

PHILOSOPHY
IN A TIME OF TERROR

DIALOGUES WITH
JÜRGEN HABERMAS AND
JACQUES DERRIDA

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everything we are speaking about in a quasi-spontaneous fashion had not already been treated elsewhere, by others or by ourselves, in already published writings and with more developed arguments. As you can see, I believe I must, at each moment, make as if I were at once honoring and breaking our contract.

DECONSTRUCTING TERRORISM

Derrida

While Habermas's work has been almost exclusively in social and political philosophy, Derrida has contributed to an array of philosophical fields: from the philosophy of literature to linguistics, from the philosophy of history to ethics and politics. His ethical and political views are contained in several treatises that started to appear in the 1980s, roughly twenty years after he composed his first philosophical works. For this reason, it is commonly believed that Derrida came to these topics late in life, perhaps like Locke, Kant, Spinoza, and Hegel, for whom discussions of ethics and politics gained center stage only in the second half of their careers. But this is not an entirely accurate impression, for Derrida has been implicitly engaging ethical and political considerations as long as he has been writing. The reason why his contribution to these fields was not readily detected before it was presented in a more explicit and systematic fashion is that, from very early on, Derrida transformed the outlook of these disciplines to such a degree

that his readers often did not even recognize them anymore. "Deconstruction" is the name Derrida has given to such transformation.

Deconstruction seeks to disassemble any discourse standing as a "construction."¹ Given that philosophy is about ideas, beliefs, and values constructed within a conceptual scheme,² what is being deconstructed is the way in which they hold together in a given scheme. Unlike a general method or analytical procedure, deconstruction is a highly individualized type of intervention aimed at destabilizing the structural priorities of each particular construction. The reason why Derrida pursues destabilization rather than, say, consolidation is that philosophical constructions seem to him to depend on seemingly clear-cut oppositions and irreducible conceptual pairs: spiritual and material, universal and particular, eternal and temporal, male and female are just some examples. These pairs raise two problems: on the one hand, as a result of their extreme rigidity, all that does not fit neatly within their oppositional relation tends to be marginalized or even suppressed; on the other hand, these oppositions impose a hierarchical order. For example, in the Platonic framework later appropriated by Christian thought, truth and goodness coincide with the spiritual, universal, eternal, and male side of the opposition at the expense of the material, particular, temporal, and female side.

Deconstruction first sets out to identify the conceptual construction of a given theoretical field, whether it is religion, metaphysics, or ethical and political theory, which usually makes use of one or more irreducible pairs. Second, it highlights the hierarchical ordering of the pairs. Third, it inverts or subverts their ordering by showing that the terms placed at the bottom—material, particular, temporal, and female, in this example—could with justification be moved to the top—in place of the spiritual, universal, eternal, and male. While the inversion reveals that the hierarchical arrangement reflects certain strategic and ideological choices rather than a description of features intrinsic to the pairs, the fourth and final move is to produce a third term for each oppositional pair, which complicates the original load-bearing structure beyond recognition. If the first two moves take on the description of a given conceptual construction, the final two are aimed at deforming it, reforming it, and eventually transforming it. Because deconstruction's work is so minutely tailored to the specificity of its object, Derrida likes to refer to it as "intervention."

Under the pressure of deconstruction, classical philosophical constructions assume the semblance of baroque façades: no longer linear, they now look twisted and deformed, internally complicated by overlapping patterns and an endless play of perspectives. Ultimately, they are transformed beyond recognition, their original motif stretched to its limits and possibly extended beyond them. For Derrida experiencing the limits of philosophy positively changes the way we think. The acknowledgment of limits protects thought from dogmatism as well as from excessive self-assurance and injects into it a healthy sense of systematic incompleteness and doubt. Socrates used to enrage his fellow Athenians by exposing them to the limits of their own thinking: all of a sudden, in the course of their dialogues with him, scholars, rhetoricians, poets, generals, and even self-proclaimed philosophers felt paralyzed by dilemmas, paradoxes, and aporias. Socrates' distinctive dedication to philosophy shows how much he treasured the encounter with those limits—the sense of challenge, the risk, and surprise that they propagate, as soon as we meet them. Deconstruction follows Socrates in this human and inhuman tradition of testing the limits of thought.

In our dialogue, Derrida engaged the themes of terror as a psychological and metaphysical state as well as terrorism as a political category. Again in Socratic fashion, he laid out a number of seeming conceptual dead ends that at first plainly disoriented me. In the present essay, my aim is to unravel the productive aspects of these apparent conceptual dead ends, or aporias, in which resides the extreme originality of Derrida's thought. This dialogue is a quintessential example of his unique style of thinking: a fascinating mix of erudition and exuberance, conceptual rigor and linguistic genius, existential depth and intellectual sophistication, timelessness and timeliness.

I would like to begin by framing Derrida's approach to ethics and politics, examining a topic that consistently underscored our dialogue but never quite made it to the surface. This is the concept of forgiveness, which is crucial both theoretically and practically to questions surrounding war crimes, genocide, and terrorism. Exploring Derrida's notion of forgiveness will also provide the reader with a clear example of deconstruction at work, illuminating a path similar to the one Derrida took in commenting on the attacks of 9/11 and global terrorism. As we shall see, Derrida defines forgiveness as the impossible task of for-

giving the unforgivable. (This is why, for him, forgiveness cannot be reduced to any legal or moral boundaries but only appreciated whenever and however it arises. *through deconstruction?*)

Derrida's conclusion on forgiveness will give me the opportunity to explore the significance of boundaries and limits in deconstruction alongside the relations of inclusion and exclusion that they establish. I will then clarify the role of boundaries, which is essential to understanding Derrida's interpretation of 9/11 as an unnamable event. I will then examine Derrida's interpretation of terrorism as a symptom of an autoimmune crisis, whose cause he attributes in part to the complex heritage of the Cold War as well as to the unhappy marriage between religion and the global information network.

A salient moment of the dialogue is Derrida's critique of tolerance, where he sharply disagrees with Habermas. Derrida's views on the inadequacy of tolerance will allow me to identify some key elements of Derrida's relationship with Kant and Enlightenment philosophy. As I will show, Derrida opposes Kant on the ground that tolerance is anything but a neutral moral demand. Yet it is precisely from Kant that Derrida takes off in his rejection of tolerance in favor of hospitality.

I shall conclude with a discussion of Derrida's thinking about the nature of violence, a concept that is essential to any appraisal of terrorism. The discussion of violence will open the way to the crucial issue of secularism in today's politics. Derrida believes that the post-9/11 geopolitical scenario consists of two theologically infused political entities: the United States and its declared enemy. This situation raises new possibilities for the most secularized political interlocutor Derrida sees available: Europe. Beyond the alternative programs of Eurocentrism and anti-Eurocentrism, which Derrida declares both unforgettable and exhausted, he points to a third way. This way does not involve the European Community as it exists but the memory of a European promise that is yet to be fulfilled: democracy and emancipation for all. This means, for Derrida as it does for Habermas, that the Enlightenment is not dead. However, in order to be effective against terrorism, Derrida demands an endless updating of the Enlightenment agenda: for we need to work "on this Enlightenment of this time, this time that is ours—today."³

Forgiveness Deconstructed

In the face of the bloody traumas of history, from the betrayals arising during civil wars to the terrorist slaughters of civilians, Derrida calls for a rigorous reflection on the notion of forgiveness. The rigor he is invoking concerns the study of this concept not as an abstract entity but as it is employed in concrete historical and cultural contexts.

In all the scenes of repentance, confession, forgiveness, or apology which have multiplied on the geopolitical scene since the last war, and in an accelerated fashion in the past few years, one sees not only individuals, but also entire communities, professional corporations, the representatives of ecclesiastical hierarchies, sovereigns, and heads of state ask for "forgiveness." They do this in an Abrahamic language which is not (in the case of Japan and Korea, for example) that of the dominant religion of their society, but which has already become the universal idiom of law, of politics, of the economy, or of diplomacy: at the same time the agent and the symptom of this internationalization.⁴

Without the presence of an almighty god of Abrahamic ancestry, the two essential questions of forgiveness would not find an answer: namely, what calls for forgiveness and who calls upon forgiveness. In ancient Greek polytheism or Native American animism, just to name two different structures of religious belief, forgiveness does not occupy a prominent place. Whenever the Greek gods were angered by human arrogance or bad judgment they would mercilessly take it out on individuals, entire cities, and even the progeny of the culprit. A deeply felt communion with nature rather than the emendation of improper behavior is at the center of Native American animism, where the figure of the shaman does not ask the individual or the community for acts of confession or repentance.

No matter where forgiveness appears, it belongs to a specific religious heritage, which Derrida defines as Abrahamic "in order to bring together Judaism, the Christianities, and the Muslims."⁵ A remarkable occurrence in the late twentieth century geopolitical scene is that contexts geographically and culturally very distant from the Abrahamic roots of Western monotheism have absorbed it to the point of molding

their international profile in accordance with it. This is the case of Japan, which publicly apologized to South Korea for the sexual enslavement of thousands of women during World War II.

Derrida's first deconstructive move is to locate the Abrahamic root in the meaning of forgiveness, which links forgiveness to the possibility of expiation. This quickly leads him to expose several pairs of opposites: finite and infinite, immanent and transcendent, temporal and eternal, reparable and irreparable, expiable and inexpiable, possible and impossible. Unearthing these oppositional pairs is Derrida's second move. His third deconstructive move consists in showing that these pairs are hierarchically arranged. For punishment to be calculable, it needs to be finite, immanent, and temporally delimited; accordingly, forgiveness is bestowed limitedly to expiable and reparable cases. Only under such conditions does forgiveness become the ground for salvation, reconciliation, redemption, and atonement. His fourth and final move is to upset the workings of the pairs by suggesting that the Abrahamic axiom, according to which forgiveness applies only to what is reparable, is founded on a paradox. If forgiveness forgives what can be expiated, is it really forgiveness that we are discussing? If not, can we forgive the unforgivable?

Forgiveness, in the Abrahamic sense, has significantly influenced Western political discourse, which Derrida renames the geopolitics of forgiveness. In this regard, he cites a declaration made by Jacques Chirac, then prime minister of France, about anti-Semitic crimes under the collaborationist Vichy Republic: "France that day performed the irreparable." Several theorists of the Holocaust agree with the position voiced by Chirac: if no punishment proportionate to a crime can be found, the crime remains indeed unforgivable.⁶ Clearly, the Holocaust is the quintessential example. Derrida flatly opposes the symmetry between punishing and forgiving as well as the binary conceptual organization that underlies it.

If I say, "I forgive you on the condition that, asking forgiveness, you would thus have changed and would no longer be the same," do I forgive? What do I forgive? And whom? . . . Does one forgive *something*, a crime, a fault, a wrong, that is to say, an act or a moment which does not exhaust the person incriminated, and at the limit does not become confused with the guilty, who thus remains irreducible to it? Or rather, does

one forgive *someone*, absolutely, no longer marking the limit between the injury, the moment of the fault, and on the other side the person taken as responsible or culpable? And in the latter case (the question "*whom?*") does one ask forgiveness of the victim, or some absolute witness, of God, of such a God, for example, who prescribed forgiving the other (person) in order to merit being forgiven in turn?⁷

What are we to do with forgiveness? Derrida believes that what can be authentically forgiven is in fact only the unforgivable, whether we are talking about the act of whoever is guilty or the guilty agent herself. Forgiveness, for him, forgives both the evil intention (who) and the evil action (what) for exactly what they are: evil. And this is an evil that, insofar as it is unredeemable, can repeat itself in the future. Evil, writes Derrida, "is capable of repeating itself, unforgivably, without transformation, without amelioration, without repentance and promise."⁸

Two types of forgiveness can thus be distinguished. The first is "conditional forgiveness," whose condition is the calculability of the punishment. This type of forgiveness often follows an act of repentance in which the guilty party will promise not to engage ever again in whatever demanded forgiveness. The second type of forgiveness is termed "unconditional" because it consists in forgiving the unforgivable without conditions. And yet, can unconditional forgiveness really exist? Can we possibly forgive what cannot be forgiven?

If I say, as I think, that forgiveness is mad, and that it must remain a madness of the impossible, this is certainly not to exclude or disqualify it. It is even, perhaps, the only thing that arrives, that surprises, like a revolution, the ordinary course of history, politics and law. Because that means that it remains heterogeneous to the order of politics or of the juridical as they are ordinarily understood. One could never, in the ordinary sense of the words, found a politics or law on forgiveness.⁹

The unconditional type of forgiveness belongs to the realm of the incalculable, the immeasurable, and maybe even the impossible. In principle, it is impossible or at least inconceivable to forgive the unforgivable. This could sound like the epitaph to the whole question of forgiveness: a concept that makes sense only in self-contradiction. Yet, this is not Derrida's conclusion. He does admit that unconditional forgiveness be-

longs to "madness" but also stresses that it "arrives," in the strong sense of something unexpected that arrives as a surprise, upsetting the "ordinary course of history, politics and law." Without the experience of unconditional forgiveness there would be no forgiveness at all.

Whenever conditions are put on forgiveness, a proportionate, calculable punishment corresponds to whomever or whatever is being forgiven. In this sense, conditional forgiveness concurs with law and politics, but it gets reduced to a therapy of reconciliation. If, instead, forgiveness is to be kept distinct from reconciliation, as Derrida thinks it should, it ends up becoming unconditional. The conditional and the unconditional are two sharply separate and yet corollary meanings of forgiveness. Conditional forgiveness belongs to the order of law and politics, of pragmatic negotiations and calculable debts. Unconditional forgiveness, which is the act of forgiving the unforgivable, cannot be reconciled with law and politics because it allows no pragmatic negotiation or equal exchange.

The secret of this experience remains. It must remain intact, inaccessible to law, to politics, even to morals: absolute. But I would make of this transpolitical principle a political principle, a political rule or position taking: it is necessary also in politics to respect the secret, that which exceeds the political or that which is no longer in the juridical domain.¹⁰

We know all too well that there is a distinction between legal reconciliation and proper (and perhaps only private) forgiveness. It is very easy to imagine a case of a victim who has already forgiven the criminal at whose hands she suffered even as she is demanding legal prosecution. By the same token, it is very plausible that a victim may never forgive, even after a process of acquittal or amnesty. The conclusion is that the meaning of forgiveness remains enigmatic: we cannot reduce it to a simple or univocal definition. Its oscillation between the two orders of the conditional and the unconditional hints at its reach as well as its ineffability.

By indicating a territory beyond history, politics, and law, Derrida accomplishes two concurrent goals: he exposes the concept of forgiveness to the boundaries imposed on it by its heritage—Christian, Judaic, and Islamic monotheism—and pushes forgiveness beyond its limits,

transforming it from within while complicating it in order to expose its multiple implications.

The Limits of Intervention

Intervening at the limits of a concept means to redefine it, as well as the network of relations in which it is inscribed. Geography can serve as an example to clarify the role played by limits and boundaries in the definition of a concept. In geography a political or physical entity, such as a desert or an ocean, is demarcated by drawing boundaries around it. A boundary is the line where one thing ends and another begins. Like geography, the philosophical job of clarifying the meaning of concepts, categories, and values as well as theoretical fields such as ethics and politics consists in drawing boundaries around them.¹¹

Derrida's reflection on the notion of boundary focuses on the fact that a boundary is as much about identification as it is about exclusion. Sometimes the implications of this double function are trivial; sometimes they are not. Take for instance Mont Blanc, the highest mountain in Europe, which is half French and half Italian. The line of separation between France and Italy is the product of a benign convention, which is not only recognized by everyone *as* convention but bears innocuous consequences: nobody really cares about which rocks and blades of grass are to be included or excluded from each country. By contrast, sometimes conventions are not as benign and highlight the pain that inclusions and exclusions may cause. The Berlin Wall is an example where exclusion did not apply to rocks and blades of grass but rather to people who were suddenly separated from families and friends.

Derrida's contention is that traditional philosophy tends to evade the double function of boundaries by downplaying their contingency. In its search for ultimate truth and infallible knowledge, the Western philosophical tradition denies the potential instability intrinsic to any contingent boundary. The suppression of the contingency of boundaries and of the structural ambiguity that pertains to their double function carries with it a substantial political import.

Believing in the contingency of boundaries was certainly not a small matter for family members separated by the Berlin Wall; for to af-

firm it was probably the only way to survive an absurd and unjust separation. By contrast, think about a high official of the former Democratic Republic of Germany who firmly believed, as the Berlin Wall was being built in August 1961, that it simply materialized the Iron Curtain, namely, the idea of an essential and not contingent separation between justice and injustice, future and past, progress and decadence. Siding with either the conventionalist or the essentialist interpretation of the Berlin Wall would have meant to implicitly subscribe to the relations of inclusion and exclusion that depended on it. Engaging philosophy as it is presented to us by a certain tradition inclines us to buy into the normative assumptions behind its conceptual organization: its categories, distinctions, oppositions, and demarcation of areas such as ethics and politics. In Derrida's mind, there is thus an ethical and political urgency to understand what we are subscribing to and making ourselves responsible for.

Yet, assuming philosophical responsibility is not limited to disclosing the political import of what a boundary includes or excludes but extends to calling into question the way in which we understand the identity of what it encircles. The example of the Berlin Wall is again useful. In the East German official's mind, the Wall symbolically encircled the essence of the egalitarian and emancipatory promise of communism. The way in which the Wall established what is within it—communism—is through the exclusion of what lay beyond it—capitalism. A relation of mutual exclusion would thus be in place between the two worlds understood as self-contained totalities.

This conception of identity entails that it be internally homogeneous, which is what Derrida deems to be the fault of traditional metaphysics. On one side of the Wall lay corruption, injustice, and bourgeois civilization; on the other side, the emancipated communist utopia. In this picture, one side is perfectly immune to the other.¹² By contrast, Derrida objects, traces of what a totality explicitly excludes are always silently contained within it. Following a Derridean line of argument one could illustrate this point by highlighting the presence of separated family members living on either side of the Wall, for they represented an instance of those traces. Where did they belong? How far back would family ties have justified a policy of family reunification? The great monuments of the Prussian Empire as well as the urban grid of most Eastern German cities raise similar questions: wouldn't they

reveal the sedimentation of a bourgeois social structure? Might they be still silently affecting the way in which even orthodox communists relate to each other, both in private and in public situations?

For Derrida, reflecting critically on the nature of limits and boundaries transforms our well-established way of thinking about identity as a homogeneous and self-enclosed totality. As the example of the Berlin Wall shows, a given identity may not be perfectly homogeneous because it includes traces of what it explicitly excludes. Deconstruction searches for these traces and uses them to give voice to that which doesn't fit the dominant set of inclusions and exclusions. Deconstructive interventions detotalize self-enclosed totalities by placing them face to face with their internal differentiation.

Why Do We Call "It" 9/11?

The traces deconstruction insists on are disseminated first and foremost in language. In his reading of the terrorist attack of 9/11, Derrida starts from reflecting upon the significance of naming such an occurrence with a date. What does it mean to name an event with a date, he asks, while the place and meaning of the event remain ineffable? The date, 9/11, gets repeated over and over again as if its singularity were so absolute that it could not be matched by any generalization. To him, 9/11 sounds like an intuition without a concept, a species without a genus.

For Derrida, by pronouncing 9/11 we do not use language in its obvious referring function but rather press it to name something that it cannot name because it happens beyond language: terror and trauma.

Trauma for Freud is the effect of an experience whose intensity cannot be matched by the subject's usual response mechanism.¹³ A traumatic experience entails terror because it designates a danger that is both unpredictable and beyond the subject's control. Repetition is a common reaction to trauma: by repeating any fragment of the traumatic situation the victim tries retrospectively to dominate it. Derrida suggests that we similarly repeat 9/11 without ever asking ourselves what it names.

Yet, we not only repeat it to ourselves as if it were a soothing mantra or ritual incantation, but we are also incessantly exhorted to re-

peat it "by means of a prodigious techno-socio-political machine," the same machine responsible for the original christening of the terrorist attacks as 9/11. The reason for this exhortation is to consolidate the impression that a major event has taken place. Referring to an event with a date automatically gives it historical stature: it monumentalizes it. Naming the terrorist attacks against the World Trade Center and the Pentagon "9/11" alleviates the sense of responsibility for the failure to prevent them as well as the sense of vulnerability that such failure inevitably provokes.

Derrida developed this argument by subjecting the two terms I used in my first question, "event" and "impression," to a deconstructive intervention. Neither one of these two terms, he warned me, is self-evident.

For Heidegger, the notion of "event" indicates something that offers itself to being experienced but also resists being wholly comprehended and appropriated.¹⁴ An event exposes us to a situation in which we are unable to wholly appropriate what happens. Utter unpredictability is one feature of events, for if something cannot be predicted it cannot be entirely explained either. This causes the event to remain irreproducible, singular, and somewhat free-floating. Death, forgiveness, and poetry are all events in this strong sense: they befall us unexpectedly.

Was 9/11 truly unpredictable? Not for Derrida. After all, he reminded me, the World Trade Center had been the object of an earlier attack in 1993. Also, the kind of attack that the terrorists launched in 2001 had already been prefigured in detail by the technocinematic culture of our days. For some time now, films and videogames had been anticipating the gutting (*éventrement*) and collapse (*effondrement*) of the two immense towers in downtown Manhattan. Plus, Derrida added, not only did they literally visualize the attacks, but they also conjured up the feelings that these two unmistakably phallic objects elicited in the collective imagination: love and hate, admiration and envy, sublimity and shame.

For all these reasons, 9/11 does not fit the description of an event and, perhaps, if we go by the number of the victims or by the amount of destruction on the ground, it does not seem to be a major one, either.¹⁵ This may all follow. And yet, Derrida admitted, the impression that it was a major event remains. A closer look at the concept of impression

explains this apparent contradiction. In the vocabulary of the Western philosophical tradition, the notion of impression carries the illustrious signature of David Hume, the eighteenth-century empiricist who made it the center of his thought. He believed that the raw materials of thinking are indeed impressions, understood as the imprint left by the external world on our nervous system.¹⁶ If I am in the proximity of a flame, for example, I seem to receive a number of vivid impressions: the color of the flame, its temperature, its shape, and its movement. According to Hume, only after we have collected all these impressions can we form them into the idea of the flame.

For Derrida, the impressions that 9/11 imprinted on the global audience as well as on the victims and the bystanders fall under two headings: the indignation over the killings and the drumbeat of the media that obsessively declared the attacks as a "major event." The first set, he said to me, struck us as the shape and the temperature of a flame: revulsion toward the blind violence of the attacks coupled with human compassion and infinite sadness in the face of loss and pain. Because of their direct impact on the global audience these are to be considered authentic impressions in the Humean sense. In contrast, the second set encompasses our responses to the media construction of 9/11 as a major event. Even though we term these as impressions in the generic sense, from a Humean standpoint they would be inauthentic impressions, as they do not meet his requirement of immediacy.

Pursuing Hume's argument about how ideas form from impressions, Derrida thus distinguished two different sets of ideas deriving from the two sets of impressions. The first set of impressions crystallized into the idea that 9/11 is an absolutely singular event in all respects: unframeable, unpredictable, and ultimately incomprehensible. This idea coincides with the strong notion of event advanced by Heidegger: a happenstance that resists appropriation and understanding. For Derrida, what distinguishes 9/11 as an event of this kind is that, in the end, it resists virtualization and media reproduction. Instead, the cluster of inauthentic impressions imposed by the media onto the global audience formed into the idea that 9/11 is a world event of major importance. Because these are strategically organized data, we mistake them for impressions, whereas, in fact, they are acts of propaganda. We, the global audience, tend to collapse real and immediate impressions and media-constructed impressions. Even though Derrida con-

cedes that it is impossible to keep them neatly separate experientially, he believes it is our moral duty to keep them apart at least conceptually.

By reciting 9/11 as a litany, we repeat to ourselves what needs to remain silent: the unconditional sorrow for the loss of human life and the vulnerability of the system that was supposed to protect us. This system is embodied by a paternal figure: the United States of America, which is both the site of the attacks and the repository of the world order. The United States, in its role as the greatest technoscientific, capitalist, and military power, symbolizes the world order, the legitimacy of international law and diplomacy, and the power of the media. The world order, said Derrida, is based on the solidity, reliability, and credibility of American power. Exposing the fragility of the superpower means exposing the fragility of the world order.

Trauma and Autoimmunity

In Derrida's reading, 9/11 is the symptom of an autoimmune crisis occurring within the system that should have predicted it. Autoimmune conditions consist in the spontaneous suicide of the very defensive mechanism supposed to protect the organism from external aggression. This is a mechanism by which, as Derrida noted, a living organism "works to destroy its own protection, to immunize itself against its 'own' immunity."

Derrida counted three phases (*temps*) in the autoimmune crisis of which 9/11 is a symptom. The first phase is the Cold War, a war that was fought "in the head" more than on the ground or in the air. If we look at 9/11 from the standpoint of its continuity with the Cold War, it is easy to see that the hijackers who turned against the United States had been trained by the United States during the era of the Soviet invasion of Afghanistan. American weapons and intelligence have made an essential contribution to the Islamic Afghan fighters since the early 1980s, some of whom became the Taliban political elite that ruled Afghanistan under perhaps the most extreme implementation of shari'a ever advanced. Possibly, said Derrida, 9/11 could be interpreted as the implosive finale of the Cold War, killed by its own convolutions and contradictions.

The second phase of the autoimmune crisis is what Derrida calls

"worse than the Cold War" both historically and psychologically. While the Cold War was characterized by the possibility of balance between two superpowers, it is impossible to build a balance with terrorism because the threat does not come from a state but from incalculable forces and incalculable responsibilities. The dissemination of the nuclear arsenal and the relative availability of bacteriological and chemical weapons is the reality on which terrorism impinges. George W. Bush's proclamation that all the nations he accuses of harboring terrorism constitute an "axis of evil" speaks to the United States' denial of the elusiveness of the forces of terror.

Psychologically, "what is worse than the Cold War" foregrounds the temporality of trauma, which is oriented toward the future. Any traumatic experience wounds the future as much as the present. Playing on the French word for future, *avenir*, Derrida claims that since the threat haunts the future, in a sense, it is still to come (*à venir*). This pointing to the temporality of trauma is a direct follow-up to his discussion of the significance of the choice of 9/11 as a name for the attacks. Like the fourth of July, recognized as Independence Day in the United States, or the first of May, recognized as Labor Day in Europe as well as in most countries around the world, 9/11 has the scope of monumentalizing the attacks. Since this monumentalization is in the interest of both the Western media and the terrorists, it adds another fold to the autoimmune reaction.

This second phase of autoimmunity displays another important feature. By monumentalizing the terrorist attacks, the date 9/11 also declares that they are over. In so doing, it denies precisely the futurity of the threat, the possibility that the worst might still be to come. For Derrida, the massive media reporting acted in sync with the naming of the attacks as 9/11. As the tragedy was still unfolding, he said, calling it 9/11 revealed the illusion that it was already over.

The third and last phase of the autoimmune crisis is what Derrida calls "the vicious circle of repression." It is the most obviously suicidal of the three because it describes the way in which, by declaring war against terrorism, the Western coalition engenders a war against itself.

One function of the concept of autoimmunity is to act as a third term between the classical opposition of friend and foe. As we have seen, to identify a third term is a characteristically deconstructive move aimed at displacing the traditional metaphysical tendency to rely on ir-

reducible pairs. Although the explicit discussion of autoimmunity is limited to three, it implicitly continues as Derrida sets out to call into question the distinction between war and terrorism.

Wars have always been contaminated by terrorism through the intimidation of civilians. Yet, even at the theoretical level, the distinction is impossible to draw. Suppose, he said in reference to Carl Schmitt, the German legal scholar,¹⁷ that a war can only be declared between two states, whereas terrorism is a conflict between forces other than a sovereign state. The political history of the term "terrorism" would easily contradict this definition, since terror has always been inflicted by sovereign states on their population or other populations, in peacetime as well as in wartime. The current usage of the term "terrorism" derives from the late phase of the French Revolution, when Robespierre's Reign of Terror engaged in mass executions and purges of civilians. Robespierre inflicted terror in the name of a sovereign state; also, given that his declared objective was to rid France of all its internal enemies, this early instance of terrorism seems to point precisely to the autoimmune element theorized by Derrida. This is not to deny that the terrorists justify themselves by presenting their attacks as responses to previous acts of terrorism conducted against them by a state. "Every terrorist in the world," Derrida observed, "claims to be responding in self-defense to a prior terrorism on the part of a state, one that simply went by other names and covered itself with all sorts of more or less credible justifications."

To complicate the matter further, terrorists can be liberation fighters in one context and plain criminals in the very same context at a different point in time. The Islamic guerrillas who fought against the Soviet invasion in the 1980s and became the new political leaders is an example. Another is the recent history of Algeria, Derrida's home for the first nineteen years of his life.

No one can deny that there was state terrorism during the French repression in Algeria from 1954 to 1962. The terrorism carried out by the Algerian rebellion was long considered a domestic phenomenon insofar as Algeria was supposed to be an integral part of French national territory, and the French terrorism of the time (carried out by the state) was presented as a police operation for internal security. It was only in the 1990s, decades later, that the French Parliament retrospectively conferred the

status of "war" (and thus the status of an international confrontation) upon this conflict so as to be able to pay the pensions of the "veterans" who claimed them.

In Derrida's mind, it is impossible to draw any distinctions regarding terrorism—between war and terrorism, state and nonstate terrorism, terrorism and national liberation movements, national and international terrorism. If it is so hard to meaningfully attach any predicates to it, it simply means that terrorism is irreducibly ineffable and enigmatic. This truth is hard to accept but even more dangerous to reject.

Politically speaking, the more slippery a concept the easier it is to appropriate it opportunistically. Derrida did not hesitate to declare that the most powerful and destructive appropriation of terrorism is precisely its use as a self-evident concept by all the parties involved. These include what he calls the "technoeconomic media," the U.S. State Department, and national governments as well as relevant international institutions. Obviously, nobody means to cause harm—but this does not erase responsibility, which means that all political, economic, and military interlocutors on the post-9/11 global scene are in dire need to use language very carefully.

Derrida was also somber about the difficulty of beating the perverse dynamics of autoimmunity. None of the parties involved in the struggle against terrorism can afford to refrain from talking about it, but the more they do so the more they help the terrorist cause, by giving it status, visibility, and a sense of purpose. This is how both the information and political systems, which are supposed to protect civilians from the threat of global terrorism, progressively weaken in the face of danger.¹⁸

Another devastating aspect of the autoimmune crisis started by 9/11 is being constantly reminded of the futurity of the terrorist threat. According to the interpretation of terror as the essence of trauma that I already mentioned, victims of a traumatic experience need to endlessly play the trauma back for themselves in order to feel reassured that they have withstood it. This *self-destructive* tendency becomes a *destructive* weapon in the hands of the media and the political leadership. Imagine, said Derrida, if we told the American public and the world that what has happened is no doubt an unspeakable crime, but it's over. Everyone would then begin their own period of mourning, the prelim-

inary step to turning the page. All responsible parties need to facilitate this turning of the page and stop hindering it. This is an urgent responsibility, the evasion of which transforms the enemies of terrorism into its allies.

The need for both the political leadership and the media to act responsibly will intensify in the future in light of what Derrida fears is the future of terrorism: virtual attacks. In his reading, "technoscience" has transformed the relation between terror, terrorism, and territory, three terms sharing a root—the Latin word *terra*. From this angle, Derrida exclaimed:

September 11 is still part of the archaic theater of violence aimed at striking the imagination. One day it might be said: "September 11"—those were the ("good") old days of the last war. Things were still of the order of the gigantic: visible and enormous!

Derrida's ominous suspicion is that the virtualization of terrorism will erase the remnants of the distinction between terrorism and war and between war and peace. There are worse scenarios, he said, than two commercial planes crashing into skyscrapers and causing their collapse. At least, the attacks of 9/11 were conducted against determinate places, at determinate times. We know exactly when they began and when they ended. In contrast,

[N]anotechnologies of all sorts are so much more powerful and invisible, uncontrollable, capable of creeping in everywhere. They are the micrological rivals of microbes and bacteria. Yet our unconscious is already aware of this; it already knows it, and that's what's scary.

Religious Responsibilities

During the winter of 1994, some eight years before the catastrophe of 9/11, Derrida began his reflection on the mechanism of autoimmunization. His interest in it emerged in connection with a study of the concept of religion, which frames his discussion of religious fundamentalism and its role in global terrorism.

On the basis of the work of French linguist Emile Benveniste, who discovered that there is "no 'common' Indo-European term for what we call 'religion,'"¹⁹ Derrida claims that there has not always been, nor should there always be, "*something*, a thing that is *one and identifiable*, identical with itself, which, whether religious or irreligious, all agree to call 'religion.'"²⁰

Religion, in Derrida's reading, is an ancient Roman creation subsequently appropriated by Christianity. His discussion of the Latin matrix of religion starts from its etymology, which has been the subject of some debate since antiquity. In the first century B.C., Cicero pointed out that *religio* comes from *relegere*, a slight modification of the Latin verb *legere* meaning to harvest or to gather. In the second century A.D., Tertullian, a later Roman writer from North Africa and convert to Christianity, suggested instead that the etymology of religion is *reli-gare*, meaning to tie, which for him came to signify the bond of obligation, the debt between man and God.

In light of this etymological duplicity, Derrida insists that two distinct but inextricable elements are intrinsic to the Western religious experience: sacredness and indebtedness.²¹ Eventually, with the expansion of Christianity religion became progressively more focused on indebtedness and obligation and moved farther apart from a sense of sacredness over and beyond any exchange. In Derrida's opinion, this new focus injects juridical issues into religion, binding religion to the sphere of law.

Continuing in the genealogy of *religio*, Derrida sees another salient aspect in the fact that it contains the prefix "re-," a mark of repetition and self-reference, "a resistance or a reaction to dis-junction. To absolute alterity."²² Derrida sees the presence of the prefix "re-" in both *re-legere* and *re-ligare* as etymological evidence for his argument that religion in the Abrahamic definition tends to resist true openness toward the other.

For Derrida, the deconstruction of the Latin and Christian limits of religion, wrongly taken to be a neutral descriptive term, may open the gates of a new, and more properly "religious," sensibility. This is what he means when he writes that "A Christian—but also a Jew or a Muslim—would be someone who would harbor doubts about this limit; about the *existence* of this limit or about its reducibility to any other limit."²³ Only by deconstructing religion as it is now conceived will we

be able to really engage it by reaching out to the other and breaking the circle of obligation and deliverance. This singular opening to the other is very close to the notion of unconditional forgiveness, the act of forgiving the unforgivable. "The coming of the other can only emerge as a singular event when no anticipation sees it coming, when the other and death—and radical evil—can come as a surprise at any moment."²⁴

No doubt, there is a "messianic quality" in Derrida's longing for this encounter. However, as he himself warns, it is essential that there be no messiah, no ultimate word from a messiah that can be repeated, taken as a promise, or interpreted as an obligation. As unconditional forgiveness, this "messianicity without messianism"²⁵ would entail taking risks, for the other can be the best as well as the worst—we can be greeted by the other or we can be killed by the other. Yet, for Derrida, without a sense of what it means to await the other in this way, we cannot even begin to discuss ethics and politics.

This messianic dimension does not depend on any messianism, it follows no determinate revelation, it belongs properly to no Abrahamic religion . . . An invincible desire for justice is linked to this expectation . . . This justice, which I distinguish from right, alone allows the hope, beyond all "messianisms," of a universalizable culture of singularities, a culture in which the abstract possibility of the impossible translation could nevertheless be announced. This justice inscribes itself in advance in the promise, in the act of faith or in the appeal to faith that inhabits every act of language, every address to the other.²⁶

The openness to the other urged by Derrida points at a religious community in which membership is not tied to fulfilling an obligation but rather established by the simple relation between differences.²⁷ Derrida admits that a community of this kind would not provide a common platform on which to establish religious identity.

In a community without mutual obligations, the concept of responsibility would have to be reconceived on new grounds. Again, Derrida turns to etymology for guidance. The resistance to disjunction revealed by the prefix "re-" present in "religion" as well as its two Latin etymological sources, *relegere* and *religare*, emerges in a parallel fashion in "responsibility" and "response." Derrida notes that both come from the

Latin verb *spondeo*, which means to guarantee or to promise, which is close in meaning to *religare*, or to tie, the verb that Tertullian identifies as the origin of the word "religion": "*Respondeo, responsum*, is said of the interpreters of the gods, of priests, notably of the haruspices, *giving a promise in return for the offering*, depositing a security in return for a gift; it is the 'response' of an oracle, of a priest."²⁸

In Derrida's reading, this etymological analysis reveals that response and responsibility share with religion a concern with economic exchange whereby promises are made in return for offerings and securities are deposited in return for gifts. This is the same complaint that Derrida voices about forgiveness, which in its conditional form forgives only what can be quantified in terms of punishment. To understand response and responsibility only in the context of an economic exchange, which usually goes together with the juridical guarantee that the exchange has been fair, does not address what Derrida believes is the core of responsibility: responsibility in the face of the incalculable.

Deconstructing the familiar sense of religion and responsibility has a political urgency determined by what Derrida describes as the unhappy marriage between religion and digital technology. There is no question, in Derrida's mind, that religion affirms itself globally because of its alliance with the digital highways, but he has no doubt that it is an alliance full of tensions and contradictions. All the constitutive components of religion—the respect for the sacredness of the harvest, a sense of obligation to God, and the promise of absolute truthfulness—speak to religion's profound wariness of displacement, fragmentation, and disembodiment, which are instead the conditions of existence of digital technology. While the global information network and its technological underpinning represent the forces of abstraction and dissocation, religion remains anchored in the need for inscription and embodiment. If information circulates in the language of bits, religion propagates itself in human idioms, be it English, Arabic, Spanish, or Japanese. Religion, writes Derrida, which is inextricably linked to the body and to linguistic inscription, feels dominated, suffocated, expropriated by the global information system. This feeling of expropriation and self-estrangement explains the primitive modality of the new wars fought in its name.

Revenge is taken against the decorporealizing and expropriating machine by resorting—reverting—to bare hands, to the sexual organs or to primitive tools, often to weapons other than firearms. What is referred to as “killings” and “atrocities”—words never used in “clean” or “proper” wars, where, precisely, the dead are no longer counted (guided and “intelligent” missiles directed at entire cities, for instance)—is here supplanted by tortures, beheadings and mutilations of all sorts. What is involved is always vengeance, often declared as sexual revenge: rapes, mutilated genitals or severed hands, corpses exhibited, heads paraded, as not too long ago in France, impaled on the end of stakes (phallic processions of “natural religions”).²⁹

Derrida’s description applies to the majority of wars declared and undeclared in the last decade, among them the genocide in Rwanda, the Bosnian and Kosovo conflicts, the civil war in Algeria, and the fundamentalist interpretations of Islamic law in Iran, Afghanistan, Pakistan, Yemen, Sudan, and Saudi Arabia. They suggest, in his reading, that the body itself took revenge on its own expropriation, identified in the global dissemination of the market and the Western capitalistic hegemony. One would be justified in thinking of the attacks of 9/11 as a mutilation of this kind.

If it is true that a desire for the reinstitution of the living being over and beyond its mechanical reproducibility lies behind the primitive features of contemporary religious wars, what many refer to as the “return of the religious” is instead, for Derrida, the unprecedented expansion of the Roman heritage of *religio*, with the help and under the threat of what he calls tele-technoscience, the global information system. Derrida’s use of alternative names for globalization—“*mondial-Latinization*” or the French *mondialisation*—highlights his belief that a crucial element in what we call globalization is the unhappy marriage of religion and tele-technoscience, imperialistically exported throughout the world. In this perspective, whenever we think of globalization, we have to think of the spread of a certain way of construing religion according to the Latin and Christian imprint.

In spite of all the tensions characterizing the alliance between religion and the global information system, there is no doubt that their link is an incredibly powerful one. To have reached such a planetary scale of expansion, this link must count on a strong immune system that pro-

tests it against external aggression. And yet as Derrida points out, there is no immunity without autoimmunity, which is the self-destruction of one’s own defenses. Globalization shows both immunitary strength and an autoimmune weakness. This is the mark of our time.

The Conditions of Tolerance

Tolerance is one of the key concepts of globalization. Propounded as a neutral moral and political call for hospitality and friendliness among different people, ethnicities, traditions, and religious beliefs, it is in fact, according to Derrida, profoundly marked by a normative frame of reference: Christianity.

The modern-day sense of tolerance has its heritage in the Enlightenment. Kant understood tolerance as the emancipatory promise of the modern age. In Derrida’s reading, the problematic implications of tolerance begin with Kant’s project of relocating religion “within” the limits of reason in order to neutralize its irrationalist potential. A classic text by Kant, *Religion within the Limits of Reason Alone*,³⁰ illustrates this effort. Derrida’s deconstructive reading of this essay shows that Kant’s attempt to provide religion with a rational justification ends up with the paradoxical result of having reason founded on religion, and more specifically, Christianity. Exploring Derrida’s intervention on Kant’s text will not only show the reach of Derrida’s involvement with the legacy of the Enlightenment but also dispel any suspicion that his reading of global terrorism as autoimmune crisis may be affirming a nihilistic stance.

Derrida’s intervention on Kant’s text begins with the title. While Kant’s treatise reads *Religion within the Limits of Reason Alone*, Derrida’s response, which comes in the subtitle of his own treatise *Faith and Knowledge*, reads *Religion at the Limits of Reason Alone*. To say that religion does not arise *within* the limits of reason (as in Kant’s title) but *at its limits* (as in Derrida’s appropriation of Kant’s title) points to the interdependence of what is included and what is excluded by this limit. In the same way that the geographical identity of two countries, say, Canada and the United States, depends on their sharing a border, which serves the double function of including one country and exclud-

ing the other, the line of demarcation between reason and religion has for him the same role, inextricably intertwining them.

Kant distinguished between two types of religion: one is the "religion of cult alone," which teaches prayer and does not demand the believer to find her own way out of sin by pursuing the moral life. The other is "moral religion," which prescribes that the individual improve herself by acting on her own moral ground, which Kant expresses in an axiomatic form: "It is not essential and hence not necessary for everyone to know what God does or has done for his salvation but it is essential to know *what man himself must* do in order to become worthy of his assistance."³¹

In correspondence with these two types of religion, Kant describes two different kinds of faith: "dogmatic faith," which does not operate on this principle and does not recognize the distinction between revelation and knowledge; and "reflecting faith," for which the way out of sin does not depend on historical revelation but on human rationality and goodwill. Reflecting faith mandates that we "suspend" our belief in God and pretend that God did not exist in order to prove our moral commitment. In this text, our philosophical, secular, and moral responsibility appears to be bound to the experience of abandonment: the death of God, silent and inexplicable, beyond any Scriptural narrative.

After laying out this classification, Kant identifies in Christianity the archetype of the only moral religion. Christianity has liberated reflecting faith from the paralyzing expectation of the Messiah: the historical revelation has already occurred in Christianity, so the process of self-edification can start based on the individual strength of the believer, her character, and dedication. This "strong, simple and dizzying" conclusion, in Derrida's words, entails that pure morality and Christianity are indistinguishable: if this is true, the whole apparatus of Kantian moral theory, including "the unconditional universality of the categorical imperative," is evangelical. "The moral law inscribes itself at the bottom of our hearts like the memory of the Passion. When it addresses us, it either speaks the idiom of the Christian—or is silent."³² The process of secularization of religion, which is Kant's objective, is thus inseparable from the essence of Christianity, the religion that understands itself in terms of the death of God.³³ Kant's effort to moralize

religion has pushed him, according to Derrida, to the paradoxical result of having transformed morality into a religious endeavor. The concept of tolerance is the quintessential example of this Kantian double bind: it presents itself as being religiously neutral and yet it contains a strong Christian component. The case of tolerance is almost too easily shaped by Christian history to serve as evidence for Derrida's argument. As he recalled in our dialogue,

The word "tolerance" is first of all marked by a religious war between Christians, or between Christians and non-Christians. Tolerance is a *Christian* virtue, or for that matter a *Catholic* virtue. The Christian must tolerate the non-Christian, but, even more so, the Catholic must let the Protestant be. Since we today feel that religious claims are at the heart of the violence (you will notice that I keep saying, in a deliberately general fashion, "violence," so as to avoid the equivocal and confused words "war" and "terrorism"), we resort to this good old word "tolerance": that Muslims agree to live with Jews and Christians, that Jews agree to live with Muslims, that believers agree to tolerate "infidels" or "nonbelievers" (for this is the word "bin Laden" used to denounce his enemies, and first of all the Americans). Peace would thus be tolerant cohabitation.

The history of the concept reveals that tolerance "is always on the side of the 'reason of the strongest,'" firmly tied to the figure of the sovereign that Habermas also mentions in our dialogue. From this point of view, being tolerant is not going to make those who feel excluded any more included or understood. This was certainly a blunt statement to make in the immediate aftermath of the attacks of 9/11, when Western countries were relying on tolerance as their unifying moral commitment.

While in Derrida's mind there is no way to overcome the one-sidedness of tolerance, hospitality is a much more flexible concept. "If I think I am being hospitable because I am tolerant, it is because I wish to limit my welcome, to retain power and maintain control over the limits of my 'home,' my sovereignty, my 'I can' (my territory, my house, my language, my culture, my religion, and so on)." Tolerance is "a scrutinized hospitality, always under surveillance, parsimonious and protective of its sovereignty. In the best of cases, it's what I would call a con-

ditional hospitality, the one that is most commonly practiced by individuals, families, cities, or states."³⁴

The advantage of hospitality over tolerance is that it lends itself, as forgiveness does, to being posited in the double register of the conditional and the unconditional. In fact, tolerance is, for Derrida, conditional hospitality. By being tolerant one admits the other under one's own conditions, and thus under one's authority, law, and sovereignty. Derrida hopes instead for a new conception of hospitality that is, in a sense, much more tolerant than tolerance. Surprisingly for those who believe that Derrida is a counter-Enlightenment thinker, Kant is his point of reference. Derrida's articulation of unconditional hospitality hinges on Kant's distinction between two kinds of rights: right of invitation and right of visitation.

But pure or unconditional hospitality does not consist in such an *invitation* ("I invite you, I welcome you into *my home*, on the condition that you adapt to the laws and norms of my territory, according to my language, tradition, memory, and so on"). Pure and unconditional hospitality, hospitality *itself*, opens or is in advance open to someone who is neither expected nor invited, to whomever arrives as an absolutely foreign *visitor*, as a new *arrival*, nonidentifiable and unforeseeable, in short, wholly other. I would call this a hospitality of *visitation* rather than *invitation*. The visit might actually be very dangerous, and we must not ignore this fact, but would a hospitality without risk, a hospitality backed by certain assurances, a hospitality protected by an immune system against the wholly other, be true hospitality?

As no sense of forgiveness would exist without unconditional forgiveness, no sense of true hospitality and openness to the other would exist without unconditional hospitality.

Excessive Violence

Conditional hospitality, or tolerance, is fundamentally the right of invitation and as such lays the conditions for international and cosmopolitan conventions. Unconditional hospitality, by contrast, corresponds to the right of visitation. As such, it exposes the host to the maximum

risk, as it does not allow for any systematic defense or immunity against the other. Derrida admits that unconditional hospitality cannot have a political or juridical status. States cannot include it in their laws, because hospitality without conditions is irreconcilable with the very idea of a sovereign state. And yet, it is only from the standpoint of unconditional hospitality, or the right of visitation, that we gain a critical perspective on the limits of cosmopolitan right, tolerance, conditional hospitality, and the right of invitation.

In his treatise *Perpetual Peace*, Kant backs the idea of cosmopolitan right without the support of a world government. Not only, since World War I, did international institutions operate in line with Kant's legacy, but this is Derrida's as well as Habermas's political dream. However, while Habermas sees it as a program, Derrida understands it as an ideal that can best be pursued by continually having it face its limits. For, as we have seen, cosmopolitanism expresses only conditional hospitality, or what Kant calls the right of invitation.

For Derrida, the ideal of democracy lies beyond cosmopolitanism and world citizenship, over and beyond the economy of sovereignty, politics, and jurisdiction. Cosmopolitanism applies to a world viewed as cosmos, which since the Greeks means an orderly whole regulated by principles and laws. Even though Derrida explicitly stands by cosmopolitanism and world citizenry, he feels that commitment to justice cannot be fully exercised within the boundaries of law and cosmopolitanism. For justice, as well as democracy, is not just about our conduct within the framework of the state or under the obligations of citizenship but also in the face of a stranger.

I want to underline that Derrida's belief that room needs to be left for something located somewhere *beyond* politics and law, cosmopolitanism and world citizenry, is firmly anchored in a formal scheme: the distinction between the conditional and unconditional registers. The conceptual formalism of this gesture allows him to avoid reactionary and nostalgic revivals as well as an essentialist reading of tradition and identity. The quality of what is beyond politics and law is never spelled out in terms of any specific content or value but simply indicated as the condition of possibility for what politics and law articulate.³⁵

As forgiveness in the hands of politics and the juridical domain becomes a therapy of reconciliation, and hospitality in the hands of cos-

mopolitanism becomes the simple right of invitation, justice in the hands of law is reduced to law's simple enforceability.

Applicability, "enforceability," is not an exterior or secondary possibility that may or may not be added as a supplement to law. It is the force essentially implied in the very concept of *justice as law* (*droit*), of justice as it becomes *droit*, of the law as "*droit*" (for I want to insist right away on reserving the possibility of a justice, indeed of a law that not only exceeds or contradicts "law" (*droit*) but also, perhaps, has no relation to law, or maintains such a strange relation to it that it may just as well command the "*droit*" that excludes it). The word enforceability reminds us that there is no such thing as law (*droit*) that doesn't imply *in itself, a priori, in the analytic structure of its concept*, the possibility of being "enforced," applied by force.³⁶

The notions of excess and supplement are central to Derrida's conception of politics and expose a key difference between his thinking and that of Habermas, since they imply that politics has to admit the existence of something located beyond its limits. For Derrida, justice is what is beyond law; otherwise, it would be reduced to law's enforceability. Law and justice belong to two different dimensions. Because law is the product of social and political dynamics, it is finite, relative, and historically grounded. By contrast, justice transcends the sphere of social negotiation and political deliberation, which makes it infinite and absolute. Justice, for Derrida, stands beyond the boundaries of politics as its inexhaustible demand.

Let us examine more closely how Derrida reaches this conclusion. His point of departure is the English expression "to enforce the law." Unlike the French phrase "*appliquer la loi*," the English "to enforce the law" reveals a decisive assumption concerning the nature of law, namely, that its enforceability demarcates the authorized use of force. In a constitutional democracy law is authorized because it represents the will of the citizens. In the case of a nondemocratic political system, authorization corresponds to the uncontested authority of an absolute ruler or ruling party. However, in both cases the link between enforceability and law allows for the distinction between law as authorized force and violence as unauthorized force.

Insisting on the idiomatic element in language, Derrida turns to the German noun *Gewalt*, which means both violence, in the sense of unauthorized force, and legitimate power or public force. Derrida makes the argument that the semantic oscillation displayed by *Gewalt* is not an isolated oddity but a window onto the structural instability of the conceptual distinction between authorized and unauthorized force, which is usually construed as an oppositional pair. Derrida pursues his argument through a close reading of Benjamin's difficult essay "*Zur Kritik der Gewalt*," commonly translated as "Critique of Violence," which revolves precisely around the ambivalence of *Gewalt*.³⁷ As the distinction between authorized and unauthorized use of force clearly exhibits, Benjamin's take is that the evaluation of violence is traditionally approached through its use or application, leaving the discussion of what it is, in and of itself, unexplored.

What is *Gewalt*? An earthquake, a tsunami, or any other natural event is violent only in the figurative sense. Violence is a concept that belongs to the symbolic order of law, politics, and morals. Granted that this is the case, for Benjamin the relevant distinction is not between authorized and unauthorized force, but between "law-making force," which refers to the founding moment of the legal system, and "law-conserving force," which corresponds to the enforceability of the law. Derrida picks up this distinction from Benjamin and employs it to deconstruct the more traditional distinction between authorized and unauthorized force that Benjamin seems to cavalierly set aside.³⁸

In Derrida's reading, what Benjamin calls law-making force, the act of founding a new system of law, cannot possibly be carried out within legal boundaries. "The origin of authority, the foundation or ground, the position of the law can't by definition rest on anything but themselves."³⁹ This pronouncement sounds trivial if applied to the position of an absolute monarch, say, Louis XIV of France, who famously declared, "*L'état, c'est moi*." However, from Derrida's striking perspective the case of Thomas Jefferson and the Founding Fathers of American parliamentary democracy is no different because even the principles of the U.S. Constitution lack prior legal justification.⁴⁰

All revolutionary situations, all revolutionary discourses, on the left or on the right . . . justify the recourse to violence by alleging the founding, in

progress or to come, of a new law. As this law to come will in return legitimate, retrospectively, the violence that may offend the sense of justice, its future anterior already justifies it. The foundation of all states occurs in a situation that we can thus call revolutionary. It inaugurates a new law, it always does so in violence. Always, which is to say even when there haven't been those spectacular genocides, expulsions or deportations that so often accompany the foundation of states, big and small, old or new, right near us or far away . . . These moments, supposing we can isolate them, are terrifying moments. Because of the sufferings, the crimes, the tortures that rarely fail to accompany them, no doubt, but just as much because they are in themselves, and in their very violence, uninterpretable or indecipherable.⁴¹

The foundation of a new system of law occurs in the absence of any legal parameters. This fact makes it, literally, lawless. Since law retains the monopoly of both authorized and unauthorized force, the consequence is that even the most amicable inauguration of a new legal order happens over and beyond the distinction between authorized and unauthorized use of force.

Derrida is careful to underline that the foundation of law *exceeds* the boundaries of legality rather than offends them. This is why he believes all revolutionary moments are fundamentally uninterpretable and undecipherable. The legitimacy of the legal order cannot be offered except retroactively, namely, once the system of law is established and enforceable. To this extent Derrida thinks that the moral justification of law, namely, justice, is always *à venir*, to come. The irreducible futurity of justice is what Derrida, borrowing an expression from sixteen-century French philosopher Michel Montaigne, calls the "mystical foundation of authority."

The acknowledgment of the peculiar condition that accompanies the foundation of all laws is terrifying not only because it often happens in bloodshed of various sorts but also because it makes it possible to conceive of one's actions beyond the opposition between legal and illegal. What category would these actions belong to? If legal action corresponds to authorized violence and illegal action corresponds to unauthorized violence would, an action that is neither legal nor illegal correspond to pure violence? Derrida does not believe that this impasse is solvable but considers it productive to the

extent that it reveals that violence is internal rather than external to the order of law.

Under this premise, terrorism would seem to be the quintessential expression of founding violence. "Even on the grand scale of the Mafia or heavy drug trafficking," crime transgresses the law in view of particular benefits, so that the legal system and the state that depends on it are not threatened at their foundations. But terrorism creates a different situation because what it attacks is the founding moment of law and, through it, the legitimacy of the state. The difficulty of prosecuting terrorism as terrorism is in the fact that it poses the same challenge to the system of law as a revolution or a war. This is why Derrida suggests that the distinction between terrorism and war is very slippery.

Alongside the juridical questions concerning the prosecution of terrorism is the moral question regarding the parameters of judgment. How are we to judge terrorism if, in fact, its violence is neither legal nor illegal? This is what Derrida said in our dialogue.

What appears to me unacceptable in the "strategy" (in terms of weapons, practices, ideology, rhetoric, discourse, and so on) of the "bin Laden effect" is not only the cruelty, the disregard for human life, the disrespect for law, for women, the use of what is worst in technocapitalist modernity for the purposes of religious fanaticism. No, it is, above all, the fact that such actions and such discourse open onto no future and, in my view, have no future. If we are to put any faith in the perfectibility of public space and of the world juridico-political scene, of the "world" itself, then there is, it seems to me, *nothing good* to be hoped for from that quarter.

What terrorism lacks is the projection onto the future and the interest in the perfectibility of the present, which Derrida identifies with the inexhaustible demand of justice. In this sense, terrorism simply lacks justice.

That is why, in this unleashing of violence without name, if I had to take one of the two sides and choose in a binary situation, well, I would. Despite my very strong reservations about the American, indeed European, political posture, about the "international antiterrorist" coalition, despite all the de facto betrayals, all the failures to live up to democracy, international law, and the very international institutions that the states of this

"coalition" themselves founded and supported up to a certain point, I would take the side of the camp that, in principle, by right of law, leaves a perspective open to perfectibility in the name of the "political," democracy, international law, international institutions, and so on.

Derrida's view of justice leads him to interpret law as universal and justice as uniquely particular. While the legal realm presupposes the generality of rules, norms, and universal imperatives, justice concerns individuals, the uniqueness of their lives and situations. Insofar as law is organized around the demand for universality—rules and imperatives—it operates in the domain of what is possible, often predictable, and certainly calculable. Justice presents us instead with a series of impossible demands: judging what is absolutely singular, relating to the other in her full alterity, and coming to decisions in the face of the infinite perfectibility of any decision. Justice requires us to calculate the incalculable and to decide the undecidable. In short, justice requires the experience of aporia, indeed an impossible experience. And yet, Derrida insists, "there is no justice without this experience, however impossible it may be."⁴² Maintaining the rift between justice and law helps keep open the impossible promise of utopia.

Derrida's conception of justice requires revising the familiar conception of responsibility. For if justice cannot be constrained within the boundaries of law, the calculable and the universal, responsibility cannot be conceived under the aegis of the autonomous moral agent, defined as each individual's ability to legislate for herself. This classical conception of autonomy, laid out by Kant, understands responsibility as the founding moment of a separate legal order. By contrast, Derrida believes that such a foundational moment exceeds the law that it establishes. In the same way that justice exceeds law, there needs to be a concept of responsibility that exceeds the self-legislation of free will. Like justice, a radically unconditional responsibility is an impossible experience, without which, however, there cannot be ethics and morality. To be responsible is to respond to the call of the other: another individual, another culture, another time. Such a response also makes one responsible for the other "in oneself."

To be just, the decision of a judge, for example, must not only follow the rule of law or a general law but must assume it, approve it, confirm its

value, by a reinstituting act of interpretation, as if ultimately nothing previously existed of the law, as if the judge himself invented the law in every case . . . In short, for a decision to be just and responsible, it must, in its proper moment if there is one, be both regulated and without regulation: it must confirm the law and also destroy it or suspend it enough to have to reinvent it in each case, to rejustify it, at least to reinvent it in the affirmation of the new and free confirmation of its principle.

The European Promise

In Derrida's view, after 9/11 international politics and diplomacy would benefit enormously from working alongside philosophers. More than ever, today's challenge is to develop a critical framework from which to evaluate and reinvent the language of international relations. Philosophy can play a unique role at this juncture because it knows how to examine the links between the juridico-political system and the philosophical heritage that produced it. Only by appropriating this complex network of explicit and implicit links will the transformation of the system occur. With its privileged access to these links, philosophy could help to evaluate the language that is used in international politics and eventually pose the question of the accountability of those who manage it.

A number of large and difficult issues need to be addressed anew after 9/11. One of them, according to Derrida, is sovereignty, which constitutes the special aporia of cosmopolitanism: how to establish international right without a world government. World politics seems to hinge on this. For example, the issue of sovereignty dominates the discussion on the legitimacy of declaring war against terrorism. Derrida calls it "a war without war." Following in Schmitt's path, Derrida maintains that a war can only occur between two sovereign states. Not only has no aid or support for terrorism been formally offered by any states, but the Bush administration's thesis that there are nations "harboring" terrorist activity is hard to prove, given that London, Madrid, and Hamburg have all hosted terrorist cells where individuals were dispatched, trained, and indoctrinated.

The issue of sovereignty, Derrida said in our dialogue, affects international relations at yet another level: the incompleteness of the

process of secularization in today's politics. Derrida's view is that 9/11 has revealed the conflict between two political theologies. On the one hand, there is the United States, the only great democratic power that maintains the death penalty and cultivates a Biblical Christian imprint in its political discourse. On the other, is its enemy, which identifies itself as Islamic. Derrida observes that not only do these two political theologies spring from the same Abrahamic source, but the epicenter of their conflict, at least symbolically, is the state of Israel (a Jewish state) and the virtual state of Palestine.

The front, as Derrida sees it, is not East versus West as it is commonly configured. Rather, it is between the United States and a Europe that he identifies as the only secular actor on the world stage. In naming Europe, Derrida refers to a "new figure of Europe" or the Europe-to-come rather than to the European Community, which nevertheless he credits with one of the most advanced nontheological political cultures.

Derrida's reflection on the Europe-to-come began in 1990 when he was asked by the Italian philosopher Gianni Vattimo to respond to the question of European cultural identity. It was just a few months after the fall of the Berlin Wall. Surprisingly, given his usual tendency to refrain from axiomatic statements, on that occasion Derrida did offer one: "What is proper to a culture is not to be identical with itself."⁴³ This assertion confirms his belief in the ethical value of heterogeneity and difference, which I addressed by discussing the exclusive and inclusive function of geographical boundaries, including the Berlin Wall, in the second section of this essay. For Derrida, identity entails internal differentiation or, in his formulation, "difference with itself." Indeed, self-relation produces culture; but there is no culture without a relation to the other. No culture has a single origin: it is in the very nature of culture to explore difference and to develop a systematic openness toward others within one's culture as well as in other cultures.

On the one hand, European cultural identity cannot be dispersed . . . It cannot and must not be dispersed into a myriad of provinces, into a multiplicity of self-enclosed idioms or petty little nationalisms, each one jealous and untranslatable. It cannot and must not renounce places of great circulation or heavy traffic, the great avenues or thoroughfares of translation and communication, and thus, of mediatization. But, *on the other hand*, it cannot and must not accept the capital of a centralizing authority

that, by means of its trans-European mechanisms . . . would control and standardize.⁴⁴

Beyond Eurocentrism and anti-Eurocentrism, two programs that Derrida characterizes as "unforgettable" but "exhausted," what is the cultural identity that we are responsible for? What memory and what promise does the name Europe evoke? For whom and before whom are we responsible? Derrida lists two kinds of responsibility. There is responsibility toward memory and responsibility toward oneself. While responsibility toward oneself underlines the need for a personal and unconditional commitment to the process of decision-making, responsibility towards memory calls for a historical self-understanding based on difference and heterogeneity.⁴⁴ To be responsible *for* this memory of Europe, we need to transform it to the point of reinventing it. In this way, we won't simply either repeat or abhor its name. This transformation will occur only if we accept the possibility of an impossibility, the experience of aporia.

It is necessary to make ourselves the guardians of an idea of Europe, of a difference of Europe, *but* of a Europe that consists precisely in not closing itself off in its identity and in advancing itself in an exemplary way towards what it is not, toward the other heading or the heading of the other.⁴⁶

The notion of capital features in the title that Derrida gave to his short book on Europe: *The Other Heading*. The book is meant to respond to the political promise of a unified Europe by taking responsibility for Europe's past—a past that Derrida hopes will both protect and redirect Europe to another heading, another destination. Geographically, Europe has understood itself as a promontory, a cape or a headland: the extreme portion of Eurasia and the point of departure for discoveries and colonization. Even though the need for a physical capital, a single metropolis that has the function of the heart of a nation, has considerably aged, the "discourse of the capital" is still intact. This discourse is intertwined with the question of European identity. European culture is responsible for the emergence of the ideal of the nation-state "headed" by a capital city. Paris, Berlin, Rome, Brussels, Amsterdam, Madrid, are all capitals in this very strong sense. The word capital

comes from the Latin for head, *caput*, which also appears in a variety of other expressions, such as the headlines of a newspaper or the heading, the title, of a book. Europe, for Derrida, is the name for the heading of culture, the exemplary heading of all cultures.

Taking responsibility for Europe means responding to the complexity constituting its past, present, and future, and reinventing their relations. Sovereignty, which Derrida renames "discourse of the capital" is first on the list. In order to reinvent Europe and, at the same time, taking responsibility for its heritage, we need to believe in paradoxical contaminations, such as "the memory of a past that has never been present," or "the memory of the future." After all, Derrida points out, the movement of memory is not necessarily tied to the past. Memory is not only about preserving and conserving the past, it is always already turned toward the future, "toward the promise, toward what is coming, what is arriving, what is happening tomorrow."⁴⁷

This other heading is the direction in which Europe, the actual Europe, should be traveling. This is also the direction toward a new form of sovereignty, urgently demanded if cosmopolitanism is to become a political reality in the post-9/11 world. This destination is neither new nor old but the memory of a past that has never been present. This is the memory of the promise of the Enlightenment: freedom and equality for all.

Notes

Preface

1. Immanuel Kant, "On Perpetual Peace," in *Kant's Political Writings*, ed. Hans Reiss, trans. H. B. Nisbet (Cambridge University Press, 1970), p. 106.
2. Kant, "On Perpetual Peace," p. 108.

Introduction

1. Aristotle, *Poetics*, trans. and with an intro. Gerald F. Else (University of Michigan Press, 1967), p. 33.
2. There are some notable exceptions to the predominant view initiated by Aristotle. An outstanding example is the eighteenth-century Italian philosopher Giambattista Vico, who defends the priority of history and memory over reason, assumed as a faculty independent from time. Underlying his thought is the principle that "the true and the made are the same," *verum ipsum factum*. If by "made" we understand the realm of human-produced facts and events, what Vico endorses is the idea that historical knowledge can aspire to absolute certainty. Contrary to Descartes's rationalist standpoint, Vico's thesis is that the human sciences can offer exact knowledge because societies as well as historical events are our own creation. See Giambattista Vico, *The New Science: Unabridged Translation of the Third Edition*, rev. ed., trans. Thomas Goddard Bergin and Max Harold Fisch (Cornell University Press, 1984).
3. John Stuart Mill's treatise *On Liberty* is a manifesto of the principle of negative freedom. "The object of this Essay is to assert one very simple principle . . . that the sole end for which mankind are warranted, individually or collectively, in