

Augusto Ponzio

For a phenomenological semiotics of law in the time of the other

The semiotics of juridical norms cannot prescind from a phenomenological approach, with reference to its origins, foundations, and sense. This means that law must be considered in relation to time, but not objective time, the time of history, time ordered and partitioned by a theoretical and cognitive point of view. Historical succession only tells us, for example, that the idea of “human rights” is conceived at a certain point in time. However, neither historical succession, nor reference to a generic entity called “man”, or to its universal validity, “in any time”, will allow for recovering sense and stop the rights of others from being excluded from human rights, such that human rights is nothing other than the rights of identity, belonging, safeguard and guarantee concerning interrogation of the I by the other.

A phenomenological semiotics of juridical norms, which from its meaning shifts to the problem of sense, must no doubt deal with time. But this is time that evades the cognitive horizon, time that enters the synchrony of a theoretical abstract subject. This is a question of time as effective diachrony that is constituted in the relation of single to single, face to face. Not thinking the other, or about the other, as the object of knowledge, judgement, but being in thought for the other – this singular other – awaiting the other, absence of the other, all this creates time that is not abstract, that is not reassuring, that cannot be managed or controlled. In this sense Emmanuel Lévinas states that time *is* the other. We must search for the genesis of limitations on responsibility for the other, limitations of the ethical-normative, juridical and political order, similarly to the genesis of rules for safety and for protection and juridical safeguarding of identity and fear of the other, in the interconnection between I and other, in the asymmetry of their relation, in anxiety for others, in being in thought for the other, in fearing for the other, that is, in the time of the other.