

Diaspora, Law and Literature

Law & Literature



Edited by
Daniela Carpi and Klaus Stierstorfer

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Daniela Carpi

Foreword

Diaspora studies afford a critical perspective on the very visible thematic field of cultural migrancy and on debates about transnationalism and postcoloniality – debates which find a resonance in the resurgent multi-cultural debates.¹

Although the term diaspora often refers to a catastrophic dispersion, we must now extend the strict literal meaning of diaspora to include trade, labour, and cultural diasporas. In fact the discourse on diaspora is intertwined with issues concerning multiculturalism, neocolonialism, and transnationalism under the large umbrella term of Cultural Studies. Multiculturalism, in particular, means at the same time variety and cohesion; it implies deracination from one's homeland and re-contextualization within a new environment, while keeping one's original cultural roots. How to combine the right to keep one's culture with the necessity of adapting oneself to new surroundings? In this sense the term diaspora can also be used as a metaphor: a person may fit into a new country while keeping a diasporic consciousness. In other words diaspora can mean geographic displacement, while at the same time entailing a diasporic sensibility that cannot be suppressed. All this is further complicated by a world economy which is getting more and more transnational.

To some extent global economy has superseded the concept of diaspora, because everybody is part of a widespread economic system that supplants barriers and private interests. In other words the idea of diaspora may slowly fade away and become only a question of cultural memory. But the issue of identity construction within cultural differences still remains. As Robin Cohen points out:

In the postmodern world [...] identities have become de-territorialized and constructed and deconstructed in a flexible and situational way; accordingly, concepts of diaspora had to be radically re-ordered in response to this complexity.²

Whereas traditionally diaspora entailed living in the interstices of a society as a consequence of the global economy we have all become diasporic individuals deprived of the illusion of a fixed identity and cultural role. Even in this sense the term diaspora carries within itself a negative conception of liminality and incompleteness.

1 Samir Dayal, "Diaspora and Double Consciousness," *The Journal of the Midwest Modern Language Association* 29.1 (1996): 46–62, 46.

2 Robin Cohen, *Global Diasporas* (London and New York: Routledge, second ed. 2008): 2.

The discourse of diaspora displaces the obsession with (particularly bourgeois) individual identity and the whole apparatus of normativity that sustains it.³

Global consumerism thrives on cultural hybridities.⁴ Actually, hybridity has always been part of the cultures of the world, thus intrinsically annulling the “myth” of the integrity, purity, and nationality of cultures.

Discourses on diaspora must also take into consideration the concept of human rights. There are some fundamental rights for the individual that go beyond any nationalism and which intrinsically pertain to the individual qua human being. For instance: everybody has a right to life (Section 1, art. 2 of the “European Convention for the Protection of Human Rights and Fundamental Freedoms,” 1953), no one shall be subjected to torture (Art. 3) or shall be held in slavery (Art. 4.1), everyone has the right to liberty and security of person (Art. 5.1), everyone has the right to respect for his private and family life, his home and his correspondence (Art. 8.1), everyone has liberty of religion. These rights must be respected for the sake of the individual in whatever community he/she happens to move. Human rights therefore go beyond the concept of diaspora: the fact is that each individual enjoys these rights wherever he/she ends up living. To some extent, human rights annul the sense of diaspora: you are at home in the world.

At the present time diaspora is therefore a complex issue to confront because its traditional meaning is becoming outdated. What I observe is that the term tends to survive as a metaphor for identity crisis or alienation, as double consciousness or as a problematization of multiculturalism or even as “internal and shifting imbalances of power within Western democracies, and among minorities.”⁵

Consequently, it is necessary to distinguish between the cosmopolitan, the refugee, and the exile: the former does not share the same cultural condition as the latter ones.

Whether or not it is regarded as a phenomenon coextensive with the histories of decolonization, diaspora is admittedly far from providing an adequate ‘explanation’ or account of recent transformations of nation-states.⁶

Some of these questions are dealt with in this volume which represents an insightful addition to an important ongoing debate. Even in a de-territorialized concept of identity the ideas of ‘home’ and ‘homeland’ remain powerful discourses and here the concept of diaspora is set against this linguistic background.

3 Dayal, “Diaspora and Double Consciousness,” 54.

4 See Brian Massumi, *A User's Guide to Capitalism and Schizophrenia: Deviations from Deleuze and Guattari* (Cambridge: MIT P, 1992): 185.

5 Dayal, “Diaspora and Double Consciousness,” 48.

6 Dayal, “Diaspora and Double Consciousness,” 51.

Klaus Stierstorfer

Introduction: Exploring the Interface of Diaspora, Law and Literature

Diaspora has become a central term in the study of the continual, and indeed exponential, rise in global migration and dispersion. The concept has acquired its own inter- and transdisciplinary field of studies which has shown itself as eminently dynamic, vibrant and topical. In fact, diaspora studies can now be considered a widely established research paradigm: Diaspora is canonized by its inclusion in the 'Very Short Introductions' series of Oxford University Press; it has its Reader, and its own journal.¹ While in this recent rise of the field, the early years of diaspora studies show a predominance of the social sciences – with names such as William Safran, Robin Cohen, Avtar Brah or Roger Bru-baker starring that firmament – further disciplines have meanwhile joined the discussion with much verve and enthusiasm. Among these, literary and legal studies have only recently moved towards a more focused consideration of the diaspora paradigm, but now generate a particular interest. This is not only because these two disciplines can contribute valuable insight and new perspectives to the field as much as they are set to draw further enrichment from their engagement with the study of diaspora; law and literature have themselves mutual overlaps and stimulating interrelations, so that an exciting, productive triangulation between diaspora studies, legal studies and literary studies appears on the horizon.

While all three bilateral connections – between diaspora studies and literary studies, between diaspora studies and legal studies and, finally, between law and literature – have each received considerable scholarly attention individually, the innovative claim of the collection of essays presented here is that they actually attempt to ally all three fields in various ways and bring that alliance to scholarly fruition. In this rigidly circumscribed way, the present volume ventures onto new ground. To cast this profile into relief, it will, however, be helpful to recall the existing connections between the disciplines involved.

¹ Kevin Kenny, *Diaspora: A Very Short Introduction* (Oxford: Oxford University Press, 2013); Jana Evans Braziel, Anita Mannur, ed., *Theorizing Diaspora: A Reader* (Oxford: Blackwell Publishing, 2003); Klaus Stierstorfer, Janet Wilson, ed., *The Routledge Reader in Diaspora Studies* (London: Routledge, forthcoming 2016); *Diaspora: A Journal of Transnational Studies*, ed. Khachig Tölölyan (Toronto: University of Toronto Press) 1– (1991–).

The literature of various diasporas has received plentiful attention by literary scholars. Thus, studies of literary works from and about the Indian diaspora total 254 entries in the MLA Bibliography (up to 2015), with such magisterial studies as Vijay Mishra's *The Literature of the Indian Diaspora: Theorizing the Diasporic Imaginary* (2007) among them, and famous authors of Nobel and Booker Prize fame such as V.S. Naipaul or Salman Rushdie to boast of. Vijay Mishra therefore rightly claims that "it may even be argued that it [the literature of the Indian diaspora; K. St.] is one of its [the Indian diaspora's; K. St.] greater accomplishments, as the literature produced is among the best writing in English in the second half of the 20th century and after."² Similar prominence will be attributed to the literature of the African diaspora and of the Chinese diaspora, with many smaller diasporic groups to be added to this list, frequently holding a prominent place in the literatures of both the host cultures and the respective cultures of 'origin.' As the multiplying studies of such diasporic literatures and their importance for identity formation and a host of further issues show, the role of a diaspora's literary output is significant with regard to the image it projects of itself as a diaspora and of the diasporic imagination governing its relations to the culture of origin and the host culture, as well as, possibly, to other diasporas.³

Although legislators, legal practitioners and researchers in legal studies have been aware of the reverberations of global migration and dispersion in their field, the focused consideration of legal studies in and for a diaspora context is only beginning to take shape. Clearly, foundational works such as Seyla Benhabib's seminal monograph *The Rights of Others* (2004)⁴ have been paving the way for a change of perspective, away from consolidating the basis of the law within the framework of the nation state, and towards a more sophisticated, multi-layered approach that could do justice to the numerous individuals and groups within a state who may not feel they belong (ever, or as yet) to the nation. Meanwhile, more work in this direction has been forthcoming, as documented by volumes such as *Migration, Diasporas and Legal Systems in Europe* (2006), edited by Prakash Shah and Werner Menski. Even if this is not (yet) a systematic approach to the legal challenges posed by diaspora and migration, Shah and

2 Vijay Mishra, "Voices from the Diaspora," in *The Encyclopedia of the Indian Diaspora*, ed. Brij V. Lal, Peter Reeves, Rajesh Rai (Honolulu: University of Hawai'i Press, 2006): 120–139, 139.

3 The fact that neither Kevin Kenny in his *Very Short Introduction* nor Braziel and Mannur in their *Reader* so much as mention literature shows that a fair assessment of the contribution of diaspora literature still needs to mature and develop in inter- and transdisciplinary diaspora research.

4 Seyla Benhabib, *The Rights of Others: Aliens, Residents, and Citizens* [2004] (Cambridge: Cambridge University Press, 2007).

Menski have begun to collect case studies and instances of explorative research in various legal fields and in various areas or on various groups in Europe. As Shah and Menski summarize it in their Introduction:

Recent migration trends are a reversal of those that have been dominant for several centuries, [...] when] legal transplantation tended to occur [...] through the export of European legal models to other parts of the world as Europeans carried their cultural and legal baggage with them.⁵

The kind of critical rethinking within the legal discipline to be observed here has a traditional precedent within the interdisciplinary exchange between law and literature. The perception of law and literature as closely allied, if not mutually dependent, goes back in modern times at least as far as Jakob Grimm's much-quoted phrase that law and literature had, as he saw it, "risen from the same bed."⁶ In more recent times, the "law and literature movement" which started in the United States, partly in reaction to the "law and economics"-approach, in the late 1970 s has given this interdisciplinary field a major impetus. Initiated and pioneered by such galleon figures as James Boyd White or Richard Weisberg, the American impact has generated renewed interest in research in many parts of the world. Thomas Sprecher's erudite and massive bibliography can give a first idea of how expansive this highly productive field of research has meanwhile become and what rich traditions it can draw from.⁷ The law and literature approach as an integral, interdisciplinary venture is in so far highly relevant to diaspora studies as it is carried by a keen awareness of the need to 'humanize' the law and adapt it to ever changing social challenges, thereby emphasizing the humanist foundations of law and legal thinking.

With such pairings of the three fields of diaspora, law and literature more or less well institutionalised, the additional benefit of bringing together the three individual disciplines, including their established linkages, becomes immediate-

⁵ Prakash Shah, Werner F. Menski, "Introduction: Migration, Diasporas and Legal Systems in Europe," in *Migration, Diasporas and Legal Systems in Europe*. ed. Shah, Menski (London, New York: Routledge-Cavendish, 2006): 1–12, 1.

⁶ "Dasz 'recht und poesie miteinander aus einem bette aufgestanden waren, hält nicht schwer zu glauben" (Jakob Grimm, "Von der Poesie im Recht," § 2, in *Zeitschrift für die geschichtliche Rechtswissenschaft* 2.1 [1816]: 25–99, 26).

⁷ Thomas Sprecher, *Literatur und Recht. Eine Bibliographie für Leser* (Frankfurt: Vittoria Klostermann, 2011); see also James Boyd White, *The Legal Imagination* (Chicago: University of Chicago Press, 1973); Richard Weisberg, *Poethics and Other Strategies of Law and Literature* (New York and Oxford: Columbia University Press, 1992); for a survey see Guyora Binder, Robert Weisberg, *Literary Criticisms of Law* (Princeton: Princeton University Press, 2000).

ly apparent with intuitive insight. Specifying and pinning down the issues which this tri-disciplinary approach would be best geared to tackle and the answers these engagements might yield is, however, a much harder task which this volume can only begin to embark on. It does so in the various discussions presented in the following, which reach out within the field triangulated by diaspora, law and literature in many productive directions. Roughly, three main aspects can be differentiated in these essays, subdividing the volume in three larger sections. A first set of essays deals with various foundational aspects of the interdisciplinary triangle of diaspora, law and literature. This is followed by a series of case studies in the second part, where individual authors or topics are specifically focused on, before a final collection of contributions opens the vista, so to speak, by looking at issues further afield, using the preceding discussion as a starting point of bringing in further media as well as exploring a broader and more metaphorical use of the concept of diaspora.

Pier Giuseppe Monateri opens the first group of essays in his foundational exploration documenting how political, spatial, religious and literary aspects relate in the emergence of a specifically Western concept of diaspora. He shows how St Paul's letters ended the Jewish diasporic constitution by subverting the traditional concept of the Law as a distinguishing feature of the Jewish diaspora, implementing the tradition of letter writing as a genre specifically geared to this purpose. Riccardo Baldissone follows in this philosophical note by pointing out the duality between individual and society. This he describes as complemented by space as its defining entity, which is where the diasporic element comes in and can be contextualised, historically most lucidly in the concept of the much understudied *ius gentium*. Jeanne Gaakeer takes her departure from Johann Gottfried Herder's *humanitas*-concept, from which she develops a cautionary philosophy of diaspora. Paola Carbone then reflects on the legal principle of 'fair hearing' and sees diasporics in the position to need an 'intercultural hearing'. She argues that the legal principle of the fair hearing in court can provide a pattern on which intercultural dialogue could be established. Peter Schneck starts out from the thesis of a conceptual interdependence between the diasporic and the indigenous subject. He at the same time emphasizes the differences between the two, which are principally strategic and political in negotiating kinds of legal and literary subjectivities which may even result in an antagonistic juxtaposition of the two 'modes of belonging'. Bringing the focus back to literature, Florian Kläger unites literature, law and diaspora by highlighting the reflexivity which is inscribed in all three of them, but he also ferrets out the differences between the three fields by showing how they respectively treat and approach this reflexivity. Finally, Emma Patchett illustrates the ways in which law and literature diaspora studies can bring out the overlap of sometimes contrastive sover-

eighties. Such ‘transjurisdictionalism’ is shown in readings of literature from around the world, set in the Romani diaspora in Europa, the British-Asian diaspora in London and the Aboriginal diaspora in Australia.

In the second part, a series of case studies can at least adumbrate the wealth of ideas and directions which the volume’s themes can combine to develop. Thus, Fabian Wittreck analysis the medieval Lawcode of the Armenian diasporic community in Lemberg and comes to the astonishing conclusion that the law code in question never really functioned as a directory for legal procedures but, more in the sense of literature, as an instrument of diasporic identity. Melanie Williams reads Derek Mahon’s poetry both with a view to the Irish diaspora in America and a more general theme of displacement and its legal reverberations, such as in recent ruling on asylum seekers coming to Ireland. Daniela Carpi approaches the concept of diaspora through the lens of Philip Roth’s novel *Operation Shylock*, which highlights the importance of the Jewish diaspora for the European heritage and the gap the Holocaust has left, advocating a new diasporism as a counterpoint to Zionist understandings. Franziska Quabeck’s reading of Kazuo Ishiguro’s novel *Never Let Me Go* brings out the power of recognition (or the lack of it) of the rights of social groups such as diasporics and migrants: In Ishiguro’s stark allegory, oppressed groups regularly lack the cultural clout to fend for their own, even most basic rights which, by implications, must be read as a loud appeal for the need for protection of such groups in societies. Sidia Fiorato, in her reading of Michael Ondaatje’s novel *Anil’s Ghost*, brings in a nuanced view of the various (self-)constructions of complex diasporic identities, especially pronounced in the law-inspired strategies deployed by Anil who is trained as a forensic anthropologist. Section two then concludes with Nilufer Bharucha’s tour de force of the Indian Diaspora with a focus on the laws faced by and tailored to Indian diasporics; laws to be created for Indian indentured labour after the abolishment of slavery to differentiate it from slavery to the legal changes within India with a view to the Indian diaspora abroad.

In the volume’s last section, some new departures and directions are sketched out. Avtar Brah begins with a reading of Mohsin Hamid’s novel *The Reluctant Fundamentalist* and, based on her findings, profiles citizenship as a central concept connecting law, literature and diaspora, which is then refracted by gender issues and multicultural perspectives. Taking the gender theme in another direction, Janet Wilson considers the utility of queer readings for the topic at hand. She successfully expands the field of diaspora studies by showing remarkable parallels between the politics of sexuality and gender issues on the one hand and the situation of diasporics on the other. In her choice of novels, a further twist is negotiated in so far as both sides, that is, biographies with both queer and diasporic life lines in them, are intertwined. Chiara Battisti adds photogra-

phy as a highly relevant medium for diaspora studies. She analyses short stories by Jhumpa Lahiri and shows how the author uses ekphrastically the frozenness of the photographic picture in depicting the static memory of the diasporics' lost homeland in the past. Leif Dahlberg, finally, scrutinizes Caryl Phillips' short story "Northern Lights" by harking back to Sigmund Freud's analysis on melancholy and the bearing this can have on understanding the diasporic situation. Phillips' use of the elegiac form in his short story helps to frame the diasporic situation of its protagonist and thus hints at possible remedies.

As becomes evident from this roll call of essays reaching out in so many directions, the present volume cannot (yet) pretend to a systematic mapping of the field defined by diaspora, law and literature. Although much has been added, both in further thought and discussion as well as in entire further essays, the volume still quite consciously retains some traces of its germ and origin in a symposium of scholarly *conversazioni* at Villa Vigoni, Italy, in May 2012. It was this open, and in many ways less rigorous format in the beginning that made it possible for scholars from so many disciplines to come together and converge on a common enterprise, encouraging them to cross disciplinary boundaries and embark on a transdisciplinary exploration. The editors are therefore grateful to the German Research Council for funding this initial meeting at Villa Vigoni, and for the continued encouragement and support of Prof. Dr. Immacolata Ammodeo, Generalsekretärin des Deutsch-Italienischen Zentrums für Europäische Exzellenz Villa Vigoni e.V.

Pier Giuseppe Monateri

Diaspora, the West and the Law

The Birth of Christian Literature through the Letters
of Paul as the End of Diaspora

1. Introduction: Back to the Western Diaspora and Beyond

My claim in the following is that we must reappraise the birth of Christianity in diasporic terms: that is to say that we need to use modern results of diaspora studies to reinterpret even the Jewish Diaspora, and to settle her problems properly within the legal and political setting of the Greek cities of the time, through the emergence of new literary genres, as the gospels, and the active use of letter writing, as a kind of stereotyped but evolving genre. In this way, I maintain, we can also critique and investigate the same notion of *diaspora* in its current evolution.

Diaspora has in fact become a central term in the literary debate, from Vèvè Clark to Robin Cohen,¹ Greg Egan,² Kevin Kenny,³ and so many others, but it is especially with reference to the path-breaking works of Vèvè Clark that I want to address this subject in relation to law *and* literature.

Vèvè Clark uses the special label of *Diaspora literacy* to flag the ability to understand and read the multi-layered meanings of stories, words, and other folk sayings within any given community, with a peculiar reference to the African diaspora. These meanings supersede those of “Western or westernized signification.”⁴ They go beyond literal or typical literal interpretation into an

1 Vèvè A. Clark, “Developing Diaspora Literacy: Allusion in Maryse Condé’s ‘hérémaikhonon’” in *Out of the Kumbia: Caribbean Women and Literature*, ed. Carole Boyce Davies, Elaine Savory Fido (Trenton, NJ: Africa World P, 1990): 303–319; Robin Cohen, *Global Diasporas: An Introduction* (London: Routledge, 2001); Robin Cohen, *‘Diaspora’: Beyond the Jewish Experience* (Cape Town: Jacob Gitlin Library, Western Province Zionist Council, 2003).

2 Greg Egan, *Diaspora* (Brno: Návrát, 2005).

3 Kevin Kenny, *Diaspora: A Very Short Introduction* (New York: Oxford UP, 2013).

4 Hortense J. Spillers, *Comparative American Identities: Race, Sex, and Nationality in the Modern Text* (New York: Routledge, 1991): 40–60, 42.

area of folk understanding that could only be recognized by those skilled in such an understanding.

Even if we find in this theory a rather common *academic claim* to own a given field, from which outsiders, not peculiarly trained or initiated in it, are to be taken strictly outside and cease to have a right to speak, what is implied in Clark's discourse on African studies is remarkably linked to a given European theological background, which is of the greatest importance in understanding the Jewish Diaspora and its literary meaning.

Clark's model is, to a large extent, a specification of the theoretical concept of interpretative communities stemming from reader-response criticism promoted by Stanley Fish.⁵ According to this theory a text does not have meaning outside of a set of cultural assumptions regarding both what the characters mean and how they should be interpreted. In this context, I maintain that Fish's theory is but a secularization of the theological debate of the beginning of the twentieth century around the interpretation of early Christian writings, turning, especially by Ernst Käsemann,⁶ the focus of inquiry from the source itself, or the author, to the community receiving a text and interpreting it, by rewriting and transmission, according to their needs and their historical situation. Remembering that gospels, acts, and other writings are typically folk narratives – full with miracles, extraordinary facts, and contradictions – this shift of the focus from author and text to community and reader has had, at its first appearance, mainly a theological impact, more than a mere literary meaning. The role of communities and their communal life in order to read and understand the process of writing and transmission of the sayings of Jesus and the folk stories related to him, played an immense role in reshaping the theological debate on Jesus and his story. In this case, once more, as Northrop Frye suggested,⁷ we find a theological ancestor of a modern critical concept, having a political impact. As Ernest Bormann has argued, a political community first requires the formation of a rhetorical community bound together by shared myths and languages that underscore the uniqueness of the community.⁸

5 Stanley Eugene Fish, *Is There a Text in This Class?: The Authority of Interpretive Communities* (Cambridge, MA: Harvard UP, 1980): 147–174.

6 Ernst Käsemann, *Exegetische Versuche und Besinnungen* 2.2 (Göttingen: Vandenhoeck & Ruprecht, 1964): 82–104.

7 Northrop Frye, *The Anatomy of Criticism* (Princeton, NJ: Princeton UP, 1957): 76

8 Ernest G. Bormann, "Symbolic Convergence: Organizational Communication and Culture," in *Communication and Organizations, an Interpretive Approach*, ed. Linda Putnam, Michael E. Pacanowsky (Beverly Hills, CA: Sage Publications, 1983): 99–122, 100–106; Alastair Iain John-

Diaspora literacy, from this perspective, is precisely based upon several different theoretical concepts. The first concept is that diaspora is the phenomenon and history of a displacement. Secondly, that displaced people come to embrace an awareness and appreciation of the political, cultural, and creative self as something unique in itself and thus not required to conform especially to European aesthetics. The third and final concept is that of signifying, as a literary concept developed by Henry Louis Gates Jr. to underlie the apprehension of dominant stories and the fact of imbuing them with cultural meanings and signs related to the particular diasporic culture of the concerned group.⁹ By receptions and reversals one would then see the creation of a Diasporic literary canon, imbued with a Diasporic language that only a literary examination of the intricacies of the cultures could interpret.

I think that all these concepts are of peculiar interest for studying that unique offspring of the Jewish Diaspora which has been represented by the rise of a different style and content of the early Christian literature precisely along the lines of the new awareness developed by these communities, within the political setting of ancient world cities (*Poleis*), including a deep re-thinking of the entire Jewish tradition. In a way, this theory reproduces precisely the history and phenomenon of the birth of Christianity within the Western Jewish Diaspora, from the start of a new awareness to the real production of a diasporic canon which became the Canon of the Bible. In a way the whole of the theory behind African diaspora studies is the reproduction of the theological upheaval which happened with the birth of Christianity within the Jewish Diaspora, giving us back a new insight on those ancient facts. Thus, modern diaspora studies are changing our perspective on our own European origin, refreshing an understanding of ourselves which derives from the ways others attempt to define themselves superseding European signification. From this standpoint we can see a kind of 'Eliot effect' at work in this field, where the past becomes altered by the present as much as the present is directed by the past. An overall cultural order, which is modified by the introduction of the new (the really new) work of thought. Indeed the studies on Jewish diaspora and the rising of Christianity paved the way to the shift toward the reader as preached by Fish, building up a theory of communities and transmission which served as a basis to Diaspora studies applied to non-European cultures, which now can be used to reappraise and illuminate most of the diasporic roots of European cultures.

son, *Cultural Realism: Strategic Culture and Grand Strategy in Chinese History* (Princeton, NJ: Princeton UP, 1995): 160.

⁹ Henry Louis Gates, *The Signifying Monkey: A Theory of Afro-American Literary Criticism* (New York: Oxford UP, 1988).

Thus what I shall try to do in this chapter is, first, to develop the peculiar diasporic context characterizing in a singular way the Jewish Diaspora in the West. Then I shall try to outline the practical, political and legal problems of these diasporic communities within the institutional arrangement of the Greek polis. Thirdly, I shall analyse the feelings related to this peculiar political and legal situation, in order to appraise the literary response represented by the early Christian writings that developed a new Theology and simultaneously produced a political change in the history of the Diaspora. All this will be done, here, just with reference to Paul's undisputed letters, as the privileged place where this new consciousness was developed to its most obvious conclusions.

2. Diaspora and the Law

Currently the term diaspora has spread essentially as a metaphor, the more and more separated from any particular reference, to designate the same condition of living in a globalized world, with a complete shift from the very idea of being delocalized from a concrete space like Eretz Israel. A real space that can have an ontological meaning, and that gives sense to the same term of diaspora, since a diaspora is possible only in relation to a meaningful place. Today we experience, however, a shift in the sense of diaspora toward the conception of a world in which space has no longer any real significance.

The very fact of being delocalized becomes such a universal condition that since everybody is, no people is immune from it; whereas, I maintain, the term diaspora has a concrete, and *polemic* meaning only insofar part of a community is dislocated, but another part is not. And this term keeps a referential content as long as there is a real space in relation to which you can affirmatively define what it means to be delocalized. In order to keep a proper meaning of the word diaspora, you need to maintain its own geopolitical reference.

From this standpoint, the term diaspora has always been afflicted by a kind of paradox, since it is patently a Greek word adopted also to describe a peculiar historical event in the life of Israel. In this way it has always been a superimposed foreign word, an alien portrait, which assumed an overwhelming national character in relation to the self-portrait of the people of Israel living in exile. According to me the adoption of the Greek term by the diasporic communities displays simultaneously the soft power of the ruling Aryan elites of the time, and the willingness by the dominated to accept this dominance even to define themselves. As such it is ironic that this word became a label for studies directed to self-awareness beyond European signification, when it represented a major ex-

ample of this process of signification attributing to the Jews the category of 'alienness' to plot their history.

And besides the Greek word can mean as well a collective trauma, a banishment, where one dreamed of home but lived in exile, or mere migration, without any nostalgia, as well as it can mean even colonization. No language has ever been more ambiguous than the Greek, which is maybe the main reason for its everlasting charm. But what does it mean from a Jewish perspective to be labeled by a foreign Greek word as diaspora?

Of course the best translation of diaspora is 'dissemination'. But this is a nice word, which has to cover the traumatic aspects of diaspora in the history of Israel. As a nice, and very meaningful, word in literary studies it is important, I think, to follow all the paths it can bring us to, and to open all the links which are allowed by its connotative features, but as long as its denotative plan is concerned I think that first of all this term raises *legal* questions.

Diaspora – as an historical fact affecting Israel – has been the result of the Law of War, and the Law of Nations, and still to-day the status of the Diaspora is highly determined by the Law of Return, and the perennial matter of *Who is a Jew* according to the Law.

Here the Law is dislocating all other meanings, and also feelings. It is enough to change, for instance, the Law of Return to affect the sentiments which are bound to the experience of being disseminated in the world. And it is in relation to Law, I maintain, that we may perceive the multiple meanings of diasporic phenomena even within the unique History of Israel.

As we all know the first diaspora derived from the outcome of the Assyrian War, which destroyed the Northern Kingdom and transplanted most of Judah and Benjamin into Babylonia, certainly not to 'disseminate' them, but to keep them under control in a foreign land, according to a practice of the Assyrian Empire normally adopted toward any conquered enemy. This community received a legal status, and self-maintained itself through the ritual observance of the Law. And it was a decree from the Persian emperor, after the collapse of the Assyrians, which allowed a Persian servant, Nehemia, to re-establish a Palestinian community, raising huge conflicts, especially on property and land possession, with those who remained at home. This legal landscape is crucial to understand Diaspora and the connected events, as these events offered a template for other future efforts to destroy and disseminate Israel. The spatial element here is determined by the East, and henceforth what the Eastern Diaspora means, a widespread community conserving in Babylon a Davidic descendant as its nominal chief, is strictly determined in relation to the space occupied by *Eretz Israel*. Jerusalem was of course *East* for the Greeks, but it was a centre of its own, having an absolute *East*, Babylonia, and an absolute *West*, Athens and then Rome.

This first Diaspora and the Coming Back of many from exile created the intricate problem of who really is Israel: those who were left at home, the people of the land –*Am Ha-Aretz* – or those who came back to re-take the possession of it? A question which became a recurring theme in the history of Israel, and that became a key factor in its own self-definition.

The second Diaspora has been, at the beginning, less traumatic, due to the cosmopolitan era created by Alexander the Great, where a real dissemination of Jews in Greece, and especially in Egypt, took place. This dissemination produced a strong Western Diaspora with very different features in relation to the Eastern one. The Western Diaspora played a pivotal role when the third major traumatic historical event happened: the national disaster of 66–70, the destruction of the Temple, and then the war of 135 CE and the final legal ban of the Jews to inhabit the land of Israel.

This last great Diaspora has thus been the result of a peculiar law, never adopted against any other people by the Romans, representing a real apprehension of the land of Israel by a foreign power, changing the same ontology of all places, to the point that Jerusalem was transformed into Aelia Capitolina, and a great altar dedicated to Jupiter Capitolinus was erected over the ruins of the Temple.

What then becomes crucial, in our current debate, is what happened in the 30 s and the 50 s CE in Jerusalem, but in strict relation with the Western Diaspora: I mean that great antinomian movement of Greek-speaking Jews which is normally known as Christianity, within the context of the imminent outburst of the 60 s. In this span of time not only the Law determined, to a great extent, the nature of the Diaspora, but also the feelings toward the Law determined, after the collapse of the Temple, the historical destiny of a large part of the Diaspora and of the most of Europe. Feelings which have been elaborated by adopting peculiar literary genres as the ‘letters’ and then inventing the new literary genre of the *gospels*. It is precisely the adoption of these genres, operated to unfold a narrative that could give a theological sense to all this political turmoil and reversal that we shall try to outline in the next paragraph.

3. The Canon of Letters and Paul’s Reading Practice

Having seen the different features of multiple diasporas which occurred during the history of Israel, we can now focus on the birth of the first Christian literature, as a body composed at its very beginning by the letters of Paul.

Paul is indeed the best polemic, but as such concrete witness that we have of the Western Diaspora in the crucial moment of the first Christian affirmation. All we can know derives from his letters, dating from the 50 s of the first century, but referring to events – as Paul's own conversion – of approximately only three years after the Crucifixion, when the writing of the gospels was still, at least, 35 years in the future.

To understand Paul's letters properly,¹⁰ we need to know something about the practice of letter-writing in the ancient world,¹¹ quite a common activity in those days. The Hellenistic letter-writing tradition called for certain stereotyped forms. There would be a salutation (*A to B, greetings*) and a wish for the health of the recipient; in the body of the letter there would be much conventional language that sounds stilted to our ears; and at the end there would be a farewell formula (rarely a signature). Paul's letters are part of this tradition. They are genuine letters, not epistles, in the sense of a fictive letter written for publication rather than for mailing. They are written in the standard Koine Greek. In any case we know that they were not written for publication in a book, where they now stand. They were meant to be read aloud to the assembled congregation that Paul addressed. They are a substitute for Paul in person, and they are all addressed to congregations in cities. Organized Christianity from the start was an urban movement characteristic of the Western, Greek-speaking Diaspora, and what, undoubtedly, emerges from these letters is a strong opposition to the Law.

It was Paul's genius to see that Christianity could not survive if it were tied to the Jewish Law: the 613 separate commandments found in the Torah, with all their ramifications through the daily lives of believers and the whole narrative embodying them within the paradigm of *Halakah and Haggadah* (substantially translatable as *Law and Literature*) forming together the body of the writings to be interpreted for legal purposes.

Paul saw not only the practical difficulties caused by requiring gentile converts to submit to circumcision and obey other features of the Jewish Law but also the theoretical confusion that such a requirement would institutionalize. So he challenged the so-called Judaizers directly, and most important of all, he provided something to put in place of the Law through his doctrine of justification by faith, a doctrine he pretended to find not only in the sayings of Jesus

10 The undisputed letters of Paul are: Romans 1–2, Corinthians, Galatians, Philippians 1, Thessalonians and Philemon.

11 For all that follows on letter-writing, cf. John B. Gabel and Charles B. Wheelers, *The Bible as Literature* (Oxford: Oxford UP, 1990): 215.

himself – he cites just a couple of them – but in the Old Testament itself. And all this was achieved through his letters.

Someone, after Paul's death, thought of assembling them and publishing them as a collection. So great was Paul's prestige that imitators quickly followed him, borrowing the form of the Pauline letter and sometimes Paul's name. Thus Paul was responsible – quite unintentionally – for the introduction of a biblical genre, the letter, just as Mark was responsible for introducing the frequently imitated genre of the Gospel.

The key features of narrative, and henceforth of thinking, that we may find in these letters – as is well known – are first of all related to an *expectant waiting* that the world was very soon coming to an end. A reader who misses this point can understand very little else about Paul. This means, of course, the coming end of human history and the irrelevance of any political or ontological discourse and distinction, as the history and the ontology of this world are at an end. This means also something very important about the Law, as the Law was deemed to be the fabric of this world's own ontology, and the distinct problem of the Diaspora. As a well-educated and zealous Jew, Paul was intimately familiar with the Law. As a Christian, however, he was convinced that the Law no longer applied!

After the Coming, so to speak, the world entered a final state of exception, a final struggle between opposite powers, a war, where the Law has been superseded. The Law was meant all along to be only an interim arrangement before the next phase of God's plan unfolded with the coming of Jesus. For those who believe in Christ, the Law has become completely invalid. And they will be saved not for their obedience to a Law which became obsolete in this state of exception, but for their faith.

We must imagine a kind of universal ontological state of exception, when the Law, and its distinctions, also of what is clean and unclean, enter a final state of confusion, when only faith in a new incarnated law, the Christ, can save us from annihilation. The believers will pass through this state of emergency untouched, when all the rest will be dissolved. Faith is a protection, just as the law had been before the present times. The political consequence of this ontology of a cosmic emergency is the end of the distinction between Israel and the nations, as it was based on the acceptance and the practice of a Law which has now ceased to be valid.

The literary device by which this theory is produced in the letters is a peculiar non-interpretative reading of the scriptures.¹² This literary device of Paul is

12 For a definition of *non-interpretivism* as a use of texts which purport to give a sense to it with-

normally called *typological* interpretation as it aims to see in all the text of the Tanakh the signs and traces pre-figuring the advent of the Christ in the person of Jesus. So it is really a matter of signification as a process to produce specifically new and diasporic meanings as an appropriation of the text once it is transplanted from its place of origin into the communities of the West, adopting an alien language to express a text which once was thought to be so rooted in its own physical consistency that the first duty of the Scribes was to count its consonants, in order to be sure that each copy was really a perfect reproduction of the scroll in the Temple.

Paul is, in his own way, lifting passages out of context or combining passages from different sources, laying special significance on arbitrarily chosen words, ignoring the original author's intention. The text is disrupted, deconstructed, used only for its citational and polemic possibilities given that he already knows, by other means, the truth: that Jesus is the Lord, and that the final struggle has begun. It is this knowledge giving him the meaning of the texts allowing a reading of it that does not even tries to be interpretative. In a way this is the paradigm of the circle of legitimation in the process of reading. The text is giving a legitimation to the life and death of Jesus, as long as it is forecasting these events, but now the Advent of Jesus is also giving authority to the text as long as this text is speaking of Him. It could also be seen here the working of a peculiar 'Eliot Effect': the Coming of Jesus has changed our perception of the Tanakh so that the old books receive their meaning from the latest events. And it is this *Eliot Effect* that legitimates Paul's use of an alien blend, the Greek, to build up his *Typological* interpretation of the received authorities for the Diaspora, and in a diasporic setting. The power to speak of Paul derives from his reading of the text, but also the text now maintains a power to speak only insofar it is interpreted in this way.

Following this line of thought we could say that the perceived state of exception is re-produced through the same reading technique which brings us to see it as part of God's plan, as well as the end of the Law – and of its binding rules – is produced by discarding all proper rules of reading. Paul's text is portraying in itself what he pretends is ontologically happening. His letters display a refold of the reading upon itself, mirroring the ontological reversals of the world, while producing, in political terms, the end of Israel; and henceforth the end of the Diaspora and the Greek world as separate entities. A real ontological revolution: If there is no more Israel, there is no more Diaspora, but also there are

out trying to *interpret* it, see Pier Giuseppe Monateri, "'All of this and so much more': Original Intent, Antagonism and Non-Interpretivism," *Global Jurist Frontiers* 1.1 (2001), Art. 1.

no more Gentiles. It is just the existence of an Israel which dislocates such an ontology of the world and its spaces.

We have here a perfect parallel between the reading of the past, the construction of the actual text and the events which it is simultaneously describing and producing. As Paul himself says the *morphè*, the shape of this world, is about to pass, and there will be no more Jews and no more Greeks; and, I add, no more Diaspora.

4. Polis as an Institution and the Antinomian West

As we have seen especially in the writings of Paul peculiarly addressed to the Western Diaspora within the Greek speaking world, Christianity assumed at first the attitude of a movement against the Law, and that mainly against its prescriptions upon 'purity' in relation to food and rituals.

My theory is that this matter of food had an overwhelming importance for public life in a Greek Polis. As we know a Polis is not simply a space with buildings and roads, but a peculiar cultural and legal arrangement of a space. It is not immaterial that the Greek word *Nomos* means at the same time *Law* and *District*. The *Nomos tes Athenes* means the *County of Athens*. *Nomos* is a *legally organized territory*; there can be no Law without a territory. No city is a Polis if it has not a square for public meetings (*agorà*), a gymnasium, and at least one theatre to represent what were anyway deemed to be religious spectacles in honour of the gods. From this standpoint Jerusalem has never been a Polis in Greek terms, since it never had any kind of similar political, cultural and legal space. Moreover a Polis had to have space for many different temples, devoted to city gods, but *also to alien gods* of other communities with which the Polis had *political* relations. It was common practice all over the world of antiquity to share gods to signify an alliance, or the establishment of commerce; and temples were also banks, where valuables could be deposited and transferred from one place to another under the protection of a god.

Within the Polis public life was scheduled according to communal gathering during feasts when meat was served from sacrifices to different deities. Participation in these ceremonies was absolutely binding so as to have a public life, to access public administration, and to exercise any leading social role.

From this standpoint it is clear that ancient Judaism was an immense bar to 'normal life' in a Greek Polis, and besides it was not *understandable* for the

Greek mind.¹³ The Law of Purity barred the Jews from eating food coming from pagan sacrifices, forbidding their participation in public life and public events, impeding their political role in city administration. And especially the practice of having only one Temple, in Jerusalem, and the impossibility to share it with others, opening, for instance, a dependence of it in Athens, as well as the parallel refusal to accept within Jerusalem other temples devoted to alien gods, was felt by the Greeks as a sign of misanthropy, a strong hatred for the rest of the human community¹⁴: Jews were patently enemies of humankind, they despised it, refusing to accept and share common practice, manners, uses and even gods (!) in their social, political, international and religious interactions with other nations.

The clash on these matters was made apparent during the attempt of Antiochus IV Epiphanes to transform Jerusalem into a real Greek Polis with the building of a gymnasium, provoking the Maccabean Revolt. In Christian times the clash on food purity is still witnessed by the Acts,¹⁵ since the Christian Jews refused to share the same table with the Christian Gentiles for purity reasons, so that the primitive Church had to invent the *Deacons* to arrange separate tables and separate food for all the participants. As Erik Peterson already described his study, the mystery of the primitive Church had to be *simultaneously* the Church of the Jews *and* the Gentiles.¹⁶

Now it is clear that the emancipation of the Diaspora from the prescriptions of the Law, as preached by Paul in his letters, was a real liberation for all the early Christian Jews, allowing them to participate in public life, and so to exercise a standard political and administrative influence in the Greek Poleis. From this point of view Paul is very concrete: Jesus makes you free, because He has superseded the Law, and now you may eat whatever you want, and you may even receive at home your pagan friends. In his narrative the Law introduced the sin into the world, because without the Law there is no sin, and no impurity. It is only the law establishing it. It is the Law discriminating between what is clean and what is unclean. As Paul says openly, Jesus is ontologically transforming the world, because there is no more distinction between a Jew and a Gentile.¹⁷

¹³ Peter Schäfer, *Judeophobia: Attitudes Toward the Jews in the Ancient World* (Cambridge, MA: Harvard UP, 1997).

¹⁴ Tacitus, *Histories*, 5, 4–5; see < <http://www.sacred-texts.com/cla/tac/h05000.htm> > (acc. 21 Dec 2015)

¹⁵ Acts 6:1–7.

¹⁶ Erik Peterson and Jacques Maritain, *Il mistero degli ebrei e dei gentili nella Chiesa* (Milano: Edizioni di Comunità, 1946).

¹⁷ Galatians 3:28; Colossians 3:11.

Of course this narrative represents in Paul's letters a major ontological shift, which has not received due attention. For him the Law becomes performative, so that there is no impurity outside the Law. On the contrary for standard Judaism such beasts as snakes or snails are – really, ontologically – unclean; and the Law is there just to advise us: be careful because eating a snake is unclean. The Law is a sign of God's love for his people because the law is true; the world is really full of hazards and evil, and God, giving the Law, is assisting his own people instructing it on how to behave in this world. Paul here – but his use of rhetoric is so marvellous that the point goes quite unnoticed – is entirely changing the relation of the Law to the World, reversing the same distinction between that which is descriptive, and that which is performative in the legal field.

Quite naturally all these reversals and significations made by Paul were felt by many as a suppression of Israel, because if there is no longer any purity distinction, there is no longer any Israel. But certainly for many others Paul's reading was perceived as the possibility to finally live as normal people in a Greek city. It is easy now to understand that all these issues were peculiar to the West and its societal organization, just since there were no Polis in the East.

The issues that we have now sketched were not at stake in the East, where the institution of the Polis was absent. The Community in Babylon, for instance, received its own peculiar legal status, and had not to participate to public meetings or theatre for the simple reason that there were no such meetings and gatherings. So, in a way, and this is one of my peculiar points, it was the overall institution of the Polis, comprising its democratic attitude, the very existence of a political public life, to determine the main problems of the Western Diaspora, and part of its destiny. It was the device of the Polis, dislocating all aspects of life, from athletics to drama, from feasts to assemblies, which made Christianity possible, first of all, in the West.

5. Conclusion: *Being Within and Without* and Diaspora Studies

In the first section we have seen the importance of actual diaspora studies to reappraise the first century Jewish Diaspora through the analysis of the literary genre of Paul's letters. The second section has been devoted to outline how important it is to consider the matters related to Diaspora from the standpoint of the Law and of a Legal Analysis. In this way the third section has analysed the way adopted by Paul in his letters to reinterpret Jewish sources in order to preach, on the basis of the Law itself, an end of the Law. In this paragraph

we have traced a parallel between the theological reading of Paul of the events happened during his lifetime and the theory of the state of exception as the legal theory concerning the suspension and the end of the Law in emergency situations. From this standpoint we have all along considered the issue of the Law, and its prescriptions, as the key factor of the split, within the Western Diaspora, between Christian and traditional groups inside the same diasporic community. In the fourth section we have linked this peculiar event of the Western Diaspora to the same institution of the Greek Polis, conceived as a device dislocating all aspects of private and social public life. A device especially linked to the democratic nature of the Polis, giving room for a public political life absent in other parts of the world.

In this way we have appraised the concurrence of political, spatial, religious and literary factors in the rising of peculiar diasporic concepts in the West, starting from legal rules and legal prescriptions, and the problem of their observance. Our major point is precisely that a Polis is a 'political device' locating spaces and scheduling life, and, as such, moulding Diaspora in the West in a way which was different from other diasporas. Polis has been an overall device.

From this standpoint we must consider that there has always been something totalitarian at the root of Western European democracy, and some cunning link between it, as a political concept, and the city-religion as an all-pervading ideology, concerning all aspects of life, and requiring from free citizens a total acceptance and compliance with shared and accepted standards of behaviour. A kind of societal totalitarianism cohabiting with political freedom, as an enduring feature of the West. Otherwise the democratic polis of Athens would have never sentenced Socrates to death for atheism. And the only official constant title of the Roman Emperors would have never been that of Pontifex Maximus, High Priest.

What is the most remarkable, in relation to the diasporic historical existence, is the extent to which ancient Anti-Judaism, as displayed even by Tacitus and other authors, was rooted precisely in this democratic-totalitarian religious conception of the urban space as a public political space, around which all the world had to be organized. It is the same democratic notion that a political life must be a public life, with public discussions and debates that provoked the problems of the Western Diaspora. A theory of the political so widely shared in the Greek World that Herodotus¹⁸ held that the Persians, the most important Empire of his times, did not have a political existence, since in their form of gov-

¹⁸ Rosaria Vignolo Munson, *Telling Wonders: Ethnographic and Political Discourse in the Work of Herodotus* (Ann Arbor, MI: U of Michigan P, 2001).

ernment everything was decided in private meetings among the members of the inner circle of the Emperor.

Here it becomes essential to conclude by investigating the *literary* aspect produced by the Polis-device and the experience of being a Jew in a Greek city. I think that this situation can be captured using a citation from Francis Scott Fitzgerald's *The Great Gatsby*:¹⁹

I wanted to get out and walk eastward toward the park through the soft twilight, but each time I tried to go I became entangled in some wild, strident argument which pulled me back, as if with ropes, into my chair. [...] I was within and without, simultaneously enchanted and repelled [...].

For me this existential condition of being “simultaneously within and without” is something that can be perceived through Paul's narrative in his letters. The very fact of being “simultaneously enchanted and repelled” by ‘city’ institutions, and simultaneously accepted and excluded by them. A diasporic Jew was within a Polis but without it, not allowed by his own law to participate in communal life, and at the same time he was within Israel, but without its space, its land, Eretz Israel, and, in a way, also, at the same time accepted, but a bit excluded by the ruling elite of Jerusalem.

This fact of living “within and without” is not a matter of being “captured in a threshold”, because no threshold is possible between cleanness and uncleanness, as well as between public life acceptance and its refusal. A Jew in the Western Diaspora was simply both a displaced subject, and someone having to develop the particular consciousness of belonging to two irreconcilable legal and political spaces. A life contended between two diverging *nomoi*: a *double bios*. There is only just one *zoè*, a bare life, but this life is divided between two *ways of life*, two *bioi*.

In these terms Judaism and Hellenism were following opposite ways in defining every aspect of daily life and the peculiar *literary* position of the Diaspora in the West was that of developing the consciousness of being simultaneously within and without. I think that this is the peculiar *literary position* which may have been at the root of the first diasporic Christian communities, mixing memory and desire: the frozen memory of being part of Israel, and the desire of becoming full members of the Polis. A kind of double binding which goes far beyond the concept of being simply displaced, or the idea of dissemination, since it becomes, and reveals, the *nomic* conflict at the root of a particular historical existence.

19 F. Scott Fitzgerald, *The Great Gatsby* [1925] (New York: Scribner, 2004): 35.

The key factor in a diasporic life is perhaps this simultaneity, the experience of contradictory bounds and ties. As Robert Cover has written, a Nomos is a peculiar legally organized space, a world with its own ontology, more than simply its own rules, and, at the very end, we inhabit a Nomos.²⁰ In a diasporic condition we inhabit simultaneously different Nomoi, we experience different ontologies.

Paul, and many other Jews with him, arrived at a moment of decision, to supersede this condition, not through mere assimilation, but through a specifically diasporic attempt to adopt a new *signification* of this world's ontology, one that was not imposed either by the Greek elites or by the Jerusalem ruling class, and that produced something, that eventually has fostered the emergence of a new theology.

In a way the concept of diaspora has to deal with the existence of a double ontology, produced by the coexistence of two different Laws, so that diaspora assumes the meaning of experiencing the juxtaposition of contrasting laws and their ontologies. If one assumes this point of view diaspora becomes the emblem of living in a clash of norms, in a world governed by contrasts. Something that perhaps can explain Walter Benjamin's famous proposition that the exception may become the rule.²¹ Something which displays a parallel between diasporic life and the state of exception.

That is why, I believe, Christianity can be grasped as a product of Western Diaspora, operating, through its own literature, from Letters to Gospels, an ontological rupture of the ancient world with its entities and spatiality, rendering the Greek Polis politically liveable for all the converters.

Paul is keen to emphasize that the distinction between Greeks and Jews has passed. This passage is crucial in his writings for the contention of his urgency that the shape of the actual world is passing. Things, entities are to flow away and a new ontology is about to be established, governing the world in a totally different way and, above all, without any distinction between Israel and the 'nations'; a contention that is simultaneously a liberation, allowing many to inhabit a Greek Nomos, and the end of Israel, which is achieved precisely through the end of the Law, and that of diaspora.

20 Martha Minow, Michael Ryan, Austin Sarat, ed., *Narrative, Violence, and the Law: The Essays of Robert Cover* (Ann Arbor, MI: U of Michigan P, 1992).

21 Walter Benjamin, *Über den Begriff der Geschichte: VIII. geschichtshistorische These* (1940) in: *Gesammelte Schriften* unter Mitwirkung von Theodor W. Adorno und Gershom Scholem, ed. Rolf Tiedemann, Hermann Schwepenhäuser. vols I–VII, suppl. I–III (in 17 vols) (Frankfurt a.M., 1972–1999), vol. I/2: 697.

Of course, the end of Israel is also simultaneously the end of the diaspora. Christianity supersedes diaspora by closing its experience. The New Israel is open to everybody, Gentile or Jew, and has no precise land of reference, nor is it dominated by the Law, but shepherded by Love. The Love of the Lord is ending the historical experience of the Diaspora, as it is blurring away any special distinction of Israel as such, toward a universalism that is not simply assimilation, because it pretends to convert all the pagans to a form of Religion which is the offspring of Judaism. In a way all the world will become Israel, simultaneously with the end of the historical Israel; and indeed the Church will proclaim to be the New Israel in the very fact of being a single body eating the same bread and drinking the same wine, trying to establish, through the birth and affirmation of this body, a new spatiality of the ancient world: a new geography of the *Nomos*.

Riccardo Baldissone

Towards a Grammar of the Multiverse

A Genealogical Reconsideration of Humans, Places and Diasporas

When all the 72 (so goes the story¹) translators of the תנ"ך [Tanakh], or Jewish Bible, decided to render with the same Greek neologism διασπορά [diaspora] five different Hebrew words,² they could not even imagine the tragic success to come of their creative translation. 22 centuries later, in 1991, the introductory article to the first issue of the journal *Diaspora* included in the semantic domain of the homonymous word such terms as immigrant, expatriate, refugee, guest-worker, exile community, overseas community, ethnic community.³ The article was meant to provide the readers with a sort of preface to the new editorial enterprise, and in its closing paragraph, it peremptorily stated: “the chain of analogies that once joined the image of the safely enveloped individual body (the site of unique personal identity) to the homogeneous territorial community (the site of national identity) is no longer plausible.”⁴

I do not want to question the plausibility of this statement. I would rather use it as a symptom of our perception of the relation between humans and places. More precisely, I would like to construct this sentence as a quasi-symptom,⁵ as I will make it say probably more than what its author intended to. For sure,

1 The story of the Greek translation of the Bible called the Septuagint is first attested in the second-century BCE letter of the pseudo-Aristeas. The letter recalls how 72 translators took 72 days to produce a Greek version of the Bible at the request of King Ptolemy II of Egypt.

2 The Seventy probably derived the noun *diaspora* from the verb διασπείρω [diaspeirō], to scatter or spread about. The Greek word *diaspora* was later associated with the Hebrew term גלות [galuth], exile, which is still often misleadingly quoted as the original reference for the Greek translation. See Stéphane Dufoix, “Deconstructing and Reconstructing ‘Diaspora’: A Study in Socio-Historical Semantics,” in *Transnationalism: Diasporas and the Advent of a New (Dis) order*, ed. Eliezer Ben Rafael, Yitzhak Sternberg with Judit Bokser Liwerant, Yosef Gorny (Leiden: Brill, 2009): 47–74.

3 Khachig Tölölyan, “The Nation-State and Its Others: In Lieu of a Preface,” *Diaspora: A Journal of Transnational Studies* 1.1 (1991): 3–7, 4.

4 Tölölyan, “The Nation-State and Its Others,” 7.

5 I proposed elsewhere a quasi-symptomatic hermeneutic approach, which would underline our responsibility in the construction of the new problematic of which the textual material becomes a symptom, as a result of our chosen hermeneutic strategy. See Riccardo Baldissone, “Sovereignty Forever: The Boundaries of Western Medieval and Modern Thought in a Quasi-Symptomatic Reading of Schmitt’s Definition of Sovereignty,” *Polemos* 7.2 (2013): 307–320.

the metaphor of the body as a site that mirrors the bigger site of the communal place has a long history in Western culture.

The parallelism between the citizen and the city structures one of the founding texts of Western thought, Plato's *Republic*.⁶ The ideal government of both the individual and the community is entrusted by Plato to their highest faculty. In particular, he attributes to the λογιστικόν [*logistikon*] or rational soul in the head the control over the other two centres: the Homeric chest-soul θῦμος [*thymos*], which Plato renames as θυμοειδής [*thymoeides*], and the επιθυμητικόν [*epithymetikon*], the desirous soul set in the abdomen.⁷ These three levels of the Platonic soul match the three classes of the Platonic ideal city, the δημιουργοί [*dēmiourgoi*], or producers, the φύλακες [*phylakes*] or soldiers and the ἄρχοντες [*archontes*], or philosopher-kings, who are to rule over the previous two ones.⁸

Christian thinkers restate the metaphorical mirroring of the individual body and the body of the community. Paul first defines the member of the community as a member of the body of Christ,⁹ and then he describes Christ as the head of the body, which is the congregation of the faithful.¹⁰ We may notice that Paul's metaphors put the emphasis on the individual, as it is the community of the faithful that is represented as a (bigger) body. Later on, Augustine turns the earthly city into a pale and insufficient image of the city of god.¹¹

The association of the adjective 'mystical' with the body of the Church emerges in the twelfth-century writings of Peter Lombard. Peter actually uses the Latin word *caro*, flesh, as a metonymy for body.¹² He portrays the Church as a *caro mystica*, a mystical body, both in his theological commentaries and

6 Following Rosenstock-Huessy, we may describe Plato's individual as a *micropolis*, a small city, as compared to the *macropolis*, the big (and actual) city. See Eugen Rosenstock-Huessy, *Lectures on Greek Philosophy* [1956], in Eugen Rosenstock-Huessy, *The Collected Works on DVD* (Essex, VT: Argo Books, 2005).

7 Platon, *Rep.* 5.439d.

8 As to the gender distribution of roles, because Plato acknowledges that natural capacities are distributed (διεσπαρμέναι, *diesparmenai*, a form of the same verb *diaspeirō* from which the Seventy were to derive the word *diaspora*) among human beings, he does not deny to particularly talented women the access to the roles of command. See Platon, *Rep.* 5.455d.

9 1 Cor. 12.12–27.

10 Col. 1.18. As the authenticity of the letter is disputed by many scholars, the metaphorical shift of Christ from body to head could be justified by the change of author.

11 See Augustine, *The City of God against the Pagans*, trans. R. W. Dyson (Cambridge: Cambridge UP, 1998).

12 *Patrologia Latina*, vol. 191, 1642; *Patrologia Latina*, vol. 192, 857; *Petri Lombardi Sententiae*, IV, d. 8, c. 7, 2, ed. PP. Collegii S. Bonaventurae Ad Claras Aquas, vol. II: Liber III et IV, (Grottaferrata 1981), 285.

in his collection of sentences that is to remain the major theology textbook until the sixteenth century.

From the twelfth century on, not only the body of the Church, to which the faithful belong as limbs, becomes a mystical one: more important, the head of the body is identified with the Roman Pontiff as the vicar of Christ.¹³ By analogy, also medieval kings are depicted as the head of the mystical body of their kingdom.¹⁴ The fourteenth-century legal theorists Baldus even describes the city corporation as men (sic) assembled into one mystical body.¹⁵

Renaissance authors revive instead the classical double image by constructing the human body as a reduced mirror image of the world. For example, Jean Bodin works out the well-being of both the individual and the commonwealth precisely as a microcosm and a macrocosm, a small and a big world, mirroring each other.¹⁶

On the contrary, one of the founders of modern politics, Thomas Hobbes, invents the modern state by recovering the medieval mystical body, which he calls Leviathan, in good Biblical fashion. On the frontispiece of the homonymous book, the Leviathan is depicted as a huge body, which is composed of the multitude of the citizens' bodies, and topped with the head of the king.¹⁷

If we reconsider the initial quotation in the light of my previous brief genealogical sketch, we will notice that whilst the classical analogy between the individual and the city linked two ordered multiplicities – the inner multiplicity of the soul and the outer multiplicity of the city – both its Christian and modern recastings rendered the communal term as a homogeneous entity, first as a mystical body and then as the undifferentiated body politic. Moreover, modern the-

¹³ Though the absolute power of the pope is already claimed in the 1075 *Dictatus papae*, the explicit definition of the pope as vicar head of the body of the church appears in pope Boniface VIII's 1302 bull *Unam Sanctam*: "Therefore, of the one and only Church there is one body and one head, not two heads like a monster; that is, Christ and the Vicar of Christ, Peter and the successor of Peter."

¹⁴ In the words of the fourteenth-century jurist Lucas de Penna: "The Prince is the head of the realm, and the realm the body of the Prince. Just as men are joined together spiritually in the spiritual body, the head of which is Christ, so are men joined together morally and politically in the respublica, which is a body the head of which is the Prince." Qtd. in: Ernst Hartwig Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton, N.J.: Princeton UP, 1957): 216.

¹⁵ Baldus, ad C.7.53.5, fol.236r.

¹⁶ Jean Bodin, *De Republica Libri Sex* [Six Books of the Commonwealth] (Parisiis: Apud Iacobum Du-Puys sub signo Samaritanae, 1586): I.I.

¹⁷ Abraham Bosse created the etching for the book's famous frontispiece after lengthy discussion with Hobbes. See Thomas Hobbes, *Leviathan* (London: printed for Andrew Crooke, 1651).

orists even reduced the other term, namely the individual, to an equally homogeneous entity, which was endowed with univocal reason and a conscience.¹⁸

Though this reduction first took place in the texts of seventeenth-century natural philosophers such as Hobbes, Descartes and Leibniz,¹⁹ the modern isolated and self-consistent individual also appeared in legal and literary texts. On the one hand, legal texts translated the theological notion of free will into the full responsibility of the individual subject, who could then be held accountable and punished for his (and even her) behaviour. On the other hand, literary characters, from Bunyan's Pilgrim²⁰ to Defoe's Robinson,²¹ performed the uprooting of the modern individual from his context.

The critique of this modern self-consistent individual slowly emerged in philosophical texts. As a very short summary, we may recall that the philosophical concept of the consistent self was challenged by Hume,²² fluidified, so to speak, by Hegel,²³ refused by Stirner,²⁴ dissolved by Marx into the network of social relations,²⁵ and eventually mocked by Nietzsche.²⁶ And yet, it is in the liter-

18 The last instantiation of Western modern universalism, namely the human subject of the 1948 *Universal Declaration of Human Rights*, is precisely "endowed with reason and conscience" (art. 1).

19 See René Descartes, *Discourse on Method and the Meditations* [1637], trans. F.E. Sutcliffe (London: Penguin, 1968); Gottfried Wilhelm Leibniz, *Monadology: And Other Philosophical Essays* [1720], ed. Paul Schrecker, trans. Anne Martin Schrecker, Paul Schrecker (Indianapolis: Bobbs-Merrill, 1965).

20 See John Bunyan, *The Pilgrim's Progress: From This World to That Which Is to Come Delivered under the Similitude of a Dream* [1678] (London: Lutterworth, 1961).

21 Daniel Defoe's novel *Robinson Crusoe* was originally published in 1719 with the rather explanatory title *The Life and Strange Surprizing Adventures of Robinson Crusoe, of York, Mariner: Who lived Eight and Twenty Years, all alone in an un-inhabited Island on the Coast of America, near the Mouth of the Great River of Oroonoke; Having been cast on Shore by Shipwreck, wherein all the Men perished but himself. With An Account how he was at last as strangely deliver'd by Pirates*.

22 In the introduction to his *Treatise of Human Nature*, Hume sardonically remarks that human beings, "setting aside some metaphysicians [...] are nothing but a bundle or collection of different perceptions, which succeed each other with an inconceivable rapidity, and are in a perpetual flux and movement." David Hume, *A Treatise of Human Nature* [1739–40], ed. P. H. Nidditch, L. A. Selby-Bigge (Oxford: Clarendon P, 2nd ed. 1978), 252.

23 See Georg Wilhelm Friedrich Hegel, *Phenomenology of Spirit* [1807], ed. J. N. Findlay, trans. Arnold V. Miller (Oxford: Clarendon P, 1977).

24 See Max Stirner, *The Ego and Its Own* [1845], ed. David Leopold, rev. trans. Steve Binynton (Cambridge: Cambridge UP, 2000).

25 Young Marx argues in his sixth thesis on Feuerbach that human nature "*in seiner Wirklichkeit ist es das Ensemble der gesellschaftlichen Verhältnisse*." [in its reality is the ensemble of

ary field that Dostoyevsky first gave expression to the inner multiplicity of the self.

Dostoyevsky depicts the endless dialogue between the various parts of the individual self and its resonance within other multiple selves.²⁷ Moreover, in Dostoyevsky's literary characters the acknowledgement of the inner otherness does not exclude the self, which, as it were, does coexist with its other. More precisely, Bakhtin underlines that in each Dostoyevskian character coexist both я и дрыгой [*ya i drugoi*],²⁸ the I and another, which are in continuous communication. Moreover, inner and outer dialogues are intertwined, to the point of being sometimes indistinguishable. This relative indistinction transcends the limits of the modern isolated and self-consistent individual.

Following in Dostoyevsky's footsteps, Freud puts forth an alternative model to the modern self-identical self. He also emphasizes the necessity of an ongoing negotiation between its various psychological components. Nevertheless, as indicated by his personal motto "*wo Es war, soll Ich werden*,"²⁹ where Id was, there Ego shall be, Freud's pluralization of the self does not go too far. In particular, Freud confines the multiplicities that refuse to converge towards a unified will to the field of psychosis, which is a pathological realm that exceeds the reach of psychoanalytical treatment.³⁰

Whilst from then on, more and more philosophical, psychological and literary texts engage with human inner multiplicity, quite often they cannot escape the temptation to make this multiplicity converge towards some kind of unity. This should not be surprising, if we consider, as I tried to show, that such convergence was somewhat prepared by Plato's hierarchical soul; that it found a

human relations], in Karl Marx, Friedrich Engels, *Werke*, ed. Institut für Marxismus-Leninismus beim ZK der SED (Berlin: Dietz, 1969) 3:6.

26 For example, Nietzsche [1887], writes in the *Genealogy of Morals*: "But there is no such substratum, there is no 'being' behind doing, working, becoming; 'the doer' is a mere appanage to the action." Friedrich Nietzsche, *Genealogy of Morals* (New York: Boni and Liveright, 1918): 28.

27 Dostoyevsky first makes emerge the split self as a terrifying *doppelgänger* in Двойник [*Dvoynik*], *The Double*, which appears in print in 1846. In his later novels he lets the various psychological components of the characters interact in a polyphonic dialogue, in the words of Bakhtin.

28 Mikhail Bakhtin, "Toward a Reworking of the Dostoyevsky Book," in *Problems of Dostoyevsky's Poetics*, ed., trans. Caryl Emerson (Minneapolis: U of Minnesota P, 1984): 283–302, 293.

29 Sigmund Freud, "New Introductory Lectures on Psycho-Analysis [1932]," in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, ed., trans. James Strachey (London: Hogarth P, 1964): 22:3–182, 80.

30 Despite his various investigations and hypotheses on the aetiology of psychoses, Freud tellingly describes psychoanalysis' understanding of psychosis as "a glimpse beyond the wall," in "An Autobiographical Study [1924]," in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, ed., trans. James Strachey (London: Hogarth P, 1959): 20:1–74, 61.

theological justification in Christian thought; that it was then construed in theory by early modern thinkers and it was eventually realized in practice through the disciplinary procedures of mass societies,³¹ which spread in both worlds of colonizers and formerly colonized.³²

At this point, we may set the notion of diaspora within such genealogical landscape. By striving to link personal identity with a place, the very idea of diaspora apparently undermines the de-contextualization of the modern individual. However, if my genealogical remarks hold true, in Western thought the human subject has always been construed as a term of a couple, which included as its other term a social entity, be it the Greek city, the Christian community or the modern nation state. Hence, the displacement stigmatized by the claims of diasporas is a confirmation of the traditional coupling, as it were, of small and big subjects.

Rather than questioning the modern individual and state, diasporas instead bring out the role of a third entity, namely place, in the joint construction of individual and social identities. The crucial role played in this joint construction by a specific place appears paradoxically through the loss of this very place, as a result of processes of displacement and dispersion. Hence, we may say that diasporas point to the threefold solidarity between the identities of individuals, communities and places.

I already sketched a very rough genealogical account of the joint production of the identities of individual and collective subjects. I will now attempt to supplement this sketch with a brief narration of the Western production of place.

In Western narrations, the notion of place overlaps with that one of space. Homer deploys the verb *χωρέω* [*chōreō*]³³ to describe a movement of withdrawal,

31 Foucault explores at length the deployment of disciplinary procedures for “the ordering of human multiplicities.” See in particular Michel Foucault, *Discipline and Punish*, trans. Alan Sheridan (New York: Vintage, 1977).

32 The historical contingency of colonization universalized in practice Western concepts and frameworks that were supposed to be universal in theory. Later on, whilst on the one side political and cultural decolonization processes have been provincializing the West, on the other side neo-colonial globalization processes have been universalizing the neoliberal approach, which is deeply rooted in Western conceptual history. The cornerstones of neoliberal ideology, namely the Individual and the Market, would be unthinkable outside of the entity-based theoretical framework that seventeenth-century natural philosophers inherited from twenty centuries of Western speculation. Hence, the relevance of a radical reconsideration of the canonical history of Western thought goes well beyond the Western horizon.

33 See, e.g., Hom. *Il.* 4.505; 12.406; 13.324.

which makes room for another. The (scarce) space left is named with the word χώρη [*chōrē*],³⁴ which also define a (presumably reoccupied) place.³⁵

In the *Theogony* by Hesiod, who is the first Greek alphabetic writer, the notion of space takes shape as a primordial generative character, χάος [*chaos*].³⁶ Though the English word ‘chaos’ is used since the late sixteenth century as the opposite of order,³⁷ Hesiod’s word *chaos* is the result of the nominalization of the action of gaping, which in the previous Homeric epic is rendered with the verb χαίνω [*chainō*].³⁸ Hence, the Hesiodic *chaos* is not the personification of an original condition of disorder, but it is rather a chasm, a wide-opened space.

This use of the word *chaos* is still in place in the sixteenth century, when the English Catholic translators of the 1582 Rheims New Testament choose the English borrowing ‘chaos’ to translate the Latin word *chasma*, which in turn twelve centuries before was used by Jerome to render the Greek word χάσμα [*chasma*], chasm, in *Luke* 16.26.³⁹

In the meantime, after Hesiod the Greek notion of space as a chasm also informs Plato’s recasting of the Homeric word χώρη [*chōrē*], which in the Attic dialect is spelled as χώρα [*chōra*]. The Platonic character Timaeus narrates in the homonymous dialogue a cosmogony where *chōra* plays the fundamental role of a third kind of reality,⁴⁰ alongside immutable and mutable things. *Chōra* is immutable too, but she⁴¹ also contains all born things.⁴² Timaeus calls her “the nurse of becoming.”⁴³

Aristotle moves another decisive step towards the definition of place by putting at work the powerful inquiring tool first used by Socrates, and then by Plato: in the *Physics*, Aristotle both formally asks the fateful question “what is place?”⁴⁴

³⁴ See Hom. *Il.* 16.68; 17.394; 23.521.

³⁵ See Hom. *Il.* 6.516; 23.349.

³⁶ Hesiod, *Theogony*, 116.

³⁷ “They make their volumes no better than [...] a huge Chaos of foule disorder.” Stephen Gosson, *The schoole of abuse, containing a plesaunt inuectiue against poets, pipers, plaiers, iesters and such like caterpillers of a commonwelth* [1579], (London: Shoberl, 1841): 43.

³⁸ See, e.g., Hom. *Il.* 4.182.

³⁹ Full text available at <http://quod.lib.umich.edu/t/rheims/>.

⁴⁰ Platon, *Tim.*, 52a8.

⁴¹ The Greek word *chora* is feminine.

⁴² Platon, *Tim.*, 52b1.

⁴³ Platon, *Tim.*, 52d4–5.

⁴⁴ Aristotle, *Phys.* 209a3. Aristotle uses the word τόπος [*topos*], which is already attested in Herodotus.