

# Mediterranean drama: pragmatic, legal and moral aspects of hospitality<sup>1</sup>

Ewa Nowak

„We do not yet know what hospitality is”  
(J. Derrida)

**Abstract:** Hospitality is „not a concept which lends itself to objective knowledge,” Jacques Derrida assumes. His assumption „provokes” and challenges European *hospitability*, not only in the Mediterranean area in which „welcoming” and „ingratiating” (in Derrida’s terms) forms of human conduct met together thousands years ago, and an *asylum* seeker found *hospitia*. What is hospitality and why philosophize about it today? The paper examines hospitality’s pragmatic, customary, legal and moral aspects in, both, historical and contemporary contexts.

**Keywords:** hospitality, potential and limits of hospitality, asylum, *ius hospitia*, cosmopolitanism, pragmatism, ethics, Kant, Derrida, Levinas.

---

<sup>1</sup> The research presented in this paper was supported by The Kościuszko Foundation (New York, 2016). It would not have come into being without the hospitality of Cornell University, Ithaca (NY) and without the collaboration of Dawn E. Schrader (Dept. of Communication) and Grant Farred (Dept. of African Studies). My cordial thanks go to these persons and institutions.

---

\* Associate Professor Dr. habil. Ewa Nowak, Chair of Ethics,  
Institute of Philosophy at AMU Poznań (Poland)  
ewanowak@amu.edu.pl

## I. Embedding *hospitia*: between Orient and Occident: myth, pragmatism and customary law

Let's begin with Homer's evocation of Zeus Xenios<sup>3</sup>, the deity of guests in the Greek Heroic Age. Homer introduced the art of hospitality in the *Odyssey*<sup>4</sup>. Jacques Derrida<sup>5</sup> and Roberto d'Esposito's interpretation of hospitality as an ahistorical „community along the journey”<sup>6</sup> corresponds with Homer. That claim, however, is idealistic and overlain by myth. Ancient discourses addressed hospitality mainly as a remedy against hostility.

In mythic and religious contexts, the enigmatic status and alien origin of strangers have been associated with sacrum, messianism, transcendence, as well as with profane contexts. A sudden arrival might be a manifestation of the will of God, or it might be just a fellow human whose messianic-like status remains in force in the modern ethics of dialogue. According to Emmanuel Levinas,

---

<sup>1</sup> The word originates from the Latin *hospes* = *master, maître, host, traveller, visitor* (Slavic: *gospodin, gospodar*; Greek: φιλόξενη χώρα = hospitable country, ἀφιλόξενη χώρα = inhospitable country, phonetic: *xenios* = *stranger*; *xenia, proxenia* = *hospitium*; *Zeus Xenios* = *the god of foreigners and suppliers*). The Latin *hostis* = *enemy, public enemy*. According to Saghafi, the concept of hospitality „comes to us from Latin derived from *hospes*, which goes back to *hosti-pet-s*. The second component *pet-* or *pot-* means ‚master’: therefore, *hospes* literally means the *guest-master*”, K. Saghafi, *Apparitions – Of Derrida's Other*. Fordham University Press, New York 2010, p. 166.

<sup>3</sup> See R. Schérer, *Zeus hospitalier. Éloge de l'hospitalité*. Paris: Armand Colin, Paris 1993.

<sup>4</sup> See C. Wodziński, *Odys gość. Esej o gościnności*. Słowo, Obraz, Terytoria, Gdańsk 2015, and Ch. Yates, „Between Mourning and Magnetism. Derrida and Waldenfels on the Art of Hospitality.” In *Phenomenologies of the Stranger. Between Hostility and Hospitality*, eds. R. Kearney & K. Semonovitch. New York: Fordham University Press, New York 2011, p. 259.

<sup>5</sup> See J. Derrida, „Hostipitality.” *Angelaki*, vol. 5(3), 2002; see also E. Kapsch. 2007. *Verstehen des Anderen. Fremdverstehen im Anschluss an Husserl, Gadamer und Derrida*. Berlin: Parodos Verlag, and N. Onuf. 2009. „Friendship and Hospitality: Some Conceptual Preliminaries.” *Journal of International Political Theory*, vol. 5(1).

<sup>6</sup> Cited in P. Westoby, G. Dawling, *Dialogical Community Development: With Depth, Solidarity, and Hospitality*. Tafina Press, West End Queensland 2009, p. 6.

„the other is not unknown but unknowable”<sup>7</sup>, that is, one has to understand her or him as a significant other in her radical alterity. Maria Theresa Gil-Bazo<sup>8</sup> stressed the special, messianic-like status of the stranger as follows: „the Judeo-Christian tradition of hospitality is deeply rooted in the understanding that the stranger represents the extraordinary, the unknown, the mystery, that is, divinity itself or its messenger”<sup>9</sup>. John Caputo<sup>10</sup> interpreted the stranger’s condition in terms of messianism and, simultaneously, extremism. Those who face the „people of God,” Caputo explains, are challenged by otherness of an extreme degree, embodied by „people with a taste for the impossible, with a taste for the worst violence and the most radical peace”<sup>11</sup>, which means that people do not possess institutionalized, terrestrial standards and measures. Caputo’s explanation has a hidden agenda: extreme behavior and customs might be seen as grounded in archaic attitudes toward human nature. According to Bresciani<sup>12</sup> and Urban<sup>13</sup>, passions exercised beyond measure (e.g., passionate loving and hating) and excessive virtues and vices as well<sup>14</sup> are typical attitudes of an archaic and anarchic human nature. Most probably, this kind of anthropological explanation corresponds with tribal and nomadic customs before public institutions were established (for ex.

<sup>7</sup> E. Levinas, *Time and the Other*. Pittsburgh: Duquesne University Press, Pittsburgh 1987, p. 43.

<sup>8</sup> M.-T. Gil-Bazo, „Asylum as a General Principle of International Law.” *International Journal of Refugee Law*, vol. 27(1), 2015, p. 19.

<sup>9</sup> Idem, pp. 19–20.

<sup>10</sup> Compare J. Caputo, „Hospitality and the Trouble of God.” In *Phenomenologies of the Stranger. Between Hostility and Hospitality*, eds. R. Kearney & K. Semonovitch. Fordham University Press, New York 2014.

<sup>11</sup> Idem, p. 83; see also H. de Vries, *Religion and Violence*. John Hopkins University Press, Baltimore 2002.

<sup>12</sup> See A. Bresciani, *Dei costumi dell’isola di Sardegna comparati con gli antichissimi popoli orientali*. Ilisso, Nuoro 2001 (original edition 1850).

<sup>13</sup> M. Bonaria Urban, *Sardinia on Screen. The Construction of the Sardinian Character in Italian Cinema*. Rodopi, Amsterdam – New York 2013, p. 85.

<sup>14</sup> Idem.

in ancient Rome). Scholastic, Eurocentric anthropologies depicted the ‚anti-type’ personifying vehement, fanatical, or militant attitudes, different to the ‚type’ of *bon sauvage* in Michel de Montaigne. Urban associated such attitudes with an over-developed sense of honor and vendetta. However, „prender vendetta di alcono”<sup>15</sup> did not always (if ever) mean a furious and irrational revenge. Vendetta and hospitality, as is demonstrated in Michał Peđracki’s<sup>16</sup> research, were interconnected in pragmatic customs. One of them was not to take revenge on too many members of the offender’s house and to observe *ius talionis*, the aim of which was that retributions should be proportionate to the gravity of the crime. Although the vendetta was not a public institution, it can be studied „qua institution in order to ascertain the operation of customary law,” „honor killing,” or „as a matter of kinship”<sup>17</sup>. Customary laws can still be applied in nomadic tribes, though they are outlawed in the light of juridico-political institutions. Urban commented, „Even Sardinian hospitality, one of their most admirable virtues, was the same as that found in semi-barbarous races”<sup>18</sup>. Hospitality might be a rational custom cultivated within a community in order to hide the innocent persons persecuted by avengers, i.e., to offer them an *asylum* (a safe space to save their lives). Bresciani noticed affinities between nomadic hospitality, the archaic Greek

<sup>15</sup> G. Ch. Iagemann, *Dizionario italiano-tedesco e tedesco-italiano*, vol. 3. Espese di Federigo Severin, Weissenfels e Lipsia 1790, p. 913.

<sup>16</sup> I thank Dr. Michał Peđracki from Polska Akademia Nauk (Warsaw) for making me aware of the strong vendetta–hospitality link as one of the anthropological, sociological and legal contexts in which hospitality is embedded.

<sup>17</sup> J. Makris, „Ethnography, History, and Collective Representations: Studying Vendetta in Crete.” In *Europe Observed*, ed. J. de Pina–Cabral and J. Campbell. Palgrave Macmillan Press Ltd., London 1992, pp. 58–59. „Vendetta is made possible by Psilafioti customary law, which the state to this day has been unable to suppress. Since they are embedded in the kinship system,” that is, „the intermarriage between kin groups as an important factor of social control,” „the duties of this law are categorical; they continue to co-exist, however, with a state legal system in which they are illegal”, idem, p. 57.

<sup>18</sup> M. B. Urban, *Sardinia...*, op. cit., p. 86.

hospitality celebrated in Homer, and the scriptural hospitality in Judeo-Christian traditions<sup>19</sup>.

Exploring the origins of hospitality in the **Jewish tradition**, Gil-Bazo referred to Exodus 23,5: „You must not oppress the stranger... for you lived as strangers in the land of Egypt.” However, the true origin of asylum is conveyed in Shemot 21,13: „But one who did not stalk [him], but God brought [it] about into his hand, I will make a place for you to which he shall flee.” With the commandment of *ius asylum* (still accompanied by *ius talionis* and other principles known in the Mediterranean cultures), God equipped the Israelites on Mount Sinai. At that moment, *asylum* was offered to protect the innocent killer’s family relatives. Several lines in the Torah indicate the explicit „right” which addresses victims of terrestrial persecution, oppression, and injustice. The Hebrew prayer Hashkiveinu and Psalm 71 clearly express the victims’ claim: „I run to you, Lord, for protection. Don’t disappoint me. You do what is right, so come to my rescue.” Accompanied by at least 10 other sage men elected of his fellows, Moses was authorized by God to establish the court („Hall”) (Shemot 18,19–26) on the Temple Mount. The Jewish community, until now state-less, achieved one of her fundamental institutions: „And thou shalt teach them the statutes and the laws, and shalt show them the way wherein they must walk, and the work that they must do” (Shemot 18,20). Furthermore,

„...thou shalt provide out of all the people able men, such as fear God, men of truth, hating unjust gain; and place such over them, to be rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens...And let them judge the people at all seasons; and it shall be, that every great matter they shall bring unto thee, but every small matter they shall judge themselves; so shall they make it easier for thee and bear the burden with thee” (Shemot 18,22).

The development of an institutionalized legislature and judicature replaced vendetta in state-less communities<sup>20</sup>

<sup>19</sup> A. Bresciani, *De costumi...*, op. cit., p. 141.

<sup>20</sup> M. Pędracki, „Przepisy prawne najstarszych ‚kodeksów’ mezopotamskich, ustanawiające kary dla ludzi wolnych.” *Analecta*, vol. 6/7(12), 1997, p. 27.

letting them establish *states*, at least in state's theocratic, or hybrid, e.g. theocratic and secular<sup>21</sup>. Jewish asylum and hospitality involved Hebrews as well as strangers. According to Gil-Bazo,

„All three monotheistic religions impose a duty of hospitality and protection to strangers, which constitutes an anthropological and historical background to the law and practice of asylum over time (...) Judaism constructed asylum as an institution exclusively for the protection of the innocent, whether Hebrews or foreigners, and for the slaves that belonged to the Jews (...) After the destruction of all the ancient temples of Israel, the protection offered by asylum was moved from the temples to the cities”<sup>22</sup>.

Despite the fact that the three monotheisms imposed hospitality as a pragmatic (and not necessarily moral) duty, they are not always able to practice reciprocal hospitality under today's political conditions<sup>23</sup>. Other less pragmatic and more eschatological interpretations underscore the need for hospitality when an „enigmatic” stranger (in Onuf and Caputo's terms) appears and, for reasons specified in Urban, Caputo, and Derrida, puts a host at „risk”. Therefore, the host enters a „risky business”<sup>24</sup>, which is called „hostipitality” in Derrida<sup>25</sup>.

Both Derrida and Gil-Bazo highlighted the relevance of „the rule of *husn addyafa* (welcoming the guest)”<sup>26</sup> in the Islamic tradition for universalizing hospitality across cultures, regimes, and confessions. „Apparently, that rule can only be a public institution and the universal duty of every Muslim,”<sup>27</sup> Gil-Bazo argues. Islamic *ius asylum* can be clearly defined, as Gil-Bazo demonstrated:

<sup>21</sup> Which is in Hegel „a contradiction in terms,” M. Westphal, *Hegel, Freedom and Modernity*. State University of New York Press, Albany 1992, p. 161.

<sup>22</sup> M. Gil-Bazo, „Asylum...”, op. cit., p. 18.

<sup>23</sup> See M. Moyaert, „The (Un-)translatability of Religions? Ricœurs Linguistic Hospitality as Model for Inter-Religious Dialogue.” *Exchange*, vol. 37, 2008.

<sup>24</sup> J. Caputo, „Hospitality And the Trouble of God ...,” op. cit., p. 86.

<sup>25</sup> J. Derrida, „Hostipitality,” op. cit.

<sup>26</sup> M. Gil-Bazo, „Asylum...”, op. cit., p. 19.

<sup>27</sup> Idem.

„The Prophet himself became a refugee (*al-mou-hajir*) in 622 (...) Islam thus conferred a legal and philosophical framework on asylum. The institution of *amân* requires every Muslim to provide protection to every non-Muslim foreigner who, fleeing persecution, seeks asylum in an Islamic country”<sup>28</sup>.

In the classic Greek *polis*, a stranger’s status was seen differently. There was nothing eschatological or mysterious in this definition. Aristotle changed from the mythic (or theological) to the rational paradigm of the relationship between „I” and the other (stranger). His view of the stranger is ambivalent. For Aristotle, „strangers have no place in a world of brothers, of friends, rivals and enemies, of partners. When strangers appear, different rules apply”<sup>29</sup>. In Aristotle’s view, the mythic image of the stranger incorporates anarchy, evil, wildness, and monstrosity:

„In Aristotle’s conceptual world of friends, strangers hardly matter (...) Aristotle expressly doubted that „some races of distant foreigners” (*enia gênê tôn porrô barbarôn*) even qualify as human. By nature, they „are thoughtless and live by their senses alone” and thus live as beasts: *zontê thêriôdeis*”<sup>30</sup>.

Firstly, for Aristotle, even when arriving for business purposes, a stranger was not considered a *human* being. This arrival was never transformed into equal co-existence and membership in the community (*koinônia politikē*). Secondly, Aristotle’s golden rule could be interpreted as a tool used to balance the extreme behaviors observed in the tribes cultures of the Orient before institutional justice was established. Therefore, the golden rule is recommended for use in achieving moderate behavior and ethical judgments of ethical character, which are fundamental in institutions. Despite Aristotle’s allergy to foreigners, he contributed to the new, rational model

<sup>28</sup> Idem. Derrida also discovered the right of hospitality as „first of all, a nomadic right precisely linked to a sum of differences [*écarts*] which form the pre-Islamic right in which Islamic right and hospitality are rooted,” J. Derrida, „Hostipitality,” op. cit., p. 16.

<sup>29</sup> N. Onuf, „Friendship and Hospitality...”, p. 8.

<sup>30</sup> Idem, p. 9.

of human agency and to the idea of justice as a public institution.

In ancient Rome, hospitality was a public legal institution called *lex hospitia*, „never exercised in an indiscriminate manner, as in the heroic age of Greece”<sup>31</sup>. It was

„the custom of observing the laws of hospitality was probably common to all the nations that make up modern-day Italy. In many cases, it was exercised without any formal agreement between the parties, and it was deemed an honourable duty to receive distinguished guests into the house. Public hospitality seems, likewise, to have existed at a very early period among the nations”<sup>32</sup>.

## II. Hospitality between cosmopolitanism and „service of love”

In the 19th century, Immanuel Kant’s idea was to establish a cosmopolitan right to hospitality for each human being. Universal history, universal autonomous and lawgiving reason, cosmopolis and cosmopolitan citizenry were „almost a slogan for the age of Enlightenment”<sup>33</sup>. In that context, hospitality and reason belong together<sup>34</sup>. Nevertheless, there was no clarity at this point as to whether the cosmopolitan right of man represented *jus gentium*, or it was linked to a persons’ moral virtue including benevolence and philanthropy<sup>35</sup>. Kant created the third category of the preoriginal (natural) rights by virtue of every human’s „right to the surface.” They are „common

<sup>31</sup> K. O’Gorman, „Discovering Commercial Hospitality in Ancient Rome.” *Hospitality Review*, vol. 9(2), 2007, p. 44.

<sup>32</sup> Idem, p. 45.

<sup>33</sup> D. Archibugi, „Immanuel Kant, Cosmopolitan Law and Peace.” *European Journal of International Relations*, vol. 1(4), 1995, p. 429.

<sup>34</sup> Unlike ‚empirically’ justified pseudo-moral knowledge such as „one group is ‘white’ and therefore ‘good’ and other is ‘black’ and therefore ‘evil’”, H. Abdilahi Bulhan, *Frantz Fanon And the Psychology of Oppression*. Plenum Press, New York – London 1985, p. 4.

<sup>35</sup> Despite the title of Kant’s writings, see I. Kant, „On the Common Saying, 3. On the Relation of Theory to Practice in International Right. Considered from a Universal Philanthropic, That Is, Cosmopolitan Point of View. Against Moses Mendelssohn.” In *Immanuel Kant. Toward Perpetual Peace And Other Writings on Politics, Peace, and History*. Trans. D. L. Colclasure, ed. P. Kleingeld. New Haven & London: Yale University Press, London 2006.



to the human species”<sup>36</sup>, but rather minimalistic and not connected with **moral** incentives:

„We are concerned here with right, not with philanthropy, and in this context, hospitality (a host’s conduct to his guest) means the right of a stranger not to be treated in a hostile manner by another upon his arrival in the other’s territory. If it can be done without causing his death, the stranger can be turned away, yet as long as the stranger behaves peacefully where he happens to be, his host may not treat him with hostility. It is not the right of a guest that the stranger has a claim to (which would require a special, charitable contract stipulating that he be made a member of the household for a certain period of time), but **rather a right to visit**, to which all human beings have a claim, to present oneself to society by virtue of the right of common possession of the surface of the earth”<sup>37</sup>.

Pauline Kleingeld examined the universality of Kant’s right of man to hospitality. Her discovery is not surprising against the background of the colonial *Zeitgeist*, still noticeable in Kant, but also Hume, Fichte, Hegel etc.:

„Cosmopolitan right applies to humans on all continents. Clearly, this view would not occur to someone who views whites a superior and non-whites as (...) radically inferior”<sup>38</sup>.

Sheila Benhabib questioned Kant’s contribution to the modern cosmopolitanism as insufficient for getting involved as a temporary resident, or new citizen (immigrant): „My answer is that the right to membership ought to be considered a human right, in the moral sense of the term, and that it should be respected as a legal right as well by being incorporated into states’ constitutions through just citizenship and naturalization provisions”<sup>39</sup>.

---

<sup>36</sup> I. Kant, „Toward Perpetual Peace.” In *Toward Perpetual Peace And Other Writings on Politics, Peace, and History*, idem, p. 82.

<sup>37</sup> Idem.

<sup>38</sup> P. Kleingeld, *Kant and Cosmopolitanism: The Philosophical Ideal of World Citizenship*. Cambridge University Press, Cambridge 2012, p. 585.

<sup>39</sup> S. Benhabib, „The Law of Peoples, Distributive Justice, and Migrations.” *Fordham Law Review*, vol. 72(5), 2004, pp. 1761–1762.

More counterarguments against the limited right to hospitality can be found in authors arguing that refugees and immigrants are „not just visitors”<sup>40</sup>, and they should be subjects of laws as well as of the „ethics of hospitality”<sup>41</sup>. It is, in fact, *ethics* which moved Emmanuel Levinas to call for involving the *a priori* and natural (apparently ‚Kantian’) right of man to hospitality in the rule of law and the statutory law of a state. The following passage shows Levinas’ argument:

„The formal characteristic of the Rights of Man, such as they are conceived of since the Renaissance, consists in their being attached to every human person independently from any prior granting by any authority or tradition, and also independently from any act of taking upon oneself or of meriting these rights. Also called **natural**, these rights would also belong to men equally, regardless of the physical or mental, personal or social differences that distinguish men from one another. **Prior** to all agreed upon law, they are **a priori**. Human beings guilty toward others, upon whose rights they infringe and who, by material or psychological incapacity, are unable to exercise these rights issued from their human nature fully in fact, are indeed subjected to a limitation of these rights by their empirical degradation (...) This considerable task is not reducible to the awakening of consciousness to the Rights of Man in the underdeveloped or tyrannized countries. It consists in establishing and formulating the **requirements** of freedom and its concrete

---

In the same essay, after having compared Kant and Rawls’ proposals, Benhabib preferred the former: „The more robust Kantian vision of cosmopolitan justice which regards individuals as moral agents in the international arena to whom states owe obligations of justice, and in the first place the obligation to respect cross-border movements, is absent from Rawls’s vision,” S. Benhabib, *idem*, p. 1786.

<sup>40</sup> See M. La Caze, „Not Just Visitors: Cosmopolitanism, Hospitality, and Refugees.” *Philosophy Today*, vol. 48(3), 2004, pp. 313–324.

<sup>41</sup> Compare M. Yegenoglu, „Liberal Multiculturalism And the Ethics of Hospitality in the Age of Globalization.” *Postmodern Culture*, vol. 13(2), 2013; K. R. Seshadri, „The Time of Hospitality – Again.” In *Phenomenologies of the Stranger. Between Hostility and Hospitality*, eds. R. Kearney & K. Semonovitch. Fordham University Press: New York 2011; and A. R. Bernstein, „The Rights of States, the Rule of Law, and Coercion: Reflections on Pauline Kleingeld’s Kant and Cosmopolitanism.” *Kantian Review*, vol. 19(2), 2014.

conditions in the effective reality of modern civilization, predetermined by physical and social mechanisms, even though the political wisdom that task gives rise to may have to introduce into the rules of traditional politics and in the play of its forces and passions a new finality of the Rights of Man, which, since the eighteenth-century, has learned the way of revolutionary struggle”<sup>42</sup>.

On the other hand, Emmanuel Levinas is the very first philosopher of hospitality in terms of ethics. He refused to acknowledge political power and institutions as long as they stop disregarding the preoriginal right of man. Instead, he advocated the concept of unconditional interhuman hospitality, which requires „sensibility,” „service of love” and „hostage”<sup>43</sup> from a host. Such a concept of hospitality offers much more than the formal permission for a visitor’s temporary stay. Rooted in absolute, asymmetric responsiveness, Levinasian ethics of hospitality are more powerful than any contract-, reciprocity-, or equivalence-based institutions are<sup>44</sup>.

Jacques Derrida appreciated the Levinasian ideal of unconditional hospitality. The latter is impossible as a universal convention, he vigorously argued:

„The law of hospitality (...) appears as a paradoxical law (...) It seems to dictate that absolute hospitality should break with the law of hospitality as right or duty, with the ‚pact’ of hospitality [i.e. with the reciprocity-based contractualist law]. (...) absolute hospitality requires that I open up my home and I give (...) place (...) to the absolute, unknown, anonymous other (...) I let them come, (...) I let them arrive. ...without asking for reciprocity”<sup>45</sup>.

When persons give more than they receive, their relation does not belong to legal justice, based on reciprocal

---

<sup>42</sup> E. Levinas, *Alterity and Transcendence*. Transl. M. B. Smith. The Athlone Press, London 1999, pp. 145–147.

<sup>43</sup> See E. Levinas, *Totality and Infinity: An Essay On Exteriority*. Duquesne University Press, Pittsburgh 1969.

<sup>44</sup> See M. H. Werner, „The Immediacy of Encounter and the Dangers of Dichotomy: Buber, Levinas and Jonas on Responsibility.” In *The Legacy of Hans Jonas*, eds. H. Tirosh-Samuelson & Ch. Wiese. Brill, Leiden–Boston 2008, pp. 203–230.

<sup>45</sup> J. Derrida, *Of Hospitality: Anne Dufourmantelle Invites Jacques Derrida to Respond*. Trans. R. Bowlby. Stanford University Press, Stanford 1996, p. 25.

exchange. It is an altruism or hostage, in Levinas' terms. Therefore, Derrida advocated the limited, conditional right to— and duty of hospitality, as it was defined by Kant. Derrida refused the unconditional (and, in fact, heroic, „super-erogative,” overwhelming) ethics of hospitality developed by Levinas. Derrida writes as follows:

„impossible as a rule, I cannot regularly organise unconditional hospitality, and that's why, as a rule, I have a bad conscience, I cannot have a good conscience because I know that I lock my door, and that a number of people who would like to share my house, my apartment, my nation, my money, my land and so on so forth. I say not as a rule, but sometimes, exceptionally, it may happen. I cannot regulate, control or determine these moments”<sup>46</sup>.

Derrida's second core counterargument against the *absolute/unconditional* ethics of hospitality was: A host's paternalistic position as a house-master (and „guest-master”) implies guest's partial subordination. „Hospitality is never fully open; there is always some violence,”<sup>47</sup> Westmoreland points out.

Again, from Derrida's perspective, „hospitality is culture itself,” i.e.,

„...there is no culture without hospitality (...) let's say of a society which shares a language, a memory, a history, a heritage, and a series of rites, rituals, norms, habits and customs that we know of no such society, no such culture, which would not claim that it is hospitable; that is, that it has some room left for the stranger who arrives, who is invited (...) hospitality in that case is part of being at home; there is no home, no cultural home, no family home without some door, some opening and some ways of welcoming guests. But in that case the hospitality is conditional, in that the Other is welcome to the extent that he adjusts to the *chez soi*, to the home, that he speaks the language or that he learns the language, that he respects the order of the house, the order of the nation state and so on and so forth. That's conditional

---

<sup>46</sup> J. Derrida, „A Discussion with Jacques Derrida.” *Theory and Event*, vol. 5(1), 2001, lack of pagination (e-source).

<sup>47</sup> M. W. Westermoreland, „Interruptions: Derrida and Hospitality.” *Kritike*, vol. 2(1), 2008, p. 3.

hospitality, in a colonial structure in which there is a master, there is someone who is the host. As you will recall, the word host means *hospes*, means the master”<sup>48</sup>.

Finally, twofold hospitable conduct is conceptualized by Derrida, comprising 1) an „invitation” and 2) a „visitation. „ Correspondingly, two distinct kinds of guests are considered: an invited guest and an uninvited guest. There is an essential difference between

„...**the hospitality of the invitation** and the hospitality of the visitation. In the invitation, the master remains master at home, *chez soi* (...) the host remains the host and the guest remains (...) the invited guest — ‘Please, come in, you’re invited’ — but of course as invited guest you won’t disturb too seriously the order of the house, you’re going to speak our language, eat the way we eat ...et cetera, et cetera. To (...) this hospitality of invitation, I would oppose—or not oppose but rather distinguish from it—**the hospitality of visitation**. The visitor is not an invited guest, the visitor is the unexpected one who arrives and to whom a pure host should open his house without asking questions such as who are you? what are you coming for? will you work with us? do you have a passport? do you have a visa? and so on and so forth—that’s unconditional hospitality (...) I cannot think of a conditional hospitality without having in mind a pure hospitality”<sup>49</sup>.

Additionally, Derrida questioned the way of receiving/welcoming the Other as a guest, without asking and without starting a conversation, a dialogue, a talk – for the dialogue and the conversation are fundamental forms of hospitality between human beings. A silent reception contains scorn and violence, Derrida assumes:

„...Other, the unexpected one who just lands in my country and to whom I simply say: come and eat and sleep and I won’t ask even your name—which is another sort of violence, one of the many contradictions—because in principle if I want to pay attention to the Other and to respect the Other, I should speak to the Other, I should address the Other. Asking ‘what is your name?’ is not necessarily

<sup>48</sup> J. Derrida, „A Discussion with Jacques Derrida...,” op. cit.

<sup>49</sup> Idem.

an investigation, an interrogation: Tell me your name'. There are many ways of asking the name of the Other. One is the manner of the police and immigration when they ask 'show me your passport', 'what are you doing?', 'what will you be doing in this country?' and so on. The Other is simply 'who are you?'. You see here the two poles of the conditional and unconditional hospitality, the just and the legal hospitality. And I would say once more that unconditional hospitality is impossible, because it is impossible to decide and to make a rule out of it"<sup>50</sup>.

For Levinas, consequently, the hospitality remains the very human(istic) experience and interhuman(istic) *modus existendi* as it

„...is exercised in the concreteness of the empirical order of man—of **man among man**, in being-here — as the right to being-there or to live, and hence as the right to satisfy the needs that sustain life and as the right to work, allowing you to 'earn and living,' and as the right to well-being (...) that makes life bearable"<sup>51</sup>.

And, again, back to Derrida's hospitality as a *culture in itself* (or all culture's universal attitude) in the contemporary context of the migration dynamics and just for updating the very ethical, intercultural and humanistic meaning of hospitality:

„Unlike immigrants, refugees do not have the option of staying in their original culture (without jeopardizing their safety). So the cultural integrity they experience when they move to a foreign culture stems from circumstances beyond their control. However, justice does not require, argues Kymlicka, that refugees be treated as national minorities. Long-term refugees do suffer an injustice but this injustice was committed by their home government, and it is not clear that we can realistically ask host governments to redress it (...) The best refugees could hope to be treated as immigrants"<sup>52</sup>.

To conclude, discussing all three aspects of hospitality as disconnected with one another will not bring us nearer

<sup>50</sup> Idem.

<sup>51</sup> E. Levinas, *Alterity And Transcendence*, op. cit., p. 146.

<sup>52</sup> C. Farelly, *Introduction to Contemporary Political Theory*. Sage, London 2004, p. 125.

to the solution, i.e., to the growth of hospitality as very human and interhuman conduct. Those key aspects are *jus hospitia* (Kant), *unconditional hopitality* (Levinas' *hostage*), and the (all too impersonal) *culture* by Derrida, which should be personified by living human beings. *Jus hospitia* remains an empty convention without social and cultural background and its accurate application. In another case, as Panajotis Kondylis showed in his essay entitled „*Human Rights*”: *Conceptual Confusion and Political Exploitation* (1997), „human rights do not exist,”<sup>53</sup> e.g., the „moral-normative content of what today we call human rights” already turned the Western idea of „humanitarianism” and the West itself. As a result, the „illegal immigrants who are deported of course suffer their fate in accord with the (variable) provisions of ‘the rule of law’”<sup>54</sup> instead of the rights of man. Ergo: the human right to hospitality belongs to the most powerful and, at the same time, the most helpless utopias of modern humanity.

## References

- Archibugi, Daniele. 1995. „Immanuel Kant, Cosmopolitan Law and Peace.” *European Journal of International Relations*, vol. 1(4), pp. 421-456.
- Balibar, Etienne. 1995. „Ambiguous Universality.” *Differences*, vol. 7(1), pp. 48-74.
- Benhabib, Sheila. 2004. „The Law of Peoples, Distributive Justice, and Migrations.” *Fordham Law Review*, vol. 72(5), pp. 1761-1787.
- Bernstein, Alyssa R. 2014. „The Rights of States, the Rule of Law, and Coercion: Reflections on Pauline Kleingeld’s Kant and Cosmopolitanism.” *Kantian Review*, vol. 19(2), pp. 233-249.
- Bresciani, Antonio. 2001 (original edition 1850). *Dei costumi dell’isola di Sardegna comparati con gli antichissimi popoli orientali*. Ilisso, Nuoro.
- Brydon, Diana. 2007. „Dionne Brand’s Intimacies: Practicising Affective Citizenship.” *University of Toronto Quarterly*, vol. 76 (3), pp. 990-1006. doi: 101353/utq.2007.0288.

<sup>53</sup> P. Kondylis, „Human Rights’: Conceptual Confusion and Political Exploitation.” *Telos*, vol. 166, 2014 (original edition 1997), p. 163.

<sup>54</sup> *Idem*, p. 162.

- Bulhan, Hussein Abdilahi. 1985. *Frantz Fanon And the Psychology of Oppression*. Plenum Press, New York – London.
- Caputo, John. 2014. „Hospitality and the Trouble of God.” In *Phenomenologies of the Stranger. Between Hostility and Hospitality*, eds. R. Kearney & K. Semonovitch. Fordham University Press, New York, pp. 83-97.
- Conklin, William E. 2007. „Statelessness and Bernhard Waldenfelds’ Phenomenology of the Alien.” *JBSP. Journal of the British Society for Phenomenology*, vol. 38(3), 0007-1773.
- Davidovic, Jovana. 2016. „What Do We Owe Refugees: *Jus ad bellum*. Duties to Refugees from Armed Conflict Zones and the Right to Asylum.” *Journal of Global Ethics*, vol. 12(3).
- Derrida, Jacques. 1996. *Of Hospitality: Anne Dufourmantelle Invites Jacques Derrida to Respond*. Trans. R. Bowlby. Stanford University Press, Stanford.
- . 2002. „Hostipitality.” *Angelaki* 5(3), pp. 3–18. doi: 10.1080/09697250020034706.
- . 2010. „Wrogościnnosc”. Trans. A. Dwulit. In J. Kubiak (ed.) *Wrogościnnosc. Podejmowanie obcych*. Łódź.
- . 1999. *Adieu to Emmanuel Levinas*. Transl. P.-A. Brault and M. Naas. Stanford University Press, Stanford.
- . 2001. „A Discussion with Jacques Derrida.” *Theory and Event*, vol. 5(1). Available: <[http://muse.jhu.edu/journals/theory\\_and\\_event?v005/5.1derrida.html](http://muse.jhu.edu/journals/theory_and_event?v005/5.1derrida.html)>
- . 1992. „Force of Law: The ‘Mystical Foundation of Authority.’” In *Deconstruction and the Possibility of Justice*, ed. Dru-cilla Cornell et al. Routledge, New York, pp. 3-67.
- . 1985. *The Ear of the Other. Otobiography. Transference, Translation*. Trans. P. Kamuf. Ed. C. V. McDonald. Schocken Book, New York.
- . 1996. „Monolingualism of the Other, or the Prosthesis of Origin.” Stanford University Press, Stanford.
- . 1992. *The Other Heading: Reflections on Today’s Europe*. Trans. P.-A. Brault and M. B. Naas. Indiana UP, Bloomington.
- Farely, Collin. 2004. *Introduction to Contemporary Political Theory*. Sage, London.
- Gil-Bazo, María-Theresa. 2015. „Asylum as a General Principle of International Law.” *International Journal of Refugee Law*, vol. 27(1), pp. 3-28. doi:10.1093/ijrl/eeu062
- Giddens, Anthony. 1991. *Modernity and Self-Identity: Self and Society in the Late Modern Age*. Stanford University Press, Stanford.
- Herman, Gabriel. 1987. *Ritualised Friendship and Greek City*. Cambridge University Press, Cambridge – London – New York – New Rochelle – Melbourne – Sydney.



- Iagemann, Giuseppe Christiano. 1790. *Dizionario italiano–tedesco e tedesco-italiano*, vol. 3. Espese di Federigo Severin, Weissenfels e Lipsia.
- Kalospyros, Lefteris. 2013. „Thomas Claviez. Aesthetics and Ethics: Otherness and Moral Imagination from Aristotle to Levinas and from Uncle Tom’s Cabin to House Made of Dawn.” *European Journal of American Studies Reviews*, vol. 1, doi: 10.4000/ejas.9982.
- Kant, Immanuel. 2006. „Idea of an Universal History from a Cosmopolitan Perspective.” In *Immanuel Kant. Toward Perpetual Peace And Other Writings on Politics, Peace, and History*. Trans. D. L. Colclasure, ed. P. Kleingeld. Yale University Press, New Haven & London, pp. 3-116.
- . 2006. „On the Common Saying, 3. On the Relation of Theory to Practice in International Right. Considered from a Universal Philanthropic, That Is, Cosmopolitan Point of View. Against Moses Mendelssohn.” In *Immanuel Kant. Toward Perpetual Peace And Other Writings ...*, op. cit., pp. 60-66.
- . 2006<sup>3</sup>. „Toward Perpetual Peace: A Philosophical Sketch.” In *Immanuel Kant. Toward Perpetual Peace And Other Writings ...*, op. cit., pp. 67-110.
- . 2006. *Anthropology from a Pragmatic Point of View*. Trans. and ed. by R. B. Loudon, Introduced by M. Kuehn. Oxford University Press, New York.
- Kapsch, Edda. 2007. *Verstehen des Anderen. Fremdverstehen im Anschluss an Husserl, Gadamer und Derrida*. Parodos Verlag, Berlin.
- Kleingeld, Pauline. 2016. „Kant’s Moral and Political Cosmopolitanism.” *Philosophy Compass*, vol. 11(1), pp. 14-23. doi: 10.1111/phc3.12298
- . 2012. *Kant and Cosmopolitanism: The Philosophical Ideal of World Citizenship*. Cambridge University Press, Cambridge.
- . 2007. „Kant’s Second Thoughts on Race.” *The Philosophical Quarterly*, vol. 57(229), pp. 573-592. doi: 10.1111/j.1467-9213.2007.498.x.
- Kondylis, Panajotis. 2014 (original edition 1997). „‘Human Rights’: Conceptual Confusion and Political Exploitation.” *Telos*, vol. 166, pp. 161-165.
- Kymlicka, Will & Opalski, Magda. 2002. *Can Liberal Pluralism Be Exported? Western Political Theory and Ethnic Relations in Eastern Europe*. Oxford Scholarship online. doi: 10.1093/019924815X.001.0001.
- La Caze, Marguerite. 2004. „Not Just Visitors: Cosmopolitanism, Hospitality, and Refugees.” *Philosophy Today*, vol. 48(3), pp. 313-324.

- Levinas, Emmanuel. 1999. *Alterity and Transcendence*. Transl. M. B. Smith. The Athlone Press, London.
- . 1987. *Time and the Other*. Duquesne University Press, Pittsburgh.
- . 1969. *Totality and Infinity: An Essay On Exteriority*. Duquesne University Press, Pittsburgh.
- Makris, Julie. 1992. „Etnography, History, and Collective Representations: Studying Vendetta in Crete.” In *Europe Observed*, ed. J. de Pina-Cabral & J. Campbell. Palgrave Macmillan Press Ltd., London, pp. 56-72.
- Manoussakis, John P. 2011. „The Stranger in the Polis: Hospitality in Greek Myth.” In *Phenomenologies of the Stranger. Between Hostility and Hospitality*, eds. R. Kearney & K. Semonovitch. Fordham University Press, New York, pp. 274-284.
- McVee, Mary B. 2014. „Some Are Way Left, Like This Guy, Gloria Ladson-Billings: Resistance, Conflict, and Perspective Taking in Teachers’ Discussions of Multicultural Education.” *Peace and Conflict: Journal of Peace Psychology*, vol. 20(4), pp. 536-551.
- Moyaert, Marianne. 2008. „The (Un-)translatability of Religions? Ricœur’s Linguistic Hospitality as Model for Inter-Religious Dialogue.” *Exchange*, vol. 37, pp. 337-364.
- Nikunen, Kaarina. 2014. „Hopes of Hospitality: Media, Refugee Crisis and the Politics of a Place.” *International Journal of Cultural Studies*, vol. 19(2), pp. 161-176. doi: 10.1177/1367877914530314.
- Nygren, Pär. 2015. „Toward a Theory of a Personal Metacompetence for Children’s Conduct of Their Everyday Life.” *Nordic Psychology*, vol. 67(3), pp. 177-194.
- O’Gorman, Kevin. 2007. „Discovering Commercial Hospitality in Ancient Rome.” *Hospitality Review*, vol. 9(2), pp. 44-52.
- Onuf, Nicholas. 2009. „Friendship and Hospitality: Some Conceptual Preliminaries.” *Journal of International Political Theory*, vol. 5(1), pp. 1-21. doi: 10.3366/E1755088209000299.
- Pędracki, Michał. 1997. „Przepisy prawne najstarszych ‘kodeksów’ mezopotamskich, ustanawiające kary dla ludzi wolnych”. *Analecta*, vol. 6/7(12), pp. 7-41.
- Phipp, Alison. 2012. „Voicing Solidarity: Linguistic Hospitality and Poststructuralism in the Real World.” *Applied Linguistics*, vol. 33(5), pp. 582-602. doi: 10.1093/applin/ams054.
- Schérer, René. 1993. *Zeus hospitalier. Éloge de l’hospitalité*. Armand Colin, Paris.
- Saghafi, Kas. 2010. *Apparitions – Of Derrida’s Other*. Fordham University Press, New York.
- Seshadri, Kalpana Rahita. 2011. „The Time of Hospitality – Again.” In *Phenomenologies of the Stranger. Between Hostility*

- and Hospitality*, eds. R. Kearney & K. Semonovitch. Fordham University Press, New York, pp. 126-141.
- Spivak, Gayatri Chakravorty. 1999. *A Critique of Postcolonial Reason: Toward a History of the Vanishing Present*. Harvard University Press, Cambridge.
- Urban, Maria Bonaria. 2013. *Sardinia on Screen. The Construction of the Sardinian Character in Italian Cinema*. Rodopi, Amsterdam – New York.
- Waldenfels, Bernhard. 2011. „In Place of the Other.” *Contemporary Philosophy Review*, vol. 44, pp. 151-164. doi: 10.1007/s11007-011-9180-y.
- . 2007. *The Question of the Other*. Suny Press, New York.
- Werner, Micha H. 2008. „The Immediacy of Encounter and the Dangers of Dichotomy: Buber, Levinas and Jonas on Responsibility.” In *The Legacy of Hans Jonas*, eds. H. Tirosh-Samuelson & Ch. Wiese. Brill, Leiden–Boston, pp. 203-230.
- Westmoreland, Mark W. 2008. „Interruptions: Derrida and Hospitality.” *Kritike*, vol. 2(1), pp. 1- 10.
- Westoby, Peter & Gerard Dawling. 2009. *Dialogical Community Development: With Depth, Solidarity, and Hospitality*. Tafina Press, West End Queensland.
- Westphal, Merold. 1992. *Hegel, Freedom and Modernity*. State University of New York Press, Albany.
- Wodziński, Cezary. 2015. *Odys gość. Esej o gościnności*. Wyd. Słowo, Obraz, Terytoria, Gdańsk.
- de Vries, Hent. 2002. *Religion and Violence*. John Hopkins University Press, Baltimore.
- Yegenoglu, Meyda. 2003. „Liberal Multiculturalism and the Ethics of Hospitality in the Age of Globalization.” *Postmodern Culture*, vol. 13(2) (e-source only).
- Yates, Christopher. 2011. „Between Mourning and Magnetism. Derrida and Waldenfels on the Art of Hospitality.” In *Phenomenologies of the Stranger. Between Hostility and Hospitality*, eds. R. Kearney & K. Semonovitch. Fordham University Press, New York, pp. 258-273.