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State and War:

The New Law of Hospitality

Settlers and Those Who Escape from States: Hospitality and Violence

Someone may ask the following questions. Should we refuse any sort of settling and colonization? Or could there be a state without them?

In order to answer these questions, I would like to refer to Immanuel Kant. In *Perpetual Peace*, he writes:

> All men are entitled to present themselves thus to society in virtue of their right to the common possession of the surface of the earth, to no part of which any one had originally more right than another; and upon which, from its being a globe, they cannot scatter themselves to infinite distances, but must at last bear to live side by side with each other. (Kant 1914, 87)

As Kant says, if we go back to the beginning, before the rights of private property, I don't have enough cause to occupy this place. Therefore, in principle, I can't refuse others who want to come here with some reason or *without any reason* (the latter is much more important). Or rather, the arrival of others should be welcomed unconditionally.[1]

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1. The reason why the phrase "without any reason" is italicized is that if we consider "refugees" or "illegal immigrants", their "reasons" are not always considered sufficient.

Hannah Arendt wrote about "stateless persons" and "refugees" as follows:

> The problem of statelesness became prominent after the Great War. (Arendt 1968, 157)

However, it becomes a problem, if this unconditional hospitality for others turns out to be a demand that "you don't have sufficient right to be in your place, so you cannot refuse me to come there, and you have to welcome me." Moreover, one who wants to go to another's land should express a strong reason or cause to do so. For example, in the case of King Tang it was the logic of sacrifice. Today, it might be "enlightenment," "civilization," or "democracy." I have a reason to be welcomed by you![2]

Then, if you don't welcome me, what will happen? As the old Chinese story shows, the Lord who does not welcome others must be eliminated as a "dissolute" rogue, even if he is "rational" enough to criticize sacrifice as a "violent" system, or to refuse a "democracy" that has been forced from outside. This elimination might be executed in the name of a "just war" for an oppressed people or in the name of a "preemptive attack" to prevent a massacre, and possible destruction.

It is inevitable that human beings will emigrate to live in some other place. According to Kant, one has a right to visit another place, and to ask to become acquainted with foreign people. Following the passage

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What is unprecedented is not the loss of a home but the impossibility of finding a new one. (173)

Whoever was thrown out of one of these tightly organized closed communities found himself thrown out of the family of nations altogether. (174)

The new refugees were persecuted not because of what they had done or thought, but because of that they unchangeably were—born into the wrong kind of race or the wrong kind of class or drafted by the wrong kind of government. (174)

"The refugees and the stateless" as contemporary problems have not only haunted Jews as well as Palestinians, but also "have attached themselves like a curse to all the newly established states on earth which were created in the image of the nation-state." (170)

It is necessary for us not to replace the problems of "the refugees and the stateless" with the problems of crime or security, but to invent a new law of hospitality for them.

2. In the Second Gulf War, there was a prospect that American army bringing "democracy" to Iraq would be greeted by the Iraqi people with cheers. This prospect is exactly the same as the description of King Tang whose expedition with the cause of "sacrifice" was welcomed like merciful rain by people in places he went.

from *Perpetual Peace* that I just cited, Kant continues by saying that once the right of good friendship is approved by all nations, someday "in this way distant continents may enter into peaceful relation with each other. These may at last become publicly regulated by law, and thus the human race may be always brought nearer to a cosmopolitical constitution." (Kant 1914, 88)

However, it is noteworthy that Kant uses this right of visit in a limited sense: not to treat foreigners hostilely when they come to another place. Kant distinguishes this right from the right to stay as guest for a while, and says that foreigners cannot demand the right of being a guest (87). Of course, the right to keep living in the place should not be allowed for foreigners. It is a matter of course if we understand that the "cosmopolitical constitution" that Kant conceives depends upon a pacifistic federation of nations and these are constituted by ethnic groups.[3] Land, ethnicity, and nation are firmly interrelated in Kantian thought.

However, what we have to consider here is that in spite of the limits imposed by Kant, we cross a border and live in another state regardless of reason. In such a case, it is important to distinguish living in another state as a "refugee" from settling in another state as a "colonial." That is to say, there is a big difference between those who are compelled to

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3. This idea of "peaceful union" is regarded as the ideal foundation of the United Nations. For Kant, the key to constitute the "pacific federation" consists in a "republic."

> For if happy circumstances bring it about that a powerful and enlightened people form themselves into a republic—which by its very nature must be disposed in favor of perpetual peace—this will furnish a center of federative union for other States to attach themselves to, and thus to secure the conditions of liberty among all States, according to the idea of the law of nations. And such a union would extend wider and wider, in the course of time, by the addition of further connections of this kind. (Kant 1914, 84–85)

If we refer to Hannah Arendt's "On Revolution", this republic could not be the French republic (Kant wrote *Perpetual Peace* as a criticism of the Basel treaty between Prussia and France after the French revolution), but rather the "American republic" establishing a "new Rome" through the "American revolution."

The existing "American republic" is a State to celebrate "the feasts of thanksgiving during a war for a victorious battle" (173).

escape from a state and those who settle in another state out of self-interest. For example, it seems that in Israel there are those who are pursuing both of these two purposes, but it is easy to conflate them and justify its settlements on the grounds of the persecution of Jews. However, we don't think of Israel as a unique and special state in the world. On the contrary, we have to think that Israel is not a mere example, but an exemplary case for all nations. If we consider philosophically the problem of living in a place, we cannot avoid thinking of Israel. This is what another Immanuel/ Emmanuel ("God, being with us") tried to think of.

In "God, Together With Us," Emmanuel Levinas speaks of the "universality" of the state of Israel.

> All people are on the border of the situation of the state of Israel. The state of Israel is a category. (Levinas 1977, 179)

> I would like to say in my way: "we are all Israeli Jews." "We" means all human beings. This interiority is the sufferance of Israel as the universal sufferance. (171)

What is at stake in Levinasian thought is the violence of the establishment of every state, especially the violence of settling by those who have been persecuted. Even so, we have to ask why it is Israel. One of the reasons is that Levinas regarded Israel as the "state of David" transcending the "state of Caesar" and made Israel a messianic State ("State of Caesar and State of David," in Levinas 1982, 219). However, why does not he refer to Palestine?[4] If he is a philosopher of hospitality for

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4. Levinas seldom referred to Palestine, but talked about the visit of President Sadat to Jerusalem that showed a possibility of the reconciliation between Jews and Arabs as follows:

> Land is for Israel bet or impasse. It is to this situation of impasse that the word there refers: *En brera*, that is, "no choice." Being armed and dominant, is Israel one of the biggest military powers at the shore of Mediterranean, face to face with disarmed Palestinian people whose existence it does not recognize? Is it the real truth? Isn't Israel in its real power the most fragile in the world, the most vulnerable in the midst of its neighbors as the incontestable nations which are rich in natural alliances surrounded by their lands? Land, land, and land as far as one can see! (Levinas 1982, 226)

others, we need to confirm what war and the state are for Levinas, what peace beyond them is, and what position Israel occupies for him.

Eschatology and Messianic Peace: Totality and Infinity

Levinas said "Yes to the state" (209). However, it is Levinas who severely criticized the state, war, and philosophy. His main work, *Totality and Infinity*, starts from this sentence in the preface:

> Does not lucidity, the mind's openness upon the true, consist in catching sight of the permanent possibility of war? (Levinas 1991, 21)

And it ends with a sentence criticizing the state:

> Situated at the antipodes of the subject living in the infinite time of fecundity is the isolated and heroic being that the state produces by its virile virtues. (306)

Levinas repeatedly stated that war, the state, being, and western philosophy were not different things, and that it was difficult for us to escape from their horizon. War is the "very patency, the truth, of the real" (21) and "It [war] establishes an order from which no one can keep his distance" (Ibid.), whereas western philosophy is the "ontology of war" (22) or the "ontology of totality issued from war" (Ibid.). In such a presupposition, how can we arrive at peace beyond war without appealing to the lucidity of philosophy or reason (they are already coincident with war)? This exaggerated question was what he tried to ask.

The peace that he imagined is not the "peace of empires issued from war" (Ibid.), but peace before war.[5] It is the opposite of Kant's "eternal peace of nations" based upon reason. Levinas called it "messianic peace"

The land of Israel as "the last trench" (226) is certainly "bet or impasse." However, Levinas does not do justice to Palestinians on this point.

5. For example, Levinas said, "War presupposes peace, the antecedent and non-allergic presence of the Other; it does not represent the first event of the encounter." (Levinas 1991, 199)

(22), and defined what brought peace as "eschatology." The meaning of "eschatology" here is not that which tells the end of the world or the last judgment to introduce a teleological system (like Hegel), but should be understood in its etymological sense as the discourse relating "eschaton (the furthest)" that is the "beyond."

> Eschatology institutes a relation with being *beyond the totality*. (Ibid.)

> This "beyond" the totality and objective experience is, however, not to be described in a purely negative fashion. It is reflected *within* the totality and history, *within* experience. The eschatological, as the "beyond" of history, draws beings out of the jurisdiction of history and the future; it arouses them in and calls them forth to their full responsibility. Submitting history as a whole to judgment, exterior to the very wars that mark its end, it restores to each instant its full signification in that very instant; all the causes are ready to be heard. It is not the last judgment that is decisive, but the judgment of all the instants in time, when the living are judged. (23)

"Eschatology" as the judgment in every moment requires the existent as the subject to answer to the appeal by others and to take responsibility for every request. Levinas went "from existence [being] to existents." In other words, Levinas tried to extract the Ego as the subject before Being (entangled with totality, war, and state) in *Totality and Infinity* as a "defense of subjectivity" (26). The Ego as the subject is not isolated, but is in a primordial relationship with others. This is no other than peace. This peace is only imagined through the Ego as the subject.

> Peace must be my peace, in a relation that starts from an I and goes to the other, in desire and goodness, where the I both maintains itself and exists without egoism. It is conceived starting from an I assured of the convergence of morality and reality, that is, of an infinite time which through fecundity is its time. (306)

In short, "messianic peace" needs the Ego as the Messiah.

Proximity and State

What we have to pay attention to here is that the peace Levinas proposes is that between those who are able to speak. Levinas said, "Peace is produced as this aptitude for speech" (23). There is no doubt that the Ego as a starting point for peace can speak. Moreover, for Levinas, the other as what he calls a "face" can speak as well. Therefore, Levinas said, "the essence of language is goodness, or again, that the essence of language is friendship and hospitality" (305), and "the fundamental fact of the ontological scission into same and other is a non-allergic relation of the same with the other." (Ibid.)

However, according to Levinas, those existents who can speak and welcome others should be "personal" and "adult."[6] What is important is not to withdraw the demand for the Ego to be "personal" and "adult," but to ask whether the demand could be imposed upon others, asking them to be "personal" and "adult" if they want to be regarded or respected as others. It is obvious that there is a kind of hierarchy among the others that Levinas talked about. The other as such is neither female, child, nor animal, but an adult male. In other words, the "messianic peace" Levinas tried to open could be a peace among adult

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6. Ibid., 23.

We surely cannot reject the demand to become an "adult" subject, being able to take responsibility if we intend to resist the state (empire), because there is no way to do that without any subjectivity. Therefore, the concept of "multitude" to resist the "Empire" by Michael Hardt and Antonio Negri was related to subjectivity, although their stance seemed quite different from the Levinasian one. They posed the question of subjectivity by saying that "We need to investigate specifically how the multitude can become a political subject in the context of Empire" (Hardt and Negri 2000, 394). However they could not fully answer their question. It is too obscure to understand what type of subject they tried to figure out, when they described the "multitude" as "global elites."

On the contrary, the concept of the "nomad" by Gilles Deleuze, and Félix Guattari, that Hardt and Negri referred to, was not related to the problem of "becoming a *political subject*." The "nomad" does not belong to the "Empire," but is situated outside of it as the other. (Deleuze and Guattari 1987, 381; 497)

The "nomad" invents a "war machine" which does not aim at war. However, once the state appropriates the "war machine," war will inevitably occur, because the state always aims at war. (417) In other words, Deleuze and Guattari tried to find a "war machine" in the midst of war which the state aims at and to think of the possibility of a "war machine" that could resist the state.

males who are able to speak. Moreover, the distinction among "adult" others appears as a danger in Levinasian thought.

As I mentioned earlier, there is a moment in Levinasian thought that privileges Israel in ethical terms. It is reinforced by the distinction among "adult" others. In *Otherwise than Being or Beyond Essence,* Levinas writes as follows:

> The others concern me from the first. Here fraternity precedes the commonness of a genus. My relationship with the other as neighbor gives meaning to my relations with all others. (Levinas 1981, 159)

> Justice remains justice only, in a society where there is no distinction between those close and those far off, but in which there also remains the impossibility of passing by the closest. (Ibid.)

The more responsibility that "I" take, the stronger "proximity" becomes, and the more powerful "justice" appears in "proximity." However, in that case, the distant others must be considered second. There is no doubt that Levinas tries to eliminate the "distinction between those close and those far off." Nonetheless, as long as he started from the Ego who took asymmetrical responsibility and emphasized the importance of "proximity," the third party and "those far off" were compelled to be put next to the neighbors and "those close."

Besides, the "messianic peace" that Levinas proclaimed needs places like home, land, and a state to support the "proximity" of the Ego, and Israel is the symbolic name of such places. Needless to say, Levinas did not simplistically affirm such places as well as Israel. As mentioned above, Israel must be the "accomplishment of the state of David in messianic state," and a "utopia" (Levinas 1982, 219).

Let's refer to *Totality and Infinity* too. He writes:

> The metaphysical desire does not long to return, for it is desire for a land not of our birth, for a land foreign to every nature, which has not been our fatherland and to which we shall never betake ourselves. (Levinas 1991, 33–34)

However, in fact, Israel called Jews to "return to the ancestral land" (Levinas 1982, 220) and it became a country where the Jews settled. The "messianic peace" opened by the responsible Ego is shaken from inside.

War as a Confrontation with Others

Nevertheless, it would be too hasty to dismiss this aspect of Levinasian thought. We could re-understand it as the thought that poses the Ego, home, and the state as the devices for a "minimum violence" to the different types of others. As Jacques Derrida said, "*We do not say absolutely peaceful. We say economical*" (Derrida 1978, 128), Levinas thought of the economy of violence.

The important thing is that Levinas begins his thought through the violence against others and the reality of war, which were located in the midst of our being and ironically became a condition of possibility for peace. He said, "The Other is the sole being I can wish to kill" (Levinas 1991, 198) and "Violence can aim only at a face" (225). We have to think of these statements repeatedly.

In other words, I definitively encounter others in the midst of war. It is strange enough that war is an incident that brings us into a relation with others beyond the established order (totality). Levinas writes:

> Only beings capable of war can rise to peace. War like peace presupposes beings structured otherwise than as parts of a totality. (222)

> But would the violence that is impossible among beings ready to constitute a totality—that is, to reconstitute it—then be possible among separated beings? How could separated beings maintain any relation, even violence? It is that the refusal of totality in war does not refuse relationship—since in war the adversaries seek out one another. (223)

From the war in which I encountered others and was related with them, Levinas went back to peace.

Therefore, if we intend to cut off the chain of wars, we have no

option but to reconstruct the relationship with others by facing up to the war in which we have encountered them. In other words, it is nothing other than to think, once again, through the problem of the state and that of settling with others. In fact, we turn our eyes from the reality of the confrontation with others, and allow the state to re-appropriate it in the national (imperial) order in which the voices of the others whom I or we encountered in the war are eliminated from national memory.

If philosophy still has some meaning here, it must pay attention to its own original violence, criticize our system in which ears do not listen to the voices of others encountered in war, and once again speak of peace in a different manner. In this sense, philosophy is surely an activity which should be performed with others.

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