“LA JUSTICE DOIT PORTER AU-DELÀ DE LA VIE PRÉSENTE”: DERRIDA ON ETHICS BETWEEN GENERATIONS

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While it is generally accepted that deconstruction’s principal target is the “metaphysics of presence” and thus a presentist conception of time and being, it is less well known that Derrida connected the deconstruction of presence to an idea of justice that is from the beginning intergenerational, that is, concerned with the dead and the unborn. The first section of this paper re-inscribes the idea of “my life” or “our life” in Derrida’s concept of life as “living-on” to show that justice arises with a disjointed time that began before me and is already in the process of outstripping my life toward a future without me. In the second section, I sketch a concept of indirect intergenerational reciprocity in conversation with Derrida as well as with extant work on reciprocity in normative theory and economics. While Derrida’s ideas can be operationalized and fleshed out with the help of this other literature, the disjointed time pertaining to living-on permits new responses to some common objections to intergenerational reciprocity.

Moral relations with “Future Humanity” are high on the agenda of global civil society. As former US President Obama said, “We are the first generation to feel the impact of climate change and the last to be able to do something about it.”

While we have to guard against political posturing, these words capture the sense that “we”—ranging here from “we US citizens presently living” to “currently living human beings”—are singled out by a special responsibility in our historical situation. Given the data on climate change, and environmental degradation more broadly, we are “the first generation” to have the very real power of massively affecting even distant future generations drastically by business as usual; in addition, we know

about these effects, more or less conclusively. As the buzzword “Anthropocene” has it, humans are now considered by many scientists to constitute a geological force in their own right. The situation calls on us to both reconceive human power in relation to the geological and atmospheric forces on which we depend, and to rethink our present time in the context of long-term intergenerational relations. Our sense of who we are—as individuals, as citizens, and as human beings—needs to re-connect not only with questions of justice beyond our immediate geographical horizon (environmental issues, after all, typically do not respect state borders), but with historical time. While power and knowledge single us out for a special responsibility, we must, at the same time, think of our generation as only one among many generations before and after us.

This paper will argue, first of all, that Derrida’s work on justice addresses the issue of rethinking time in its relation with justice and generations. While it is generally accepted that deconstruction’s principal target is the “metaphysics of presence” and thus a faulty, presentist or present-centred conception of time and being, it is less well known, I believe, that Derrida explicitly and frequently connected the deconstruction of presence to a conception of justice that is from the beginning (and not only by extension or in an afterthought) intergenerational. In a second section, I sketch a concept of indirect intergenerational reciprocity in conversation with Derrida as well as with extant work on reciprocity in normative theory and economics. While Derrida’s ideas can thus be operationalized and fleshed out, I present new responses to some common objections to intergenerational reciprocity.

1. Derrida on the Dead and Unborn

That justice cannot exclude the dead and the unborn is a claim that Derrida has often made in different contexts. For instance, Derrida contests Sartre’s claim that a writer writes for her age by arguing to the contrary that “one writes for the dead or for the in-nate...those who are not yet living, ’not yet born’ are also the spectral addressees, irrecusable as well, of everything we address, of all our letters.” In the first volume of _The Beast and Sovereign_, Derrida argues that the source of ethics is connected to the finitude of life that therefore carries ethics not only toward the mortality of non-human living

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beings, but also toward non-present generations. In *Rogues* and in *For What Tomorrow*, a telling title, he argues that democratic citizenship and the rights of man ought to be rethought so as to include a (“not necessarily reciprocal or symmetrical”) engagement with animals, the dead, and the unborn. The democracy to-come that deconstruction proposes—not a future state of democracy, as in a regulative ideal, but a democracy that takes the social-ontological futurity of time seriously (more on this below)—discovers and seeks to foster relations and commitments between human beings that also and “inseparably” are relations of engagement “between the living and the dead, and even between the living and those who are not yet born [les vivants et ceux qui son à naître].”

It is in the book on Marx that this idea is most developed. *Specters of Marx* aims at a “politics or ethics of memory and of generations.” In its exordium—a kind of preface that seeks to condense the argument of the entire book—Derrida makes clear that the spectrality or “hauntology” developed in the book turns the present to the past as well as to the future, and explains the being of the social as constitutively related to the spectres of the dead and the unborn:

> No being-with the other, no *socius*, without this *with* that makes *being-with* more enigmatic than ever for us. And this being-with-specters would also be, not only but also, a *politics* of memory, of inheritance and of generations...no ethics, no politics...seems possible and thinkable and *just* that does not recognize in its principle the respect for those others who are no longer or for those others who are not yet *there*, presently living, whether they are already dead or not yet born.... If it is possible and if one must take it seriously, the possibility of the question [the question

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“whither? where will we go tomorrow?”], which is perhaps no longer a question and which we are calling here justice, must carry beyond present life [la justice, doit porter au-delà de la vie présente], life as my life or our life. In general. For it will be the same thing for the “my life” or “our life” tomorrow, that is, for the life of others, as it was yesterday for other others: beyond therefore the living present in general. (SM, xix–xx)7

As I have analysed the line of thinking that leads up to this passage in some detail elsewhere, I will here only ask to keep in mind the central claim: sociality and justice are unthinkable without relation to the dead and to the unborn. The eponymous “specters” of the book thus refer not only to the ghosts Marx writes about (and, according to Derrida’s argument, wanted above all to exorcise and banish), but to previous generations and future people.

For those familiar with the literature on intergenerational justice, what is unusual here is first of all the non-separation between intra- and inter-generational justice. Most scholars today regard these as separate issues, one concerning present people, and the other, non-present people. Typically, concerns with non-present people are distinguished further between issues of historical justice, having mainly to do with victimization and trauma in the past and its effects on the present, and questions of intergenerational justice, which concern future people. Once time is not neatly divided into past, present, and future, however, the division between the generations also becomes less assured: we will have to think the co-presence of absent generations in the present. This generational co-implication is

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7 Use of the word “generation,” as in this passage from the exordium to Specters—a rather privileged place—is rare in Derrida. In For Strasbourg, in the context of a discussion with Jean-Luc Nancy and Philippe Lacoue-Labarthe about Heidegger’s use of the word in Being and Time, Derrida avers that “generation” is not a tenable philosophical concept. See Jacques Derrida, For Strasbourg: Conversations of Friendship and Philosophy, (ed.) and (tr.) P.-A. Brault and M. Naas (New York: Fordham University Press, 2014), 22. This is presumably because in the generic singular in particular, “generation” denies temporal disunity, dislocation, and the disjointure that plays such a prominent role in his discussion of time and sociality, in particular in Specters. Beyond Derrida, in the extant literature on intergenerational justice, the problem of how to unify and individualize a generation is a well-known, even if perhaps still underplayed, conceptual and political problem.

for Derrida both ontological in affecting the very being of the social and the political, and normative. The first error, as it were, of ethics and politics would be to believe ourselves to be able, or to have to, focus on the present, as if time itself had legitimized the exclusion of the seemingly non-present. Time could offer such legitimation only if conceived on the basis of a privileged presence cut off from past and future, rather than what *Spectres* elaborates as the “disjointure” of the present moment. The disjointure of time entails the co-implication of presence and absence from which normativity first of all arises. As Derrida writes, “The necessary disjointure, the de-totalizing condition of justice [*La disjointure nécessaire, la condition dé-totalisante de la justice*], is indeed here that of the present—and by the same token, the very condition of the present and of the presence of the present.” (SM, 28/56) Thus, ethics and politics must include, from the beginning, “responsibility” for the dead and the unborn. (SM, xix/15) The time of the spectre is thus the crux of justice:

What is the time and what is the history of a specter? Is there a present of the specter? Are its comings and goings ordered according to the linear succession of a before and an after, between a present-past, a present-present, and a present-future, between a “real time” and a “deferred time”? If there is something like spectrality, there are reasons to doubt this reassuring order of presents [*cet ordre rassurant des présents*] and, especially, the border between the present, the actual or present reality of the present, and everything that can be opposed to it: absence, non-presence, non-effectivity, inactuality, virtuality, or even the simulacrum in general, and so forth. There is first of all the doubtful contemporaneity of the present to itself [*la contemporanéité à soi du présent*]. Before knowing whether one can differentiate between the specter of the past and the specter of the future, of the past present and the future present, one must perhaps ask oneself whether the spectrality effect does not consist in undoing this opposition, or even this dialectic, between actual, effective presence and its other. (SM, 39/71–72)

*Specters* develops the disjointure of time, in conversation with Levinas (“The relation to others—that is to say, justice,” a line from Levinas cited at SM, 23/48) and Hamlet’s cry (“The time is out of joint/Oh cursed spite that I was born to set it right”), in reading Heidegger’s “Anaximander Fragment” and related texts. This reading
and its understanding of time has been subjected to a number of excellent analyses, to which I do not want to add here.\(^9\) Despite the close relation between time and justice, in what follows I will above all seek to elaborate, with and beyond Derrida, the concept of intra- and inter-generational responsibility of which the exordium speaks, with a focus on relations among generations.

But what would be a concept of responsibility among generations that might do justice (if that is possible) to a non-linear, disjointed time, a time that is not taken to be identical to, or contemporaneous with, itself, in that references both the past and the future in the present? Let us recall briefly the passage cited above in which Derrida suggests that justice takes us beyond present life, “life as my life or our life.” The idea of time as made up of present moments “strung up like the beads of a rosary,” as Walter Benjamin’s *Theses on the Concept of History* put it (the *Theses* cited a bit later at SM, 55/95), this idea, Derrida suggests, permits the appropriation of life as my life or our life. It permits me to think, to make myself believe, that I do not owe (my) life to those who gave birth to me, and that (my) life is cut off from death such that it is taken to be (as Freud has suggested\(^10\)) immortal, or in any case not essentially mortal (as in Heidegger’s account of the “they,” “das Man,” which admits that one

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dies [man stirbt]—but not me, not now\(^\text{11}\). Linear time affords a thinking of time in which moments are cut off from each other (despite their succession) as life is from birth and death. It supports the phantasm of a life that matricidally gives birth to itself\(^\text{12}\), and is not essentially mortal—a free-floating life, as it were, freed from co-constitutive relations to other generations.

In the last few years of his life, Derrida’s seminars on capital punishment and on sovereignty further elaborated the connection between a non-presentist, disjointed time and relations to others, to vulnerability, change and suffering.\(^\text{13}\) A certain model of sovereignty conceives of its individuality, its power to be itself, as consisting in the attempt to “kill time,” to contract its own power into an instant, to turn around its own axis as a perfectly round wheel, so as to immunize itself against being affected by others: while taking time implies receptivity to the outside, Derrida argues that instantaneity and anaesthesia are indissociable.\(^\text{14}\) For instance, Derrida seeks to convict Dr. Guillotin, the famous promoter of allegedly painless killing machines operated by the political sovereign, of “a certain Cartesianism” that brings together an “instantaneism” of time (a view of time as composed of “simple, discontinuous, discrete, and undecomposable instants”) with mind-body dualism, mechanism, and individualism.\(^\text{15}\) Accordingly, Guillotin’s ideal of capital punishment conceives a death that is painless because instantaneous, a

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\(^\text{12}\) In “The Night Watch,” Derrida discusses phantasms of matricide, e.g. in the following passage: “Birth, being born (not the being born nothing or from nothing, but always the being born from...or in two’s, me and before me the other me): this is neither the beginning nor the origin nor even, save the phantasm, a point of departure. A dependency, no doubt, but not an origin or point of departure. A generation, perhaps, but without origin. The word generation is big with all these ambiguities. It’s a ventriloquial word.” Jacques Derrida, “The Night Watch,” in A. Mitchell and S. Slote, eds., *Derrida and Joyce: Texts and Contexts* (Albany: SUNY Press, 2013), 91. For more on Derrida on birth and maternity, see Artur Boelderl, *Von Geburts wegen. Unterwegs zu einer philosophischen Natologie* (Würzburg: Königshausen und Neumann, 2006).


\(^\text{14}\) Derrida, *Death Penalty, Volume 1*, 226/308.

\(^\text{15}\) Ibid., 225/307.
death that aims only at the head (caput), a head severed from the body and its vulnerable connections to others.

By contrast, disjointed or spectral time foregrounds the living being’s passivity and non-power in birth and death. Birth and death remain “in” the life of the living, but as inappropriable and unmasterable, rendering life natally mortal or mortally natal. That is why justice cannot be thought without relation to birth and death, and thereby to preceding others (mothers above all) and future people. Non-present generations are in the here and now, as spectral presences that phantasms of mastery attempt to disavow, but cannot ever shake off. In the academic year (2001–2002) following the seminars on the death penalty (1999–2001), Derrida argues that an “unconditional ethical obligation, if there is one” binds me not only to other (human and non-human) living beings, but also to “dead living beings and living beings not yet born, non-present-living-beings or living beings that are not present. One must therefore inscribe death in the concept of life.”16

The conception of life that co-implicates death, that corresponds to spectral time, and prohibits free reign to the phantasm of life as wholly appropriable as mine, Derrida calls “living on,” “sur-vival [sur-vivance]”17, or “lifedearth [la vie la mort].”18 Given that Derrida views life as an incompleteable coming to be born—“I am,” he writes, means “I am (not yet) born,” and wonders “Who ever said that one was born just once?”19—perhaps lifedearth should be called lifedearth-birth. It is a spectral life in différance: disjointed or differing from itself since birth, and deferring its proper self to a future it cannot make its own, a future that outlives the propriety of “my life” or “our life.”

Allow me to cite somewhat abruptly (that is, without reconstituting the rich context) a brief passage in which Derrida discusses, with

18 “La vie la mort” is the title of a Derrida seminar (so far unpublished in its entirety) on the notion of organic life from 1975, parts of which have been published in The Postcard. The phrase “life death” appears frequently there, in a discussion of (Freud’s) legacy and leaving remains more generally, and there, too, it is linked (as we will do shortly) to différance, and to a reading of the life and death drives in Freud. See Jacques Derrida, The Postcard, (tr.) A. Bass (Chicago: University of Chicago Press, 1987), 41, 273, 277, 284–85, 359–60, 367.
Derrida on Ethics Between Generations

reference to Freud and Heidegger (but also Husserl’s *Lectures on Internal Time Consciousness*), the attempted appropriation or authentication of “its own proper death” by a life that seeks to become itself, a life that seeks to become sovereign with regard to time and the alterity of the specters—including the specters of the dead and the unborn—who enter through the ultimate inappropriability of the time of birth and death:

Before all else one must auto-affect oneself with one’s proper death (and the self does not exist before all else, before this movement of auto-affection), make certain that death is the auto-affection of life or life the auto-affection of death. All the différence is lodged in the desire (desire is nothing but this) for this auto- tely. It auto-delegates itself and arrives only by itself differ ing/deferring itself in (its) totally other, in a totally-other which should no longer be its own. No more proper name, no proper name that does not call (to) itself, or call upon this law of the oikos. In the guarding of the proper, beyond the opposition life/death, its privilege is also its vulnerability, one can even say its essential impropriety, the exappropriation (*Enteignis*) which constitutes it.20

As différence names the differentiation from contextual others and deferral of identity as the “hauntological” condition of life in general21, it generates the desire to appropriate the “totally other”—including inappropriable birth and death—as one’s property. Hauntology does not make this desire go away, of course, but it recognizes its impossibility and seeks to avow the disavowal. Life forms require identity, but an identity that depends on differentiation processes can only be established by being welcomed and in turn welcoming the other. (SM, 177/224) In never quite coinciding with itself or its proper name, life is spectral, like a phantom. It lives only by living on or sur-viving, from birth structured by dying, a being-with-specters as a being with ancestors and successors. Spectral life is a life that cannot but have begun before me, and is already in the process of outliving my life. I must seek to make it mine, but its mineness or ipseity keeps on being “ex-appropriated,” constitutively tied to a larger, more durable context that cannot but

20 Derrida, *Postcard*, 359
precede and exceed my life. A living being cannot but appropriate from its environments and other living beings in its contexts, but such appropriation is never complete and will not return full circle to the living being, which will therefore have to leave a remainder to its successors. Life lives only generationally, but also environmentally: in the history and habitat of life that we may call “earth” or “the world as world of life-death.” Its deferring and differential, birth-life-death structure implies, moreover, that this world, while preceding and exceeding every “my life” or “our life” as its necessary context, is not just one and the same for every individual and every generation—rather, the sameness of this world is contested by the birth and death of every living being in the nexus of life. To presume that the world is the same whether I die or not, whether others are born and die, would be “the name of a life insurance policy for living beings losing their world.” The presumption would abdicate the responsibility for “carrying the world of the other,” for accepting and carrying forward “the finite promise of the world, as world...[that it is] up to ‘us’ to let survive that which ‘we’ inadequately call the human earth, an earth of which we know that it is finite, that it can or must exhaust itself at an end.”

How did we get from the hauntological inappropriability of “my” life to the normative responsibility to let the “human earth” survive for future beings, human and non-human? Life, we said, is not born into the world ready-made, identical to itself, but rather is born of the other. Thus, life must strive for its mineness, for its time and its space. With this striving, normativity—the “must” or “il faut”—comes into the world, in fact as the world. If the ipseity of life is spaced-out, a little mad in not already coinciding with itself, it can be itself only by being identified, again and again (hence the deferral), with itself. Its mineness must rely, and from the beginning, on a repetition that intends to return to itself: what the passage cited above calls the “auto-tely” or “auto-delegation” that responds to différence. This self-affirmation expects to come back to itself despite its need to refer to and appropriate from others in the context into which différence has always already cast it. But if self-affirmation

24 Derrida, La peine de mort, Volume 2, 118–19.
25 Derrida, Beast and Sovereign, Volume 2, 267/367.
requires differentiation from its environment, then this context precedes the affirmation, and is affirmed first of all. An identity must always already have affirmed the preceding context, from which it is in the process of appropriating, to be self-affirmative in the first place. For these reasons, Derrida argues in “Living On” that the affirmation of life is double, a duplicity that also doubles itself. Affirmation must affirm the self and the other, affirm the one to affirm the other, but also, at the same time and in the same moment, repeat itself, that is, affirm its future repetition, and thus promise to affirm self and other. That is why “our” generational lives are born in a world with the promise to make world—always differing-deferring—live on as the world of life-death, as the “human earth.”

The differential inscription of double affirmation in generational and terrestrial contexts to which it responds implies that its hauntological and normative structure cannot be merely described from a neutral standpoint. In describing it we must also perform it from where I am, from where we are, in “our” historical context. The accepting inheritance of world comes with a promise to let world live on. Using the language of hospitality that Derrida often picks up in his readings of Levinas, we can say that the (hauntologically mandated) “welcome” granted to others is necessarily, and inseparably, a response to a prior welcome given by preceding others. As Derrida puts in Adieu: “the welcoming of the other (objective genitive) will already be a response: the yes to the other will already be responding to the welcoming of the other (subjective genitive), to the yes of the other.” In the terms Derrida retains from reading the gift of time in Heidegger and Mauss (see Given Time), the gift of world to the future is enabled by, and transformatively responds to, the gift of inheritance from preceding generations.

If we were now to look for a normative concept that best permits building a bridge from our discussion so far to existing work on intergenerational justice, the idea of indirect reciprocity suggests itself as an obvious reference point. In the interest of fleshing out the idea of intergenerational “double affirmation” or the justice of “being-with-specters,” but also in the interest of connecting Derrida

28 Derrida, Negotiations, 247.
with this other work, the second part of this brief paper will discuss some aspects of intergenerational reciprocity.

2. Intergenerational Reciprocity

Economists, philosophers, and others speak of direct reciprocity when A gives to B, and B returns the gift to A. It is likely that this is the form of reciprocity Derrida has in mind when he, perhaps following Levinas\textsuperscript{30}, rejects it. He argues, for instance, that the gift must be understood “without reciprocity” (GT, 12/24), and contrasts the gift with the ideal of reciprocal exchange, which seeks to annul debt and the time it takes to return the gift. As I have argued elsewhere, however, Derrida should not be understood to endorse or recommend, as normatively superior, the “pure gift” without exchange and reciprocity, for the point of his argument is that neither pure giving nor pure reciprocity are possible.\textsuperscript{31} Be that as it may, by contrast the two-party relation in exchange, indirect reciprocity is a tripartite relation: A gives to B who “returns” the gift to C. In the intergenerational setting, this general idea gives rise to several models, depending upon who A, B, and C are taken to be. The extant literature on intergenerational reciprocity distinguishes different models, among other things, by the direction of giving as well as by the motivation for giving. For instance, Gosseries speaks of descending, ascending, and double models concerning the question both of justification (why we owe) and of the substantive one of determining the content of the obligation (what is owed).\textsuperscript{32}

On the descending model, perhaps the most commonly intuited one, the current generation owes to the future because it received from the past, and it owes at least as much as it received. On the ascending model, underlying for instance pay-as-you go pension schemes, the present generation owes to the preceding (but still overlapping) generation because that generation also discharged its obligation to its predecessors. For example, currently employed

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\textsuperscript{30} Levinas writes that “the I is without reciprocity.” Emmanuel Levinas, \textit{Is it Righteous to Be?}, (ed.) J. Robbins (Stanford: Stanford University Press, 2001), 133.
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individuals should, on this view, pay for their parents’ pensions because their parents, at the time when they were still actively working, did the same for their own parents. Double reciprocity, the third model on this view, suggests that the current generation should contribute to their parents’ retirement income because of what the parents did for this current generation when they were children and young adults (e.g., paying for their education). Of these three, double reciprocity is the only “direct” form where the contributor and the recipient are often taken to be (for example, by Gossseries) the “same” individuals or cohorts. Arrondel and Masson offer a more fine-grained typology of four intergenerational reciprocity types by combining the result of two distinctions: first, the distinction regarding the orientation in time from which one’s model, content, or motivation for giving is drawn (backward- or forward-looking), and second, the direction of transfer (upward to the previous generation, downward to the subsequent one).33 While all four are relevant to generational sociality, and thus to asymmetrical reciprocity, in what follows I focus for the most part on the most commonly intuited type, the backward-downward (or descending) type.

Even these short references may indicate how indirect reciprocity can be taken to operationalize Derrida’s justice of being-with-specters. Even if this is not always done in normative ethics or economics, we may take intergenerational reciprocity to spell out a social ontology that is also a normative account of justice. Social-ontologically, then, reciprocity views the present generation as thickly situated in a chain of overlapping (and, at least by extension) non-overlapping generations. Social relations stretch forward and backward in criss-crossing ways that make the living generation what it is. The time of the present is not cut off from past and future; non-present times are not simply absent, but co-implicated in the present. Normatively speaking, indirect intergenerational reciprocity takes the living in the present to be related to at least two parties in its contexts. It flags the normative import of temporal alterity or non-coincidence: the others do not, or do not simply, share time with the living present, and this distance matters to the normative relations. Further, in at least two of the types—the backward-looking, downward-owing (descending) type, and the forward-looking, upward-

transferring type—the present is related to the future and to the past in an openly Janus-faced way. In view of further elaborating the intergenerational dimension of spectral justice, I now turn to some objections to indirect reciprocity, and further draw on Derrida to sketch my responses.

(1) In contrast to direct reciprocity, the indirect version puts a non-contributor (or not-yet contributor) in the position of deserving recipient. This is often thought to undercut the central justification for reciprocity obligations, which is taken to be the moral blameworthiness of free-riding on the efforts of others. Accordingly, the first challenge is to explain why an agent should owe something to another from whom she did not get anything or, even worse in the case of future people, cannot seem to ever expect anything in return (other than the to my mind generally underestimated symbolic value of trusting that she will be remembered well by posterity). One of the most famous formulations of this worry stems from John Rawls. Although his *Theory of Justice* takes egalitarian reciprocity to be a central normative element, and represents one of the first modern works in the English language to consider the question of intergenerational justice, Rawls ultimately rejects the use of reciprocity for the purposes of justice between generations. For, similar to Kant in his third thesis of “Idea for Universal History with Cosmopolitan Intent,” Rawls argues that it would seem unfair to expect the present generation to work for the benefits of future people, given that these latter cannot reciprocate to the advantage of the present. Rawls complains of what he calls a:

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chronological unfairness, since those who live later profit from the labor of their predecessors without paying the same price.... We can do something for posterity but it can do nothing for us.37

One powerful way of responding to what has been called the “non-reciprocity challenge” in intergenerational justice38 is to argue that there is, after all, direct and indirect reciprocity among generations, if not among non-overlapping ones, then at least among overlapping ones.39 This response is in the spirit of spectral justice to the extent that it insists on not viewing generations as entirely cut off from each other. Indeed, the fact of overlap is the most obvious way to insist on the disjointed co-implication of the past and the future in the present, though of course the hauntological account of this co-implication would not assume that “overlap” means “sharing a presence cut off from past and future,” and hence would not limit the specters to the elderly and children or children’s children: as we saw, Derrida’s specters include the dead and the unborn.

I think Derrida adds another reason why we should have no trouble with indirect reciprocity. As might be expected of an argument of the deconstructive type, the reason is that différance will make it impossible to distinguish, with any sort of precision, direct from indirect reciprocity. If differing-deferring is a condition upon identity over time, then each is undergoing change over time, in part as a result of the very benefits received in reciprocity; thus, a perfect case of direct reciprocity could not obtain. The initial contributor and the initial beneficiary cannot be identical to one another, as is perhaps evident in the case of pension schemes (with regard to which many a retiree wishes her earlier self had been more like her in terms of spending habits). If life lives on only by dying and being reborn, then the strong contrast between the presence of the living and the absence of the dead and unborn is as questionable as the contrast between direct and indirect relations of reciprocity. One of the reasons for Derrida’s misgivings about the word “reciprocity”—usually in one breathe with “symmetry”40—lies in the assumption of

37 Rawls, Theory of Justice, 291.
40 At times, Derrida distinguishes reciprocity from symmetry, e.g., when he writes that “reciprocity is not symmetry and first of all because we have no
linear time and the corresponding idea of a time and space shared by the living as parties to reciprocity. As we heard, the disjointed sociality of a “being-with-specters” contests this assumption.

On a certain reading, this type of argument has a famous antecedent in Plato’s Republic, where direct reciprocity is in fact the first account of justice offered. Non-identity of a person over time is the reason that Socrates rejects the definition of justice as “giving back what [one] has taken [or received] from another.” The definition is given by the elderly Cephalus, and the textual context flags the intergenerational relation to his son Polemarchus, one of Socrates’s friends and interlocutors. Socrates refutes the claim of justice as reciprocity by pointing to the example of having received a weapon from a friend who has gone mad in the meantime—and so has changed in relevant ways over time. Rather than argue with Socrates, Cephalus hands over his turn in speech, his logos (his wealth as well as his argument), to his son, thereby implicitly pointing to a contrast between direct and indirect forms of reciprocity. In other words, Cephalus could have responded to Socrates by arguing that the weapon is indeed not owed to the person now gone mad, but given that it is not the property of the one who borrowed it, either, it is owed to an unspecified third party—just as in the case of inheritance, where he received his wealth from his forebears, so he will leave it to his children.

(2) This reference to property and inheriting leads me to the next common objection to the kind reciprocity we are exploring here: its possibly involuntary nature. Presumably we accept that if we freely contract and accept a benefit, we incur an obligation to reciprocate in the nature specified in the contract or agreement. In the absence of an explicit agreement, it is argued, it is unclear whether unsolicited (and thus involuntary) donations generate an obligation. So, for example, in discussion of intergenerational reciprocity Brian Barry writes:

If someone offers me a toffee apple, out of the blue, and I accept it, does my enjoyment of the toffee apple create even the tiniest obligation to distribute toffee apples to others? I do not see that it does.42

neutral measure here, no common measure given by a third party.” See Derrida, Points, 363/374.

Apart from simply denying that there is an obligation of reciprocity in this case, other non-reciprocity responses include the following. First, one may concede that there is an obligation generated by the receipt of the toffee apple, but go on to make it a mere obligation of gratitude, but not of justice. Second, one may argue that there is an obligation of justice, but claim that it is not generated by the transfer of the good (so not by reciprocity), but by some other moral principle. For instance, a luck egalitarian might argue that future people should not end up, through no fault of their own, with life circumstances that are worse than ours today, which we (at least in part) inherited. This of course bypasses the question of reciprocity, and involves assuming that not-yet-existing people have moral standing, that is, are directly deserving of beneficence (an assumption that has been challenged on the grounds of the so-called “non-existence challenge”).

Responses to Barry’s challenge that seek to preserve the reciprocity-based obligation (in terms of justification as well as content) have looked for an additional reason to add to the mere fact of having received something.

(a) First, one may construe reciprocity as a virtue (a disposition of character) that we should have. As Becker puts it, we ought to cultivate this duty, largely because it is indispensable to well-functioning social relations, which in turn are indispensable to human flourishing. Once reciprocity is a virtue we ought to cultivate in us and others, we can respond to Barry and Nozick by saying that we ought to reciprocate because we ought to have the virtue to reciprocate. I find Becker’s argument promising, in particular given its reference to sociality; however, sociality is here not thought intergenerationally from the beginning.

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45 See ibid., 232–33: “The obligations of [intergenerational] reciprocity are not grounded in the rights or interests of others [thus avoiding the ‘ontological problem that vexes other theories of obligations to future generations’ as there is here then ‘no need to give an account of how non-existent “people” can have rights or interests’].... The obligations of reciprocity arise instead from the justifiability of the virtue of reciprocity—the justifiability of being disposed to make a return, as a matter of retrospective obligation, for all the good we receive.”
46 See also Page’s criticisms of Becker in Page, Climate Change.
(b) Another common attempt to preserve the reciprocity-based obligation consists in supplementing it with the idea of collective intergenerational property of the earth or of common resources. Since we do not exclusively own what we inherited from previous generations, we cannot simply dispose of it at will and have an obligation to give back to the future what we inherited. This notion of common ownership underwrites many (more or less anthropocentric) notions of environmental “stewardship” or “trusteeship.”

Ultimately, however, the obligation to give to the future (e.g. to conserve resources) is on this view not based on reciprocity, but on the collective ownership of property: I owe to the future what was never fully mine to begin with. Despite this apparent shortcoming, the idea that I owe to the future (some of) what I have, not only because I myself received it, but because this reception never made it fully mine to begin with, also plays a role in the deconstructive account of intergenerational justice (whose separation from intragenerational issues calls for justifications in each case). The duty to give to a future from which the living do not seem to benefit in a clear manner, derives from the fact that what they possess is not really or fully theirs. As we heard, hauntology conceives life as a life that always already began before me and keeps on sur-viving my life. The inevitable appropriation of life as my life cannot undo an origi-nary “exappropriation” that binds my life to a preceding-exceeding world whose spectral being includes the promise to let it survive. The promise can be articulated, in this context, as the heteronomous claim of futural others on the thus compromised autonomy of the living and what they appropriate.

In the treatment of the gift, Derrida addresses this sense under the heading of “giving what one does not have” or of “accept[ing] something one will never be able to receive, something that must thus remain unacceptable, unreceivable [irreceivable].” If life can come about only in a preceding context from which it receives, then

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47 See for example John Locke, whose Second Treatise of Government starts with the premise of common ownership: “God has given...the earth...to mankind in common.” Locke’s Two Treatises of Government, (ed.) P. Laslett (Cambridge: Cambridge University Press, 1960), §25. Locke references Ps CXV.16: “The heaven, even the heavens, are the Lord’s: but the earth hath he given to the children of men.”

48 See Derrida, Given Time, 2–3 n.2/13, 48/69, 69 n.23/94, 159 n.28/201. See also SM, 26/54. In both SM and Given Time, Derrida refers the idea of giving of what one does not have to Heidegger’s account of the relation between time and justice in “The Anaximander Fragment.”

49 Derrida, Rogues, 4/22.
every donor can only give a gift neither she nor the recipient can fully have or take. In this sense, the appropriation from the past does not undo the fact that the gift remains beset by a future beyond the grasp of the present. That is why “returning” the gift gives more than it has, and why the attendant obligation is a “duty beyond duty,” or a duty “without debt” that exceeds the circular logic of owing (an equivalent of) what one has received.\(^5^0\) The “beyond” and the “without” here indicate why we can also say, as we did above, that spectral justice references an intergenerational gift “without [direct] reciprocity.”\(^5^1\)

(c) A third supplement to reciprocity, so as to respond to Barry’s challenge, is to restrict the class of goods received involuntarily (and that still generate a duty to reciprocate) to those goods that we could not really do without in the first place (and so to goods that we have no choice but to accept). Some extant accounts argue that the duty to reciprocate holds only for those indispensable public goods that one cannot receive voluntarily, and that one must accept for ensuring the possibility of one’s life (such as national security, or a clean environment).

The public goods that most plausibly force a suspension of the voluntary receipt condition are those that can be viewed as indispensable for a life of decent quality, such as national defence, law and order, or a habitable biosphere. Such goods, as George Klosko puts it, are “presumptively beneficial” in the sense that they provide benefits which “all members of a community want, whatever else they want”… It is this element of indispensability that obliges everyone to cooperate in providing presumptively beneficial public goods.\(^5^2\)

There is here of course the difficulty of deciding what is beneficial, what is indispensable, and what kind of “life”—a “life of decent quality”—we therefore determine. Yet the insight that some goods cannot be received voluntarily, and yet living beings cannot but affirm them, brings us very close to the Derridian response to Barry’s challenge. The spectral account, too, supposes that life comes into

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\(^5^0\) Derrida, *Given Time*, 13/26, 69/94, 156/198.

\(^5^1\) Ibid., 12/24.

being only in the context of an inheritance that includes constitutive goods and benefits, which of course need to be selected, “re-affirmed by choosing,” as Derrida says in Specters—without universal, trans- or a-historical norms making the decisions for the heirs. (see SM, 16)

A Derridian counterargument to the toffee-apple challenge, then, begins by contesting the assumption that the life of living beings is given without any donations, any gifts, any preceding context of inheritance: as if it “matricidally” gave birth to itself. The contestable assumption is that the “toffee apple” is the right kind of example, suggesting as it does something gratuitous, a luxury item in no connection with the life of living beings, or unlikely to be part of an established practice, an inheritance, a historical community and its way of life.53 But, we could ask, what about the material things that allowed us to live and grow in the first place? What about symbolic goods, such as the languages and traditions in which we can come to think and formulate identities? In response to the toffee apple, then, Derrida insists that:

To be...means...to inherit.... That we are heirs does not mean that we have or that we receive this or that, some inheritance that enriches us one day with this or that, but that the being of what we are is first all inheritance, whether we like it or know it or not. And that, as Hölderlin said so well, we can only bear witness to it. To bear witness would be to bear witness to what we are insofar as we inherit, and that—here is the circle, here is the chance, or the finitude—we inherit the very thing that allows us to bear witness to it. (SM, 54/94)54

That the very being of life requires inheritance must be understood on the basis of, once more, différance as the contextual time-space without which no identity can emerge. If the being of life

53 Importantly, Barry acknowledges, as Nozick does not, that if the gift or benefit is part of an “established practice,” a context of inheritance that precedes the recipient, the latter will be obligated after all (Barry, Liberty and Justice, 232ff.; see also 217). Derrida, too, notes that a gift that would be so purely generous and altruistic as not to obligate a return is unlikely in the context of human historical practices: “As soon as almsgiving is regulated by institutional rituals, it is no longer a pure gift—gratuitous or gracious, purely generous. It becomes prescribed, programmed, obligated, in other words bound” (Given Time, 137/174). Derrida’s argument, however, is that a gift always exceeds such institutionalizations and programs as well as the obligations that come with them: that is its essential futurity, here addressed as its “purity” beyond the circle of debt and repayment.

54 See also Derrida, Negotiations, 111.
requires a differential context for its emergence, there thus cannot be a first generation (SM, 21/46), and every subsequent one is never one with itself. Inheritance, legacy, heritage, earth and world, are yet other names for this preceding context that gives life a chance to emerge.

The Page-Klosko account of intergenerational reciprocity, however, remains quite distant in a crucial respect from spectral-hauntological justice. The former is grounded on the objection to free-riding: no one should benefit from goods from whom she or he benefits, and whose securing or production impose burdens on others. This objection is used by Page to justify the reciprocity obligation to contribute to the provision of involuntarily received goods indispensable to life. By contrast, Derrida’s justice emerges with the very temporal dehiscence or disjointure that calls on every living being to appropriate from its inherited context, a differential context that constitutively “exappropriates” the self-affirming appropriation, and thereby turns it toward a promise to pass on a world—including what Page calls a habitable biosphere and what we heard Derrida call a “human” and “finite” earth. For Derrida, the responsibility to pass on a human earth is not separable from the differential context in general, including “nature” or earth as contributor to intergenerational inheritance. Page’s account, in contrast, includes an intention-requirement on gifts from the past, leading to the—in my view, counterintuitive—conclusion that we owe future generations a habitable biosphere only because some environmental activists since the 1980s have intentionally worked for it.

The spectral justice that emerges with finite and disjointed inheritance does not afford such a distinction between nature and human effort. The source of inter- and intra-generational responsibility is “inhuman.” This is because, for Derrida, obligation emerges not with this or that heritage or benefit, let alone with its intended bequest, but with its very disjointure, with its inappropriable finitude, with the exceeding precedence—the prévenance—of a différance that is traced in every life-constituting habitat and inheritance: “There would be no responsibility without this forecoming [prévenance] of the trace, and if autonomy were first or absolute. Autonomy itself would not be possible, nor respect for the law (the

sole “cause” of this respect) in the strictly Kantian sense of these words.” Elsewhere, Derrida writes:

Only a finite being inherits, and his [sic] finitude obliges him. It obliges him to receive what is larger and older and more powerful and more durable than he [Elle l’oblige à recevoir ce qui est plus grand et plus vieux et plus puissant et plus durable que lui]. But the same finitude obliges him to choose, to prefer, to sacrifice, to exclude, to let go, and leave behind. Precisely in order to respond to the call that preceded him, to answer it and to answer for it—in one’s name as in the name of the other. The concept of responsibility has no sense at all outside of an experience of inheritance...One is responsible before [devant] what comes before [avant] one but also before [devant] what is to come, and therefore before [devant] oneself. A double before, one that is also a debt, as when we say devant ce qu’il doit: before what he ought to do and owing what he owes, once and for all, the heir is doubly indebted.

Devoir (duty, owing) is thus intrinsically connected by Derrida to devant, that is, to a “before,” in the sense of standing before a tribunal or judge to whom one has to answer, but also “before” in the temporal sense of “avant.” What entails duty, owing, and debt—but also an attempted breaking free of the debt, as we saw—is the fact that différance inserts a living being into a preceding-exceeding inheritance, and so does not permit it to begin by being itself, to have a life entirely its own. Thus, the prévenance of différance is also a devance: what comes before “my life” obligates it to answer for itself. We should recall that the coming before is not to be understood on the model of linear time: to say inheritance is spectral or differential-deferring implies its being ahead of us, continually addressing us from the future. Thus the “before” is already ahead, including in the sense of the instance before whom one will have come to be responsible: to oneself as an heir coming to be in the future anterior, as the

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passage says, but also, we should add, before “future humanity”—or, if that is too anthropocentric and too generic, future living beings.

**Conclusion**

Let us then draw the conclusion from these claims about spectral justice. Since to be means to inherit, and inheritance obligates to promise a “human earth” to the future, the “present” generation is asked to reciprocate indirectly. If the living always owe for their inheritance, and inheriting as well as owing is futural or to-come, then we may conclude that there is an intergenerational obligation to reciprocate by paying forward what one receives. The indebtedness, however, cannot be paid off. It is not that the gift from predecessors remains too large or too valuable, but that they did not fully possess it either. Indirect reciprocity should be understood as “asymmetrical” to flag the principled impossibility of sharing time with the injunction to reciprocate. If there is no first generation, then the injunction does not come from it either. No resurrection, no god, could put us in direct exchange with the source of the obligation.

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