enlightenment’s paradox about human rights, national states and global migration.

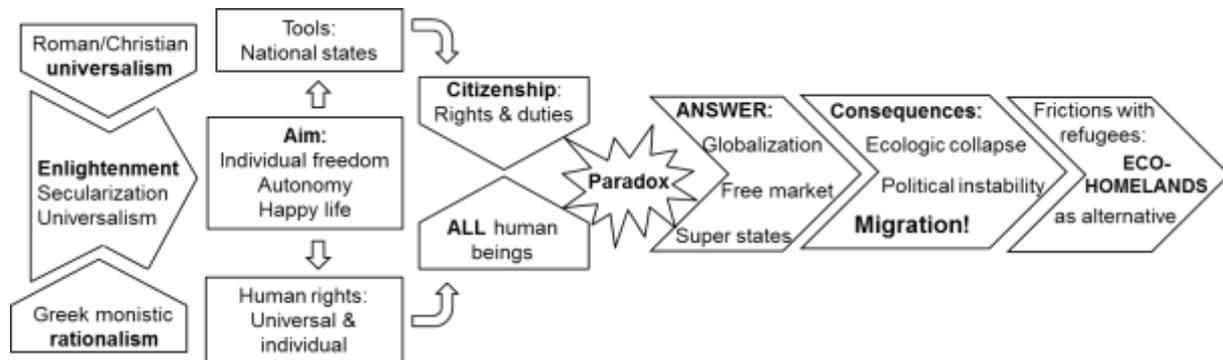


Figure 1: Disentangling the Enlightenment’s paradox about human rights, national states and global migration. From Roman and Christian universalism and Greek monistic rationalism to the Enlightenment. From Enlightenment to the development of national states and human rights to the contradictorily situation of citizenship and the Convention of Geneva. Out of this paradox globalization, free market and super states developed. These structures are leading to ecological issues, political and social instability, civil wars and migration causing social frictions in the state of arrival. Eco-homelands are formulated as alternative for super states.

9. FROM NATION- AND SUPER-STATES TO ECOLOGICAL HOMELANDS

There is also the choice for a new type of nation, partly inspired by Enlightenment anarchism partly by more specific Eco-anarchism. Indeed, while the super-state with virtual public area ends with an ecological clash of the planet and a mental chaos within men’s head, the second can only survive if security and flourishing can be realized in a multicultural sustainable local context. Therefore we embed this context in the scope of an alternative conception of space and time. Moreover, this formal frame makes room for ecological constancy and sustainability of public space, so called the “Homeland”. We claim ecological integrity and autonomy of the Homeland, revising the concept of moral subject within the reality of civil society. This requires coherence of all participants to the public space, and finally a positive ontological status of the foreigner within the Homeland. The latter disclosures a new vision on human rights and especially on migration and asylum so that any homeland becomes an eco-refuge.

9.1. The Oikophilia of the Homeland beyond the Enlightenment Oikophobia

We adopt the pluralistic Leibnizian space-time from which thinking humans do not dissociate themselves, but participate as part of the rational infrastructure of the particular place and at a particular time. The origin of space and time are both relative realities and their absence represents the non-existence of essence of all space-time-like participants, while their presence is the start for becoming. Particularly, human essence and in consequence human freedom depend on the complete ensemble of any possible spatial and temporal interaction. The essence of human beings and his freedom do not precede space and time like in the Enlightened concept of Newton. Contrary, both evolve from the creation of a particular place and particular time [34].

These Leibnizian ideas produce the ontological basis for the phenomenological articulation of place and time that create a new reality that exceeds the sum of the parts [35]. Norberg-Schulz [36] considers space as a room for human dwelling with the guarantee for organic unity and constancy. Space is the boundary condition of human activity and determines how borders, environmental organization and institutes are sustained. Moreover, when any public space coincides with an ecosystem or a harmonic ensemble of eco-systems space has its proper essence of sustainability, unity and integrity. So the homeland becomes an eco-homeland. This space is the cosy place of security and protection [37] within the territory of time-like tradition and social identification. The latter requires conceptual extension of the Enlightenment moral subject. In addition we keep in mind that moral concepts of care and values are exclusively anthropogenic. Indeed, the human subject has to embrace the whole environment as object of ethical consideration. Therefore, Warwick Fox’ transpersonal self-identification makes room for the particularity of the land and all its participants, human, biological life and even landscape [38]. The self-identification of any bearer of moral consideration, however, is the result of creative power of the land to which the subject belongs. The creative power of the land and the ethical self-understanding of the self-reflective human being are mutually enclosed in what is called ‘the homeland’. Moreover, in the scope of Fox’ concept of transpersonal self-identification any subject reach more self-understanding, the more he stands in mutual relationship with his environment. But by discovering his identity as self-reflective being he is faced to his power over non-reflective beings and landscapes. Care for those non-humans is a question of mastering

human's power that gives more insight in human's propensities to create and to destroy. Morality is making the balance between these human powers. The more objects of moral care, the more insight in human's self-understanding and individual identity. Hence, moral care for all participants of the homeland is the highway to self-understanding and individuality. The homeland as the synthesis of participating communities and individuals creates gauging of the social public area of all communities, while integrity and autonomy of the homeland is the a-priori condition for its function as gauging authority [see 34]. Oikophilia substitutes the Oikophobia of the Enlightenment states that are just frozen timeless and space-less relicts of hypothetical contracts and tacit domination.

9.2. Ethical concern within eco-homelands

Recently outstanding political philosophers like Cheney [39] and Jacobs [40] claimed the connection between norms and the public space wherein those norms are generally recognized and obeyed. Eco-homelands are not substitutable but places of self-understanding and ethical care to all. Therefore, the relationship between the public eco-space and the participants must be rooted into a moral infrastructure and we put an ethical a-priori claim on the integrity and the autonomy of the land in correspondence to Leopold's Land-Ethics [41] and Callicott's ethical considerations about the land [42]. Moreover, with Althusius [43], Selznick [44] and Etzioni [45] we put forward the substantial role of the civil society. Globalization denies the civil society the unavoidable key for any subject to meet the environment and to take care for it. Nevertheless, Althusius emphasizes that the civil society is the instrument of excellence to integrate the individual in the ethical community by inter-subjective interactions. According to Selznick, civil societies encourage the participation of the individual to the ethical public area and they are the go-between to conserve and to enlarge the common ethical tradition. Etzioni, however, entitles civil societies with a rather a-priori status with respect to the ethical public space: the civil society provides in a moral infrastructure for the individuals and they are the guarantee of diversity and differences of nationals within the nation, the institutional community, the nation or the eco-homeland so we called. The latter has to invest in the proper immaterial and material infrastructure, while the civil society has its own procedures and regulations and are buffering a total power of the nation on the individuals according to Etzioni. Moreover, the nation and the eco-homeland neither are the final purpose, nor a final super-society, but it is the balance of the moral participation of the nationals and the moral requirements in the public space.

9.3. What makes eco-homelands different from the Enlightenment nation-state?

Though the nation-state is considered as the best instrument to realize the Enlightenment achievements all Modern and actual thinkers accept tacitly the a-priori ontological and untouchable status of the nation-state. In fact, they generally accept the Aristotelian concept of state preceding the social and ethical public area of all participants. Furthermore, the Enlightenment rationale is finally leading up to the Kantian Copernican Revolution. Besides the already mentioned transcendental space-time conception the reality can just be metaphysically understood by means of three timeless transcendental ideas, the categorical I-autonomy, the hypothetical unity of the World and God as the exclusive absolute unity of thinking. Kwang-Ming Wu [46] mentioned the second and even the third Copernican Revolution, respectively adding the transcendental ideas of Levinas' 'Otherness' and Wu's 'Togetherness'. Communities or civil societies, however, do not reach any ontological status, neither they are entitled with moral consideration. Obviously, we have to leave the Enlightenment rationale completely in order to transform the nation-state of individual subjects into a homeland of communities and transpersonal subjects. Indeed, the Enlightenment rational metaphysics reduces understanding to spaceless and timeless action of a transcendental 'I' while timeless and spaceless human subjects are a rather unrealistic assumption. Besides, it is totally out of the question for a human to escape from the land without losing his identity. Escaping or preferring the refuge of the splendid isolation of universal observer implies the end of the mutual relations that guarantee the identity and the subjectivity of any participant of the homeland. As the homeland is a rather particular affair, so is the metaphysical status of the self-understanding subject. His metaphysical status depends on the wholeness and integrity of the land that coincides with the reference system that guarantees subject's metaphysical significance and moral consideration. So we adopt Gadamer's hermeneutic understanding [47] [48] which has a spatial and a temporal momentum, and it connects tradition to the actual context of homeland's space and time. Gadamer's hermeneutics actualizes the public space and historical tradition into a phenomenological conception of the land so that the land becomes an authentic place of dwelling, the guarantee for organic unity and constancy as mentioned in the above section.

Reconciliation of all participants with the homeland's environment means the first hermeneutical momentum. The community of all participants enforced itself by the embodiment in the space and history of the homeland. Some elements of the environment unify people because they invite people to assembly a coherent and consistent unity with each other and all participants around particular elements of the environment. Within the surroundings of these particular places, ecotopois as we named it, any individual feels making part of the enlarged community of the environment.

Ecotopois represent the time and the landscape of the homeland as timeless witnesses of the land. Ecotopois are mountains, valleys, fields, rivers and artefacts. These landscape elements are not just geographic or geological items but symbolize the common homeland and tradition of all participants. In case of artefacts or historical places (Flanders Fields, Masada,) they are not just memorials. The latter remember the heroic fact of history. The mentioned ecotopois do not refer to a particular time or a particular event, they are for all times, for all seasons. Nationalistically inspired

monuments refer to particular battles or particular heroes. Annual celebrations around those memorials create an eternal actuality because the nationalism needs a timeless atmosphere for its own legitimating. However, ecotopois are renewed at any time by attributing them new meanings according to the actual state of the participants of the land. Ecotopois are not referring to a national state but to the actual way of life of the community. This meaning is not a nationalist petrified relict that need a mythical civil and religious admiration by people in formal uniforms. Ecotopois refer exclusively to a territory but it claims not the monopoly of this territory. Irish from all over the world come to Crough Patrick. It does not matter if they are catholic or protestant. It does not matter if they have an American, Australian. British or Irish passport, it is the ecotopois of all Irish and when they are climbing up to the top all climbers belong to the Irish land at least at that moment. This first momentum of common recognition is diachronically followed by human search for a safe, flourishing sustainable homeland. Participants of the land do not conquer the land but construct the community. It makes its own community clock that governs all participants while no individual no particular culture master the evolution of the land. Any participant fails in submitting the land since it is the land that submits its participants.

Though the participants of the land can belong to very different cultural traditions, around the ecotopois space and time produce a collective identity so that any participant feels home in the common land because he is taking care for the land. This second hermeneutical moment actualizes the attractive power of the ecotopois which we consider as the cornerstones of the homeland. In their homelands citizen belong to the civil society that stays in equilibrium with the landscape and all forms of biological life based on the mutualism and Hannah Arendt's agape [49]. According to Arendt, this land appears as an ensemble of terms, according to which men and women are living together in absolute diversity and freedom of thinking, speaking and acting, called the political reality. This Eco-refuge or Eco-homeland' guarantees freedom in diversity.

10. FOREIGNER'S STATUS IN HOMELANDS

In classical philosophical writings [50] [51] the foreigner appears often as native's mirror of identity and moral values. While mirror images represent virtually reality the foreigner, however, is real, though his ontological status is rather differential. Indeed, the foreigner refers to the particularity of the land and its participants. The self-reflective native understands that any of his civil societies to which he belongs to as well as his land is never absolute neither straightforward nor intrinsic. The foreigner obliges the co-fellows of the land to be critical to their own coherence and he confronts the land by the fact that its moral coherence is vulnerable and only a permanent vigilance is necessary to keep the land metaphysically and morally integer and fair. Furthermore, the foreigner makes also native's ontological status differential and in consequence identity and moral integrity make part of Derrida's tentative discourse [52], referring to another discourse in an endless concatenation of negative connotations about foreigners as well as about natives. Foreigner's identity can only tentatively be understood, his ethical claims partly accepted while the native's identity and moral integrity become diluted within the chain of forward referring discourses. Nevertheless, it is impossible to deny the 'factlike'- existence of foreigners in our globalized world.

In order to entitle foreigner's identity as well as native's we situate the main reason for the classical endless differential discourse in the Enlightenment's basic rationale: the conception of space and time (i), the dichotomy of its rationale (ii), Enlightenment's paradox about the need for national states as most efficient instrument to realize freedom, security and flourishing (iv), and the Enlightenment's universal claim of borderless legitimacy of human rights (v).

First the Enlightenment presupposes a Newtonian world with an isolated thinking subject, native as well as foreigner, completely free of place and time. Moreover, the Newtonian space-time conception presupposes an absolute reference (DesCartes' *res cogitans*, Kant's metaphysical and moral transcendental concepts) implying ever or never and a somewhere or nowhere. On the contrary, by adopting the Leibnizian space-time conception the essence of all spacelike and timelike participants depends on the essence of some other participant. So there is no differential connection between native and foreigner, nor complementary, but both essences are mutual.

Within the Leibnizian space and time we made room for both the native's and foreigner's land, the latter native in his own land. Furthermore, in the scope of this modified conception of space and time and adopting Aldo Leopold's Land-Ethics claim of integrity and autonomy of the land, the latter represents a multicultural context supported by civil communities with converging conceptions of identity, wellness and sustainability of all. The land is the reference system of any individual. As the land is a rather particular affair, so is the metaphysical status of the self-understanding native subject and so is the foreigner. The metaphysical status of both depends on the wholeness and integrity of the land that coincides with the reference system, so called the homeland, not on their mutual differences. The inherent value of native and foreigner depends intrinsically on the wholeness and integrity of respective homelands.

Furthered, apart from the spatial essence of native's and foreigner's identity there is also a temporal aspect. Therefore we leave the Enlightenment rationale because it reduces understanding as a non-spatial situated and timeless activity of the isolated self-consistent subject. Nevertheless, any thinking self-reflective subject is spatial connected to a particular territory and temporally situated. Hence, so does any metaphysical claim. While classical understanding has neither a spatial nor a temporal momentum, Gadamer's hermeneutic understanding, however, connects tradition to the actual

spacelike and timelike moments of the respective homelands. It represents the tight connection of the subject with his community where he belongs to while the latter is his link to morality and his own inherent value. Tradition is no golden or iron cage to captive the subject, but is the ultimate result of continuously transfers of morale values from generation to generation all dedicated to the land. This understanding produces the metaphysical momentum of the hermeneutical process. This latter is the guarantee for actual understanding of both native's and foreigner's ontological status. In consequence classically understanding the foreigner is rather an impossible act as any single subject cannot claim universal status of any ethical claim without the perspective of his homeland. The prejudice with respect to the foreigner is consequently a first hermeneutical step in order to attribute ontological status to the foreigner, his foreign tradition and his foreign land.

Finally, the Enlightenment paradox concerns human rights and global Newtonian conception of earth. On the one hand the Enlightenment achievements claim universality, on the other hand the nation-state is considered as the ultimate instrument to realize freedom, autonomy, self-identification and emancipation of the individual citizen. At first stage the former claim creates one juridical public area throughout the whole planet without any foreigner, the nation-state, however, is entitled with sovereignty and consequently it is more than just an instrument. Moreover, as already mentioned above in the light of the Newtonian concept of attributing essence to native and foreigner the nation-states' public institutes claim also an external position of space and time, by idealizing the irreversible order of facts and transforming it to a phenomena of eternal return of the global progress. According to Enlightenment conception citizen's significant essence just follows from native's obedience to the nation-state while foreigner's status consists in being excluded from the national institutes.

However, in the scope of homeland's integrity and autonomy ethical care is attributed to the foreigner because foreigner's homeland's inherent values have universal metaphysical and ethical claims. The foreigner is not an ethical inherent subject but the object of an universal ethical formal system. For attributing ethical care to the foreigner it does not matter if the hermeneutical understanding of both involved lands are converging or diverging, because the categorical care is imperative due to mutual claims of universality [34].

Contrary. globalization claims the end of the boundary conditions of the Enlightenment social and political achievements, this means not only the end of the national states but also the absence of any gauging institute in order to balance the universal and non- temporal human rights of any private and the spacelike and timelike substantial role of the civil society for which territory and tradition are indispensable.

11. THE FOREIGNER AS IMMIGRANT OR REFUGEE IN THE HOMELANDS

Any human subject is entitled to one or another homeland. Indeed, the French philosopher Finkelkraut [53] gave intellectual support for the link between humanity rooted into community and situated in a proper homeland. Humans without a homeland are aliens in a world without any substantial significance. Finkielkraut's proposal refers to Jean Amery's quote "Give us our own land so we don't have any need for it" [54].

As co-fellow any human participant of the homeland makes part of some civil society, and finally as citizen of an organized homeland any human being is governed by public institutes. The latter, however, are juristic products of the Enlightenment rationality unless the subjects made room for the option of anarchy, Enlightenment [55] [56] anarchy as well as eco-anarchy [57]. Since all homeland's participants' essence and existence are mutually connected, the land influences the existence of locals and guests, and locals and guests mutually influence each other. Scandinavians are influenced by the demi-arctic ecosystems, and in consequence those men are quite different from fishermen of Holland who are for generations struggling against the water.

Leaving the homeland, the immigrant produces a double effect: first his active participation to the homeland of departure drops out, the passive participation to the homeland of arrival drops in. In consequence the integrity of both homelands is affected though necessarily not in a substantial way. Any immigrant is looking for a self-identity and for recognition of the society to which he belongs. On the hand any individual wants to be differentiated from what he is not and on the other hand any individual wants to be positively accepted. According to Alex Honneth [58] recognition contains three different aspects: love, respect and appreciation. Phenomenological links are self-understanding, self-respect and self-appreciation. Any immigrant is a vulnerable being and therefore there must be a moral duty socially mediated to overcome this vulnerability. Recognition requires social mediation on any stage but it starts with the civil society of all communities. Indeed, the first step to recognition is effectively be involved in the wellness of the vulnerable. Human love gives self-confidence as a-priori condition for mutual recognition and self-respect. Love is asymmetric particularly in case of immigrants. The love of the local will not be necessarily meet immigrants. The first consequence of this asymmetric love evolves in care for the integrity of the vulnerable immigrant. At his stage this necessary conditions for further development of the individual immigrant must be fulfilled.

The following step is mutual respect: respect for the self-integrity and respect for the complete environment. Respect is embedded in a community and it corresponds to some social do's and don'ts. In consequence, respect implies the claim of integrity and proper duties for any immigrant, but also autonomy. Autonomy has moral aspects but it implies also the

capacity to determine his own way of living, but within a civil society of the homeland of arrival. Moreover, autonomy also implies social rights, only guaranteed within the symbolic and discursive scope of the homeland. Respect is unconditional but mediated by the whole public area. The whole community of the homeland makes the balance between the social action of the civil society and the human rights of any immigrant.

The last stage of recognizing is appreciation. Though respect can formally be claimed and implemented, appreciation cannot be imposed, it requires freedom and voluntarism. Appreciation can be realized when the traditional roots are converging to the common sense of the new homeland. The immigrant must experience of the homeland the complete recognition of the self and in consequence of his tradition by the common sense. Therefore, the core civil society must shape the new immigrant within the own tradition so that the own cultural and religious tradition can be integrated in the social and political program of the homeland of arrival. This educational moment implies also a metaphysical moment. Indeed, civil societies are not just preparing the immigrant for the broad society of the homeland, they are a necessary hermeneutical step to the coherence of the homeland. The unconditional love of the public area of arrival makes room for a free hermeneutical understanding of the traditional roots and the actualization of this hermeneutical discourse within the needs of the actual homeland. This hermeneutical status is at first value the unconditional moment in integration and developing autonomy of immigrant so that acculturation and the “*sein vergessenheit*” overrule the reconciliation of the own tradition and the coherent tradition of the homeland of arrival. Therefore the homeland has to create the proper social infrastructure to embed all local traditions in order to make convergence possible.

Convergence is only possible if the original tradition and the guest tradition of the homeland are not petrified in a mythological or ideological discourse. The former does not make room for a reality outside the cyclic time of the myth, the latter does not accept any hermeneutical interpretation of the own tradition. In those case the original tradition proceeds by means of the core civil society but only the proper civil society delivers the tradition to the following generation and new minorities are created and in consequence lack of coherence of the homeland.

12. ECO-HOMELANDS OR ECO-REFUGES BEYOND ENLIGHTENMENT ANARCHISM?

Enlightened Anarchism rejects the Kantian Cosmopolitanism that represents a worldwide domination of “upstairs” first world civil virtue while subordinating the moral values of the “downstairs” working class. In fact Enlightened Anarchism emphasizes absolute freedom of any individual human, but nowadays it should reject cosmopolitanism and economic globalism because it oppresses the individual freedom. The connection between Anarchism and ecology is formulated by Bookchin and Sale, as mentioned before. Bookchin started from social liberalism which sees individuals in the context of the social relations they deal with others. Later he came to the idea of libertarian municipals, the basis of local communities characterized by small scale, self-governed communities and mostly self-supporting and sustainable [59]. In fact, Bookchin connects the anarchistic sighs for freedom out of hierarchy and domination. The search for self-government and self-support match the new environmental claims to produce a sustainable community. Sale [60] [61] enforced the link between ecology and anarchism impressed by the fact that there is neither hierarchy nor domination in a stable ecosystem. The principles of balance, decentralization, equilibrium, corporation, symbiosis, conservation and diversity in nature refer to the anarchist ideas of self-governance.

The above mentioned modified Land-Ethics realizes a sustainable public area that guarantees justice and wellness for the whole ecosystem. Besides the claim of integrity, stability and beauty of the biotic community human beings are not individuals but belong to this biotic community. Despotism human behavior is out of the question because the land-ethics change the role of the Homo Sapiens from conqueror of the land-community to plain member and citizen and it put the relation of men and land up side-down, the land does not belong to us, we belong to the land [62].

Migration, however, requires additional consideration for the environment of the new homeland. Indeed, integrity of the place means maintaining the dynamic equilibrium of the ecosystem in balance with new inputs of migration, climatic changes, unpredictable weather and human action. Consequently we have to pass from static or synchronic integrity to dynamic or diachronic integrity [63]. In consequence the eco-refuges or eco-homelands are multicultural, small scale, sustainable, self-supported and replace the actual countries of the planet. The option for a planet of Eco-refuges seems a good alternative since the creation of eco-refuges transforms the actual world of national authorities into a world of sustainable eco-regional homelands [64].

13. CONCLUSIONS

We conclude that global migration forces the transformation of the nation-state to multicultural eco-homelands or eco-refuges. The Enlightenment achievements requires not the nation-state as the most efficient instrument for freedom and self-emancipation, but a sustainable public area as the necessary boundary condition for norms, civil rights. Within a multicultural homeland we need irrevocable convergence of initial and boundary conditions within the homeland with respect to three fundamental a-priori questions:

- 1) Who belongs to the homeland in order to enforce the sustainability?
- 2) How can we feel safe and how secure is the homeland?

3) What is the future of the homeland?

Though migration of different traditions is irreversible, within the land of arrival the discursive space of institutions and the historical tradition can only integrate the different traditions when a hermeneutical transformation of any tradition can be actualized within the tradition of the guest land. Therefore, the non-idealistic and non-mythical structure of the core civil society is the necessary step to let converge the different traditions. Moreover, the Enlightenment achievements have to be reformulated in the scope of ecological and social sustainable homelands in order to make the balance between the rights and duties of locals and immigrants, both participants to the dynamic equilibrium of the common homeland [65].

14. REFERENCES

- [1] Verstraeten, G.J.M., “Family as prior civil society after the ecological catastrophic end of political globalization”. First International Forum on `Family and Globalization`, Oran University, April 2015.
- [2] Steffen, W. et al. “Stratigraphic and Earth System approaches to defining the Anthropocene”, *Earth’s Future*, 4, 2016, doi:10.1002/2016EF000379.
- [3] Tyler, T., *Living in the Environment: Principles, Connections and Solutions*, chapter 14- 17. International Editions, 16e, Miller, 2012.
- [4] Donnelly, J., *Universal Human Rights in Theory and Practice*, second edition, chapter 2, Cornell University Press, Ithaca and London, 2003.
- [5] 2015 United Nations Climate Change Conference, Paris, 2015.
- [6] Fukuyama, Y.F., *The End of History, The National Interest*, USA, Summer, 1989.
- [7] Huntington, S.P., *Clash of Civilizations and the Remake of World Order*, Simon & Schluster, New York, 1996.
- [8] Barber, B., *Jihad vs Mc World: How Globalism and Tribalism Are Reshaping the World*, ISBN 978-0-345-38304-4, 1996.
- [9] Taylor, Ch., *Social Modern Imaginary*, Duke University Press, Durham and London, 2004.
- [10] Bergson, H., *La pensée et le mouvant, Oeuvres*, éditions du Centenaire, P.U.F., Paris, 1970.
- [11] Poincaré, H., *La valeur de la science*, Flammarion, Paris, 1913.
- [12] Allinson, R.E., *Space, Time and the Ethical Foundation*, Ashgate, 2002.
- [13] Rijnvos, C. J., *Filosofie van tijd en ruimte. Ontwerp van een humane wijsbegeerte*, 83-84, chapters 2,3 4.1 and 4.2), Lemma BV, Utrecht, the Netherlands, 1996.
- [14] Lyotard, J.F., *Le Different*. Minuit, Paris, 1983.
- [15] Caluwe, de, J.G.M. & Verstraeten, G.J.M., “In Defense of Leopold’s Land-Ethics as a Global Environmental Approach for Cross-Cultural Dialogue”, Presentation 9th International Conference for Applied Ethics. 31 October-2, Sapporo, Japan, 2014.
- [16] Bachelard, G., *The Poetics of Space*, Beacon Press, Boston, 1969.
- [17] Tuan Y-F., *Topophilia: A Study of Environmental Perception Attitudes, and Values*, Prentice Hall, Englewood Cliffs, 1974.
- [18] Parekh, B., *Rethinking Multiculturalism, Cultural Diversity and Political Theory*, second Edition, chapter 1, Palgrave Macmillan, 2006.
- [19] Locke, J., *Two Treatises of Government*, ed. P. Laslett, Cambridge University Press, Cambridge, UK, 1963.
- [20] Mill, J.S., *Utilitarianism, Liberty, Representative Government*. London, Everyman’s Library, UK, 1964.
- [21] Roshwald, A., *The Endurance of Nationalism*, Cambridge University Press, Cambridge, 2006.
- [22] Smith, A., “Eternal Care of Nation”, In *Chosen People*, 213, Oxford University Press., 2003.
- [23] Vick, B.E., *Defining Germany: The 1848 Frankfurt Parliamentarians and National Identity*, Cambridge, Massachusetts Harvard University Press, 2002.
- [24] Zerubavel, E., *Time Maps Collective Memory and the Social Shape of the Past*. Pg 46-48, 101-102., Chicago, University Press, 2003.
- [25] Rawls, J., *A Theory of Justice*, Oxford University Press, London, 1971.
- [26] Raz, J., *Ethics in the Public Domain: Essays in the Morality of Law and Politics*, Clarendon Press, Oxford, 1986.
- [27] Kymlicka, W., *Contemporary Political Philosophy: an introduction*, second edition, Oxford University Press, UK, 2002.
- [28] Verstraeten, G.J.M., “From Modified Land-Etics to a Socio-Political Answer for Safe Sustainable Environment”, Presentation on the 9th Internatioional Conference for Applied Ethics, 31 October-2 sapporo, Japan, 2014
- [29] Pascal, B., *Pensées*, Editions Lafuma, Paris, 1966.
- [30] Löwitt, K., *From Hegel to Nietzsche*, Columbia University Press, USA, 1964..
- [31] MacPherson, C.B., *Life and Times of Liberal Democracy*, Oxford University Press. Oxford, 1977.
- [32] Evanoff, R., *Bioregionalism and Global Ethics: A Transactional Approach to achieving Ecological Sustainability, Social Justice and Human Well-Being*, chapter 1-2, Routledge, UK, 2011.
- [33] Piketty, T., *Le capital du xxi-ieme siècle*, Édition du Seuil, 2013.
- [34] Verstraeten, G.J.M. & Verstraeten, W.W., “From Particular Times and Spaces to Metaphysics of Leopold’s Ethics of The Land”, *Asian Journal for Humanities and Social Studies*, Volume 2, issue 1, February 2014.

- [35] Seamon, D., "The Phenomenological Contribution to Environmental Psychology", *Journal of Environmental Psychology*, vol. 2, pp. 119-40, 1982.
- [36] Norberg-Schulz, C., *Genius Loci: towards a phenomenology of Architecture*, Rizzoli, New York, 1980.
- [37] Relph, E., *Place and Placelessness*, Pion, London, 1976.
- [38] Fox, W., *Toward Transpersonal Ecology: Developing New Foundations for Instrumentalism*, Shambhala publications, Boston, Massachusetts, 1990.
- [39] Cheney, J., "Postmodern Environmental Ethics: Ethics as Bioregional Narrative", In: *Environmental Ethics*, 11, 117-35, 1989.
- [40] Jacobs M., *Sustainability and Socialism*, Socialist and Resources Association, London, 1995.
- [41] Leopold, A., *A Sand County Almanac*. Oxford University Press, New York, 1949.
- [42] Baird Callicott, J., "The Conceptual Foundations of the Land Ethics' Companion to a Sand County Almanac: Interpretative and Critical Essays", (J.B. Callicott, ed.), University of Wisconsin Press, Madison, USA, 186-217., 1986.
- [43] Althusius, J., "Politica Methodice Digesta", 1609, 3rd ed. An abridges English edition of the third edition was published as *The Politics of Johannes Althusius*, edited by Frederick S. Carney, London: Eyre and Spottis woode, 1965, *Politica*, Indianapolis Liberty Fund, 1995.
- [44] Selznick, P., *The Moral Commonwealth. Social Theory and Promises of Community*, p.517-518, California University Press, Berkeley, 1992.
- [45] Etzioni, A., *The New Golden Rule. Community and Morality in a Democratic Society*, New York, Basic Books. 1996.
- [46] Wu, K.-M., *On the 'Logic' of togetherness. A Cultural Hermeneutic*. Brill, Leiden, Boston. Köln, 1998.
- [47] Gadamer, H.G., *Truth and Method*, Sheed and Ward, Ltd Press, London, 1975.
- [48] Gadamer, H. ., *Philosophical Hermeneutics*, (translated by David E. Linge), University of California Press, 1977.
- [49] Arendt, H., *The Promise of Politics*, New York, Schocken Books, 94-96, 2005.
- [50] Kristiva, J., *De vreemdeling in onszelf*, Contact, Amsterdam, 1991.
- [51] Bauman, Z., *Modernity and Ambivalence*, Policy Press, Cambridge, UK, 1991.
- [52] Derrida, J., *Marge de la Philosophie*, les éditions de Minuit, Paris, 1971.
- [53] Finkelkraut, A., *L'humanité perdu, essai sur le XXe siècle*, Editions du Seuil, Paris, 1996.
- [54] Amery, J., Cited by Finkelkraut 1996.
- [55] Blumenfeld, J., Bottici, Ch. & Critchley, S., "The Anarchist Turn", *Plutopress*, New York, 2013. Simmons, A. John, *Philosophical Anarchism* Available at SSRN: <http://ssrn.com/abstract=1344425> or <http://dx.doi.org/10.2139/ssrn.1344425>, February 16, 2009).
- [56] Windeknecht, R., "Law Without Legitimacy or Justification? The Flawed Foundation of Philosophical Anarchism", *Res Publica*, 18 (2), 173-188, 2012.
- [57] Bookchin, M., *Post-scarcity anarchism*. 3rd ed. Montréal, Black Rose, 2004.
- [58] Honneth, A., *Kampf und Anerkennung. Zur moralischen Grammatik sozialer Konflikt*. Suhrkamp taschenbuch, Seiten, 1992.
- [59] Bookchin, M., "What is communalism?: The democratic dimension of anarchism", *Green Perspectives*, 31, 1-6, 1994.
- [60] Sale, K., *Dwellers in the land: The Bioregional vision*. 2nd ed. Athens: University of Georgia Press, 2000.
- [61] Sale, K., "Anarchy and ecology. A review essay", *Social Anarchism*, 10, 14-23, 1985
- [62] Leopold, A., *A Sand County Almanac*. p. 224-5 Oxford University Press, New York, 1949.
- [63] Holland, A. & O'Neill J., "The integrity of nature: Organization of space in an inhabited cosmos", *Nature and Culture*, 1, 1-9, 1996.
- [64] Verstraeten, G.J.M. & Verstraeten, W.W., "Ecorefuges as Anarchistic Promised Land or the End of Dialectical Anarchism", *Asian Journal of Humanities and Social Studies*, Volume 2, Issue 6 December 2014.
- [65] Caluwe, de, J.G.M. & Verstraeten, G.J.M., "A Global Environmental Approach for Cross- Cultural Dialogue: from Noah's Ark to the security of sustainable flourishing homelands", In *Applied Ethics, Security, Sustainability and Human Flourishing*, Center for Applied Ethics and Philosophy, Hokkaido University, Sapporo, Japan, pp. 64-80, 2015.