

***Oikonomy*: towards the impossible possibility of justice in the context of globalisation**

ABSTRACT

This article explores the concept of *oikos* in the context of the *oikonomy* of globalisation. *Oikos* is understood within the norming and naming of ever-greater households, such as the city and the nation state within globalisation. In this norming and naming the impossible possibility of justice is discovered. Can God's household (God's *oikos*), God's city, be understood as a household that is continuously challenged by the other who is marginal and/or excluded and who knocks on the door of the *oikos* seeking justice and hospitality? This understanding of God's household, the city to come, would challenge our global cities to ever-greater hospitality, truer cosmopolitanism and continuous forgiveness.

1. THE NARRATIVE SETTING OF *OIKONOMY*

This article is a reworked version of a paper presented at the meeting of the Society for Urban Theology from 10-11 July 2007. The theme of the meeting was, "'Oikos': Exploring God's Household in the City". When we use the word "*oikos*" there is some form of nomination, but what does this word nominate? What does it name, what does it describe, what does it refer to? For nomination to be possible there must be a norm. Which norm defines, characterizes and determines the naming (nomination) of *oikos*?

In this article, *oikos* is placed into a very specific context, namely the context of the city, yet "city" is in itself already a nomination as it describes and names something - an urban context. Thus in this article *oikos* nominates something within the context of the nomination of the city and thus the normativisation of the city.

What does *oikos* nominate in the context of the city/*polis*? This meeting took place in Museum Park, so maybe, to be true to the spirit of a museum, one should recall and remember the past: what could *oikos* have nominated in the past? What was the norm of the household in the past? Could we say that the inheritance that hides in the word *oikos* (household) is a father and mother, children, maybe including an extended family and a small income generating activity? Does this idea of the traditional nuclear family belong to the hidden norm of the household that comes to mind when we hear the word "*oikos*" or household? Can this norm of the past still be the norm (the meaning) of the word today?

In the *polis* today, specifically the *polis* within South Africa, what is the norm of the *oikos*? Is there a norm? Is it a statistical norm, which describes the majority of households, or is it a moral norm, which describes how the household should be, or perhaps an ideal norm, which describes the dream of a perfect household?

In the city one finds a great diversity of phenomena that could be described as households, for example: single mothers, multiple partners and children scattered, gay couples

with adopted children, couples without children, singles unemployed with or without children, students living together, transvestites living in communes, homeless, legal or illegal refugees, gangs, syndicates, street children. Within this diversity of households, what is the norm? Is there a norm? Who determines the norm? What would be the criteria to determine the norm of what *oikos* nominates in the urban South African context in the 21st century? This brings me to the main theme of this article: *oiko-nomy* – the norm or *nomos* of the *oikos*.

The word *oikonomy*, has the same root as the word economy. “Economics” is literally the rules or the laws of the household (*oikos-nomos*), the way the house or the family is administrated according to certain norms, rules or laws. What are these norms, rules and laws? Can this question be answered without taking the context of nomination seriously? Can one answer such a question without taking the language seriously in which this nomination takes place? Can one reflect on language without taking the cultural and political context of language seriously? One cannot talk about *oikos* in the abstract as it is always embedded within certain texts. The context of naming and determining (*nomos*) must be taken seriously, as well as the discourses within which this naming takes place, as the dominant discourses will determine the naming and therefore the *norming*.

Firstly, the context of *oikos* has been limited to the city (*polis*) by the theme of the meeting. Can one speak of households without taking the nomination of the city seriously? Urbanization has most certainly influenced the norm of households or one can even say has transformed the norm of households. In a city context things are acceptable (within the norm) that would have been unacceptable (outside the norm) in rural areas and therefore we can rightly say the norms of *oikos* in the urban context are different from the norms of *oikos* in the rural context and therefore the nomination depends on the context. *Oikos* needs to be interpreted within the nomination of the *polis*. The smallest *oikos* (household), traditionally the nuclear family, (whatever that nominates, means, describes, alludes to) can only be understood in the *oikos* of the *polis*, in other words can only be understood within the norms and discourses of the bigger household, namely the city.

Once we have arrived at the household (*oikos*) of the city, what is the *oikonomy* of the city? What are the norms of the city? Are the norms of the city self-determining? The norms of the city are dependent on the national *eco-nomic* policies/norms. The *oikos* of the *polis* (the household of the city) depends on the *oikonomy* of the nation state. There has been so much discussion on the demise of the nation state within the context of the *oikonomy* (in other words the economic nomination) of the global village or the nomination of globalisation, thus one can say that globalisation sets certain norms, rules or even laws that determine the nomination of what *oikos* is. The *oikonomy* (the norms of the household) of the nation-state needs to be interpreted within the *oikonomy* (norms of the household) of global *eco/oiko-nomy* and thus in the context of the norms of globalisation. Who or what nominates in the global world order? Who sets down the norms and who determines the *nomy* of *oikonomy* in the context of globalization? Who determines the norms of the household of the global village?

La Fontaine says: “The strong are always best at proving they’re right” (La Fontaine 1988:23). According to Carl Schmitt only a sovereign power can create and suspend laws/norms (Derrida 2005: xi). Who has the sovereign right to determine the *nomos* of the *oikos*? Who has the power to classify some *oikos* as rogue? Who has the power to divide the world into kosher states and “rogue states”? A “rogue state” is “a state that respects neither its obligations as a state before the law of the world community nor the requirements of international law, a state that flouts the law and scoffs at the constitutional state or state of law” (Derrida 2005: xiii). Who determines these international laws and secondly who interprets them? Who determines the

norms of states within the global village?

We all know that laws need interpretation, as one always comes before the law in the singular and in the particular instance of applicability. Even if the law is presented as universal it always needs to be interpreted in the singular and therefore in a particular context. In Franz Kafka's book "Der Prozess" (The Trial), he tells the story of the man from the country who comes before the law. A man comes to seek the law, the universal law. He comes to seek the general law. He cannot enter the law, because there is a doorkeeper that prevents this man from the country to enter. The doorkeeper says to the man from the country: "*dass er ihm jetzt den Eintritt nicht gewähren könne*" Der Mann überlegt und fragt dann, ob er also später werde eintreten dürfen. >Es ist möglich<, sagt der Türhüter, >jetzt aber nicht< (Kafka 1979:182) The man from the country decides to wait for the opportune time to enter the universal law, which according to him should be accessible to all. "*Solche Schwierigkeiten hat der Mann vom Lande nicht erwartet, das Gesetz soll doch jedem und immer zugänglich sein,*" (Kafka 1979:182). After many years of waiting, the man from the country is old and in his dying moment he asks the doorkeeper one last question: ">Alle streben doch nach dem Gesetz<, sagt der mann, >wie kommt es, daß in den vielen Jahren niemand außer mir Einlaß verlangt hat?< Der Türhüter erkennt, daß der mann schon am Ende ist, und um sein vergehendes Gehör noch zu erreichen, brüllt er ihn an: >Hier konnt niemand sonst Einlaß erhalten, denn dieser Eingang war nur für dich bestimmt. Ich gehe jetzt und schließe ihn.< <<" (Kafka 1979:183).

Kafka in this story, "Before the Law", makes the singularity before the law very clear and that the law always needs interpretation as there is no pure application of the law and no direct access to the law as universal or as absolute. We are always before the law in the singularity of the particular interpretation. Who interprets while pretending to be the guardian of the universal law in the context of determining (nominating) certain states as rogue states? Is it the USA, or maybe to be fair the current Bush Administration, their "right of the strongest," their "law of the jungle [*droit du plus fort*]." Hegemony? Supremacy? A new figure of Empire or imperialism?" (Derrida 2005:xiii).

It is interesting that the political divisions in the USA, with regard to both the internal and external (foreign) policies, are about norms (*oikos-nomos*). The internal political debate is about the norms that define a family (family values). The external political debates are about the norms that define rogue states. The USA's external and internal politics is all about *oikonomy* – the norms of the different forms of *oikos* and the winning party wants to lay down these norms, both internally and internationally. To define national policies and lay down norms for national households is the right of any government of a nation state, but to lay down the norms for other states within the global village is a different matter. They want to determine the *nomy* of *oikos* of the global village. The West dominates the international organizations, such as the United Nation's Security Council, the World Bank, the International Monetary Fund, that have set up for themselves the task of establishing international (universal) norms. Are these organisations together with the global finance markets the new rulers, the New Empire? Negri and Hardt in their book *Empire*, unpack this development (Negri & Hardt 2001).

Thus, if we want to speak about *oikos* and what it nominates we need to do that in the context of globalisation or Empire. If we want to understand what *oikos* nominates we need to do that before the law, in other words, in the context of the one who has taken for themselves the sovereign right to interpret law internationally or globally and therefore we can say absolutely. *Oikos* needs to come before the *oikonomy* of globalisation driven by the international finance markets of global capitalism as interpreted by these international organisations.

The *oikonomy* of the empire classifies certain interpretations of *oikos* (nation states)

as rogue states just as the *oikonomy* of the nation state classifies certain households (*oikos*) as rogue families, which means families/households that do not comply with the law/norm of family as interpreted by the supreme powers. Who determines if homosexual couples are a family (*oikos*/household) and therefore deserve the same rights (economic, social) as any other family?

This metaphor of exclusion can be taken further to include not only states, but families or individuals (immigrants who are seen throughout the empire and its affiliates as rogues or as potential rogues or another term, terrorists). The *nomos* of exclusion or the economy of the empire does not only exclude, but it also destroys the basis of *oikos*, namely the environment – the *ecology*. It is for these reasons that I believe this topic is of great concern for us all as all of us are included (willingly or unwillingly) in its narrative. Should somebody or something absolutise (globalise) the law then we are all before this law, namely the law of the empire. Our understanding of the nomination of *oikos* is before the nomination of the *oikos* of empire and therefore this discussion inevitably will take place before the *nomos*, the law of globalisation or empire.

The main theme of my paper is a question: How to respond to the *oikos* of empire? How to respond to the *oikonomy* of globalisation in the name of justice?

For some it may seem quite clear what the response to the injustice of empire should be, and they do this in the name of justice. The word justice has often been used in churches and ecumenical circles, for example the term eco-justice, but what exactly does justice mean in this context of *oikonomy*?

2. JUSTICE AND *OIKONOMY*

A Greek word for justice is *dikē*, which I would like to interpret as Heidegger does, referring back to Anaximander's understanding of justice as *dikē*: that which allows moments of presence to while away (Caputo 1993:31), "in other words justice is that which understands presence and norms not to be universal and absolute, but temporal and even in the temporality not absolute (there is always still concealment in every un-concealment of presence)" (Meylahn 2005: 753). Injustice is *adikia*, which "results from the stiff-necked persistence of presence, which refuses to go under, to give way to another, to give its place to another" (Caputo 1993:31). According to this definition, any supreme and unquestionable law would be injustice – *adikia*. "*A-dikia* is the refusal to budge on norms to make space for another" (Meylahn 2005:753). Heidegger would describe injustice as there where the authority of an epoch asserts itself as absolute/supreme (Heidegger 1971: 357). "Injustice is thus giving absolute authority to a certain understanding of Being or to an un-concealment (*aletheia*) of a certain presence. Justice thus needs to be understood in the context of the freedom of *a-letheia*, in other words that which makes space for *aletheia*" (Meylahn 2005: 753). To bring Heidegger into dialogue with Kafka, it would mean that injustice is found when somebody assumes to have direct access to the universal (supreme) law by having bypassed the doorkeeper and entered the heart of the law. Injustice is there where we are no longer before the law, but are eluded into believing that we, ourselves, are the law, in other words where the law has become absolute, universal and global.

If one nation state claims for itself the sovereign right to classify, nominate other nation states (*oikos*) as rogue and thus sets up a global norm of *oikos* this would be *adikia* – injustice. If the global capitalist order is the norm of the *oikos* of empire and this norm becomes absolute then this is injustice.

This brings me to the relationship between justice and law: they are a paradox and yet

they need each other. I will come back to this paradox where the opposites need each other – an *aporia* which Derrida discusses at length in an article “Before the law” in *Acts of Literature* (Derrida 1992: 181-220).

3. OPPOSING INJUSTICE AND THE VIOLENCE (*GEWALT*) INHERENT IN LAW

One could respond to the financial economy, which in the context of empire is interpreted as injustice, with a moral economy by appealing to moral norms and dictate certain moral counters to the economic “immorality” of the empire. This is the traditional route taken by most environmental concern groups as they appeal for a form of eco-justice. What they are professing is not justice, but to replace one law with another, namely a financial *nomos* – economy, with a moral-*nomos*, which will eventually influence the financial *nomos* as well. Walter Benjamin in his essay, “Zur Kritik der Gewalt” [Critique of Violence] speaks about this history of norms, history of laws or even history of morals. Benjamin argues that law and violence are intertwined. Benjamin uses the word, *Gewalt*, which means both the authority (enforceability) of law as well as violence. In his essay he analyses the *Gewalt* inherent in law. In the history of laws and norms he identifies two forms of violence (*Gewalt*): firstly, the founding violence, namely violence that institutes and posits law (*die rechtsetzende Gewalt*), and secondly the violence that preserves, maintains, confirms, ensures the permanence and the enforceability of law (*die rechtserhaltende Gewalt*). These two forms of *Gewalt*, according to Benjamin, cannot be separated. Benjamin makes another distinction between the founding violence that makes law, which he calls “mythic”, and the violence that destroys law, which he names the “divine” violence and again these two are related (Benjamin 1986:295). Finally, Benjamin distinguishes between justice (*Gerechtigkeit*) as the principle of divine positing of the end, and power as the principle of mythical positing of law (Benjamin 1986: 277). Law is instituted by violence (mythic power), law is upheld by violence and enforced by violence, therefore it is in the interest of law to have the monopoly of violence to preserve itself (Benjamin 1986:281).

What is the relationship between justice and law? Before one can understand the relationship between justice and law, I need to unpack the relationship between law and violence. The most traditional understanding or interpretation of justice would be to interpret justice as the fulfilment of the law. For a law to be just, one would say it must be enforceable. The enforceability of the law reminds us “that law is always an authorized force, a force that justifies itself or is justified in applying itself, even if this justification may be judged from elsewhere to be unjust or unjustifiable” (Derrida 2002: 233). Derrida goes on to say: “Applicability, “enforceability,” is not an exterior or secondary possibility that may or may not be added as a supplement to law. It is the force essentially implied in the very concept of *justice as law*, of justice as it becomes law, of the law as law” (Derrida 2002: 233). Kant already emphasised this, that the possibility of enforcing is part of the very analytic structure of law (Kant 1991: 134).

“There are, to be sure, laws [*lois*] that are not enforced, but there is no law [*loi*] without enforceability and no applicability or enforceability of the law [*loi*] without force, whether this force be direct or indirect, physical or symbolic, exterior or interior, brutal or subtly discursive – even hermeneutic – coercive or regulative and so forth” (Derrida 2002: 233).

What about justice if the law is unjust? Does one then appeal to a higher law? For example, was discrimination in South Africa under Apartheid unjust? Within the context of the laws of Apartheid it was just, but within the context of a “higher law”, namely human rights, it was

unjust. How high does one go to judge if laws are just? Does one go to some supreme authority? Who is such a supreme authority? How can one be sure that this supreme authority is just? To turn towards a supreme authority opens a whole lot of new problems, for example, whose authority and who decides what is the supreme authority in a global pluralist world where there are numerous supreme authorities (Christianity, Islam, Humanism, Liberalism etc)? To interpret justice as the fulfilment of the supreme law (the highest law) would be highly problematic in a pluralist society, because who will decide what the highest authority is?

How does one judge the difference between this force (*Gewalt*) inherent in law and violence that one deems unjust, for example, how does one determine rogue states? How does one declare war (force, violence, enforceability) on terrorism (violence, force) in the name of justice? It is clear that justice necessarily needs to be related to law for it to be just, but the question is, which law, because the law in order to be law (the essence of law) is violent and violence is not just. Martin Heidegger refers back to Heraclitus when he says that justice (*dikē*) is always in effect also conflict, discord (*eris*) (Heidegger 1993). We can argue that certain laws are more just than others, but how does one determine this justice? Blaise Pascal argues: "Justice, Force – it is right that what is just should be followed; it is necessary that what is strongest should be followed" (Pascal 1961: 470). Pascal is suggesting that what is just must be followed and secondly what is strongest must be followed, but this "what is strongest should be followed" is not necessarily for the same reasons as "what is just should be followed". The one is followed because of justice and the other because of necessity. This does not mean that necessity and justice are the same thing. Pascal argues: "force without justice is tyrannical. Justice without force is gainsaid, because there are always offenders; force without justice is condemned. It is necessary then to combine justice and force; and for this end make what is just strong, or what is strong just" (Pascal 1910:107). He continues and says: "and thus being unable to make what is just strong, we have made what is strong just" (Pascal 1910:104). Justice is in the end about the strongest and about the one who wins.

Montaigne argues that laws are maintained on credit, not because they are just, but because they are laws. This is their mystical foundation. "whosoever obeyeth them because they are just, obeys them not justly the way as he ought" (Montaigne 1933:970). Thus taking Montaigne seriously one can say that the authority of laws depends only on the credit that is granted to them. "One believes in it; that is their only foundation. This act of faith is not an ontological or rational foundation" (Derrida 2002: 240). Montaigne continues and says: "and our law hath, as some say, certain lawful fictions, on which it groundeth the truth of justice" (Montaigne 1933: 482). What can one learn from this? That in every emergence of law and justice, "the instituting, founding and justifying moment of law implies a performative force, that is to say always an interpretative force and a call to faith" (Derrida 2002: 241).

In this context of justice and law, the figure of the greatest criminal is not the one who contravenes laws, because he/she will experience the full enforceability of the law through the legal system of police and courts etc., but it is the one who defies the law by laying bare the violence of the juridical order itself (Benjamin 1986:281). In other words, the greatest criminal is the one who exposes the violence inherent in law. This is essentially what one saw in the "quiet revolutions" of Gandhi and Martin Luther King. They were the greatest criminals because they exposed the violence in the law, by defying the law. The greatest criminals become the state enemy number one, as they pose the greatest threat to the state or empire. Benjamin explains this historical dialectic between law positing violence (mythical power) and law maintaining violence as well as divine violence that destroys law. He uses the example of two types of strike. The proletarian strike, is a legal strike, as every worker has the right to strike, thus a certain

violence within the parameters of legality is used to transform the law (labour conditions), the *nomos* of the *oikos* of the workers. If the demands of the proletariat are not met, the strike can lead to a general strike. The general strike is then declared by the *nomos* of the *oikos* as illegal (Benjamin 1986: 282). This situation proves the two sides of violence in law. “Such a situation is in fact *the only one* that allows us to conceive the homogeneity of law and violence, violence as the exercise of law and law as the exercise of violence” (Derrida 2002: 268). Yet this revolutionary violence, which is the right of the proletariat, is exactly what the state is afraid of as it is a founding violence of a possible new law. This violence of the general strike “belongs in advance to the order of a law that remains to be transformed or founded, even if it may wound our sense of justice” (Benjamin 1986:283). The founding of the new state thus legitimises retrospectively the violence that has offended the sense of justice of the present state of law, namely its future anterior justifies it. There is a moment in this transformation of non-law – a moment of suspense. “It is the moment in which the foundation of law remains suspended in the void or over the abyss, suspended by a pure performative act that would not have to answer to or before anyone” (Derrida 2002: 270). Then a law is again established and enforced. The call for justice is always exposed to two forms of temptation, that of the general political strike and that of the general proletarian strike. The general political strike wants to replace one *oikonomy* (state) with another, whereas the proletarian general strike wants to abolish the *oikonomy* in general (abolish the state), in other words a form of anarchy. Is there another way between the relativism of general political strike and the absolutism of general proletarian strike? Is there a nonfoundational foundation for justice?¹ There is of course another form of absolute besides anarchy and that is the absolute of a transcendental universal law that some (religious or ideological fundamentalists) claim to have access to.

What practice is just in this context? Which law defines justice?

Dikē as I have discussed above can be interpreted as that which makes place for the other. This is something that never happens completely but always incompletely, because absolute hospitality is impossible as there is always somebody excluded and therefore justice as *dikē* will always elude us and will always be ahead of us as there will always be a difference or a *différance*, as somebody (some presence) is still excluded. Justice in this sense is impossible as it is something that will never be and yet it is very much part of legal and ethical systems. One can say that justice is an impossible possibility that continually calls us toward itself.

“One must know that this justice always addresses itself to singularity, to the singularity of the other, despite or even because it pretends to universality. Consequently, never to yield on this point, constantly to maintain a questioning of the origin, grounds and limits of our conceptual, theoretical or normative apparatus surrounding justice – this is, from the point of view of a rigorous deconstruction, anything but neutralization of the interest in justice, an insensitivity towards injustice. On the contrary, it hyperbolically raises the stakes in the demand for justice, the sensitivity to a kind of essential disproportion that must inscribe excess and inadequation in itself” (Derrida 2002: 248).

Justice is a responsibility toward the other who is not included, toward the other who is excluded, marginalized, ostracised, the other who is still concealed, from the laws, norms of the *oikos*, the other who is outside the *oikonomy*. “This responsibility before memory is a responsibility before the very concept of responsibility that regulates the justice and appropriateness of our behaviour, of our theoretical, practical, ethicopolitical decisions” (Derrida 2002: 248).

1 Refer to Derrida’s discussion on the temptations of deconstruction (Derrida 2002: 271).

The possibility of justice lies in the moment when all axioms have been deconstructed, when all credit has been suspended. It is a moment of suspense and anguish without law and thus also without justice, but it is this anguishing moment of suspense which “also opens the interval of spacing in which transformation, even juridicopolitical revolutions, take place” (Derrida 2002: 249). This moment, this called for by justice, is an experience of inadequation or an incalculable disproportion. Justice is a relation to the other, “to the face of the other that commands me, whose infinity I cannot thematize and whose hostage I am” (Derrida 2002: 250) Levinas says: “the relation with the other – that is to, say, justice” (Levinas 1969:89). In another place Levinas defines justice as “the straightforwardness of the welcome made to the face” of the other (Levinas 1969: 82). Levinas argues that the right of the other is an infinite right (Levinas 1990: 98) and thus can never be met. We can never fulfil the demands of justice. It seems to be clear that law and justice are distinct, but if only it was as easy as a straightforward distinction that one can master. But this distinction is not that straightforward, because law always claims to be effective in the name of justice and justice “demands for itself to be established in the name of a law that must be put to work (constituted and applied) by force “enforced”” (Derrida 2002: 251).

4. PAUL’S LAW-GOSPEL PARADOX AS TOWARDS JUSTICE

I would like to bring Paul into the discussion on *oikos*, not so much as a theologian but rather as a philosopher of law and justice. I believe that Paul needs to be liberated from his confessional and ecclesiastical ghetto of doctrinal interest of the Church (Jennings 2006: 1). Paul’s writings in the context of the empire (the Roman Empire) have been robbed of their relevance in the discussion on justice by an overemphasis on the spiritual righteousness of the individual thereby taking away Paul’s powerful political-ethical message about justice in the context of empire. Levinas on this kind of ghetto theology says the following:

“the efficacy of the work is replaced by the magic of faith; the austere God appealing to a humanity capable of Good is overlaid with an infinitely indulgent divinity that consequently lock man within his wickedness and lets loose this wicked but saved man on a disarmed humanity”(Levinas 1990:104). He argues that the monstrosity of Hitlerism could be produced only in an evangelised Europe (Levinas 1990: 161).

I will turn to Paul, but reading him beyond the confines of ecclesiastical institution in as far as this is possible for one who is part of the institution.

The theme in this article is *oikos* in the city. What this article tries to show is that one cannot think of *oikos* without thinking of the *oikonomy* of the empire. The article also grapples with the question of justice in this *oikonomy* of empire. Paul can be of great help here as he also wrote about justice and law in the context of empire.

From Benjamin I discovered that empires and laws can be toppled and history testifies to that, but this is always by violence and that which replaces the Empire is again a new form of violence. It is violence that keeps empires in place and it is violence that topples empires. Within the Empire the basic understanding is that justice (peace *Pax Romana*) is to be found in victory (the monopoly of violence) and this is the very basis of empire thinking. *Pax Romana*, the peace of Rome, is to be found in victory (Crossan 2004: 36-37) – the absolute victory of the empire’s *nomos*. The counter movement seeks victory as much as the empire, believing that in victory there is justice rather than peace. The anti-empire movement will also speak of small victories. Can you fight Rome with Roman principles? The church did eventually win a victory in the Roman

Empire, but was it just? Kierkegaard argues that the victory won by Christianity was Christendom – a new form of institutional violence – the Constantinian *perversion* of the Jewish sect that once lived in little *oikos* communities scattered around the Roman Empire. What can one learn in the *oikos* movement towards eco-justice from these lessons of history? What can one learn from Paul about justice and law? On what law does one base one's response (strike) to the empire? Will the end justify the means, in other words will the new founded *oikonomy* justify the violence, violent or non-violent revolution or foundation of the new? Will the means justify the end, in other words will the relativity of anarchy justify the end, whatever it will be? On what law do the faith based communities, the "*oikos* communities", found their actions in the name of justice?

I will turn to Paul in his letters to the Galatians and Romans. Paul, especially in Galatians, offers a very strong attack on the law. He argues that the Cross of Christ has won the victory over the law. In the crucifixion the relationship between law and justice becomes clear for Paul. Jesus as the Messiah of God is the embodiment of the justice of God. The crucifixion of God's Messiah is central for Paul's thinking about law, gospel and justice (1 Corinthians 2:2).

Often Paul's interpretation of the law has been understood as only the Mosaic Law. For Paul it is very clear that Jesus was crucified and not stoned to death, thus he died by the Roman enforcement of the law and not the Mosaic enforcement of the law, or at least by both enforcements of the law. The Roman "empire maintained its authority through the violence of the cross" (Jennings 2006: 62). Jesus was crucified because he was found guilty of the law (both Mosaic and Empire). We can say he was guilty of the greatest crime if we take Benjamin's understanding of the greatest criminal into consideration, as the one who exposes the law for what it is, namely violent. The crucifixion exposes the inability of the law to bring about justice, which Paul says in Galatians 2:21. The Crucifixion of the Messiah, who is the embodiment of God's justice, exposes the inability of the law to bring about justice. Yet it is also clear to Paul that there can be no justice without the law. Paul in his letters makes that very clear as well, that Christ came to fulfil the law. Christ came to reveal the true intent of the law, the heart of the law, but without the law. The true intent of the law (general or universal law) is justice, but nobody has access to the heart of the law, as the story of Kafka clearly shows. One always remains before the law, one always remains in infinite responsibility towards the heart of the law, which is justice. Levinas would say one always remains responsible to the face of the other. Paul brought in a new dimension in the law justice debate, namely grace. For him grace is the door that leads towards justice, rather than the law. The terms *charis* (grace/favour) and *dôrema* (gift) are "consistently brought into intimate connection in Paul's thoughts in Romans (Romans 3:24). Law cannot bring about justice, but grace as the gift can. Paul says: "they are now made just by divine grace [*charis*] as a gift [*dôrean*]" (Romans 3:24). Grace deconstructs law thereby opening the impossible possibility of justice beyond law.

5. THE GIFT/GRACE AND JUSTICE

Derrida, in *The Force of Law*, says: "It goes without saying that discourses on ...the gift beyond exchange and distribution...are also, through and through, at least oblique discourses on justice" (Derrida 2002: 235). In *Specters of Marx* he says: "The question of justice, the one that always carries beyond the law, is no longer separated, in its necessity or in its aporias, from that of the gift" (Derrida 1994: 26). He continues and says: "Once one has recognized the force and necessity of thinking justice on the basis of the gift..." (Derrida 1994:27). How does grace (gift) bring about justice? Schrag explains that, "A genuine gift will need to issue from an aneconomic region. The

dynamics of the gift comes into view only in the wake of the suspension of the law (*nomos*) of the *oikos*, understood as the rules, regulations, and requirements that govern the organization of the family, the household, the mundanity of the familiar and quotidian practices of everyday life. The gift transgresses law” (Schrag 2002:109) and thus opens up the possibility for something new. It opens up the possibility for a new presence, the other who was not present, and in that sense is just.

What do these thoughts practically mean?

6. PRAXIS TOWARDS JUSTICE

Throughout the Roman Empire Paul instituted small communities, which were alternative communities as they were not under the *oikos* of Caesar, but under the *oikonomy* of the Messiah crucified. These communities were created and lived by grace, liberated from the *oikonomy* of the empire as well as from institutionalised Judaism, and lived in the expectation of the coming of the Messiah (the second coming). These communities were under the Cross, which means liberated from the norms. They were communities of resistance (general strike), yet without founding a new law or a new *oikos* as they await the second coming. These communities were the greatest criminals as they exposed the violence in the norms and laws of the Roman Empire. They lived the proletarian strike (refused to bow to Caesar) in eschatological expectation of the coming kingdom – the founding law of the new *oikos* (kingdom) eschatologically deferred. In a certain sense, these communities existed in that moment of suspense called for by justice and which is beyond law without the founding violence of a new law.

The situation of the Christian communities changed dramatically once they believed that the expected kingdom was realised in the new empire, namely the Christian empire. The situation changed again when Christians believed that the second coming is not as immanent as they thought.

Within this changed context, it becomes impossible for Christian communities not to fall victim of the two temptations spoken of earlier. It is impossible to live in this moment of suspense created by the deconstruction of the law by grace and the founding of a new law, yet it is exactly to this moment of suspense that justice calls the faith communities.

I would like to end by offering practical examples of how this *toward justice* can be lived, but it will always be lived *wounded* (in other words imperfect and always incomplete), in faith-based communities (*oikos*-communities) within the city.

6.1 Radical hospitality

Radical hospitality is to give space to the other and to live in infinite responsibility toward the face of the other. This is impossible because even hospitality functions according to rules and economies and therefore I would rather refer to wounded hospitality. Hospitality as radical inclusivity exposes the exclusivity of empire and therefore radical hospitality would be the greatest criminal of empires, of exclusion and marginalisation. A hospitable *oikos* would be a call for justice in the *oikonomy* of any empire, as it exposes the violence of the law that excludes by including that which is other to the norm, by including the stranger, the orphan and the widow – the marginalised or excluded. I believe that radical hospitality challenges the *oikonomy* of our cities to think creatively about the spaces for foreigners, refugees, homeless and very often the disabled and elderly. Radical hospitality challenges the cities to remember that the city of justice is always still to come and until then the hospitable spaces need continuous revision. The *oikos* of the *polis* needs to continuously be opened up to create room for the other. This is the

impossible possibility of a just city.

6.2 Cosmopolitanism

A world community, an *oikos* where there is neither Greek nor Jew, free or slave, man or woman, and all live in a community striving towards greater justice (*dike*) – where there is infinitely more space for the other, but to offer hospitality to the other is not just to give them space but to allow them to truly become part of the *oikos* and thus change the *oikos*. The “guest” who becomes the host and transforms the *oikos*, transforms the city into a truly cosmopolitan city, where various cultures do not simply co-exist in cultural ghettos.

6.3 Forgiveness

The true gift breaks open the law, the *nomos*, and thus also the economy and by doing this opens *oikonomy* for the possibility of true justice.

7. CONCLUSION

Justice is an impossible possibility that can be perceived as an event opened by grace, (the suspension of law) so that the other can come into presence. In the context of globalisation this would mean the event that is continually hospitable toward the other as the other is invited to the table of decision-making of true democracy. May this calling by the event of grace inspire our actions towards the democracy to come in the global world.

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TREFWOORDE

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