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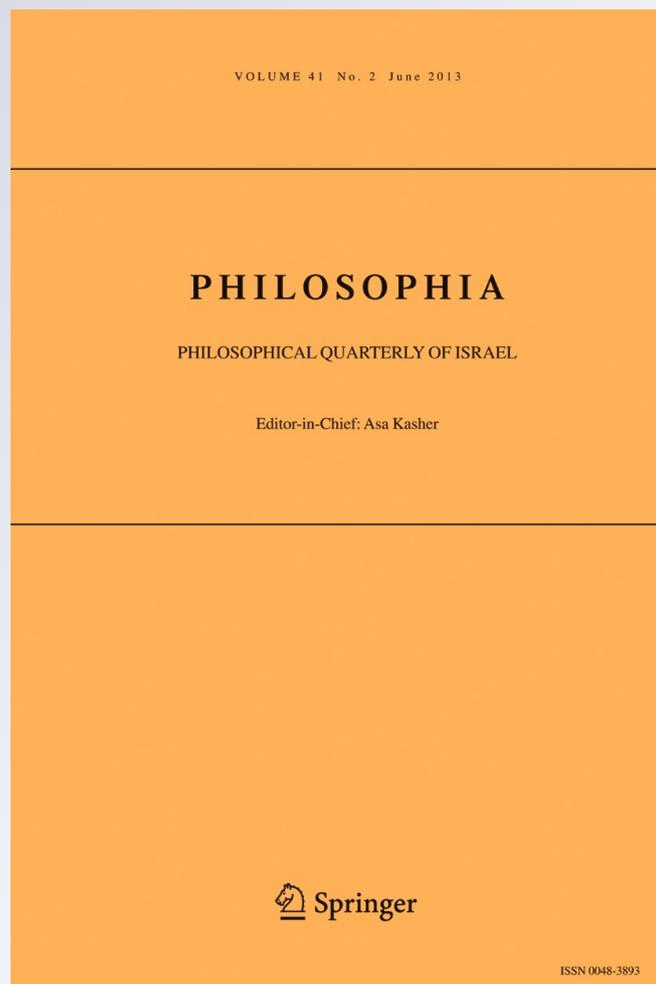
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The Aporias of Justice and the Virtue of Un-inheritance

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Abstract This paper contends that Ananda Abeysekara's notion of un-inheritance, developed via a Derridean analysis of contemporary Sri Lankan politics and society, can act as a helpful supplement to the concept of justice. What one finds in Abeysekara's analysis is an interpretation of justice as ultimately aporetic: justice both opens up to the possibility of its ever greater concrete realization and continually defers its completion. This paper begins by examining the aporetic character of justice as articulated by Derrida. It then proceeds to Abeysekara's account, situated as it is within a largely political consideration of Sri Lanka's multicultural heritage and the recent conflicts that have arisen there. Abeysekara offers the notion of un-inheritance as a way of thinking the possibility of justice precisely when political—and also religious—traditions come to an impasse, thus recognizing the inescapably aporetic structure of justice itself.

Keywords Justice · Deconstruction · Postcolonial theory · Jacques Derrida · Ananda Abeysekara

Justice is often understood in terms of considerations of equality or fairness. Thus, a concern for being just, for behaving justly and promoting justice in the world, can easily take the form of a kind of ethical accounting whereby the fairness of one's own actions and those of other individuals, groups, and (perhaps especially) social institutions are measured and corrections and counterbalances are undertaken. Justice, then, seems from the beginning to be a response to a lack of fairness and an attempt to correct this situation in and for the future. Yet, according to Jacques Derrida, justice—due to its necessarily aporetic structure—must remain deferred, forever in the future. However, the demand for justice nevertheless continues to haunt us in the present. Following Derrida's analysis, Ananda Abeysekara introduces the notion of “un-

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inheritance” as a response to this demand. He explains that un-inheriting is a way of understanding and accepting responsibility for the injustices of the past, yet at the same time letting them go in favor of promoting new possibilities for the future. This paper will begin by examining the aporetic character of justice as articulated by Derrida, including the deconstructive structure of the aporia itself. It will then proceed to show how un-inheritance belongs to the aporia as a possibility for responding to the demand for justice precisely at the point where religious and political conflicts come to an impasse.

Justice as Aporia

In Derrida’s landmark essay titled the “Force of Law,” he observes that “one cannot speak *directly* about justice, thematize or objectivize justice, . . . without immediately betraying justice” (Derrida 2002, p.237). This is largely because justice cannot be easily circumscribed by legal or moral systems. Even though such systems ostensibly have justice as their goal, in practice justice always exceeds them. Because of this, justice remains a disturbing force that unsettles confidence in any particular law or set of laws. The distinction between law and justice—and the ambivalent relation between the two—rests on the fact that, as Derrida claims, “law is essentially *deconstructible*” (Derrida 2002, p.242). For instance, a genealogical critique of law can expose, at its foundation, an unfounded force for which no law or justification can account (Derrida 2002, p.241).

Since the institution of law arises from such an unaccountable position, we might say that justice can be thought of as the attempt to respond to this initial irresponsibility. This response is never complete, though; responsibility for this originary violence can never be wholly recouped. Justice is thus both that out of concern for which law arises and that which motivates the ongoing deconstruction of laws. As John Caputo explains, “justice is *never* constructed but is rather always *calling for* construction (in laws) and therefore also in the very same voice calling for the deconstruction of any law that is in fact constructed” (Caputo 2011, p.68). Justice itself remains beyond the scope of the deconstruction of law, and is thus *undeconstructible*. Indeed, Derrida goes so far as to say that the “undeconstructibility of justice also makes deconstruction possible, indeed is inseparable from it” (Derrida 2002, p.243). Derrida thus acknowledges an inescapable co-implication of the operation of deconstruction and the structure of justice: justice is one name for that which opens up the possibility for deconstruction, and deconstruction is that in which the interminable work of justice manifests itself. Yet, justice is never manifest as something present or complete, but rather always as something in the future or in process. It is for this reason that it is undeconstructible: there is *not yet* justice.

To say that justice is undeconstructible is to say that justice has a necessarily aporetic character. On the one hand, both the institution and the enforcement of laws—and these two are not always entirely distinguishable—remain a necessary (if not sufficient) condition for the possibility of justice in any concrete circumstance. On the other hand, justice is never wholly identifiable with the application of laws. This is because justice requires *both* the reliance on a body of law that in principle applies equally to every case *and* the consideration of each case on its own, taking into account all relevant mitigating

factors.¹ Because of the tension between these opposing demands, justice introduces an inescapable difference that manifests itself as a *deferral* of the just decision (Derrida 2002, p.252). This deferral is not merely a postponement that will 1 day be resolved if only we attend more carefully to the requirements of justice. Instead, it is part and parcel of the demand for justice that every case becomes undecidable, precisely because of our inability to fulfill this demand in the present. Yet, not to make a decision in circumstances that call for justice would also be unjust—perhaps unforgivably so. We must, then, understand the undecidability that accompanies the demand for justice not as that which paralyzes decision, but rather as that which at the same time motivates decision and renders every decision lacking in justice.

In order to understand fully this undecidability at the core of justice, we should proceed to consider the connotations of the word “*aporia*.” Justice is aporetic not (or at least, not only) because its demands lead to seemingly irresolvable dilemmas, but because its demands tend toward an undoing of the very problems in which they arise. According to Derrida, the *aporia* does not appear at the point where a problem is to be resolved. Rather, it names the place where the problem becomes no longer possible as a *problem*. At the *aporia*, decision is not simply contingently waylaid; it becomes structurally impossible (Derrida 1993, p.12). Now, this impossibility is determinable according to at least three different interpretations (Derrida 1993, p.20), the third and most radical of which is most applicable to our consideration of justice. According to this interpretation, the *aporia* marks the point where a problem is not even determinable in any sense, because the distinctions in terms of which it would be articulated cannot appear (Derrida 1993, p.21). It is precisely because this radically aporetic place is, strictly speaking, no longer or not yet a place that we can find in it the possibility of justice, understood as the possibility of the impossible.² The question of justice is intimately and inescapably connected with the question of the *aporia* understood primarily as the place of impossibility, of the possibility of an experience of impossibility.

It is important that we recognize that the aporetic experience of the impossible does not signify a stoppage or inability to act. As François Raffoul states, “Aporias are constitutive of what they interrupt, and to that extent are positive phenomena” (Raffoul 2010, p.286). The undecidability introduced into any situation by an *aporia* is not primarily that which impedes progress, but rather that which renders a situation possible as such. By contrast, it is a notion of justice that would only make of it an ideal never to be achieved that would risk transforming it into a conceptual obstacle to action. A transcendent concept of justice disconnected a priori from concrete possibilities would automatically render ineffectual any actual appeal to justice. The aporetic logic of an undeconstructible justice moves beyond such a transcendent ideal, neither merely arresting decision nor directly facilitating it. The *aporia* remains even as it is surmounted (Derrida 1993, p.32). It is experienced without being experienced *as such*, and it is in the difficulty of this figure that the structure and force of justice can best be approached. Justice would be something the demand for

⁰ One may recognize in the structure being described here the distinction Aristotle makes in the *Nicomachean Ethics* between the just (τὸ δίκαιον) and the equitable (τὸ ἐπιεικές) (Book V, chapter 10).

² Cf. Derrida 2007, p.15: “The interest of deconstruction, of such force and desire as it may have, is a certain experience of the impossible.” This passage is referenced by Derrida (1993, p.15), among a list of places where the theme of *aporia* has emerged in his works.

which we can never overcome, yet at the same time it would be something the concept of which we must always continue to overcome in order to remain open to its newly arriving demands.

Derrida also explores this perplexing structure under the name of “hauntology,” referring to the “out of joint” temporal structure that the figure of the specter or ghost represents. This structure is, he argues, manifest in the demand of justice understood in its radically aporetic character (Derrida 1994, p.27). Indeed, the specter indicates the irruption into the present of the undecidable moment from which every not-yet-just decision proceeds. This irruption marks the moment at which the experience of justice as the experience of the impossible is possible. Yet, this is not a moment of clarity or revelation. A spectral undecidability haunts the present by disrupting it both forward and backward (Derrida 1994, p.10). The effect of this disjuncture—which is possible and indeed, in some sense or other, operative at every moment—is that identity, security, and perhaps above all any guarantee of the justice of any decision or action is undermined (Derrida 2002, p.253). Once again, though, we should recognize that this is not to forestall the possibility of justice. It is precisely this deconstructive disjuncture that continually opens up new concrete possibilities for greater justice. These concrete possibilities will, ultimately, never have been escapable, but it is precisely the work of deconstruction continually to bring them into greater relief.³ There whence these possibilities come forth as such is the place of the radical aporia—there where *there is* justice. At this place, “the impossible becomes the possibility of the possible” (Raffoul 2010, p.286).

Un-inheritance and the Demands of Justice

In *The Politics of Postsecular Religion*, Ananda Abeysekera follows the trajectory of Derrida’s hauntological, aporetic approach to justice with the goal of moving beyond a critique of political and religious conflict that remains trapped in a dialectical movement of sameness and difference. As a way of interpreting and expanding on Derrida’s articulation of the response to the call of justice within an experience of a radical aporia, Abeysekera introduces the notion of “un-inheritance.” This is not tantamount to a forgetting of the past or a discarding of tradition that has come to an impasse, for he is well aware of the dangers that accompany this kind of naïve—and often futile—violence against history. At the same time, he questions the ability of genealogical criticism, on its own, to effect the kind of radical change that the aporias of the present demand. He illustrates this with reference to the recent, often violent conflict in Sri Lanka between the Sinhala Buddhist majority and the Tamil minority. This situation, in which a religiously and ethnically diverse nation is struggling to construct stable, peaceful political and social structures that emphasize both unity and pluralism in a democratic context, serves as a both gruesome and hopeful case study through which to understand how aporias may be un-inherited in the service of justice.

³ The relationship between deconstruction and any truly normative ethical or political program is ambiguous at best, but, as Fritsch argues, it is reasonable to suppose that there is a positive relationship between openness to the other or the new and a reduction of violence and injustice (Fritsch 2002, p.589).

The island of Sri Lanka has a long history of both ethnic and religious plurality. It is neither necessary nor appropriate to go into too detailed a history of the country and its recent tensions here, but some basic background information will be helpful.⁴ Both Sinhalese and Tamil peoples have lived on the island for several centuries, though the exact timelines and respective longevity of each group's habitation is disputed. The island's Hindu and Buddhist religious traditions have similarly ancient roots. More recently, populations of Muslims from various geographical regions—as well as several waves of European, Christian colonizers—have arrived on the island, so that the scope of plurality in contemporary Sri Lanka is even greater and more complex. Still, the Sinhalese remain overwhelmingly the majority ethnicity, making up just less than three-fourths of the country's population in 2001. Most Sinhalese are Buddhists; consequently, over two-thirds of the population identifies as such.⁵ Sri Lankan Tamils, the majority of whom are Hindu, constitute the largest ethnic minority in the country (at about 12 %).⁶ It is clashes between political factions claiming to represent these two groups—the Sinhalese and the Sri Lankan Tamils—that have been the primary source of both political discord and violent conflict in Sri Lanka since its independence from Britain in 1948 (and to a certain degree, even before). Yet, the country's population is also made up of Tamil communities who have more recently immigrated from India (whether voluntarily or by the will of colonial powers), as well as Moors and Malays (most of whom are Muslim) and European groups. It is also important to note, concerning religious demographics, that there are several Christian denominations with significant populations (albeit still relatively small: just over 7 % of the total population identifies as Christian). Christianity is not, however, the province of any one ethnicity; consequently, Christians are to be found among both the Sinhalese and Tamils, as well as the other ethnic groups.

These demographic statistics, however, cannot provide a complete picture of the contemporary status of either harmony or conflict in Sri Lanka; nor can the history that led to the facts that these data represent. Indeed, it is on the basis of demographically and historically supported narratives of the country that both ethnic and religious nationalisms have emerged in Sri Lanka over the last century. As Bandarage notes, Sinhala nationalists claim not only that their ancestors have lived on Sri Lanka for over 2,000 years, but also that prior to the island's colonial period it was a “mono-ethnic and mono-religious Sinhala Buddhist state.” However, Tamil nationalists similarly maintain that their Sri Lankan heritage extends back over two millennia and that they were the original rulers of either the whole island or at least its northern and eastern regions (Bandarage 2009, pp.18 f.). Much of the contemporary enmity between these two groups has its roots in two past situations. First, while under colonial rule, Sri Lankan Tamils as a group had much greater access to positions of relative privilege than did the majority Sinhala population. Second—

⁴ The primary source for much of the information in this section is Bandarage's (2009) account, which obviously goes into much more depth historically and demographically, as well as politically.

⁵ The disparity between these two statistics—i.e., the fact that not all Sinhalese people are Buddhists—is important to recognize, especially given the political uses to which Sri Lanka's Buddhist history has been put by Sinhala nationalists chief among which would be the privileged civic role constitutionally given to Buddhism in the country since the 1970s; cf. Ismail 2005, p.48.

⁶ It is, however, worthwhile to recognize that many of the Tamil “elite” (including late FP/TULF party leader S. J. V. Chelvanayakam) are Christians (specifically, Roman Catholics); cf. Bandarage 2009, p.6.

and partially as a result of this—after the island won its independence, many Sinhalese pushed for varying degrees of the separation or exclusion of Tamils from the governing process. Thus, an environment arose in which both Sinhalese and Tamils inherited the memory of past injustices, and the courses taken ostensibly to rectify these injustices took the nation into a long and often brutal series of conflicts.

Qadri Ismail argues that any response to the injustices of the present based largely on a narrative of past injustices will ultimately fail to engender any novel solutions (Ismail 2005). History is not simply a series of empirically available facts for the astute academic to unearth and describe in an objective way. Historiography involves molding a singular narrative out of complex pasts, and, as Ismail contends, this cannot be done without both the erasure of difference and the justification of some contemporary position. It is thus that conflicting histories of Sri Lanka end up being written in the service of competing Sinhala and Tamil nationalist claims. Historiographical appeals to the past will not, therefore, settle Sri Lanka's conflict, for these appeals are ultimately "about the present, not the past;" they reinforce already constructed identities and distinctions within the current ethno-religio-political milieu (Ismail 2005, p.158). Such appeals arise from the impasses of the present, but in the end can only strengthen rather than overcome them. In order to address these impasses more adequately and responsibly, one would need to be able to recognize possibilities that lie outside of the currently available categories of identity and difference; this is precisely the goal of Abeysekara's account of un-inheritance.

Ethnic and religious pluralism in democratic political contexts often seems to be caught between the horns of modern, secular ideas of progress and the genealogical critiques of this heritage to which it has given rise. This is perhaps especially true in a postcolonial area such as Sri Lanka, where modern ideologies of social and political progress—ideologies that often accompany and in some cases fuel the nationalistic conflicts mentioned above—have historically been linked to European imperialist practices. Abeysekara characterizes the problem thus: "If we today exist at the aporetic nexus of having (exhausted) the options of appealing to the humanist notion of respect for the past ... or to modern law that seeks to censor it, then we are in need of a different way of thinking about it" (Abeysekara 2008, p.156). That is to say, if the possible relations to the past that determine available futures are limited either to acceptance of and adherence to tradition and to the distinctions it carries with it, or to a rejection of tradition rooted in a modern critical position, then what we must recognize is that these limited options are in fact no options at all. They do nothing but propagate a dialectical movement that remains trapped in an interchange of sameness and difference that cannot ever open itself out onto anything truly new or other.

This claim is insightfully complicated by Jeffrey Stout's (2004) argument that the same modern idea of secular democracy often placed in opposition to religious or cultural traditions itself constitutes a tradition. A central commitment of this modern democratic tradition is the assumption of "responsibility for the condition of society and, in particular, for the political arrangements it makes for itself," a responsibility that demands a certain level of "critical scrutiny" from at least some of its adherents (in this case, democratic citizens) (Stout 2004, p.5; cf. Abeysekara 2008, pp.101 ff.). Now, Stout argues that the commitment to democracy does not necessarily entail a thoroughly secularized public sphere—but only if what we mean by "secularized" is "devoid of any and all religious commitments." Rather, he claims, "Ethical discourse in religiously plural modern

democracies is secularized, according to my account, only in the sense that it does not take for granted a set of agreed-upon assumptions about the nature and existence of God” (Stout 2004, p.99). That is, modern democracies are secular traditions only because (and insofar as) they do not take any one set of religious commitments as a priori normative. Yet, this does not prevent religious convictions from being brought into public discourse; it only means that such convictions will not be taken, as a pragmatic matter, to be self-sufficient grounds for argumentation or action.

However, Abeysekera argues, while this understanding of democracy goes a long way toward bridging the perceived gap between traditional religious commitments and modern secular ideals, it is unable fundamentally to question the gap itself. Rethinking democracy as a tradition still casts democracy as the source of a certain inherited identity or sameness, opposed to which and within which differences can be (and are) maintained (Abeysekera 2008, p.105). This is indeed the central problem of inheritance: it always carries the danger of being reduced to its own historical provenance. The risks associated with such a reduction are precisely what Ismail’s argument emphasizes—viz., that history itself cannot furnish an account so univocal that it would preclude differing narratives supporting conflicting contemporary positions. So, if any notion of otherness always remains reducible to history and tradition, then any promise of a more democratic and more just future remains trapped within the aporias of accountability, majority and minority, self and not-self (Abeysekera 2008, p.195). A notion of justice too closely allied with the conception of democracy as a tradition of civic responsibility ends up being in large part reducible to the deconstructible social and political arrangements to which the democratic tradition gives rise. This is evident in Sri Lanka, as the institution of representative democratic governance, while still holding the promise of justice for the whole nation, has been both a site of continued disputes between various groups and a tool of oppression at the hands of those in power.

This is not to say that concrete responses to the demand for justice, such as the institution and continual expansion of democratic political structures, should be abandoned. It is only to say that the problems attendant to inheritance and identity are not easily avoidable or reversible. In order to approach these problems, we need to be able to recognize that they arise at a place of aporia, in which the distinctions and boundaries that form the various “sides” at stake in such problems open themselves up. In his own gloss on Derrida’s account of aporia, Abeysekera explains, “in a place of aporia, there can be no barrier that protects itself or separates itself from something else. In aporia there is no self that is presentable ‘in front of itself.’ There is no identity to protect by protecting a border between oneself and another” (Abeysekera 2008, p.24). It is precisely at this point that un-inheritance appears, as a way of attempting to make manifest the experience of the ultimate impossibility of securing identity through inheritance once and for all. Identity may always be bound up with inheritance, for any inheritance is given and received before “we” (or “they”—any identification or name, which will have only arisen as such by virtue of a particular inheritance) become heirs to it (Derrida 1994, p.54). However, inheriting and un-inheriting are not alternative possibilities opposed to one another. Un-inheritance is always waiting both within and beyond inheritance as the possibility of the impossible, in much the same way that justice remains both within and beyond every act or decision in which it does not fully arrive. Justice demands both that we continue to

respond to its call in action and that we recognize the limitations inherent in our ability to respond.

Abeysekara claims that the consideration of any inheritance—but perhaps especially the inheritance of the demand for justice and the promise of democracy—is always already a consideration of un-inheritance (Abeysekara 2008, p.2). This is, first, because the radical incalculability of the future requires (not as a moral or ethical “ought,” but as an inescapable structural possibility) a hiatus between the future and its own past, and thus a disjunction of tradition with itself. This is part of what Abeysekara aims to articulate in the idea of un-inheritance: the concrete possibility of acknowledging this disjunction as a way of actively taking up the promise of a future different from the present. Second, though, a consideration of the inheritance of any tradition committed to justice must recognize the degree to which the particular tradition necessarily fails to complete its promise, both in the present and in any future that could become present. What we then must admit, and another part of what un-inheritance aims to express, is that the response to the demands of justice cannot consist only of adamant reaffirmations of democratic values (or, for that matter, religious ones). It must also include a mourning of the haunting memory of democracy, of tradition, and of any idea of justice. Such mourning would keep us alert to the aporias into which our own heritage already places us.

Un-inheritance and Welcome

Abeysekara indicates the specter of religio-political tradition that calls to mind the aporia of justice in the present by exploring the use of the Sinhalese term of welcome, *Ayubowan*, in contemporary Sri Lanka. This word is explained on a website promoting tourism in Sri Lanka as “the customary greeting of the Sri Lankans” that signifies “welcome, goodbye, respect, devotion or loyalty” (Abeysekara 2008, p.227). Yet, Abeysekara explains that, aside from often sounding overly formal in its actual use, *Ayubowan* is historically a purely Sinhalese term that has forcibly been given, over the past few decades of Sinhala nationalism, pride of place in Sri Lankan national imagery and discourse over greetings in languages of the various minority groups (for example, the Tamil word *Vanakkam*). Even in instances where greeting is offered in multiple languages, *Ayubowan* usually remains first on the list (Abeysekara 2008, p.233). In fact, the normalization of *Ayubowan* has progressed in Sri Lanka to such an extent that in many public situations, Tamils will use it to greet each other rather than the Tamil term of welcome (Abeysekara 2008, pp.245 ff.).

It is clear that Abeysekara’s examination of the use of this term is not offered solely for its own sake. Instead, it serves as a figure for the larger situation in which contemporary Sri Lanka finds itself, including all the most extreme and violent aspects of its political, ethnic, and religious conflicts. Thus, a consideration of the use of the term *Ayubowan* may make possible a rethinking of its aporetic cultural environment (Abeysekara 2008, p.229). Now, Abeysekara argues that, by itself, criticism of the inequality present in the term’s contemporary usage “would accomplish nothing new politically,” however warranted such criticism may be (Abeysekara 2008, p.234). Again, this is not to say that all such criticism must be simply put aside and forgotten. Instead, the point of this example is to show the limits of historical or

genealogical critiques put to work ostensibly for the sake of greater justice. Yes, the term *Ayubowan* is not universally Sri Lankan but rather specifically Sinhalese in origin. Yes, it has been imposed on non-Sinhalese Sri Lankans along with a wider program of nationalism, one that is both political and religious and has often unfortunately been characterized by outright political oppression and violence. These are realities that should be acknowledged, and it will always be of paramount importance that concrete measures be taken to end (or at least mitigate) violent conflicts and to address the grievances of the present and the past. However, it is crucial to recognize at the same time that this tradition of injustice cannot be wholly escaped by continually attempting to redress particular grievances arising from it, nor by studying and critiquing it, any more than by simply ignoring it. Abeysekera contends that any conception of otherness in terms of history, rights, or (perhaps especially) nationality cannot do any better than improve the relationship between self and other or majority and minority. It cannot fundamentally question the nature such a dichotomy (Abeysekera 2008, p.195). Such improvement is a noble and perhaps necessary goal, but it cannot break free of the structures that produce the divisions between Sinhala and Tamil, Buddhist and Hindu and Muslim, etc. Neither removing nor supplementing (nor letting stand) the use of *Ayubowan* would serve to present Sri Lanka with a radical alternative that could foster a different future, one that would open up new possibilities for responding to the demand for justice within the country's long history of diversity. Only attending to the spectral aspect of the term *Ayubowan*—the way in which it haunts the present with its history, even as it does not quite in itself cause this history to appear with the full force of determination—can those who welcome with it and are welcomed by it see through it to a future in which its history has been un-inherited. Admittedly, this future would not be the foreseeable future of that which is about to be, but not yet is, present. Rather, the future of un-inheritance is the unforeseeable future out of which justice issues its demand.

Ayubowan can thus become a provisional name for a certain aporetic site, and it is not simply fortuitous that such a term of hospitality—an idea on which Derrida has written extensively⁷—is exemplary for Abeysekera. The insistence of a Tamil woman, which Abeysekera relates in a story illustrating the wide use of *Ayubowan*, that “any greeting is a greeting” (Abeysekera 2008, p.246) rings true insofar as every word of welcome carries with it the inescapable openness to the other that Derrida argues is part and parcel of the experience of call for justice. On the other hand, her claim that there was “no difference between *Vanakkam* and *Ayubowan*” highlights the aporetic structure of this openness, for all the historical, ethnic, political, and religious differences at play between these two terms put their possible synonymy out of the question. There is a difference—there are many differences—between *Vanakkam* and *Ayubowan*, but across (which is not to say despite) this difference the possibility remains for thinking justice more radically, in a way equal to the hospitality that insists that “any greeting is a greeting.”

Abeysekera recognizes in the aporia of the disjunction between the inescapable past and the unforeseeable future both an impossibility and an opportunity: the impossibility of adequately responding to the demands of justice within any one community or tradition (Abeysekera 2008, p.214), and the opportunity of thinking

⁷ Cf. “Hostipitality” (Derrida 2002, pp.358–420) for one example among many others.

the future as a promised time in which, in a sense, we are already living (Abeysekara 2008, p.278). This time is that of the possibility of un-inheriting our inherited impasses and opening ourselves to the demands of a radical justice that can never be fully realized, yet is also never entirely beyond our reach. In §68 of *Being and Time*, Heidegger states that Dasein's authentic future "must first win itself, not from a present, but from the inauthentic future" (Heidegger 1962, p.386). Such an inauthentic future, according to both Heidegger and Derrida, would be one that is wholly determined by the circumstances that we have inherited from the past and in which we find ourselves in the present. Yet, there is always an excess of indeterminability beyond this foreseeable future, the responsibility for which we can seize only by recognizing its inherent ungraspability. If the concept of justice is undeconstructible, it is because it erupts again and again precisely in and as this excess, motivating us to think and to act beyond any present manifestation of justice. It is thus perhaps the expectation of the complete arrival justice, at last, that we need to begin to un-inherit, in order that we may rediscover the promise of justice in an openness to as-yet-unforeseen futures.

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