

Temi ed eventi

# Interculturality and the Limits of a Globalized Order. Some Paradigmatic Insights on the Unavoidable Intervention of Contingency Within Human Institutions

Ferdinando G. Menga

Ricevuto il 26 maggio 2012, accettato il 25 ottobre 2012

**Riassunto** *L'interculturalità e i limiti di un ordine globalizzato. Alcuni spunti di riflessione sull'inevitabile interferire della contingenza nelle umane istituzioni* - In questo testo desidero discutere da un'ottica strutturale il punto di consistenza della differenza tra paradigma del multiculturalismo e paradigma dell'interculturalità. Il primo esprime se stesso come differenziazione tra ordini culturali, che prevede comunque la presenza di un ordine o di un meta-ordine globale, il quale governa, in qualità di fondamento universale, lo svolgersi della coesistenza. Il secondo nega proprio questa possibilità, prevedendo come unica strada percorribile il lavoro contingente e situazionale di "traduzione" da un ordine culturale a un altro. Questo testo si propone di valutare proprio le ragioni in base alle quali del paradigma dell'interculturalità possa essere un candidato migliore per illuminare, ma anche per sottoporre a critica, la struttura titanica della globalizzazione.

PAROLE CHIAVE: Ordinamenti politico/culturali; Globalizzazione; Estraneità; Traduzione; Contingenza.

**Abstract** In this paper I wish to discuss at a structural level where the difference between the paradigm of multiculturalism and the paradigm of interculturality lies: whereas the first expresses itself in a differentiation among cultural orders, which however contemplates the presence of a global or meta-order capable of functioning as a universal ground of commonness, the second exactly negates such a possibility, by allowing as the only viable practice the contingent and situated work of "translation" from one cultural order to the other. This paper assesses exactly why the intercultural paradigm may be a better candidate in order to highlight and, at the same time, criticize the titanic structure of globalization.

KEYWORDS: Cultural/Political Orders; Globalization; Alienness; Translation; Contingency.



## Introduction: from Multiculturalism to Interculturality

Cultural, social and political orders, in order to give shape, orientation and unitary significance to the totality of elements they embrace, rely on the structural claim to be constituted as accomplished realms of sense.

In this scenario, for any given order an en-

counter with other contrasting orders, which unavoidably imply its limitedness, might well represent a challenge; however, this does not really cause irreparable harm, if the structural paradigm under which order is conceived continues to be represented within the frame of totality.

According to such a paradigm, the fact that a particular order lacks completeness

---

F.G. Menga - Institut für Ethik - Universität Tübingen (✉)  
E-mail: [ferdinandomenga@gmail.com](mailto:ferdinandomenga@gmail.com)



Attribution - Noncommercial - No Derivative Works 3.0

does not push it towards acceptance of its constitutive finitude; instead, it only calls for the intervention of a dialectical movement, by means of which every particularity and limit-ness of this order, although – on the one hand – detected, is – on the other hand – nevertheless bound to be overcome from the presumed position of an all-embracing total order, which is able to mediate and contain within itself the whole set of differences and possible contrasting elements.

Traditionally, this was the case for all those positions in which the plural expressions of human reason were related to the rule of a unique universal rationality or where context-based forms of cultural manifestations were related back to the primacy of something like an all-encompassing human nature. Nowadays, such a dialectical paradigm hasn't lost its power, despite an increasing accentuation of the irreducible nature of plural and multi-dimensional life forms.

Although it may sound absurd, quite the opposite is the case, since the operativity of this model can be well detected exactly in that same frame of discourse in which one may least expect its intervention, namely: the discourse relating multiculturalism to the process of globalization. Effectively, if we look attentively at such a frame, the dialectical articulation does appear as soon as one observes that multiculturalism is structurally defined in terms of a multiple set of life contexts, which are nevertheless potentially contained (and may be conciliated) into a global order, able to bring them together under a unitary commonality.

Regardless of the attitude with which globalization may be then conceived – either positively as a possible instrument of conciliation between cultural differences or conflicts given by the plurality of life forms;<sup>1</sup> or negatively as the very cause responsible for the destruction of such plural forms of living<sup>2</sup> – what doesn't change, is the structural consistency under which this phenomenon is interpreted: either glorified or feared, globalization continues to be characterized by its peculiar capacity of

comprehending the world as a unitary space of living, or even by producing the world as such a space.

Thus, what is affirmed in such a discourse frame, at the end, is the very possibility of universality as a form capable of (somehow) embracing every cultural plurality and particularity in terms of a relationship between fractions and a whole.<sup>3</sup>

Exactly by doing so, however, what most discourses on multiculturalism and globalization ignore or pretend to ignore is that every process of ordering implies a contingent genealogy, that means: it implies the fact of its own institution; the fact that, since its foundation, order starts from "somewhere"<sup>4</sup> and not from a non-localizable or ethereal position of a global/universal whole,<sup>5</sup> from which order would derive and to which, therefore, it might also return.

As a consequence of this, every institution of order must be understood as historical and ontologically limited, despite the "totalizing" pretensions it might have or it might want to achieve.<sup>6</sup>

Under such a premise, therefore, globalization cannot be understood as the self-manifestation of the whole in itself, which might then enclose all particular orders, but rather it must be interpreted as the most extreme pretention of universality stemming from a certain contingent-based configuration of order (mainly the Western one), and this in the attempt of its most exorbitant self-projection.<sup>7</sup>

From this assessment a further implication must be drawn: if every process of ordering is contingent and inevitably takes place within a given "here", this also implies that every order is constitutively selective. And this means: in enclosing and including something, each process of ordering must simultaneously exclude something else, which, therefore, can always challenge and threaten the order's stability or its will to total expansion (or will to overcome every kind of "delimitation").

In this sense, that which is every time inevitably excluded in the process of ordering, can

be seen as an alien element, which structurally prevents order from a definite closure and thus keeps it in a permanent (historical and non-dialectisable) motion.

Exactly here, along with the unmasking of its contextual (and non-universal) provenience, a structural limitation must also be ascribed to the project of globalization as far as the very possibility of realization of its totality pretension is concerned. In fact, if every ordering process is constitutively selective and always related to a limiting alterity, then the globalization project must also unavoidably refer to an insuperable alterity which breaks its will of absoluteness and unitarity.

Now, the whole set of introductory reflections, I have just made, allow us to better circumscribe the real frame of the issue I want to highlight: if we aim at adequately understanding the reason why every order perceives its radical contingency and feels structurally challenged to the utmost as soon as it is called to face alterity, then we should not so much refer to the above described model of multiculturalism, but rather to the situation of *interculturality*, namely: the situation which describes the confrontation with alien orders or other configurations of life taking place here and now from the perspective of a given order,<sup>8</sup> and not from the safe and neutral position offered by a presumed third mediating party.<sup>9</sup>

In the situation of interculturality, what happens, indeed, is that the given order, far from being simply faced by that which can be merely defined as an extrinsic “other” or a “stranger” to be overcome, discovers through means of this same confrontation an alienness in the midst of its own selfhood.

In other terms, the confrontation with the alien reminds every order of its constitutive contingent foundation, i.e. of the fact that the given order, cannot simply perform final translations from an “outside” towards an “inside”, since there is no such thing as an original model as *tertium comparationis*, but rather is and is bound to remain the inevitable and constantly unaccomplished result of its own “inner” translation, namely a translation that,

since the beginning, has been producing order from the stand point of the original non-availability of a foundation model.

In this sense, foundation, as the basic non-proper and non-appropriable element within order’s constitution, displays the very first characterization of alienness within order, which calls for a process of original and never-ending self-translation.

The connection between translation and alienness, that the paradigm of interculturality discloses, can therefore be considered as a fruitful model through which the constitution of every order can be understood through its structural features of historicity, contingency and original relatedness to alterity. Hence, in the following pages, I will attempt to better circumscribe this connection and develop it through its structural traits.

### **Translating Orders: from the Overcoming of the Alien to its Responsive Encounter**

The operation of translation, which I have chosen here as the guiding concept for this paper, can be basically described as follows: on the one hand, there is my *own* tongue or culture which is familiar, common to me; and, on the other hand, there is, opposite to mine, the *stranger(s)* tongue/culture.<sup>10</sup>

Translating means to make understandable in my own/proper codes what is otherwise not understandable (unfamiliar to me). To put it in other words: translating a stranger(s) culture means reducing it to what I can understand under my own/proper culture. And this also explains why we speak about “appropriation”.

However, exactly this operation of translation, which reduces the *alien* to what is *familiar* to me, gives rise to a pivotal problem: in translating haven’t I neglected (to “translate”) the most peculiar element of what I translate, namely: haven’t I missed the *being alien* (alienness) of what is alien, the *unfamiliarity* of what is unfamiliar?

This element is not secondary if we take into account the fact that, maybe, the reasons of

the *alien* take their strength, significance and justification exactly from that same place which appears unfamiliar/alien to us, and that we reduce or lose in/by the translation process.

An example of the peculiarity of the alienness of the alien can be grasped if we analyze the process of translating stranger's proverbs (or idiomatic expressions) which make sense only in the stranger's tongue, which – again – take their significance from that same place that appears stranger (alien) to us.<sup>11</sup>

As soon as, by translating, we remove their *strange(r)ness* (alienness), we “risk” removing them as such.

Leaving this specific example aside, a crucial question arises: how to translate cultures and yet avoid their reduction? The question at stake here is how to deal with the alienness of the alien without “dissolving it”<sup>12</sup> or “without robbing its alienness”.<sup>13</sup>

Of course, in order to understand we must translate! Nevertheless, this does not prevent us from looking at translation in a different way, namely as a *response* to the alien and not as an overcoming of it.<sup>14</sup> In other words, translation is not a final re-solution/dis-solution of the alien, where the alien element is considered as something transitory that can and must be overcome; on the contrary, translation can be approached as a process that can never fully “reach” and appropriate the alien. Jean-Luc Nancy's words convey perfectly the disturbing element represented by the alien: «its coming never ends: it continues coming, and it never stops being somehow an intrusion». <sup>15</sup>

On this basis, the alien element demands a “permanent work of translation”,<sup>16</sup> an effort that becomes aware of its ontological incompleteness. Instead of claiming its conformity/faithfulness to the original, and viewing the work through the alien as a temporary state – at the end of which the access to the original is to be achieved – the act of translation accepts the origin(al) as an alien and realizes the impossibility of “regaining” immediate access to it.<sup>17</sup>

The alien is no longer the intermediate state that, once overcome through “transla-

tion”, enables us to close the circle, to establish a full appropriation of sense; rather it is what keeps the circle open and therefore requires a constant process of translating as response.

In this sense the German philosopher Bernhard Waldenfels writes: “The request of the alien does not have a sense and does not follow any rule, rather it provokes the sense by upsetting the given sense references and by breaking the rule systems”.<sup>18</sup>

Therefore, the only way of relating to the alien, thereby avoiding its reduction, is the response imposed by the appeal/disturbance coming from the same *alien*. This is the real event of *responsivity*:

The alien becomes what it is in no other place than in the event of responding; this means that it never allows itself to be completely and univocally defined. That which we answer to surmounts always that which we give in/as the answer. What is alien does not allow itself to be answered like a definite question or solved like a definite problem.<sup>19</sup>

Thus, what must be taken as alien is

that *to which* we answer and inevitably have to answer, therefore as a request, challenge, stimulus, call, appeal/demand (*Anspruch*) [...] All looking at (*Hinsehen*) and listening to (*Hinhören*) would be an “answering looking at and listening to”; all speaking and acting would be a kind of “answering” behavior.<sup>20</sup>

Viewed like a process of responding, translation can really be described as a scene of closure of order which leaves space for the open, a will to appropriation which undertakes the inevitable route of expropriation, a will to power which is submitted to the trial of fragility.

This statute of translation does not refer only to the sphere of the alien as “out of the” own, but rather to a form of alienness that also involves our own identity. This alienness manifests itself as the impossibility of having im-

mediate access to an original and pure self.

In other words, what I think to be familiar and common to me, what I call my own culture and my own self, with which I identify myself and think I have immediate access to, is not at all so. Instead, it is a product of a basic and constant translation: a making familiar – an appropriation – of something which is originally alien and therefore that appropriates me from the possessing of myself.

Discovering this original alienness is to become aware of the fact that a transparent ownness is only a phantom of the fulfillment of the desire<sup>21</sup> of possessing myself totally and not the original and actual ground where I move from. This sense of alienness within the own is what we can read in the Dionysiac of Nietzsche,<sup>22</sup> in the *Unheimlich* of Freud,<sup>23</sup> in Merleau-Ponty's description of the experience of delay in the living-present,<sup>24</sup> in the *posteriorité de l'antérieur* by Lévinas,<sup>25</sup> in Derrida's supplement of origin,<sup>26</sup> and in the whole work of Waldenfels.<sup>27</sup>

This last author shows clearly that in every crucial experience in which I identify myself as my own self, the alienness is present like a "goad"<sup>28</sup> (*Stachel*):

my experience of time goes back to the original experience of my birth, to an original past, a 'past which has never been present' (Merleau-Ponty), and that is never my present as I always come too late in order to be able to catch it *in flagranti* [...] Also the name that I have and I hear calling, I received it from others [...]; it has been spoken to me before I spoke to others. [...] The fright in front of one's own image, the one that comes from the mirror or from a photo and that in extreme cases can lead to suicide attempts, would be inconceivable if "I" were simply "I" or if I could always fully return back to myself. I encounter myself under the gaze/glance of the others.<sup>29</sup>

The primacy and irreducibility of the alien is what the translation experiences as a scene

that cannot be closed, a scene that re-proposes itself both *outside* of the subject and *inside* of it,<sup>30</sup> or more appropriately expressed: the alien proposes itself outside of the subject – and does it always in a problematic way – because inside the subject, in the sphere of the own, at the origin, this same alien abides.

### Order and its "Horror Alieni"

Once having described the articulation of this thought in the sphere of the subjective self, it is quite easy to imagine how relevant it could be in the realm of interculturality: in fact, if there is no full experience of own-ness at the origin, if what is called own-ness is a work of translation through and with an original alienness, what fails is the presumption of having a solid basis upon which one stands and from which one thinks to perform a translation regarding only the other's culture.

It is exactly this kind of unquestioned certainty, which gives a clear priority to the own, that gives rise to the attitude which guides all those kinds of traditional operations which, even if they, on the one hand, foresee an indubitable participation or intervention of the alien, on the other hand, return too easily to the own self, since nothing can deeply question and upset the own if, since the beginning, it has been recognized and guaranteed in its hierarchical priority or higher originarity.

Along this line of thought we encounter Hegel's dialectic, in which alienness appears only as *Entfremdung*, i.e. as a transitory form in a process in which consciousness tends at "overcoming the being alien" and "at discovering" the world and the present "as property".<sup>31</sup>

This is also the case with Gadamer's hermeneutics, whose task, despite its weaker pretensions if compared to the Hegelian project, remains that of overcoming the alien,<sup>32</sup> that is the recuperation of comprehension as the more originary condition, in which the ownness of sense is to be presupposed to every interruption produced by an alien incomprehension.<sup>33</sup>

The same strategy is also at work in the

communication discourse of Habermas, which, by starting from the presupposition of a common logos, common sense and communicative reason, does not allow the intervention of any radical alien, but only the participation of a relative alien,<sup>34</sup> who can therefore always be part of a successful strategy of inclusion.<sup>35</sup>

In this sense, Habermas' communicative strategy, by founding itself on the premise of a given symmetrical reciprocity of the participants, far from giving itself as an "interrealm of dialogue" (*Zwischenreich des Dialogs*)<sup>36</sup> between own and alien, works as a dialogically staged monologue.<sup>37</sup>

This does not however negate the existence of what is called "the own" or, more specifically, "own culture", but rather expresses the notion that the access to one's own culture always involves in its deepest roots, and not only derivatively, a relation to alienness.

This is not difficult to demonstrate if we agree upon the fact that nobody's culture can claim an isolated development for itself, namely without relating to other(s') cultures.<sup>38</sup>

Of course, again and again we see examples where communities or societies strongly affirm a pure own origin in which only they were involved. What is nevertheless very suspicious is that each of these affirmations has been and is always accompanied by hostility towards the alien, that is, xenophobia.

Why does the absolute and privileged affirmation of one's own culture, legitimized only by the exhibition of a pure and exclusive origin – that must be consequently immediately accessible – always slip into hate towards the *alien*? Isn't it maybe because this *xénon* (alien) is that which inhabits the original core of own-ness and therefore, by hindering a complete affirmation of the own, must be at any cost repressed or "annihilate[d]"?<sup>39</sup>

Concerning this problem of communities affirming their own identity against the alien the intellectual effort of Rada Ivekovic is very enlightening. Therefore it seems to me highly appropriate to approach the conclusion of these insights with one of her most poignant observations:

The formation of new identities is produced and accompanied by new narrations which allow the communitarian self-representation, re-foundation and homogenization. The origin (starting from the other) must be therefore dissimulated. [...] It is in this way that it happens that a violent (political) subject comes into shape. It gives itself a closed and autistic identity, which refuses any exchange and difference, [...] an objective identity which demands the sacrifice. The sacrifice of the other.<sup>40</sup>

This is the point in which every communitarian order pretends to have achieved for itself its total self-reference and, therefore, the state of no need for any translation. However, if alienness – as I said above – is constitutive, this situation of presumed total self-referentiality of order cannot really get rid of alienness.

In fact, exactly in these cases of extremely desired and planned communitarian autism, a peculiar kind of "shrewdness of alienness" takes places; a shrewdness that manifests itself in the simple and inevitable fact that «whoever builds walls, builds them not only against others, but also against him/herself».<sup>41</sup>

In this sense, even globalization, despite its will to embrace all cultures and break all boundaries, in its project of constructing a self-referring world and in its universal autism (in which everything and everyone would appear familiar and own), cannot avoid its peculiar forms of boundaries<sup>42</sup> or walls.

These walls, no matter how much they might want to hide themselves behind the same universal pretention of overcoming any limit, nevertheless do exist and are effective, and they show themselves, for instance, in all those forms of clear limitation, decrease and impoverishment of human life in terms of a reduction in the variety of experience.

Of course, these self-limiting walls are hardly perceivable as long as one keeps living driven by the guiding need or obsession of protection from what may appear unfamiliar and stranger. And what's more (and clearly

more dangerous), these limiting walls may not only remain unperceived, but they might even be glorified as battle barricades, as soon as the need of protection starts turning into an explicit “*horror alieni*”,<sup>43</sup> whose outcomes – as we well know – have been experienced more than enough along the path of our contemporary history.

## Notes

<sup>1</sup> Among the many positions which consider globalization as a possible way of harmonizing differences I have here in mind particularly Ulrich Beck’s holistic strategy of a comprehensive “as well as (*Sowohl-Als-Auch*)” opposed to the exclusive approach made of an “either-or (*Entweder/Oder*)”. See U. BECK, *Der kosmopolitische Blick oder: Krieg ist Frieden*, Suhrkamp, Frankfurt a.M. 2004.

<sup>2</sup> From this perspective we can refer, among others, to all those radical communitarian discourses which make globalization responsible for the progressive phenomenon of violent destruction of cultural differences and styles of life.

<sup>3</sup> This is the guiding paradigm, for instance, for those Hans Lindahl would call the «advocate[s] of political globalization [who] argue that borders, in the context of a world federation, could only mean “internal differentiation”» (see H. LINDAHL, *Give and Take. Arendt and the Nomos of Political Community*, in: «Philosophy & Social Criticism», vol. XXXII, n. 7, 2006, p. 889). Here Lindahl refers critically precisely to Otfried Höffe’s political-philosophical view of a world republic (Lindahl’s quotation is taken from O. HÖFFE, *Demokratie im Zeitalter der Globalisierung*, C.H. Beck, München 1999, p. 303).

<sup>4</sup> The unavoidable space-boundedness of politico-legal orders is exactly the main thesis Lindahl defends in his critical confrontation with all supporters of the view or desire for a globalized order or world state capable of enclosing within itself all differences. See H. LINDAHL, *Give and Take*, cit., pp. 889-892; H. LINDAHL, *A-Legality: Postnationalism and the Question of Legal Boundaries*, in: «The Modern Law Review», vol. LXXIII, n. 1, 2010, pp.30-56.

<sup>5</sup> See B. WALDENFELS, *Anderswo statt Überall. Europa im Schatten der Globalisierung*, in: C. VOLKENANDT (Hrsg.), *Kunstgeschichte und Weltge-*

*genwartskunst: Konzepte - Methoden - Perspektiven*, Reimer, Berlin 2004, pp. 221-229.

<sup>6</sup> On this point see H. LINDAHL, *Give and Take*, cit., p. 890.

<sup>7</sup> This is one of the main theses Lindahl develops in his article *We and Cyberlaw: Constitutionalism and the Inclusion/Exclusion Difference*, in: «Indiana Journal of Global Legal Studies» (to appear in 2013), see particularly part 4). I would like to thank, here, the author for having given me the opportunity to read the article in its unpublished version.

<sup>8</sup> In his politico-legal perspective Lindahl splendidly expounds how the spatially being “bounded” of orders applies even when the contrary seems to be the case. For a discussion of some counterexamples (stemming from the realms of law, culture and economy) the authors criticizes and rejects, see H. LINDAHL, *A-Legality: Postnationalism and the Question of Legal Boundaries*, cit., pp. 36-40.

<sup>9</sup> See C. CASTORIADIS, *Le monde morcelé. Les carrefours du Labyrinthe III*, Éd. du Seuil, Paris 1990, pp. 25-38.

<sup>10</sup> Notice, that the constitutive oppositional character between own/familiar, on the one hand, and strange/stranger, on the other, applies not only to the realm of the encounter between linguistic and cultural orders, but also to the realm of ordering as such. On this point see again H. LINDAHL, *A-Legality: Postnationalism and the Question of Legal Boundaries*, cit., p. 37.

<sup>11</sup> See in this respect F. JULIEN, *De l’universel, de l’uniforme, du commun et du dialogue entre les cultures*, Fayard, Paris 2008, Chap. 9, § 2.

<sup>12</sup> J.-L. NANCY, *L’intrus*, Galilée, Paris 2000, p. 12.

<sup>13</sup> B. WALDENFELS, *Topographie des Fremden. Studien zur Phänomenologie des Fremden 1*, Suhrkamp, Frankfurt a.M. 1997, p. 50.

<sup>14</sup> See E. LEVINAS, *Totalité et infini. Essai sur l’extériorité*, Nijhoff, Den Haag 1961; B. WALDENFELS, *Antwortregister*, Suhrkamp, Frankfurt a.M. 1994.

<sup>15</sup> J.-L. NANCY, *L’intrus*, cit., p. 11-12.

<sup>16</sup> See R. IVEKOVIC, *De la traduction permanente (Nous sommes en traduction) / On permanent Translation (We are in translation)*, in: «Trans-européennes», n. 22, 2002, pp. 121-143.

<sup>17</sup> See J.-L. NANCY, *Le partage des voix*, Paris, Galilée 1982.

<sup>18</sup> B. WALDENFELS, *Topographie des Fremden*, cit., p. 52.

<sup>19</sup> *Ibidem*. See also B. WALDENFELS, *Grundmotive einer Phänomenologie des Fremden*, Suhrkamp, Frankfurt a.M. 2006, Chap. 3.

<sup>20</sup> B. WALDENFELS, *Topographie des Fremden*, cit., p. 109; see B. WALDENFELS, *Antwortregister*, cit., p. 269.

<sup>21</sup> See F. CIARAMELLI, *L'inquiétante étrangeté de l'origine*, in: «Revue philosophique de Louvain», vol. XCVI, n. 3, 1998, pp. 512-524; F. CIARAMELLI, *La distruzione del desiderio. Il narcisismo nell'epoca del consumo di massa*, Dedalo, Bari 2000; B. WALDENFELS, *Bruchlinien der Erfahrung. Phänomenologie – Psychoanalyse – Phänomentechnik*, Suhrkamp, Frankfurt a.M. 2002, Part 2.

<sup>22</sup> See F. NIETZSCHE, *Die Geburt der Tragödie aus dem Geiste der Musik* (1872), in: F. NIETZSCHE, *Sämtliche Werke*, KSA, ed. by G. COLLI, M. MON-TINARI, Bd. I, De Gruyter, Munich 1999.

<sup>23</sup> See S. FREUD, *Das Unheimliche* (1919), in: «Imago. Zeitschrift für Anwendung der Psychoanalyse auf die Geisteswissenschaften», vol. v, pp. 297-324.

S. FREUD, *Aufsätze zur Literatur*, Fisher, Frankfurt a.M. 1963.

<sup>24</sup> See. M. MERLEAY-PONTY, *Phénoménologie de la perception*, Gallimard, Paris 1945.

<sup>25</sup> See E. LEVINAS, *Autrement qu'être ou au-delà de l'essence*, Nijhoff, Den Haag 1974.

<sup>26</sup> See mainly J. DERRIDA, *La voix et le phénomène. Introduction au problème du signe dans la phénoménologie de Husserl*, PUF, Paris 1967.

<sup>27</sup> This can be well detected in M. FISCHER, H.-D. GONDEK, B. LIEBSCH (Hrsg.), *Vernunft im Zeichen des Fremden. Zur Philosophie von Bernhard Waldenfels*, Suhrkamp, Frankfurt a.M. 2001.

<sup>28</sup> B. WALDENFELS, *Der Stachel des Fremden*, Suhrkamp, Frankfurt a.M. 1990.

<sup>29</sup> B. WALDENFELS, *Topographie des Fremden*, pp. 30-31.

<sup>30</sup> See J. KRISTEVA, *Étrangers à nous-mêmes*, Fayard, Paris 1988.

<sup>31</sup> G.W.F. HEGEL, *Phänomenologie des Geistes* (1807), in: G.W.F. HEGEL, *Werke in zwanzig Bänden*, Bd. III, Suhrkamp, Frankfurt a.M. 1986, p. 586.

<sup>32</sup> See H.-G. GADAMER, *Wahrheit und Methode. Grundzüge einer philosophischen Hermeneutik*, Mohr, Tübingen 1965, pp. 217, 345, 445.

<sup>33</sup> See *ivi*, pp. 167, 368.

<sup>34</sup> A critical approach to it can be found in B. WALDENFELS, *In den Netzen der Lebenswelt*, Suhrkamp, Frankfurt a.M. 1985, pp. 94-119.

<sup>35</sup> See J. HABERMAS, *Die Einbeziehung des Anderen. Studien zur politischen Theorie*, Suhrkamp, Frankfurt a.M. 1996.

<sup>36</sup> B. WALDENFELS, *Das Zwischenreich des Dialogs. Sozialphilosophische Untersuchungen in Anschluss an Edmund Husserl*, Nijhoff, Den Haag 1971.

<sup>37</sup> See B. WALDENFELS, *Bruchlinien der Erfahrung*, cit., pp. 226-233.

<sup>38</sup> See B. WALDENFELS, *Grundmotive einer Phänomenologie des Fremden*, cit., Chap. 6.

<sup>39</sup> J. BUTLER, *Restaging the Universal: Hegemony and the Limits of Formalism*, in: J. BUTLER, E. LACLAU, S. ZIZEK, *Contingency, Hegemony, Universality. Contemporary Dialogues on the Left*, Verso, London-New York 2000, pp. 11-43, here p. 22.

<sup>40</sup> R. IVEKOVIC, *L'autisme communautaire*, in «Trans-européennes», 9, 1996-97, pp. 68-69.

<sup>41</sup> B. WALDENFELS, *Bruchlinien der Erfahrung*, p. 243.

<sup>42</sup> I now allow myself a long quotation taken from an article by Lindahl, as I believe in this passage the author splendidly describes how the logic of contingency and of spatial boundedness still applies and is not to be overcome, despite all titanic claims of “globality” expressed by some visions of politico-legal order and economical agents. He writes: «[w]ould not the distinction between inside and outside disappear in global law [...]? No. Consider the hypothetical case of a world polity [...]. Whatever else might be required, its officials would need to posit a distribution of places determining where behaviour ought or ought not to take place. Although a world polity would have no outside in the sense of foreign places, or at least not initially, the inclusion and exclusion of interests articulated by its spatial boundaries entail that the polity's foundation gives rise, at least latently, to *strange* places – places that do not fit in the distribution of ought-places deemed to be a collective's *own* legal space. Strange places are, in the twofold sense of the term, “outlandish”. What a world polity could not avoid is to posit boundaries that close it off as an inside – as a *familiar* distribution of places – in contrast to an indeterminate outside. This outside manifests itself through forms of behaviour that, contesting the claim to commonality raised on behalf of a global distribution of places, intimate an ought-place that has no place within that global space, yet ought to in some way. Accordingly, the emergence of global legal orders reveals that the inside/outside distinction, when construed as the distinction between domestic/foreign territories,



is *historically contingent* [my emphasis]; legal orders are certainly conceivable that do not require fixed territorial borders like those of a nation-state. But to the extent that a world polity, if it is to be a legal order, must in some way organise the face of the earth as a common distribution of ought-places, any of the boundaries that mark a *single* ought-place from other ought-places in the world polity also appears, when contested, as marking the *whole* distribution of ought-places as an inside vis-à-vis a strange outside. [...] [It] has been argued [...] that multinationals constitute a novel form of global law. [...] their spatial unity is patently irreducible to a simple aggregation of patches of state territories. [...] But there is certainly a minimal sense in which multinationals are a single distribution of places, hence a bounded spatial unity. Take Shell: [...] Shell is free to move its headquarters, sell off refineries, acquire concessions to explore and tap expanses of the sea bed, etc, thereby reconfiguring its spatial confines as it sees fit. Yet, even despite this important difference with states, Shell is a single distribution of

places, organised as such in terms of the overall interest guiding the multinational's various activities. Moreover, and in light of that purpose, different sorts of persons are entitled to enter certain of these places, and different kinds of activity are authorised or forbidden in different sorts of places. In short, *qua* (more or less movable) spatial unity, Shell consists in a single distribution of *ought*-places. It is this feature that explains why Shell is not only a bounded space, but bounded in terms of the inside/outside distinction. In effect, the occupation of the Brent Spar oil storage and tanker loading buoy by Green Peace activists, and the associated consumer boycott of Shell service stations, can be seen as acts that contest the distribution of legal places that define Shell as a spatial unity» (see H. LINDHAL, *A-Legality: Postnationalism and the Question of Legal Boundaries*, cit., pp. 37-39).

<sup>43</sup> B. WALDENFELS, *Erfahrung des Fremden in Husserls Phänomenologie*, in: B. WALDENFELS, *Deutsch-Französische Gedankengänge*, Suhrkamp, Frankfurt a.M. 1995, pp. 51-68, here p. 52.