

The State and politics in a post-colonial, global order: Reconstruction and criticism of a Levinassian perspective^{*}

Ernst Wolff^{**}

Abstract

The aim of this article is to formulate a credible interpretation of what Levinas' general perspective would have been on the State and politics in the current post-colonial, global order - a context about which he wrote very little explicitly. This will be done in full recognition of the eminent position that the ethics of the face-to-face relation with the other plays in the constitution of the political in his work. A reading of Levinas' interpretation of (aspects of) Lévy-Bruhl's and Lévi-Strauss' ethnographies will serve to gain access to Levinas' most pressing concerns. These are the threats posed to the other by the tendencies of identity totalitarian violence and of indifference in the use of political power. It will be argued that these concerns are to be considered as shaping his philosophical project decisively. Having established this clearly political form of his work, attention will be given more directly to the question of statelessness, understood as the undermining of State sovereignty. From the reconstructed Levinassian perspective, the undermining of State sovereignty would be subject to an ambiguous evaluation. This in turn makes a reconstruction of a Levinassian 'negative political theology' possible. The article concludes with a serious indictment of the implications of Levinas' understanding of just politics and of sovereign power.

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^{**}*Doctorat ès Philosophie* BA(Hons) BD, Associate Professor of Philosophy, University of Pretoria.

1 Introduction: the question concerning responsibility and politics

Today, at least within the sphere of influence of continental philosophy, Emmanuel Levinas is known - loved or despised - for the perspective he developed on the ethical. At the heart of his work is the idea that there is an ethical appeal that emanates from the 'face' of the *other* that affects the *self* in a radical manner. This manner is not ontological, it is ethical, and the subject is constituted in such a way that every part of his or her being is implicitly or explicitly a response to the other, for whom henceforth the subject has to take responsibility. The meaning and sense of all human interaction is ultimately dependent on this asymmetric relation between the self and the other. Levinas often illuminates the dramatic intensity of the ethical constitution of the subject face-to-face with the other by citing a well-known passage from Dostoyevsky: 'We are all guilty before everyone and in the place of everybody for everything, and I more than the others' (Levinas (1982)1992:134-135¹). In at least once interview, Levinas cited the same passage incorrectly as, 'We are all responsible for everything and for everybody and before everybody, and I more than all the others' (Levinas 1982:98²), and his slide from the novelist's 'guilty' to the philosopher's 'responsible' is significant in that it reveals the essence of Levinas' conviction concerning the demanding nature of ethics.

'We are all responsible for everything and for everybody and before everybody, and I more than all the others'. What strikes me as astounding about Levinas' use of these words from Dostoyevsky's pen - in its correct or adapted version - is that the context in which the novelist places these words are never evoked by the philosopher, even when he is citing explicitly from the novel. However, it seems that the contexts in which these words are used can help us to formulate a critical question with which to approach the work of the philosopher who cites them. According to Alexei Karamazov's narration,³ the idea was discovered by a dying young man, Marcel,

¹Levinas' citation corresponds with the 1952 translation in the French *Pléiades* edition of *Les frères Karamazov* (Dostoievski (1881) 1952:310). All translations are my own.

²We know, of course, that Levinas read Russian, but three pages earlier in the same text he explicitly cites the *Pléiades* translation.

³Book VI, chii.a of *The brothers Karamazov*. This is the section to which Levinas refers explicitly when making the citation in (1974)1986:228, and he refers to the specific page number in 1982:95.

(was it the ultimate meaning of life revealed to him, or was it an idea produced in a state of delirium?) and was taken up some years later by his younger brother, Zenob, as exegesis of the catharsis that he underwent when realising the unacceptability of the violence that he had committed against his servant and the futility of violence in general. So powerfully does Zenob realise the validity of this idea that he decides to give up his military career and to become a monk. It is as the starets Zosima, that he is encountered from the beginning of *The Brothers Karamazov*. In book IV, chapter i, Dostoyevsky describes the scene in which the aged and dying starets gives his last teaching and it is here that we encounter the cited idea for the first time in the novel. The place of teaching is not the monastery of the city in which the Karamazovs lived, but the hermitage next to it and the people to whom these teachings are addressed are not citizens (in the first place), but monks and priests. All of them, in other words, have sworn oaths of fidelity to a religious hierarchy and some of them are linked by a special tie of absolute obedience to the starets himself (like Alexei, the author of his biography). It is a community constituted by absolute religious obedience and as such should be considered an a-political, or at least a private, setting. In this context, the teaching about one's guilt for everything and everybody is a teaching of saintliness for people that, although they live in the world, do so as though they do not belong to the world and by not obeying the logic that governs the world. It is a teaching that has its application in the domain of the privation of the political.

From these two episodes in the novel, it would seem that when the idea of universal guilt is taken as valid, it would lead one to take up the frock or, at the very least, to convert to a kind of inner-worldly saintliness. Dostoyevsky's *The brothers Karamazov* has helped me to formulate the question that will inform my approach to the work of Levinas in this essay. Levinas' ethiccity seems to find its origin in a space opened up by the 'privation' of the political; ethics is, first and foremost, *entre nous*,⁴ 'between ourselves', a matter of intimate privacy. However, just when one is about to write off this, what seems at first view, radically a-political philosophy as a contribution to the political issue of 'States of statelessness,' one is confronted with Levinas' claim that it is this intimate ethical privacy that constitutes the essence of the political, of politics and of the State (Levinas (1961)1998:334). If this is the case, what would a Levinassian perspective on the issue of statelessness entail?

⁴As in the title of Levinas' collection of essays (Levinas (1991)).

His procedure - understanding the political and the State from out of the ethical - is not without problems. In the conclusion of this essay it will be argued that Levinas' negligence with regard to the political fibre of ethical action will come back to haunt the very meaning of ethnicity so dear to him (para 6), but before we get to that point, let us leave the world of the intimate conversation between monks in a remote hermitage in a nineteenth century Russian novel, in order to make a case for a quite different perspective on the work of Levinas.

In the first part of this essay, I shall use Levinas' presentation of two ethnographers in an attempt to show that the question of the stakes of international politics (including such contemporary issues as the condition of post-colonial States in a plural world) is his *primary* concern. This could be argued by reflecting on Levinas' short 'post-colonial theory' (para 2). It is from this markedly political perspective, and the concerns that it articulates, that the entire philosophical project of Levinas could be seen to take shape (para 3). Having established these two major points, it could then be argued what a Levinasian perspective on the question of statelessness and sovereignty in post-colonial and other States would look like (para 4) and in what sense one could consider Levinas' philosophy as a political theology (para 5).

2 Levinas as theoretician of the post-colonial condition

In order to establish my line of thought, I take the following citation from *Humanism of the other human being* as an anchor:

The most recent, most audacious and most influential ethnography, maintains on the same level the plurality of cultures. The political work of decolonisation is in this way linked to an ontology - a reflection on being, reflection as interpreted from cultural signification and as multiple and of multiple interpretations. And this multiple-interpretability of the meaning of being, this essential disorientation - is, perhaps, the modern expression of atheism.⁵

⁵*L'ethnographie la plus récente, la plus audacieuse et la plus influente, maintient sur le même plan les cultures multiples. L'œuvre politique de la décolonisation se trouve ainsi rattachée à une ontologie - à une pensée de l'être, interprétée à partir de la signification culturelle, multiple et multivoque. Et cette multivocité du sens de l'être, cette essentielle désorientation - est, peut-être, l'expression moderne de l'athéisme.* (Levinas (1972) 33-34).

The citation comes from the first essay of the book *La signification et le sens* that is implicitly constructed as debate with Merleau-Ponty. For a reading of this debate, see Bernasconi (1990).

Three interrelated terms from this guiding citation deserve examination in order to appreciate the suggestion that Levinas makes here: ethnography, decolonisation, atheism. What is the most recent *ethnography* and what did it, according to Levinas, bring about that is significant? What does the apparent category of personal conviction, namely *atheism*, have to do with politics? What exactly does Levinas claim concerning *decolonisation* as symptom of a regrettable situation of (ontological) disorientation? Let us consider these three questions, starting with ethnography.

It hardly needs to be recalled that when ethnography is evoked, we speak immediately about much more than merely one of the human sciences, since the practice of this discipline is one of the privileged windows on the unfolding of the relation between Europe and its others. Since Levinas concurs with this opinion, albeit in a self-styled Heideggerian way, rather than in the now commonly used (especially) Foucauldian way, we need to examine his statement further.

For reasons that need not be discussed here, it seems that for Levinas there are only two serious contenders for the title of ‘the most recent, most audacious and most influential ethnographer’. The first, that I disqualify, is Lévy-Bruhl, one of Levinas’ early fascinations.

2.1 *Lucien Lévy-Bruhl, or the use of ethnography for ontology and politics*

From his earliest references to Lévy-Bruhl, it is to the notion of ‘participation’ that Levinas’ attention is drawn. Whereas human beings are characterised by an ontological solitude, Lévy-Bruhl’s presentation of ‘participation’ in so-called ‘primitive’ cultures seems to suggest an alternative possibility of existence, namely one in which the subject is not merely directed at the other, but *is* the other. This is for Levinas much more important than what Lévy-Bruhl has to contribute on the apparent pre-logical or mystical character of the ‘primitive mentality’ (Levinas (1947)1998a:22). This participation would entail that, instead of existing in ontological solitude, the subject fuses into a universal ontological monism.⁶

Participation thus denotes an impersonal existence of people. Moreover, according to Lévy-Bruhl, the ‘primitive mentality’ is haunted by a horror before the sacred, since the sacred is exactly this capricious

⁶... dans la mesure où l’expérience de la participation peut être actuelle, elle coïncide avec la fusion extatique. (Levinas (1947)1998a 22)

impersonal flux of events (*il y a*) in which people defencelessly participate. Thus, nothing in the world of the 'primitives' prepares for the appearance of God; the 'primitives' live in the 'absence of God', they live 'before revelation' (Levinas (1947)1998b:99); in other words, 'primitive' existence is atheistic existence, since there is no 'God' that intervenes in the flux of being. Participation, then, is a form of existence in which one is absolutely fused with or diluted into the flux of being,⁷ to such an extent that there is no exit from this identity with being and in which one is completely depersonalised. Any intervention from outside this flux is precluded.

It may seem something of a poor joke to invoke Lévy-Bruhl in the present context. One only needs to turn to the first page of Messay Kebede's *Africa's quest for a philosophy of decolonization* to be reminded that there is '(n)o need to go into fussy research to lay hands on the method used to invent the 'white man' (i.e. the identity of the 'civilized coloniser' as opposed to the 'savage primitive' - EW). All the ingredients are found in the thinker who is universally believed to have codified the colonial discourse, namely Lucien Lévy-Bruhl.' (Kebede 2004:1) However, instead of using the 'knowledge of the other' (i.e. ethnography) to guide the European reader to a 'justified' conception of superiority, Levinas packages a trait of the otherness of the other (namely 'participation') in familiar European parlance - Heideggerian style discourse, to be precise - in order to function as a Trojan horse: once the 'primitive' practice has been Heideggerianised, it can be brought home to be integrated into the summit of Western thought - that of Heidegger, according to Levinas - where the package releases its deadly content: a mirror. The 'primitive' other shows Europe to itself and the image of the 'European mentality' or of the 'modern white primitive,' or whatever you would like to call it, is presented by Levinas as the mentality of participation to a people and a land and a history that was responsible for Nazism and later for its atrocities (Levinas 1934).

What have we gained from this study of Levinas' reading of Lévy-Bruhl?

- First, as for Levinas' methodological strategy, we identify the movement from Heideggerian ontology to ethnography, then back to ontology, that is reinterpreted in an anthropologising manner by means of the ethnography, to expose its political tenure and to

⁷*C'est de sa subjectivité, de son pouvoir d'existence privée que le sujet est dépouillé dans l'horreur. Il est dépersonnalisé.* (Levinas(1947)1998b 100).

criticise a political tendency of which that ontology is a symptom. Levinas refers to this tendency as a 'civilisation that accepts being, the tragic despair that comes with it and the crimes that it justifies' and that it therefore 'deserves the name, barbarian' ((1935)1982:127). I guess that barbarity amongst the 'primitives' can then be identified much more effectively by an inverse procedure, namely by comparing them with the superior barbarity of the modern European.

- Second, as regards the content of Levinas' reading, 'mentality' does not serve to distinguish the cognitive events of 'primitive' peoples from the rationality of 'white, adult, healthy man' (Levinas 1957:49). Rather, a description of the 'primitives' helps us to see something that is potentially at work in *all human beings*. This something is the 'mentality' behind and thus the pre-representational *situatedness* of the representational mind (Levinas 1957:61). (It is the *mentality* behind the *mens* (mind).) In the era in which he wrote, Levinas speculates, this situatedness, this mentality, is one of a fusional experience of society (Levinas 1957:62-63) that, furthermore, 'flatters a nostalgia for outdated and reactionary forms' (Levinas 1957:63). This finds its most salient expression in Heidegger's celebration of rustic life and in the politics of Nazism (Levinas 1967:170-171).

Hence Levinas' question at the end of his 1957 essay on Lévy-Bruhl: 'But is the civilisation that came from monotheism not able to answer to this crisis (of a return to a mentality of participation - EW) - by an orientation that is liberated from the horror of myths, of the disorder that they provoke in the human spirit and the habits of cruelty that they perpetuate?' (Levinas 1957:63). Levinas' socio-cultural diagnosis draws up two opposing visions of what contemporary 'European' culture or civilisation is supposed to be: one is dominated by its monotheistic roots, the other by the horror of atheistic participation; the latter would be characterised by a nostalgia (for a history, a territory, a people, a culture, etc) that leads to cruelty, and the former is questioned about its capability to resist or subvert the latter.

2.2 Claude Lévi-Strauss, decolonisation and indifference

In the first of the only two explicit references that Levinas makes to Lévi-Strauss, the philosopher comments that the 'vision' of Lévi-Strauss 'certainly matches, from a moral point of view, what is called decolonisation and the end of dominant Europe' (Levinas (1987)1996:161). Since

this is one of only three places where Levinas uses the word ‘decolonisation,’ it raises a serious suspicion that Lévi-Strauss is ‘the most recent, most audacious and most influential ethnographer’. The second reference to Lévi-Strauss comes from a philosophico-confessional text⁸ that should be linked to the first reference:

There is still another way in which history could test or threaten the existence of the Jewish people (...) there is an interpretation according to which this existence goes nowhere: all civilizations would be the same. Modern atheism is not the negation of God. It is the absolute indifferentism of *Tristes Tropiques* (of Lévi-Strauss). I think it is the most atheistic, it is the most disoriented and disorientating book that has been written in our time (...).⁹

These cryptic remarks about Lévi-Strauss resonate with the guiding citation, firstly, because of the issue of a non-hierarchical relation between different cultures or civilisations, secondly, through the disorientation that it entails, thirdly, the atheism that it expresses and, fourthly, the politics of decolonisation with which it fits. On the basis of this accord, it could be allowed to interpret ‘history’ in one text with ‘being’ in the other - an equivalence that is commonly used by Levinas since his earliest texts. Hence, the suspicion that Lévi-Strauss is the ethnographer of disorientation is affirmed.

The importance of identifying the culprit exceeds the joy of playing philological sleuth. It enables us to identify what Levinas considers the ontological and political implications of Lévi-Strauss’ ethnography to be. We can elucidate this if we consider the two ways in which Levinas (in the citation above) believes the Jewish people - *and with them all ethical agents* - to be threatened:

- (1) The first consists of being simply drawn along by history and history being its own exclusive judge. History (or being) is for Levinas a *totalising and identity creating force* that allows for no true judgment about the manner in which particularities

⁸The relation between Levinas’ philosophical and confessional writings is a major difficulty in the interpretation of his work. I have argued for the manner in which this relation is to be understood in Wolff (2007b) and the remarks below (para 5) about Levinas’ ‘political theology’ should serve to expand upon this theme.

⁹*Il y a une autre manière encore pour l'histoire de mettre en question l'existence du peuple juif. (...) il existe une interprétation d'après laquelle elle n'irait nulle part: toutes les civilisations se vaudraient. L'athéisme moderne, ce n'est pas la négation de Dieu. C'est l'indifférentisme absolu des Tristes Tropiques. Je pense que c'est le livre le plus athée qu'on ait écrit de nos jours, le livre absolument désorienté et le plus désorientant.* (Levinas (1976) 279-280).

disappear in the universal history. This is the problem of participation again, this time formulated as a historical concept rather than an ethnographic one.

- (2) The implicit ontology of Lévi-Strauss' ethnographical convictions pose a somewhat different problem to ethical agency: it does not destroy the agency by integrating it into a whole, into the flow of an identity-creating force, but by collapsing all judgment or valuation between agents, ie by *indifference*. It is this indifference, to which Levinas refers as a disorientation (in the guiding citation), 'disorientation' being synonymous here with 'atheistic' and, when one takes into account the time at which Levinas wrote this (1964), it is not surprising to see that the political manifestation of this disorientation is seen in the de-occidentalisation of the world, ie in the process of decolonisation.¹⁰

Despite appearances then, Levinas does not at all lament the decline of Europe as global power or of what he calls, 'the formerly uncontested platonic privilege of a continent that considered itself entitled to colonise the world' (Levinas 1976:407). Rather, he seems to condemn this 'entitlement to colonise' in terms that show some similarity with the convictions of Sartre. Sartre's position, so influential on Fanon (Young 2001:18), was that colonialism is a *system*. It is, according to Sartre (1956), a unificatory system in that the significant part of the advantage of the interaction between the colonising State and the colonised regions is concentrated in the colonising country (Sartre 1956:35). From this simple principle the form of existence and the mentality of both the colonisers and the colonised are shaped (Sartre 1956:40, 43), since, as Sartre explains: 'the colonist is created just as much as the native is: he is created by his function and by his interests' (Sartre 1956:43). Levinas would reformulate that the history of colonial power imposes its totalising and identity creating force on those that participate in it.

However, with the demise of colonial power, the colonisers and the liberated colonised find themselves in an equally harmful situation,

¹⁰*Mais la sarabande des cultures innombrables et équivalentes, chacune se justifiant dans son propre contexte, crée un monde, certes, dés-occidentalisé, mais aussi un monde désorienté.* (Levinas (1972) 55)

It should be noted here that the double analysis of the most important figures of political catastrophes, as I have reconstructed them here with the help of Levinas' reading of Lévy-Bruhl and Lévi-Strauss, is also to be found elsewhere in his work. The essay *De la déficience sans souci au sens nouveau* (Levinas (1982)1992:77-89) is an excellent example thereof.

namely, one that reveals the absence of a unitary point of judgement of culturally relative expressions (the place of such a unitary point having been artificially held by the power of the colonising country), and thus an era of indifference is inaugurated. Since during and after the colonies the problem is that of the apparent absence of an instance that does not participate in the normal evolution of human affairs, but that makes judgement possible, one could say in a Platonic-philosophical way, that the current crisis is as much one of the absence of God, ie of atheism, or again of essential disorientation, as the previous. Hence, the desperate attempts to find a God or ultimate point of orientation for cultural and political strategies, for instance, through ethnophilosophies and negritudes. As long as there is no source of evaluation of differences, we should expect this situation to degenerate into indifferent conflict and violence (if we follow Levinas' logic). If this is a valid conclusion to make for the situation in post-colonial States, it is an equally valid conclusion for the relations between all States in the contemporary world.

This, then, is how Levinas' reading of two ethnographers enables us to understand his reading of the post-colonial condition, and at the same time to point out the two major risks for States and of international political relations.

3 From politics to ethics and ontology

Levinas' entire philosophy is motivated by his concern about these two political risks, or even tendencies, that are both clearly present in the post-colonial world, but also elsewhere: the tendency of identity-enforcing totalitarian violence and that of indifferent plurality. Consequently, his philosophical project is aimed at finding the source of a non-totalisable alterity, that he also calls 'infinity', and to find something that is otherwise than the indifferent, multiple cultural renderings of being. These two evidently political concerns could be summarised in the ontological terms 'totality and infinity' and 'otherwise than being'. These two formulas are of course the titles of Levinas' two most important books. The ontological register of the titles and even of the biggest part of the content should not mislead the reader to think that Levinas' ultimate concern is about the verb 'to be', *sein*, *être*, its meaning and its limits. The ontological discourse is in both cases a Trojan horse sent to the European cultural world to release its disruptive content, but since Levinas always utilises ontology to support a universal anthropology, this Trojan horse can be redeployed in all political contexts of totalitarianism or of indifference.

In order to see how this works, we have to return to the notion of *mentality* that Levinas found so useful in the work of Lévy-Bruhl.

As I have argued above, Levinas' major concern is with political events or the threat thereof that causes harm to the other. The origin of those events is not the ideas of philosophers and social scientists - neither those of Heidegger, nor those of Lévi-Strauss. It cannot be since - as has been shown from Levinas' reading of Lévy-Bruhl - the *mens* and its ideas are brought forth and depends on a more original *mentality*.¹¹ Mentality belongs not only to the individual but rather to a group, and it predisposes the members that share the mentality to certain kinds of action. Typical mentalities judged by Levinas are identity totalisation and indifferent pluralism. It is the texts of ethnographers that help to identify those mentalities that often engender harmful action in human beings, but although large scale political catastrophes result from mentality, rather than from ideas, aspects of mentalities can still be enforced by the cultural influence of ideas (such is Levinas' accusation against Heidegger). In the same manner, intellectual support can be given for other/positive possibilities of mentalities and this is the ambition of Levinas. It is not his thought that initiates or grounds the alternative action, rather, his thought identifies and gives intellectual support to an aspect of human 'mentality' (Levinas will say a form of intelligibility) that exists before and independently of the philosopher. Levinas spent his career as philosopher to convince his readers that whatever our mentality might be, it is always already, continuously, and decisively tampered with by the other. This tampering is not in the first place the otherness that consists of a different language, physiognomy, cultural reference, or nationality but rather a tampering by the radical alterity of the ethical imperative coming from the other and that has its origin neither in the subject's position within the totalising force of history, nor in the cultural particularity of the subject.

4 Statelessness and sovereignty

Having expounded the importance and nature of Levinas' political concerns, I would like to bring everything that has been discussed thus far into more direct relation with the problem of statelessness. I use the word 'statelessness' to refer to phenomena and tendencies by which the *sovereignty* of States is undermined. For the purposes

¹¹It should at least be noted that this reading of Lévy-Bruhl is dependent on Levinas' reading of Heidegger.

of presenting what Levinas' position would likely have been on this issue, I shall consider two forms of such undermining of States:

- 1 firstly, the undermining of the State's sovereignty by the illegitimate appropriation or use of State power and/or property, ie personal acquisition by politicians and bureaucrats, in the form of corruption, nepotism, etc, on a scale that defies the State's capacity to respond appropriately to it;
- 2 secondly, State sovereignty as undermined by a myriad of powerful (financial, economic, political, military, etc) players in the globalised world. This latter form of weakening of State sovereignty should be considered in connection with the ostensible formation of effective super-State sovereignty in the exercise of the 'imperialistic' global powers.¹²

This is clearly not the world for which Levinas explicitly wrote. However, from the preceding reflections on his vigilance concerning State violence and indifferent use of power, it might be inferred that his criticism would equally be directed at any power that is unquestioningly constituted, maintained and exercised.

- (1) This would be the case - to start with the internal undermining of State sovereignty - since 'politics left to itself, carries in itself a tyranny' (Levinas (1961)1998:334-335) or, in other words, politics left to its own devices will tend to succumb to drifts of indifference or of totalitarian violence. If this is true, to the extent that he can claim that 'the element of violence in the State, in the hierarchy, appears even when the hierarchy functions perfectly' (Levinas (1962)1994:97), then it seems plausible to derive that Levinas would not be surprised to see the emergence of 'the element of violence' where the State does not function perfectly (ie under conditions that entail the first form of undermining of State sovereignty). A State becoming stateless or decomposing under the weight of its own constituted power or by abuse thereof and turning against (or being coerced into turning against) the interests of its citizens, would not be an unexpected happening for Levinas, in as far as we restrict our consideration to his politics-immanent perspective. Hence, for him, the need for constant questioning of politics, of maintaining the judgement of what is beyond the State, within the State.¹³ It is with this concern in mind that Levinas

¹²The problem statement in Kistner (forthcoming) and Dunn (1990).

¹³The notion of the 'beyond the State' (*l'au-delà de l'Etat*) comes from one of Levinas' confessional writings. However, it seems plausible to derive Levinas'

advocates liberalism as ethical category (as for instance in Levinas 1988:62¹⁴), ie as the form of State that is always capable of improving legislation under motivation by the appeal of the other. This, it seems to me, would have been Levinas' response to the Böckenförde dilemma: true, he would say, the liberal, secular State lives on premises which it cannot itself guarantee, but these premises are derived, and are constantly empowered, from the sphere of the ethical, ie in response to the ethical appeal of the other. Whereas this support for liberalism (understood in the particular ethical manner indicated), then, clearly goes in the direction of supporting the State as guardian of the rights of the other, it does entail a form of ethical decentring or destabilisation of State sovereignty.

- (2) When the second form of the undermining of State sovereignty is considered, a similar pattern of response seems to take shape from a Levinasian perspective. The most obvious rejection of undermining State sovereignty is in the practically omnipresent condemnation of war in Levinas' work.¹⁵ Violent incursions into other States, whatever nature that might be, would not be a surprising event for Levinas; the detail thereof would not be of particular theoretical importance for him either. Furthermore, his ontological interpretation of power-relations would consider the formation of military and economic sovereignties above States as nothing more than a reshuffling or refiguration of power that entails no real qualitative change. But that would not be the end of the story. Levinas explicitly rejects the idea of non-resistance against evil (Levinas 1991:115) and it is for the sake of just resistance that he develops a philosophical apology for the primacy of the ethical: 'In certain cases, in fascism or totalitarianism for instance, the political order of the State may well have to be challenged

philosophical intention from the main idea of this text: 'The "beyond the State" is an era of which Judaism was capable of catching a glimpse without accepting, during the age of States, a State that stands under no law (*un Etat soustrait à la Loi*), without thinking that the State was not a necessary way to follow, even to go towards the "beyond the State"' (Levinas 1982b 209).

¹⁴One should be careful of formulating Levinas' stance in relation to the political tradition of liberalism - on this subject, I allow myself to refer to Wolff (2007) ch 4 and also Bernasconi (2008).

¹⁵However, most characterisation of Levinas' reflection on war is (1) a reflection on the manner in which it undermines ethics, and (2) the insight into ontology that it discloses. For both of these, see the preface of Levinas (1961)1998.

according to the criterion of our ethical responsibility to the other. That is why ethical philosophy should remain first philosophy' (Levinas 1981(1997):137). Therefore, it would be possible to interpret Levinas' position on certain forms of military interventions, international courts, or humanitarian interventions (be they from inside or from outside the borders of the State), as such 'anarchical'¹⁶ infringements on State sovereignty, provided that they are directed for the sake of the other, by the 'beyond the State'.

Let us have a closer look at the 'logic' according to which such questioning of the State for the sake of improving its justice and undermining interventions in State sovereignty are to be conceived.

5 Justice and negative political theology

The biggest part of Levinas' work is an attempt to provide - not a foundation of ethics - but a philosophical apology for the ethical as the imperative emanating from the other and that would have sufficient authority to challenge political power.

For the most part this consists of a phenomenological analysis of the fact of being touched by the tears, the mortality, of the other, of feeling indignation (Levinas would say: having a bad conscience) about the violence committed against the other - in whatever form that might be. Being touched by the suffering of the other is what constitutes ethical agency. More, the birth of subjectivity as such is situated in the fact that I am exposed to the unavoidable, inescapable, infinite imperative from the other: 'thou shalt not kill!' and nobody can obey that commandment in my place. *Just* power, can be constituted in only one place: in the conscience of the subject that realises himself or herself to be obliged to take responsibility for the plurality of others. For Levinas the cradle of just power is the question about justice, namely: 'whom of the number of others deserves to be obeyed in priority?', and therefore the practical answer to this question is the only legitimate source and motor of constituting power. Since the question of justice is political for

¹⁶In an interview, Levinas contrasted the 'hierarchy taught by Athens' with the 'abstract and somewhat anarchical ethical individualism thought by Jerusalem' (Levinas (1962)1994:99). Later in his work the notion of 'an-archy' is bestowed with a distinct meaning that characterises the ethical as of 'non-principled character.' Miguel Abensour's essay *L'an-archie entre métapolitique et politique* (2002) is a good commentary on this notion of Levinas.

Levinas, its main arena of realisation would be the State. It therefore necessarily entails that the constituted power be challenged, not simply by other candidates for holding office, but by the ethical subject that strives to obey the powerless authority of the ethical commandments from the plurality of others. This challenge could take on countless forms, of which the questioning of legislation in the procedures of liberal democracy and the 'anarchical' intervention in States (both referred to in para 4), would be two major examples for the current argument.

In terms that are not Levinas', one should thus say that the power of any State or any political entity or powerful institution whatsoever, is constituted by something that does not belong to the order of power (the order of power being the order of basically the entire reality): this is the mortality of the other. The other as living, hurtable, mortal, but commanding, being is the exception in the powerful totalitarian flux of history and equally the exception to the indifference of the myriad of cultural expressions, since its ethical meaning is a non-cultural-specific universal meaning¹⁷. In Levinas's terms, the mortality or the alterity of the other does not belong to any of these two categories of being (totality or indifference), in fact, it does not belong to being at all. Since it is the instance that intervenes from outside in the flux of history and gives orientation to the disoriented plurality of cultures, it is the voice of God. It is the voice of a God 'that is not contaminated by being' (Levinas (1974) 1986:x). It could thus be claimed that Levinas practises a 'negative political theology,' provided that the meaning of this claim is carefully clarified. It does not mean, as it is too often claimed, that Levinas was a Jewish philosopher, where the adjective 'Jewish' insinuates that his project simply consisted of a kind of philosophical apology for ideas imposed on him by his Jewish faith and with the authority of that religion. Yet, negating this reading of Levinas does not amount to denying any continuity between the Jewish religion, to which Levinas adhered, and his philosophy. Claiming that Levinas practised a 'negative political theology' means that -

1 he embraced the secularisation of his theme of enquiry, namely the ethical¹⁸ - secularisation, in the sense of being detached from

¹⁷As is argued very explicitly in the first chapter of Levinas (1972).

¹⁸That Levinas understands the liberation of people from the bonds with the sacred as condition for ethical interventions in the lives of others, could be guessed from our remarks on this subject in para 2. This point is neatly presented in the essay

- any sanction from the side of religious tradition or authority;¹⁹
- 2 this secularisation, however, entails a ‘becoming-secular’ of the ethical, meaning that the ethical finds its effective transformation into a this-worldly reality, in this case, the political,²⁰ (hence, making this discourse *political*);
 - 3 the secularisation of the ethical plays a role equally central and decisive in Levinas’ thought as the secular political notion of sovereignty does in Schmitt, which can be seen in Levinas’ non-religious claim to find a solution to the ‘crisis of monotheism’ (Levinas 1972:40²¹) (while admitting the death of all onto-theological Gods), by his reflection of the ethical (hence, making this discourse *theological* as in the sense of ‘political theology,’ not in the sense of discourse that formulates a specific religion’s basic notions about God), and
 - 4 despite all his insistence on the importance of translating ethics into politics (Levinas 1981(1997):129 and (1961)1998:334), the political can never capture the full meaning of the ethical (it can never be an exhaustive obedience to the ethical imperative) and thus all attempts to translate the ethical into the political, will always have to be exposed to a criticism, an un-saying, or undoing, under the motivation of the difficult demand of the ethical (hence, making this discourse *negative* as this word is used in the sense of negative theologies).

Sécularisation et faim (Levinas 1976b).

¹⁹This seems to me to be the important *philosophical* point in Levinas’ insistence that his philosophical writings and confessional writings should be read separately: ‘I always make a clear distinction in what I write between the confessional and the philosophical texts. I don’t deny that there could in fact be a source of common inspiration. I only claim that it is necessary to draw a line of demarcation between the two as having distinct methods of exegesis and separate languages’. (Levinas (1981) 1997:126).

²⁰I have been helped to come to this insight by Milisavljević (2006). One would perhaps be tempted to say, on the basis of this point, that Levinas creates no *political* theology, but rather an *ethical* theology. This seems to me to be valid, in as far as the other is considered in the singular (as Levinas does in the largest part of his work). However, it should not be overlooked that the relation to the other is always to the others in the plural, and it is the plurality of the others, that transforms the ethical relation into a political one (Levinas 1981(1997) 129). In this sense, for Levinas, all relations of any subject to all people, is political.

²¹The ‘monotheism’ of Levinas’ philosophy is not simply the God of Judaism, but an entity that would allow him to answer in the positive the question: ‘could one not from an ethics, that would not be the consequence of a simple world vision, formulate such a model of intelligibility that would allow one to think God outside of onto-theo-logy?’ (Levinas (1993) 157).

It is by means of this negative political theology that Levinas attempts to sustain the 'place' (that is no territory), from which the imperative (that is no law) and authority (that is no power) emanating from the other (that is not necessarily a citizen) reinvigorates, inspires, legitimises, but also criticises, condemns and attacks the State and politics. The historical form of liberal democracy is, for Levinas, an important, perhaps the most important figure of how this happens.

6 Conclusion: Whose justice? Whose sovereignty?

It should not be surprising that such an advocacy of the fate of the fragile draws people's attention. However, I need to come back to the notion of 'sovereignty' evoked in the previous section and attributed to the ethical.

Let us consider once more: What, for Levinas, constitutes a just State? It is the infinite imperative emanating from the mortality of the other, and to which every subject has to respond, he would say. Whereas, for Hobbes, the State takes form under the limitation of the mutual antagonisms between people, Levinas sees the formation of the State as the situation in which my infinite ethical obligation towards the other is limited,²² where the infinite appeal of one other is interrupted by that of a third and in that manner relieves me of the immediate, absolute submission to the other, and where I become a citizen (implied in Levinas (1974)1986:247 and 1991:115).

But in fact, the constituter of political power, the one that has to make decisions and take action, is the subject that, touched by the appeal of the other, has to decide about the priority of the different, valid appeals made to him/her by the others. The power that challenges any reign is thus only indirectly the powerless authority of the appeal of the other, and directly the subjects that, under pressure of a plurality of infinite appeals, have to figure out for themselves how best to serve the interests of the others, without anybody that could replace them in this daunting task. Furthermore,

²²It is extremely important to know if society in the usual sense of the word is the result of a limitation of the principle that man is a wolf for man, or if, on the contrary, it results for the limitation of the principle that man exists for man'. Levinas (1982) 7-75. In a similar passage Levinas replaces 'society' with 'the egalitarian State' ((1974)1986:248-9), which justifies my use of his remark in the context above.

On the subject of the relation between Hobbes and Levinas, see Abensour (1998a and 1998b).

this task is forever re-enforced by the authority of the ethical appeals of the others to *infinite* obligation, ie it demands that one gives oneself up for the sake of the others.²³ The subjects might find themselves surrounded by forms of constituted power - constitutions, laws, institutions, officials, armies, borders, etc - but all of these belong to the order of being, ie to the domain that will inevitably tend to violent and indifferent degeneration. There is no other choice for the Levinassian subject than to continuously question and challenge these, by whatever means such a subject deems fit. And if the appropriate means of challenging constituted power seems to the subject to be to overthrow it, then so be it. In this sense, the sovereignty of political power resides ultimately in every individual subject: it is constituted by the authority of the ethical appeals of the other *as they are understood, prioritised and given effect by the subject*. Every subject is the ultimate guardian of the legislative, judicial and executive powers of the State. Yet, the question of whether the subject is suitably equipped for this task is of no concern for Levinas. That is why he is, in my reading,²⁴ the philosophical spokesperson of those most ambiguous of political role players: suicide bombers, kamikaze pilots, martyrs, terrorists, saints ... All of these are political agents that attempt to act as the ultimate guardian of justice, of course not in their own name, but always in the name of the other.

This unfortunate implication of Levinas' understanding of the constitution of the State and of just politics should be considered part of the meaning of the ethical, that he so tirelessly examined and advocated. In a Levinassian world, we are at the mercy of people whose ultimate allegiance is not to the State, but to a private domain of responsibility for the others. 'We are all responsible for everything and for everybody and before everybody, and I more than all the others'. But Levinas does not seem to realise what fruit this conviction might bear. He would have done well to take seriously, not only the saintliness of Alexei Karamazov, but also the realism of his brother Ivan.

²³I have argued elsewhere that Levinas' idea of the limitation of the infinite obligation of the ethical imperative of one other by that of other others, is simply an invalid argument (Wolff (2007) 377-378).

²⁴Developed elsewhere in detail (Wolff (2007) 397-399).