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# S T U D I A

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## 3

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# CULTURAL IDENTITY AND DECONSTRUCTION[*]

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**ABSTRACT.** *Cultural Identity and Deconstruction.* This paper proposes to approach the problem of cultural identity on the basis of the deconstructionist analysis of the two conceptual components of this combination of terms. Cultural identity appears as a conceptual constellation of the terms „culture" and „identity", which need to be investigated in the first place. The initial question tackles whether it is still possible to presume the existence of identity in postmodernism connected to the concepts of unity, congeniality and presence, or whether the unifying, identifying attitude is still appropriate? The paper demonstrates how deconstructionist approach overwrites the traditional conceptual systems of identity, culture and cultural identity via the critical analysis of concepts such as „unity", „sameness", „origin", „beginning", „centre", „purity", „presence", and at the same time criticizes the ethical, political and legal systems which are based on this conceptual language.

*Keywords:* identity, culture, cultural identity, deconstruction, différance, dissemination, postmodernism

> „Man hat es schon satt, nach den Grundbegriffen
> zu fragen, man will seine Ruhe haben".
> *(M. Heidegger)*[2]

Identity, culture and cultural identity have formed the subject of several works of philosophy and other disciplines, or theories on their way to become disciplines, as well as inter- and multidisciplinary research. This issue increasingly counts as a timely

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[2] Heidegger, *Die Grundprobleme der Phänomenologie*, § 9. Nachweis der Notwendigkeit einer grundsätzlicheren Fassung des Problemgehalts der These und seiner radikaleren Begründung. a) Die Unzulänglichkeit der Psychologie als positiver Wissenschaft für die ontologische Aufklärung der Wahrnehmung. p. 75.

and decisive field of research; however, no terminological consensus has been reached so far, and there is no generally accepted definition of „what" identity is, „what" culture is, and „what" cultural identity is. So, when we turn to the problem of identity, culture and cultural identity, what we see is that these concepts and terms may become „objects" of scrutiny only if we keep in mind that no structured, organic theory is, or can be, available. Explanations for this situation include first that this is an issue relevant for several disciplines, each of which is able to define these concepts differently, and second, that in the context of postmodernism, as conceptuality gradually loses its frozen status or authority, the concepts themselves tend to become increasingly fragmentary and differentiated. Furthermore, it also cannot be neglected that no single discipline, policy or power may appropriate the right to definition. This is also the sense of the idea that these concepts themselves seem to resist all rigid definition and categorization attempts.

Ferenc Pataki, eminent researcher of identity problems, emphasizes that the concept of identity – as a fashion concept – had more impact in social science journalism before it has ever been methodologically investigated.[3] One result of this is that it almost seems natural to use identity and cultural identity as operational terms which incorporate their meaning *in advance*. But why is it necessary for us to have an identity at all? – asks Stuart Hall, in reference to the fact that, due to the important role of identity in a political discourse, it has become practically impossible to conduct a political discourse without the concept of identity.[4]

Despite the terminological ambiguities and uncertainties around identity, culture and cultural identity, these concepts appear as fundamental terms of social and communicational processes embedded into ethical, political, legal, and not less humanities contexts. However, the conceptual complexity and heterogeneity of identity, culture and cultural identity also raise considerable theoretical and methodological doubts and stimulate us to rethink the quote by Heidegger, serving as motto for this paper: philosophy „as the science of a »reversed world«"[5] cannot confide at all in basic concepts.

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European philosophical tradition has been working as essentially a philosophy of unity and identity. The Greek τό αύτό and the Latin *idem* are decisive terms in the history of philosophy, and the idea of presumed unity and identity accompanies

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[3] Cf. Pataki, *Identitás – személyiség – társadalom*, p. 512.
[4] Cf. Hall, *What then is the need for a further debate about 'identity'? Who needs it?* p. 1.
[5] Heidegger, op. cit. p. 75.

European thinking. However, a survey of 20th-21st century philosophy reveals the outstanding role of an endeavour to reconsider the traditional attitude to the self. In contrast with the purportedly traditional modernist theories focusing on unity, *the philosophy of difference*, *Destruktion*, deconstruction and other theories born under the sign of postmodernism show that the traditional assumption of identity is no longer relevant. The situation is similar for the concept of culture as well, since most of these concepts, including the theories of interculturality and multiculturality, substantially assume that cultures are unitary and identical (id)entities, or „simultaneities" or unities of pluri-diversity. The models of multi- and interculturality tried to serve as remedy for the necessity of transition from „the culture" to cultures, but these are just as burdened with their internal contradictions as the modern concept of culture.

Deconstructionist approaches, by the critical genealogical analysis of concepts such as „unity", „sameness", „origin", „beginning", „centre", „purity", „presence" overwrite the traditional conceptual systems of identity, culture and cultural identity, and at the same time also criticize the ethical, political and legal systems which are based on this conceptual language. The ethical and political speculations, as well as the legal system, the questions of human rights and social justice are based precisely on the authority and dominance of concepts such as subject, identity, culture and cultural identity. These concepts have become objects of ethical, political and legal manipulation, for the systems built upon them and depended on how these concepts had been defined,[6] or who had the right to define them. The „accepted", rigid definitions anticipate and outline the repository or, on the contrary, dead end of the moral, political and legal frameworks of the values and possibilities of a determined subject, identity, cultural identity or human being; they create a universal need, show themselves as legitimate, without having any universal idea to back them up. The present work attempts to draw attention to the fact that, as long as we consider legitimate the deconstructionist, postmodernist approach to identity, culture and cultural identity, the rethinking of their ethical, political and legal frameworks will also be inevitable.

### The philosophical background of the differentiation of an assumed unity

The *philosophy of difference*, *Destruktion*, deconstruction and postmodernist theories reveal a new direction of philosophical thinking about identity. Beginning with Nietzsche, there came an increasing need to destruct, or at least distance oneself

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[6] See as an example the problematic nature of the definition „Allgemeinen Erklärung zur kulturellen Vielfalt" (AE) der UNESCO [UNESCO 2001]. Jens Badura has called the attention to this in his *Kulturelle Pluralität und Ethik*, pp. 17-38.

from metaphysical thinking prevalent in traditional European mentality with its language, conceptual frameworks, worldview and self-perception. Nietzsche in his „destructive programme" sets forth the reassessment of values (*die Umwertung aller Werte*), death of god (*das Tod Gottes*), the will to power (*der Wille zur Macht*), the overman (*der Übermensch*), the critique of historicity (*die Kritik der Historie*), the change and its affirmation (*die affirmative Kraft*), and points at the eternal return (*die Ewige Wiederkunft*) as pure change, as well as the impossibility of Zarathustra's identity.

Heidegger's concept of ontological difference better opens up the way to the *philosophy of difference*, where by the separation of being (*Sein*) and the being (*das Seiend*),[7] the philosopher operates a sort of destruction of metaphysics, and in this process he criticizes the understanding of identity as sameness. Heidegger appeals to *Destruktion* and the transgression of traditional metaphysics, and he emphasizes that „hermeneutics can only fulfil its task by way of *Destruktion*".[8] He poses the „liberation" of the I from under the traditional chains of identity or self-sameness, or at least the possibility of this „liberation". Heidegger points to the impossibility of the $a=a$[9] identity thesis, while his existential hermeneutics – where self-sameness appears as „fore-structure", „being-ahead-of-itself" (*Sich-vorweg-sein*),[10] not-whole-ness, not-yet-ness (*etwas noch nicht sein*)[11] – functions as a shattering of sameness and unity.

In Gadamer's hermeneutics, a sort of hermeneutical „destruction" of the mode of being, the existential character, or more specifically the identity's mode of being are revealed in the hermeneutical problematization of the play (*das Spiel*),[12] the mode of being of the artwork and the image,[13] and the issue of in-betwenness. This can be understood as a kind of hermeneutically conceived ontological reform, through which the unity, sameness and presence of the being shatters, and the question and sameness-centred approach of the existential character of identity and self-sameness becomes differentiated. These critical concepts also seem to dissolve

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[7] Cf. Heidegger, *Die Grundprobleme der Phänomenologie*, Zweiter Teil, Die fundamentalontologische Frage nach dem Sinn von Sein überhaupt. Die Grundstrukturen und Grundweisen des Seins, Erstes Kapitel Das Problem der ontologischen Differenz, § 22. Sein und Seiendes. Die ontologische Differenz.

[8] Cf. Heidegger, *Phänomenologische Interpretationen zu Aristoteles. Anzeige der hermeneutischen Situation*. p. 249.

[9] Heidegger: *Identität und Differenz. Der Satz der Identität*, pp. 34-36.

[10] Heidegger: *Sein und Zeit*, § 41. Das Sein des Daseins als Sorge, pp. 254-261.

[11] *Ibidem*, § 45. Das Ergebnis der vorbereitenden Fundamentalanalyse des Daseins und die Aufgabe einer ursprünglichen existenzialen Interpretation dieses Seienden. p. 310.

[12] Cf. Gadamer, *Wahrheit und Methode*, II. Die Ontologie des Kunstwerks und ihre hermeneutische Bedeutung. 1. Spiel als Leitfaden der ontologischen Explikation, pp. 107-133.

[13] *Ibidem*, 2. Ästhetische und hermeneutische Folgerungen. a) Die Seinsvalenz des Bildes, pp. 139-149.

the dialectical unity in a Hegelian sense, since these concepts break the status and identity of the static being. Therefore a fundamental reversal happens in hermeneutics: the place of the identical, unitary and static being is taken by the problem of the space of play, the dynamics, the „inter" or „betweenness". And this destroys the kind of thinking which possesses a self-same, static mode and character of being and operates with a concrete being, dissolves the categories and categorical thinking, since it does not permit the sedimentation of stable concepts.

The demolition of identity and other conceptual and linguistic systems, the denial and Heideggerian or Gadamerian destruction of the independent, identical, static essence of language, and the need to surpass metaphysics came to be more radical with Derrida. The lack of unity, sameness, origin, beginning, purity, and centre, the multiplication, the deconstructive approach which breaks the conceptual system of the language and its sedimentation are all meant to continue this idea. However, while the basis for Heidegger is the question of being, the essential basis of deconstruction for Derrida is the being, the being-here, for the actual purpose of deconstruction is to demolish the delusional being-here of logic and metaphysics. This is what Derrida refers to with the status of *différance* when explaining that the difference between the terms *difference* and *différance* almost entirely vanishes for the ears and the eyes, it does not become present in fact, and thus the *différance* itself does not even exist, it is not present, it does not have an existence.[14] The status of deconstruction powerfully signals the same thing: the concepts to deconstruct are circulating, but never become definitive; they never rest in any kind of identity, never become permanent, never subside in a presence, and never get associated with a static meaning. For this reason deconstruction „runs the risk of never being established as such and with that name. Of never being able to define the unity of its project or its object. Of not being able either to write its discourse on method or to describe the limits of its field".[15] Deconstruction is no positive science, it does not form a system, it is not definitive, but its so-called „end-product" is not a ruin. It cannot even have an end-product inasmuch as we accept that it is unfinished. That is to say, it is itself play and *différance*. *Différance* always begins, but never ends. In this sense deconstruction cannot be definitive as long as there is conceptual system, as long as there is language.

One of the „rhetorical" questions repeatedly asked about deconstruction wonders where the always renewing demolitions of deconstruction lead to. What is this „play" about? Is it about nothing? Not so much about a settled, identical, unitary,

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[14] Cf. Derrida, *Excerpt from Différance*.
[15] Derrida, *Of Grammatology*, p. 76.

present and definable „something". Where does the undecidedness, the groundlessness of deconstruction lead to? Does deconstruction become its own purpose? Is it necessary to speak about the „self"-deconstruction of deconstruction? Does deconstruction deconstruct the deconstructable, then itself as well? How, if it has no self? Is there anything left of it, where this „anything" also becomes the object of a presumed and renewed deconstruction? Deconstruction, in opposition to the Heideggerian „destruction", does not claim to have a constructive intent; however, deconstruction is in fact radically constructive (de-constructive), as long as, through these demolitions, it tends towards another, new, yet unfinished context. Nevertheless, this is not to say that this new context will ever be able to settle. This context has no presence, no identity, and as such it almost becomes a non-existent context, but one which may always lend its preconditioned self to deconstruction. This is probably the meaning of deconstruction as an „unfinished movement".

By Derrida's deconstructionist approach one may trace how the analyzed concepts „form a sheaf". From the perspective of a deconstruction conceived as the radicalization of Heideggerian-Gadamerian „destruction", the stress for Derrida falls not on reinterpretation, but on disassembly. There cannot be any identity in deconstruction, or any culture understood as unitary, therefore no cultural identity either, since there are no concepts any longer, only „sheaves".[16] The identity to deconstruct is something which is „no longer include the figure of mastery of self, of adequation to self, center and origin of the world".[17] It results from the deconstruction of the sign as exposed in *Of Grammatology* that „every signifier refers to different signified, one may never reach to a signified which only refers to itself".[18] From a deconstructionist perspective therefore the demolition and disassembly of the awareness of identity and unity, presence and pure origin is a primary project. And deconstruction precisely means that we reckon with *différance*, and lend legitimacy to incompletion, postponement, belatedness, and transgression of oppositions. Consequently, the completion of the range of social science terminology of identity, culture and cultural identity with a new, settled definition or term cannot be an aim of deconstruction. The aim, instead of reformulation, is to deconstruct the totalizing, identifying, prescribing and universalizing „essence" of traditional mentality.

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[16] Derrida, *Excerpt from Différance*, p. 3.
[17] Derrida, *„Eating Well," or the Calculation of the Subject*, p. 103.
[18] Bennington/Derrida, *Jacques Derrida. Die Différance*, p. 87.

## Culture in the postmodern context

> „Modernsein ist für den Totalitarismus ein Gebot."
> *(J. Derrida)*[19]

In the context of restructuring postmodernism, strong globalization, the explosive development of communication and technology, radical mobility and migration, and in the age of splitting unities and identities, and the „heterogeneity of elements",[20] the traditional, substantiation-based, modern concepts of culture and identity are no longer able to handle the multipolarity of cultures and at the same time religions, nations, ethnicities, languages and attitudes or issues of transcultural cooperation and consensus. The situation becomes even more difficult due to frontier modification procedures, the ceaseless reshaping of the borders of European countries and regions, the tradition of colonization, and due to the „postmodern colonization" of existing and shaping state federations. As a result of the creation of the European Union and its extension to Central, Eastern, and South-Eastern Europe, as well as its future expansion projects, identity, culture and cultural identity, similarly to issues of transnational and transcultural cooperation – at the meeting point of different cultures, religions, nation states, ethnicities, or language groups – seem to become increasingly radical. The modern, centralized, totalized and substantialist concepts of identity and culture and the traditional concept of cultural identity based on these are no longer valid in postmodernism, which showcases heterogeneity, pluralism, multiplication, variety, the split of unities and identities, fragmentation, the loss of the I, the de-identification (*Ent-identifiziert*),[21] crisis, rootlessness, de-culture, disintegration and lack of origin. Postmodernism is ruled by the crack of „positive knowledge" and the dismantling of major traditional worldviews; and last but not least, the unitary view of the world and self-interpretation becomes impossible. Consequently, postmodernism must inevitably face the operating conceptual systems and the ethical, moral, political and legal systems based on these. The radical deconstruction of a series of concepts with preconceived meaning becomes unavoidable. The conceptual apparatus of modernity seems to become incompatible with the experiences of the postmodern world. This is why Lyotard poses the basic question: the issue of importance is not whether or not modernity must be abandoned, but whether it can be continued at all. Are we able at all to *continue* modernity as „a *mode* of thinking, communication, sensibility"?[22]

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[19] Derrida, *Das andere Kap. Die vertagte Demokratie. Zwei Essays zu Europa*, p. 34.
[20] Lyotard, *The Postmodern Condition: A Report on Knowledge*, p. 24.
[21] Cf. Derrida, *Das andere Kap. Die vertagte Demokratie. Zwei Essays zu Europa*, p. 55.
[22] Lyotard, *A történelem egyetemessége és a kultúrák közötti különbségek*, p. 252.

In a deconstructive approach, the ideas of *différance* and the *trace of traces* model the situation of identity and culture. In Derrida's concept „The trace *is nothing,* it is not an entity, it exceeds the question *What is?*"[23] From a deconstructionist point of view there are no elements, there is no identity, not even self-sameness, there „are" only the traces of traces. This means that there is no element in itself, „in every »element« only the other, »distant« element is »present«."[24] Thus nothing can be exclusively present or distant, but rather only crisscross, since every trace is a trace of a trace, every text bears the traces of other texts, and every signifier refers to a signified different than itself, so none of them are „themselves" enough. Based on all these, it is a legitimate question therefore whether the identity is still identity, or can it only be conceived of as *différance*, as the trace of traces? Similarly: is culture still culture, or can it rather be conceived as *trans-de-culture*, as a *différance* of culture, *dissemiNation*,[25] traces of traces, the deconstruction of culture?

The identity, the subject, the ideal of legitimate subject, the assumption of the I, of the person become problematic issues, and their place is taken by the impossibility of the status of identity and its contradictoriness, de-identification. In Derrida's deconstruction, „identity" and „subject" can be grasped by splitting, *différance*, not with the concepts of being identical with oneself or being present at oneself, but precisely by non-coincidence, non-identity with oneself. There is no „entity" or „id-entity" not encompassed by the movement of *différance*. The status of identity and subject shatters in postmodernism, the pure forms of identity become impossible, there is no identity, nor subject perceived as uniform, but their increasingly abstract status is connected to systems which define or would define „who" or „what" the subject is, what „the identity" comprises, or „who" or „what" it should be. Postmodern theories act offensively against the tradition of unity, against sameness and identity with an inner core, not threatened by heterogeneity.[26]

Culture in turn can no longer be analyzed by traditional modern „categories", due to the emphasis on the „heterogeneity of elements", which become more important. Actually, there is no culture perceivable as uniform and homogeneous, and the issue is not the heterogeneity of homogeneous cultures but much rather the

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[23] Derrida, *Of Grammatology*, p. 134.

[24] Bennington/Derrida, *Jacques Derrida*. *Die Différance*, p. 83.

[25] Cf. Bhabha, *DissemiNation: Time, Narrative and the Margins of Modern Nation*, in: The Location of Culture, pp. 139-170.

[26] Docherty, *Postmodern Characterization: The Ethics of Alterity*. − „which is not traduced by the temporal dimension which threatens that Self with heterogeneity", p. 183.

heterogeneity of heterogeneous *trans-de-cultures*. Derridean deconstruction extends also over the traditional approaches to culture. There is no culture which could be identical with itself, only such which becomes *différant* from „itself".[27] The culture as *„Dekulturalisirung als Dekonstruktion"*[28] can be conceived as *trans-de-cultural différance*. The *de-identification* and *trans-de-culturalization* follows anti-essentialist, anti-substantialist, anti-universalist, anti-constructivist, anti-ethnocentric and de-ideologizing viewpoints.

All these raise the ever more emphatic question whether the traditional concept of cultural identity and the ethical, political and legal procedures built upon it, or any of the ethics, politics, economic policy and law connected to cultural identity correspond to postmodern experiences. Derrida has good reasons to pose the question whether cultural identity is an appropriate word to use today, nowadays.[29] The so-called „cultural identity" from a deconstructionist perspective is conceivable from the direction of *différance* and the traces of traces, which renders invalid the assumption of both a terminological combination and its components. Homi K. Bhabha in his *DissemiNation*, drawing on Derrida, raises the question in the same direction.[30] Identity, culture and cultural identities appear as *différances*, *dissemination* and *the traces of traces*. The unsettling presence, the lack of origin and centre, the being-in-play, the „being" as *différance* and trace, and the postponement of any sedimentation creates a situation which spreads apart the assumed unity, homogeneity and sameness. The cultural and national unity represents the modernist illusion in which the unity of differences and varieties seemed conceivable. However, this assumed unity, sameness, homogeneity, and ideologically coloured illusion strains itself apart from the inside, just like modernity. The formation and emphasis of identity was always important, which is undoubtedly of a cultural origin, but its real nature is its *différance* from „itself".[31]

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[27] Derrida, *Das andere Kap. Die vertagte Demokratie. Zwei Essays zu Europa*, pp. 12-13. − *„Es ist einer Kultur eigen, daß sie nicht mit sich selber identisch is*t. (...), *mit sich* differiert. Es gibt kein Kultur und keine kulturelle Identiät ohne diese Differenz *mit sich selbst.*"

[28] *See* Kleeberg/Langenohl, *Kulturalisierung, Dekulturalisierung*.

[29] Derrida, *ibidem*, „Ist »kulturelle Identität« heutzutage das rechte Wort, ist es das rechte Wort für »heute«, für den heutigen Tag?"

[30] Cf. Bhabha, *DissemiNation: Time, Narrative and the Margins of Modern Nation*, pp. 139-170.

[31] Derrida, *Das andere Kap. Die vertagte Demokratie. Zwei Essays zu Europa*, p. 24. − „Die identifikation im allgemeinen: das heißt die Bildung und die Behauptung einer Identität, die Selbstdarstellung und Selbstvergegenwärigung, die Selbstgegenwart der Identiät (mag es sich um einene nationale, nicht-nationale, um eine kulturelle oder nicht-kulturelle Identität handeln; allerdings ist die identifikation immer kulturellen Ursprungs, sie ist nie natürlicher Herkunft: sie ist ein Sich-in-sich-Ent-äußern, das Mit-sich-Differieren der Natur)."

All these lead to the questioning of cultural identity and the impossibility and splitting of its standard interpretations. No kind of concrete, fixed meaning can be attributed either to identity or culture, or cultural identity. However, despite postmodern experiences, the existing systems build upon traditional modernist concepts, present a universal and totalizing need, as a result of which the recognition of the culture of the other, the so-called multiculturalism is restricted to the culture of the sushi and the Döner kebab, but it may also mean that the construction of cultural dominance, „postmodern colonisation", the expansion of capitalist military hegemony as „humanitarian" strategy or „peacekeeping force"[32] may all happen in the name of multiculturalism. In the analysis of the status of knowledge, Lyotard pointed out how knowledge and information become commodities, goods, merchandise (*a type of informational bits, „products"*).[33] Similarly, the process of becoming a commodity is also valid for culture, as culture also becomes a product of commercial market capitalism, where it appears as market, merchandise, capital and industry in the age of „cultural capitalism",[34] „culture industry" and the techno-politics of capital. The politically ideologically constructed identities and the different cultures appear as new markets and capitals, and the discussion of such questions also happens via a sort of capitalist communication.

In a postmodern context, the crisis of the traditional worldview and metaphysics, the crisis of conceptuality, and in relation to these, the crisis of the concepts of identity and culture, and the crisis of „crisis" become a pre-eminent issue. But is it indeed a *crisis* that we do not have a uniform pattern of identity, or is it precisely a way to display various particular manifestation possibilities? The plurality of language games, the multi-polar heterogeneity of life forms, the lack of universal grammar and pragmatism makes the uniformity of differences both impossible and meaningless; some sort of postmodern „justice" no longer let itself being subordinated to one single model,[35] to one single legitimacy. This kind of „future justice",[36] without „objective law", without norms and criteria, not based on denotative statements and discourses,[37] calls an unclosed, non-prescriptive hyperbolic ethics (*hyperbolischen Ethik*)[38] as the impossibility of the possible or rather the possibility of the impossible.

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[32] Derrida, *Hit és tudás*, p. 84.

[33] Lyotard, *The Postmodern Condition: A Report on Knowledge*, p. 15.

[34] Derrida, *Das andere Kap. Die vertagte Demokratie. Zwei Essay zu Europa*, p. 50.

[35] Lyotard/Thébaud, *Politik des Urteils*, p. 53. „Die Frage der Gerechtigkeit lässt sich für eine Gesellschaft nicht in Bezug auf ein Modell lösen."

[36] Derrida, *Gesetzeskraft. Der »mystische Grund der Autorität«*, p. 56. „die Gerechtlichkeit immer als ein »Zu-kommen«".

[37] Lyotard/Thébaud, *Politik des Urteils*, p. 49. „Befehl sein Berechtigung nicht in einer denotativen Aussage finden kann."

[38] Derrida, *Jahrhundert der Vergebung. Verzeihen ohne Macht: unbedingt und jenseits der Souveränität*, pp. 10-18.

The fact that there is no more compact worldview in postmodernism, „rational politics", „politics as the science of reason", „universal peace", „welfare", and universally correct moral behaviour no longer exist; the splitting and illusoriness of the questions of perfection, perfectibility and „sustainable development" gradually lead to the situation that there is no unitarily accepted ambition either. Therefore every decision must become an object of debate. Absolute heterogeneity produces undecidability; it raises the question of which cultural, national, political, moral, ethical, economic, and power structure, according to its own criteria and legitimacy, will lie at the basis of the so-called debate. The attitudes themselves, the modes of customary consensus must also become a subject of debate and permanent re-discussion, weakening the legitimacy of strict attitudes, since there are increasingly incompatible imperatives standing face to face with each other. And instead of the politics of „rational mind", the „politics of opinions" gains ground.[39] The existence of universalized and globalized systems is strongly questioned, since morals cannot be universalized,[40] there is no homogeneous unity, and not even the unity of varieties. Because of the splitting of unities and homogeneity, there is no unitary system of criteria, interpretation and assessment, there are no meta-rules, no unitary, universal meta-language which may hold together the discourses around the various fragmentations.

Based on these, the questions of communication, interaction, consensus and cooperation become more radical and are also in need of deconstruction. Lyotard rightfully asks the question: to whom or what does communication belong in the context of postmodernism? Who is entitled to tell what can be communicated? What will communication be in fact: manipulation, exchange of information, the freedom of opinion or dialogue? Since there is no unitary system of truth, criteria and interpretation, the conditions of communication and consensus must be re-launched for discussion. Thus, the place of privileged, rigid „truths" is taken by the ongoing debate, the deconstruction of the norms, formalism and technicality of consensus, communication, and cooperation, by the reassessment of the political status of the other and the outsider, of the refugees and emigrants, sovereignty and issues of „biopolitics", and by the „the politics of a »different economy«, or an economy of difference".[41] This also signals that the reality of law, just like the social reality of the subject is an object continuously construed.[42] The question is in fact who are those who have this construing,

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[39] Lyotard/Thébaud, *Politik des Urteils*, p. 130. „Wir müssen also eine Politik der Meinung machen."

[40] Cf. Moebius, *Emmanuel Lévinas' Humanismus des Anderen zwischen Postmoderner Ethik und Ethik der Dekonstruktion*: *Ein Beitrag zu einer Poststrukturalistischen Sozialwissenschaft*, p. 46. – „Moral lässt sich nicht universalisieren".

[41] Docherty, *Postmodern Characterization: The Ethics of Alterity*, p. 184.

[42] Yildiz, *Kritik des Rechtskonstruktivismus der Moderne: Critical Legal Studies und poststrukturalistische Dekonstruktion*, p. 81. – „…zu zeigen, dass die Realität des Rechts genauso wie die soziale Realität von Subjekten in ihrer Lebenspraxis ständig konstituirt wird."

hegemonic and dominating role, or how far is this related to consensus, cooperation, and the postmodern ethics, politics and legal system of *difference*.

### The multiplication of questions

What happens to those discourses of the humanities, politics, ethics and law which presuppose the existence and concept of identity and culture? Inasmuch as neither identity nor culture are valid concepts, how can the hegemonic discourses and the prevalence of institutional frameworks connected to these be demolished? How can institutions, ethical, political, legal or other fields of communication operate without the traditional and established concepts? Or what kinds of „systems" can be associated with „sheaves" rather than concepts, or with a deconstructionist approach? What happens with those branches of the humanities which submit to the idea of unity, and do not reckon with *différance*? This question can also be asked in the opposite direction: what happens with those branches of the humanities which do reckon with *différance*? It seems inevitable for the humanities to reconsider themselves in the spirit of postmodernity, and assert another kind of communicative context or even paradigm. What difference does *différance* make? How far is it necessary to rethink the ethical, political and legal context of the humanities in which the unitary view of identity, culture and cultural identity loses its supremacy? The step forward must be the elaboration of the ethics, politics and legal system of alterity and *différance*, which no longer needs definitive, prescriptive and hegemonic concepts and contexts, but a deconstruction of these, a dynamic context-complex.

Deconstruction point to the traps and unsustainability of concepts and conceptual categories and the systems built thereupon. This way it works not merely as a philosophical theory, but also pursues a politically active role. Deconstruction therefore does not only extend over the humanities and become increasingly legitimate for these, but it also draws attention to the political, ethical and legal aspects of difference. Thus the outlines of the scope of deconstruction articulate the prospects of a *paradigm shift*.

*(Translated by Emese Czintos)*

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