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Reinhart - Why and how does humanity have a capacity for inhumanity? - JCRT 3.3

Why and how does humanity have a capacity for inhumanity?

a review of Jacques Derrida, *On Cosmopolitanism and Forgiveness*. Routledge, 2001. 94pp. \$13.00. ISBN: 0415227119

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Within this small but dense book, Jacques Derrida addresses issues regarding social projects of legitimacy, hospitality, religion and politics. These essays are actually comprised of two separate speeches from 1996 and 1999.

3. Once again, Derrida ably demonstrates his mastery of deconstruction. And once again, he illustrates why we need to be wary of those who all too easily label him either utopian or suspicious. Likewise, we need to be wary of those who all too easily worship him or dismiss him. As usual Derrida resists being reduced to a formulaic spiral.
4. Derrida's first essay/speech, *Cosmopolitanism* provides an entry point into traditional European and especially French social virtue. It is a tradition at play for over twenty centuries, but Derrida questions this past in order to understand the present state and use of cosmopolitanism. Like Walter Benjamin and Hannah Arendt whom he quotes here, he is primarily asking about the nature of banality and the human ability to act inhumanely to others with whom they live. Derrida stands with these two seminal thinkers by continuing to point out the problem of banality today, but states he desires to neither be overly suspicious nor utopian in his critique. He questions a European Union which opens its internal borders only to close its external borders. Likewise the actions of police who are allowed to control immigration and even deport legal aliens beyond the limits of a legitimate police power. Yet there is in all of this a certain recognition of the necessity of borders and police. The general question becomes what kind of borders, what kind of police are appropriate to *cosmopolitanism*?
5. A proposal is made for the establishment of Cities of Refuge, a proposal for the limitation of borders and police, what I would call an internalization of a border. Cities of Refuge are more than a traditional notion from times gone by, but a convergence of traditions within a concept as yet unfulfilled, an opening from which to think as well as to act without perversion of *the law/right (droit)* of hospitality.
6. This is neither a call for revolution nor evolution, neither a matter of newness nor progress, but rather a call for an opening from within which is a matter of recognition and decision. Derrida wants cosmopolitanism to be a traditional hospitality: more aware, more awake. If it is not, it becomes a banal triumphalism that again divides the foreigners from fellow-citizens of the Saints. If cosmopolitanism can gain resources for renewal it will be in the recognition of its wrong turns – it must be a confessing cosmopolitanism.' One such wrong turn may be Immanuel Kant's formulation of cosmopolitanism as natural law. As always, Kant is faced with the decision between unconditional and conditional aspects. In this case,

it is cosmopolitanism. The unconditional is the “common possession of the surface of the earth” while the conditional is that which is “*erected, constructed, or what sets itself up* above the soil: habitat, culture, institution, State, etc” (p.21). Because Kant decides upon this strictly delimited condition he can then inscribe two paradigms, which counts in Derrida’s eyes as some progress. But it is the decision to make this split where he does that politicizes all hospitality. The crux of the problem according to Derrida is that hospitality is made by Kant a sign dependent upon juridical notions of peace and thus then finally a matter of State sovereignty. “Hospitality signifies here the *public nature* of public space’ hospitality, whether public or private, is dependent on and controlled by the law and the state police” (p.22).

7. “_Forgiveness”_ is also an essay written to expose banality and question acts of memory with a maiutic intention. Derrida argues that forgiveness in its purest form is an interruption of historical temporality, that it “*should not be, normal, normative, or normalizing*” (p.32). Forgiveness, when normed, when subsumed under historical time, closes history to history, in other words it is as much manipulation as history. What is history then? It is not just an act of memory. If history is a manifestation of any currency of meaning which can enable fair exchanges between memories, then Derrida is calling for an organic historiography which enables multiple types of exchanges of memory, an embrace of our own liminality without enforcing limits on others. It is thus necessary for forgiveness not to be normalized or economized in a final way. >Maybe one could call this a de-eschatologization of forgiveness. In any event, forgiveness needs be left open, aporetic, if humanity is to be given a chance to learn from the past. To say that there is finally a correct way to forgive may have some good effects temporarily but eventually leave others out. Derrida considers the Truth and Reconciliation Commission of South Africa as an object lesson here. There is unprecedented healing taking place here and yet when forgiveness is given conditionally in the name of justice, harm is done to justice itself. This is unavoidable anytime there is a mediation of forgiveness, whether it is a language, a culture, or a state. The introduction of mediation is always an introduction of a third, and that is a corruption of forgiveness itself. But, our experience of forgiveness can still be more or less pure. In this way forgiveness, “must remain a madness of the impossible” (p.39)
8. Perhaps one of the most interesting questions performed by this short book, relates to the topics of cosmopolitanism and forgiveness themselves. Why were they chosen to be bound together here? In both essays Derrida questions social institutions politically founded upon various circumstances such as The International Criminal Court, E.U. immigration law, and the South African Truth and Reconciliation Commission mentioned above. It is another unfinished project of modernity to reduce more traditional and organic understandings of asylum and territorial rights by their placement of these rights under conditional and economic constraints. Much of this is vintage Derrida, who reminds us again that a society’s foundations are always privileged: violent and colonial in the sense that the founding moment is a decision who is in, and who is outside. “The foundation is made in order to hide it; by its essence it tends to organize amnesia, sometimes under the celebration and sublimation of the grand beginnings” (p.57).
9. But this is not all that is contained here. Throughout both essays Derrida describes a *performance* – what is *performed* in the “*project of making States.*” These essays also describe what is performed in the project of creating legitimacy. Elsewhere, Derrida calls this unfinished project modernity – of creating States and making legitimacy – *closure*. And *closure* always calls for us to be vigilant.

David Reinhart teaches theology at Saint Xavier University and is completing a dissertation examining the significance of prayer in the works of Metz, Derrida, and Habermas.

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