Introduction

"You're probably surprised to find us so inhospitable," said the man, "but hospitality isn't a custom here, and we don't need any visitors." 1

If this quotation from Kafka's Castle seems strange to us, it is because we cannot believe that there is a culture, a society or "a form of social connection without a principle of hospitality." 2 But what is left of this principle of hospitality today, or ethics in general, when fences are erected at the borders, or even "hospitality" itself is considered a crime? In "Derelictions of the Right to Justice (But what are the 'sans-papier' Lacking?)," concerning the clumsy and violent imposition of the Debret laws on immigrants and those without rights of residence, the so-called "sans-papier," which provoked mass demonstrations of protest in Paris, 3 Derrida writes,

I remember a bad day last year: It just about took my breath away, it sickened me when I heard the expression for the first time, barely understanding it, the expression crime of hospitality [delit d'hospitalité]. In fact, I am not sure that I heard it, because I wonder how anyone could ever have pronounced it [...] no, I did not hear it, and I can barely repeat it; I read it voicelessly in an official text. It concerned a law permitting the prosecution, and even the imprisonment, of those who take in and help foreigners whose status is held to be illegal. This "crime of hospitality" (I still wonder who dared to put these words together) is punishable by imprisonment. What becomes of a country, one must wonder, what becomes of a culture, what becomes
of a language when it admits of a “crime of hospitality,” when hospitality can become, in the eyes of the law and its representatives, a criminal offense?4

This perplexity provoked Derrida’s thoughts on the Ethics of Hospitality. For Derrida, the logic of the concept of hospitality is governed by an absolute antinomy or aporia. On the one hand, there is the law of unlimited hospitality that ordains the unconditional reception of the stranger. On the other hand, there are the conditional laws of hospitality, which relate to the unconditional law through the imposition of terms and conditions (political, juridical, moral) upon it. For Derrida, the responsible action and decision consists of the need to continuously negotiate between these two heterogeneous requirements. In this chapter, I identify a problem with Derrida’s position, which is that it resorts to the use of terms such as “pure,” “real,” “genuine” or “absolute,” in order to describe unconditional hospitality and to differentiate it from conditional hospitality. Yet, such terms have been placed into question by deconstruction itself. Moreover, the disjunctive distinction that Derrida installs, at an initial level, between “unconditional” and “conditional” hospitality contradicts the work which he had undertaken during the 1960s and the 1970s of deconstructing basic conceptual hierarchical binary oppositions that govern Western metaphysical thought. Against the rather problematic guiding concept of “unconditional” hospitality, I then propose a continuous, incessant effort of limiting violence towards the arriving stranger. My argument draws from the particularly insightful remarks of Derrida regarding the violence that inescapably resides in every act of hospitality as a result of the host’s exercise of sovereignty over his/her home.

Derrida on unconditional and conditional hospitality

During the 1990s, and until his death in October 2004, the French philosopher Jacques Derrida (1930–2004) wrote extensively on the ethics of hospitality.5 Derrida often identifies a concept from the Western heritage and employs it to address critically a specific and concrete context. In this case, it is the rising hostility of European governments towards immigrants. In an analysis that is at once historical, conceptual, and thematic, Derrida attempts to bring out the logic that governs the concept of hospitality. The logic that Derrida identifies as conditioning the concept of hospitality within Western tradition takes the form of a tension, a contradiction, an antinomy or a double imperative. On the one
hand, there is *the* law of unlimited hospitality that ordains the uncondi­
tional reception of the other, whoever he or she is: that is, the provision
of hospitality to a stranger without conditions, restrictions and returns.
The law of absolute, pure, unconditional, hyperbolic hospitality, asks
us to say "yes" to the newcomer [arrivant], before any determination,
before any prevention, before any identification – irrespective of being a
stranger, an immigrant, a guest or an unexpected visitor. On the other
hand, there are the conditional laws (in the plural) of hospitality, which,
while they establish a right to and a duty in hospitality, they simulta­
neously place terms and conditions on hospitality (political, juridical,
moral), ordaining that this right should be given always under certain
conditions: as, for example, that they should exist certain restrictions in
the right of entry and stay of the foreigner. Moreover, the reciprocity of
the commitment that conditions this notion of hospitality entails that
the foreigner does not only have a right: he or she also has, reciprocally,
obligations, as it is often recalled, when someone wishes to reproach
him or her for bad behavior. The right to hospitality subsumes the recep­
tion, the welcome that is given to the foreigner under a strict and restric­
tive jurisdiction. From the point of view of a right to hospitality, the
guest, even when he or she is well received, is mainly a foreigner; he
or she should remain a foreigner. Certainly, hospitality is a debt to the
guest, but it remains conditioned and conditional. If, for example, he or
she does not possess a right to hospitality or a right to asylum, each new
arrival is not accepted as a guest. Without this right, he or she can enter
one’s “home,” the “house” of the host, only as a “parasitize” – as illegal,
clandestine, subject to arrest or deportation.

In the context of unconditional hospitality, Derrida makes special
reference to Immanuel Kant, who, in the third article entitled “The
Law of World Citizenship Shall Be limited to Conditions of Universal
Hospitality” of his essay *Towards Perpetual Peace*, defines “universal
hospitality” as

> the right of a stranger not to be treated as an enemy when he arrives
in the land of another. One may refuse to receive him when this can
be done without causing his destruction; but, so long as he peacefully
occupies his place, one may not treat him with hostility.⁶

In addition, Kant limits the right to hospitality to a “right of visit,” in
virtue of an initial common possession of the surface of earth, and not
to a “right of residence” (a right of residence would presuppose a special
convention between nation-states, demanding that the foreigner is a
citizen of another nation-state). To Kant’s “conditional” hospitality, Derrida will oppose “unconditional” or “pure” hospitality, which is without conditions and which does not seek to identify the newcomer, even if he is not a citizen.

For Derrida, absolute or unconditional hospitality presupposes a rupture with hospitality under the current sense, with conditional hospitality, with the right to or pact of hospitality. As he explains in Of Hospitality:

...absolute hospitality requires that I open up my home and that I give not only to the foreigner (provided with a family name, with the social status of being a foreigner, etc.), but to the absolute, unknown, anonymous other, and that I give place to them, that I let them come, that I let them arrive, and take place in the place I offer them, without asking of them either reciprocity (entering into a pact) or even their names.7

Derrida reminds us that, even though hospitality begins with the question that someone addresses to the person that comes (something that appears very human and occasionally expresses love: “tell me your name, what should I call you, I who am calling on you, I who want to call you by your name?”),8 nevertheless, the foreigner, according to the laws of conditional hospitality, is somebody to whom, in order to receive him or her, someone begins by placing the question about his or her name: he or she ordains him or her to declare his or her identity and to give guarantees about it. To ask, however – to learn who the other is, to ask for the other to be identified before I accept or reject my obligation to welcome him or her – means to render my moral obligation conditional on me and my knowledge of the other. Hospitality, nevertheless, in order to be “real,” “true” hospitality, should not discriminate. It should be open to indiscriminate otherness even if it risks always opening the door to its own undoing. In this sense, “pure” hospitality is a risk, because we cannot determine who will be our guest or how he or she will behave as a guest. Consequently, hospitality, for Derrida, obeys the following paradox with regard to whether we should or should not ask questions, to call someone by his or her name or not: Hospitality presupposes the call or the mnemonic recall of the proper name in its pure possibility (“it’s to you, yourself, that I say ‘come,’ ‘enter’”), and at the same time the obliteration of the proper name itself (“‘come,’ ‘enter,’ ‘whoever you are and whatever your name, your language, your sex, your species may be, be you human, animal, or divine...’”).9
Even though these two regimes of hospitality – the unconditional law of hospitality, in its universal singularity, and the conditional (plural) laws of hospitality – are heterogeneous, irreducible, they do, however, resemble each other. This is because, on the one hand the conditional laws of hospitality would cease to be laws of hospitality if they were not guided by the law of unconditional hospitality: if they were not inspired by it, if they did not aspire to it, if, indeed, they did not demand it. Political and moral action needs to be related to a moment of unconditional or infinite responsibility in order not to be reduced to the demands of the moment: that is, it should be based on a moment of universality that exceeds the pragmatic demands of a certain context. Therefore, the laws of hospitality need the law of absolute hospitality in order to place them and to keep them in an incessant progressive movement, to improve them.

On the other hand, without the conditional laws of a right and a duty to hospitality, the law of unconditional hospitality would be in danger of remaining abstract, ineffective, wishful thinking, utopian. In order to be what it is – namely, an ought to be – the law should become existent, effective, concrete, determined. Consequently, it needs the laws, which, nevertheless – through the determination of limits, powers, rights and duties – threaten, corrupt or “pervert” it.

For Derrida, the “pervertibility” of the law of hospitality arises from the complicity between traditional hospitality, hospitality in the current sense, and power. There is no hospitality, in the classical sense of the term, without the sovereignty of the person who offers hospitality in his or her house. Therefore, there is an essential “self-restraint” incorporated in the idea of hospitality that maintains the distance between what belongs to the host and the foreigner, between the power of the host to remain master of his or her house and the invitation of the other into it. As John Caputo observes in Deconstruction in a Nutshell:

When the host says to the guest, “Make yourself at home,” this is a self-limiting invitation. “Make yourself at home” means: please feel at home, act as if you were at home, but, remember, that is not true, this is not your home but mine, and you are expected to respect my property.¹⁰

Since there is no hospitality without time restrictions (it is not possible to come to your place as a visitor and stay there forever), or without numerical restrictions (if you invite me to your place, I cannot bring all my relatives and friends), the host exercises his or her sovereignty by
selecting, filtering, choosing his or her guests or visitors – by deciding who to offer the right of hospitality to, and also by fixing the period over which they can stay.

Thus, there is always a certain hostility in every act of hospitality: that is, hospitality always brings within itself its opposite, a certain “hospitality.” This is also reflected in its etymology: The word “hospitality” stems from the Latin *hospes*, which is formed from the word *hostis*, initially meaning a “stranger,” and afterwards received the meaning of enemy or “hostile” stranger (*hostilis*), plus the word *potes* (*potis, potes, potentia*) – to have power. Therefore, exclusion, unfairness, a certain violence, or even “perjury” towards the absolute law of hospitality, begins immediately, from the threshold of the right to hospitality. Nevertheless, Derrida recognizes that, without the possession of a home (which, indeed, limits hospitality) there is in reality no door to hospitality – no right and no subsequent debt. The exercise of possession over one’s “home” is not ultimately negative since it yields the possibility of hospitality – though not in an absolute, unconditional form. What is required, according to Derrida, is a continuous “negotiation” or “compromise,” which one has always to invent, between the wish to have and retain a house or a country, and the renunciation of one’s mastery over it. Derrida writes in *Echographies of Television* (1996):

> When we say negotiation, we say compromise, transaction [...] Transaction is necessary in the name of the intractable, in the name of the unconditional, in the name of something that admits of no transaction, and that’s the difficulty. The difficulty as “political” difficulty.

For Derrida, this asymmetry between conditional and unconditional hospitality maintains an endless demand, since each event of welcoming the other can only fall short of the requirements of the unconditional law of unlimited hospitality. Whatever decision we make in relation to the arrival of a stranger, the infinite obligation to welcome the other, whoever he or she is, will always exist, and will exceed the apparently justified restrictions and conditions that we place on the other in his or her arrival and stay. Responsible action and decision consists in the necessity of an incessant negotiation between the law of unconditional hospitality – which disregards right, duty or even politics – and ordains a welcome to the newcomer beyond any terms and conditions. The laws of hospitality – through the determination of limits, powers, rights and duties – defy and violate the law of unconditional hospitality.
The decision of hospitality, according to Derrida, asks me each time to invent my own rule. If I want to appear hospitable to a guest or an unexpected visitor, my behavior—and this is a condition of any moral responsibility—should not be dictated, programmed or arranged by nothing, which would be used as a rule that is applied mechanically. Otherwise, I can appear hospitable even when I have not chosen to be. According to Derrida’s anti-normative ethics, only when somebody starts from nothing—that is, from no previous rule or norm—does the “inventive” or “poetic” event of hospitality have some possibility of occurring. In order for a real event of hospitality to take place, it is necessary to make the “impossible” possible. In “As If it were Possible, Within Such Limits,” Derrida writes,

> When the impossible makes itself possible, the event takes place (possibility of the impossible). That, indisputably, is the paradoxical form of the event: if an event is only possible, in the classic sense of this word, if it fits in with conditions of possibility, if it only makes explicit, unveils, reveals, or accomplishes that which was already possible, then it is no longer an event. For an event to take place, for it to be possible, it has to be, as event, as invention, the coming of the impossible.¹³

**Critiquing Derrida’s position**

In what follows, I examine some problems, which, I believe, arise from Derrida’s treatment of the moral principle of hospitality. The first of my two main objections concerns the distinction that Derrida makes between unconditional and conditional hospitality. Even though he says these two concepts are “inseparable,” he does not refrain—before declaring their inseparability—from separating them into two distinct possibilities. Either hospitality is unconditional or conditional; the one excludes the other. Hence, the philosopher who has identified himself with the disclosure and deconstruction of the hierarchical binary oppositional logic of Western metaphysics seems to have set up a binary opposition of his own. Derrida’s first possibility is identified with “purity” (“pure hospitality”), “truth” (“true hospitality”) and the “absolute” (“absolute hospitality”), while the opposite, unconditional hospitality, is identified with all those elements which threaten or contaminate the “purity” of the first. And if it should happen that unconditional hospitality does intermix, even by necessity as Derrida claims, with “conditions,” in the form of conditional hospitality, then
this should confirm (since, after all, we are speaking of “mixing”), the essential purity of its identity.

It is quite paradoxical – and this is my second objection to Derrida’s views on hospitality – to find him talking of “pure” hospitality, “real hospitality,” “true” hospitality,” when he is the philosopher par excellence who has put the concepts of “purity” and “truth” under question. For Derrida, concepts such as, essence, truth, purity, are linked and grounded in the conception of an immediate presence (What he calls “metaphysics of presence”). Through the deconstructive readings that he undertook during the 1960s and 1970s, he tried to show that absence and difference are not mere deviations from presence and identity but conditions of possibility for them (as well as conditions of non-possibility of an absolute presence or identity). This is crystallized in his thought of différence which means simultaneously difference and deferral.

In “Signature Event Context,” Derrida attacks the idea of “purity,” claiming that there is a “general iterability which constitutes a violation of the allegedly rigorous purity of every event of discourse or every speech act." Derrida’s claim is that there can be no identity without repetition. And yet, this very repetition puts in question the identity which it promotes – for there can be no repetition without difference.

From what has already been said, Derrida should have concluded the impossibility of the existence of a “pure” concept of hospitality: that the concept of hospitality, as with the concept of presence, is affected straight away by an essential disruption, impurity, corruption, contamination or prevention. In this sense, “impurity,” in the form of conditions, is not a “supplement” which comes from outside to be added to an original, uncontaminated, pure hospitality. As Derrida himself has shown in his deconstruction of Rousseau, the supplement is in the origin, rendering the idea of an origin absurd. “Impurity” is always-already inscribed in any act of hospitality due to its condition of possibility and impossibility (hospitality as impossible in a pure, absolute, unconditional form). As a consequence, Derrida is right to conclude that every act of hospitality is conditioned by its opposite – a certain hostility; but he is wrong to claim that we can presuppose something as “pure,” “real” or “true” hospitality.

Another problem (or “advantage” for some) with Derrida’s “hyperbolic” ethics of hospitality is that it retains us in a permanent situation of “bad conscience,” or “guilt.” The “absolute” or “hyperbolic” law of hospitality precludes someone from ever being hospitable enough. Therefore, one is always guilty and must always ask for forgiveness for never welcoming the other enough. Further, this applies to the fact
that the hospitality offered can be rendered as a weapon – a confirmation of sovereignty, or even omnipotence, or an appeal for recognition, since “one always takes by giving.” One must ask, therefore, a priori, forgiveness for the gift of hospitality, for the sovereignty or the desire of sovereignty. Consequently, we see that such an ethics is not only run through by Kantianism – which views the ethical as purity of the will, and thus is unwilling to examine something as eudemonistic as the act of hospitality – but it leaves us constantly with a feeling of guilt. As Derrida declares:

...if you think that the only moral duty you owe is the duty to the people – or the animals – with whom you have affinity, kinship, friendship, neighborhood, brotherhood, then you can imagine the consequences of that. I, of course, have preferences. I am one of the common people who prefer their cat to their neighbor’s cat and my family to others. But I do not have a good conscience about that. I know that if I transform this into a general rule it would be the ruin of ethics. If I put as a principle that I will feed first of all my cat, my family, my nation, that would be the end of any ethical politics. So when I give a preference to my cat, which I do, that will not prevent me from having some remorse for the cat dying or starving next door, or, to change the example, for all the people on earth who are starving and dying today. So you cannot prevent me from having a bad conscience, and that is the main motivation of my ethics and my politics.

Yet, we don’t really know if the right response to an ethics of “good conscience” – to an ethics that puts clear-cut limits to my responsibility so as to allow me to sleep easier and live with a clear conscience – is to substitute it with an ethics of infinite responsibility, which leaves me with a “bad conscience.” (I would expect Derrida here to complicate things, rather than just oppose “good conscience” with “bad conscience.”) It is true that there are few a priori limits to one’s responsibility, but there are some (for example, I cannot feed all the starving children of the world). As David Wood remarks in “Responsibility Reinscribed (and How):”

I am not a divine being [...], but a mortal [...], aware of the fragility of every sense I might have of “what my situation is” or “what my responsibilities are.” But equally aware that to respond or act at all I cannot cease to be finite, situated, to have my own needs and limitations etc. [...] our exposure to the other is not some huge, excessive
obligation, but rather a complex openness to requests, demands, pleas, which call not just for an acknowledgement of my obligations, but for scrutiny, for negotiation, for interpretation, and ultimately for recognizing both opportunities and limitations.17

Hence, just because there are no a priori limits to my responsibility does not necessarily mean that my responsibility is infinite, or that, as a result, I should always feel “guilty” or “have a bad conscience.” Here also I would dare to insist that one cannot have a pure sense of infinity (e.g. infinite responsibility) uncontaminated by the marginal, and vice versa. Moreover, it seems to me that, since such an ethics is “hyperbolic,” it ends up saying that one never does anything ethical.

In addition, what Derrida seems to overlook is that, in a sense, the more “absolute” or “hyperbolic” the ethics of hospitality is rendered, the more “unethical” it becomes. By ordaining the unconditional welcome of the stranger beyond the possibility of any discrimination, pure or absolute hospitality can lead, not only to the destruction of one’s home, but also to the suffering – or even death – of the host, since the guest could, for example, be a murderer or invader. This is a prospect that Derrida acknowledges but considers as unavoidable and surely not worth making him suspicious of his ethics of unconditional hospitality. He thus maintains, in “Hospitality, Justice and Responsibility”:

If, however, there is pure hospitality, or a pure gift, it should consist in this opening without horizon, without horizon of expectation, an opening to the newcomer whoever that may be. It may be terrible because the newcomer may be a good person, or may be the devil; but if you exclude the possibility that the newcomer is coming to destroy your house – if you want to control this and exclude in advance this possibility – there is no hospitality. In this case, you control the borders, you have customs officers, and you have a door, a gate, a key and so on. For unconditional hospitality to take place you have to accept the risk of the other coming and destroying the place, initiating a revolution, stealing everything, or killing everyone. That is the risk of pure hospitality and pure gift, because a pure gift might be terrible too. That is why exchange and controls and conditions try to make a distinction between good and evil. Why did Kant insist on conditional hospitality? Because he knew that without these conditions hospitality could turn into wild war, terrible aggression. Those are the risks involved in pure hospitality, if there is such a thing and I am not sure that there is.18
Consequently, if “[f]or unconditional hospitality to take place you have to accept the risk of the other coming and [...] killing everyone,” then one might ask if such a thing is really ethical. Here again, purity in ethics can be disastrous – or “monstrous” (to use Derrida’s word). As Derrida contends in *The Gift of Death*, “I cannot respond to the call, the demand, the obligation, or even the love of another without sacrificing the other other, the others others.” In this sense, speaking in Levinas’ terms, the face-to-face ethical relationship will always be contaminated by the “third” – by the other’s other.

Moreover, as Martin Häglund remarks, “...if I did not discriminate between what I welcome and do not welcome, what I find acceptable and unacceptable, it would mean that I had renounced all claims to be responsible, make judgments, or pursue any critical reflection at all.”

Of course, I agree with those who might claim that it is not always easy to say in advance who will be a good and or a bad visitor. There would be no need for human decision if it were clear what is to be done – what is good and what is evil, who a saint and who a villain. In the First Book of *The Republic*, Socrates opposes Polemarchus’ claim that “justice is to help your friends and harm your enemies” (334b), by saying: “But don’t men often make mistakes, and think a man honest (christous) when he is not, and vice versa?” (334c). Moreover, there is always the possibility of the “bad” visitor changing over time into a “good” one or vice versa. Hence, I would agree with Häglund that there are no criteria “that would allow us to decide once and for all whether the other is good or evil.” Therefore, the difficulty to differentiate is something that we ought to take into consideration every time a decision needs to be made. All decision-making, all action, must be haunted by the shadow of a doubt: of a risk, of a feeling that we may be unjust to the other. In this sense, isn’t xenophobia, among other things, a frivolous, but also dangerous, attempt to take all the agony, all the risk, out of a decision by always posing the foreigner as a threat?

**Conclusion**

Yet, if ethics is about responsibility, the ethics of unconditional hospitality would preclude us from taking any decision – and thus any responsibility for our decisions. Unconditional hospitality requires that I cannot react in a negative or protectionist manner but must automatically welcome everything. Consequently, an ethics of unconditional hospitality would short-circuit all decisions and be the same as a complete indifference to whatever happens. Decision is something that resides within the field of the conditional and not of the unconditional.
When Derrida talks in *Echographies of Television*, about the need of "negotiation," "compromise," "transaction" between unconditional and conditional hospitality – something that presupposes a decision – one shouldn’t forget that all these belong to the domain of the conditional. Because, as Derrida himself emphasizes, the unconditional "admits of no transaction"\(^22\): that is, of no decisions.

Hence, do we actually need a quasi-transcendental concept of unconditional hospitality? Do we really need a rather problematic ideal to guide us through the process of a decision? Does such a pronouncement presuppose the existence of an ideal of hospitality in the same way that, for Plato, the existence of certain criteria for judging something beautiful presupposed an eternal, absolute, objective Idea of beauty? Yet, isn’t it enough just to say that the fewer conditions we put on our hospitality the more hospitable we are? Against the rather problematic guiding concept of "unconditional" hospitality, I would prefer to concentrate on the particular instructive analyzes of Derrida concerning the various kinds of violence that necessarily condition every action of hospitality. This violence stems from the host’s exercise of power and sovereignty over his or her house or country. My counter-position would be, therefore, a continuous, incessant effort of limiting violence towards the arriving foreigner.\(^23\)

Notes


3. Jean-Louis Debre was the French Minister of Foreign Affairs at that time.


8. Ibid., pp. 27.

9. Ibid., pp. 137–139.


21. Ibid., 125.


23. I would like to thank Dr Peter Langford for his invaluable help.
The Ethics of Subjectivity
Perspectives since the Dawn of Modernity

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