

## WHY READ *WHY ETHICS*?

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**Robert Gibbs. *Why Ethics?: Signs Of Responsibilities*. Princeton: Princeton University Press, 2000. 400 pp.**

How to begin? I am in the pleasurable situation of having read the manuscript of *Why Ethics? Signs of Responsibilities* (in an earlier and even longer version) before it was published. Even before I read this manuscript, however, Bob and I were in conversation about a number of its questions, terms, and “pre- texts.” To begin, therefore, is already to recognize a preceding “reading” and conversation. Rather than beginning for the first time to respond to Bob and his remarkable work in *Why Ethics?*, today I continue our conversation, or perhaps I begin it again. I will begin again, however, by returning to some old issues, problems and texts that Bob and I have read both together and differently. Thus, I will not today either summarize or attempt to explicate the overall structure of this both challenging and accessible book. Nor will I dwell on the relation between its distinct typographical form and the function of commentary, both Bob’s commentary and his text’s invitation to further commentary by its readers.

I will, instead, begin at the end of *Why Ethics?*, with part IV, entitled “Repenting History,” which contains the chapters “Why Repent?”, “Why

Confess?", "Why Forgive?", and "Why Remember?" Indeed I will begin with the epilogue: "Postmodern Jewish Philosophy and Modernity," and read backwards, thus repeating the gesture of commentary itself running through *Why Ethics?* Beginning at the end seems appropriate for repentance and the question of redemptive or messianic historiography. (Indeed, one may wonder whether reading retrospectively is not a "Jewish" mode of reading that opens the strictly "philosophical" discourse otherwise.)

In his epilogue, Bob notes:

This book arose in a specific moment, a moment identified often enough as the postmodern. While postmodern in many contexts is an invention to address a crisis for modernist aesthetics or Cartesian subjectivity or the dreams of progress, for Jewish thought postmodern must mean post-Holocaust, often the Nazi destruction of European Jewry, often the Shoah. For over fifty years, the Jewish community has been struggling with what it means to survive and what Jewish witness to the world can now mean. In more recent years, intellectuals have much more vigorously explored the limitations of memory in relation to our survival... If there is an ethical response to our survival, it requires an exorbitant reorientation of ethics . . . For our postmodern moment the negotiation with the past is distinctly different from the modern philosopher's approach. Not only is the past not forced into a progressive sequence leading to this moment, but it also cannot be rejected or superseded. The importance of the last part of the book [on "Repenting History"] reaches to the heart of what it means to write philosophy in relation to our history.

It is here then with the question of the task of writing philosophy in relation to our history, in this postmodern, post-Holocaust moment, that I will begin. First I will briefly explicate what I understand to be Bob's views on repentance and historiography. I will then explain where I question or differ from Bob on this subject and why. Finally, I shall return to the topic of commentary, change, and history.

In chapter 16, "Why Forgive?", Bob writes:

If we now focus not on the repenter or the confessing person, but on the past that is made into my past, that I respond for, we can also see that

repentance has an unusual effect upon the past. It does not merely produce new attributions of responsibility... Rather, the past itself is changed as past. It is also not merely the representation of the past, making the past event now become part of the present. No, the past is changed...This susceptibility of the past to my resignification is a startling but important aspect of this ethics... Repentance is capable of opening the past for reinterpretation. But that repair of signs will then ultimately depend on the other person's forgiving me. (333)

From the outset, let me say that I agree with this last statement – that the “repair of signs will...ultimately depend on the other person's” forgiveness. However, my concern is that this forgiveness by the other person risks elision in the changing of the past as past. Here, I might sound like Max Horkheimer (and Theodor Adorno) in his “debate” with Walter Benjamin on the status of the past in historiography, that Bob stages so well in this chapter (341–45). And, indeed, I share his concerns. However, the opposition between Horkheimer and Benjamin may be an instance of a missed opportunity on both their parts. Horkheimer's foreclosure of theology in a materialist historiography limits his understanding of the revolutionary importance of what Benjamin is doing. However, reading Horkheimer's objections as based on a “wooden” “realist ontology” is also a misreading and a missed opportunity. For Horkheimer's objection to Benjamin's redemptive changing of the past is an ethical one. Indeed, Bob describes the reason for Horkheimer's objection as follows:

Horkheimer's dialectic involves regarding the past as both closed and not-closed. What he fears is that injustice can be reviewed and dressed up as justice, even as mercy. His point is that the victims cannot be resurrected by rewriting history. Indeed, the task of changing the past will run the risk of denying their suffering once we open the past...To secure the other's suffering from such ‘happy endings’ seems to be an essential task of historiography.

To agree with Horkheimer's concern, while simultaneously retaining a distance from his foreclosure of theology, is, I think, to take a vantage point similar to that of Levinas in his essay arguing against post-

Holocaust theodicy, entitled "Useless Suffering."<sup>1</sup> Because of *my* suffering, I may be brought to repent and to repair my relations to signs of responsibility for the past. But the other's suffering is unjustifiable and cannot be contained within my repentance.

It is because of this impasse that, I think, Bob turns not to the connection between Horkheimer and Levinas' ethical critique of theodicy, but rather to Levinas' notion of the immemorial past which escapes temporality and to Rosenzweig's forgiving, loving God as the basis for "repentant historiography." Both the immemorial and God's love make possible the breaking out of the utter dependence for repairing the past or what Levinas terms the "dangerous" relation between two: dangerous because the self is finally dependent – as Bob has noted – on the forgiveness of the other person.

So, while Bob importantly begins his chapter "Why Forgive?" with this radical dependence on the other for forgiveness, I think that Bob moves away from the ultimate—even "unforgiving"—character of this claim. For the immemorial opens the past not by first moving to some future horizon in terms of which the past is then redeemed (as in Hegel), but rather by opening the relation of "my" past to the immemorial past that always already precedes it. This relation to the immemorial, however, is not the same relation to alterity found in "my" relation to—in "my" asking forgiveness of—the other person who may indeed not forgive, who may indeed no longer be alive to be *able* to forgive.

This is closer, I think, to our post-Holocaust and postmodern situation. Rather than following the Rosenzweigian strategy of focusing on God's ready forgiveness on Yom Kippur if we but repent and confess, I would suggest that the relevant dates on the Jewish calendar fall in the time *between* Rosh Hashanah and Yom Kippur, during which we face our neighbor(s) and ask forgiveness in preparation for facing God on Yom Kippur. As Bob notes, God cannot on Yom Kippur forgive those sins *ben adam le- haver* (between one person and another) that were not already

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<sup>1</sup> Emmanuel Levinas, "Useless Suffering," trans. Michael B. Smith and Barbara Harshav, in *Entre nous: Thinking-of-the-Other* (New York: Columbia University Press, 1998), 91–101.

forgiven by the person harmed. Only those sins *ben adam le-havero*, for which one has already repented and asked for forgiveness from the wronged person, does God readily forgive with my repentance and confession. Our post-modern, post-Holocaust moment is one in which I am still facing the other person in response to his or her unjustifiable suffering. In this regard, I follow Levinas more than Rosenzweig. The forgiveness by God is deferred by Levinas, perhaps infinitely. This, I think, is the ironic basis for redemption in separation, even in the differend that Levinas points to in "Useless Suffering" and elsewhere, where "I" cannot preserve God's love for "me" at the cost of justifying the suffering of the other person. It is not God's, but the other person's, forgiveness that is central. And for Levinas, it is the infinite journey toward the other person, not a direct route to God, which is crucial.

Repentance and being forgiven (by God and the other person) as keys to a postmodern and post- Holocaust historiography does not go far enough, in my opinion. Or, perhaps, it is too centered on both the self and God. The difficult passage through the need to be forgiven by the other person is addressed in (but is not the center of) Bob's treatment of repentance. In part, this is because forgiveness by the other person is a "dangerous" and unpredictable meeting of two. God's forgiveness is assured if one repents, but the vicissitudes of asking for forgiveness for the other person does not assure its receipt in turn. In fact, as I have already suggested, there may be cases where the other who has been harmed is no longer there to approach. Bob says that as a remnant, Jews are neither victims nor victors, but "survivors" (355). But what of the case of the unjustified suffering of the other person that Levinas addresses in "Useless Suffering"? One can only approach this other, this victim, by naming this injustice as such and refusing all theodicy. Although, in response to suffering, I may beseech God for forgiveness for my sins, I cannot do so on behalf of persons who suffer unjustifiably. I cannot change their pasts. Nor should I. Their suffering, as in Levinas' example of the Shoah, cannot be justified, erased, made into merits, or cleansed. Their suffering remains unjustifiable. It is this sense of the unsurpassable and unjustifiable suffering of *others* that moves Horkheimer to resist the notion

that one can change the past. It is not so much an epistemological or ontological problem as an ethical one. Perhaps one might suggest that one can, as it were, alter *one's own* past, even transform sin into merit— as Bob shows in his treatment of Soloveitchik (339–41)—and even cleanse the past without thereby incurring innocence. But, the redemption of the suffering of others by transforming the past reaches a limit that perhaps cannot and should not be breached.

I find that I keep wanting Bob to follow through on his critique of Hermann Cohen for making forgiveness by the other person too easy. I want Bob to have greater sympathy for Horkheimer—not necessarily to agree with him, but to side with the claims of injustice over against the move to God's love and the other's forgiveness changing of the past, cleansing it of sin, even if it does not, thereby, restore innocence. Why ethics? Because *others* suffer, not because I must be released from sinfulness to ethically repair my relation with others, the past, and thus the future. Levinas critiques theodicy after the Shoah not to undo the recognition of sin and the importance of my repentance, but rather to condemn the justification of the suffering of *others* as punishment for their sins.

What do we learn from this in regard to Bob's project here? Horkheimer is concerned about the erasure of the unjustifiable, dressing it up as if it were justice. This is Levinas' concern. The issue is not whether Horkheimer is too much a "realist" or "historicist" in his hermeneutic of memory and suffering, in his suspicion of a redemption that might erase or forget the past. The issue is the difference between Horkheimer and Benjamin on this issue of redeeming or changing the past. Bob does not so much stage this difference as take sides: Benjamin over Horkheimer. Nevertheless, like a rabbinic argument in which each position may have merit and can teach us, Horkheimer's voice should be amplified as well as Benjamin's on this issue. The differend between them is analogous to the dispute between R. Eliezer and the rest of the *bet din* in the story of the Oven of Akhnai in B. Baba Metzi'a 59b. In reading this text in a post-Holocaust and postmodern moment, however, I would highlight the differend—and the tragic and irreparable loss it entails—in both the

narrative and the practice of commentary. For example, I would read as more *constitutively* tragic the story of R. Eliezer than Bob does (218–24), expanding the problem beyond R. Eliezer’s exclusion and consequent unjust suffering as an excess for which R. Gamaliel among others in turn suffer. Rather, and more troublingly, I would suggest that the legitimization of rabbinic authority through the principle of “majority rule” *requires* this injustice.

For, as Bob notes, this story is included under the Mishnah on verbal wounding because R. Eliezer is wounded and placed under the ban. But this is only in part why this story is included here. We also find R. Akiba attempting to prevent destruction—in as gentle a manner as possible—by telling R. Eliezer that he is banned from his companions. He does so by first enacting mourning and allowing R. Eliezer to ask why he is acting so, giving R. Eliezer verbal agency just when he is to find out about his stripping of agency, his subjection to the ban. There is importantly also an unremittingly tragic dimension to the story. For R. Eliezer’s exclusion may not simply have been a “going too far” on the part of the majority, an unjustified exclusion, in Bob’s terms. It may, as I have noted, be the very condition of majority rule. In other words, the unjustifiable exclusion may be the foundation for majority rule. The loss of R. Eliezer and his teachings to R. Akiva and the generations to come may be part of the price of majority rule.

I bring this up here not simply to dispute the interpretation of this rabbinic text, but rather because our different interpretations of that story and text exemplify other differences. Further, the very move to this text is consonant with Bob’s important insights on the nature of commentary. Commentary is an important resource for the ethics of historiography in Bob’s *Why Ethics?*; this is the mode of commentary itself. As Bob so persuasively demonstrates, the translations from biblical to rabbinic to philosophical commentaries on the same texts and issues offer radically new readings of the past. Only if one does *not* cite the earlier texts that are commented on is the past transformed without residue. But Bob assiduously *does* do this, and in this performance shows that there is always a trace; readings do not go simply progressively forward, but

return back and forth. In this manner the past is preserved dialectically even, as Bob claims, it is changed in a manner consonant not with Hegel, but with Benjamin. I must, however, leave this subject and reading for another time, a time during which Bob's and my conversation about these matters—and my *always* important learning from him—will begin yet again.