

# Levinas on the Social: Guilt and the City

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## Abstract

This paper focuses on Levinas's understanding of the social as distinguished from the political. In his neo-phenomenological work, Levinas never conceptualized the difference between the political and the social, because he was more interested in the difference between the ethical and everything else. In his *Talmudic Readings*, however, with the help of examples or paradigms, he offers a vision of a social domain distinct from the political one. This paper concentrates on the *Talmudic Readings* to delineate those situations in which Levinas distinguishes such a specifically social realm. It analyzes Levinas's understanding of the city as paradigm of liberalism's shortcomings and elaborates on the absence of the social in Levinas's conception of a good life.

## Keywords

city, guilt, Levinas, poor, social

Levinas never made conceptual distinctions between the social and the political, and, so far as I know, there is no scholarship on the social per se in his philosophy. In Levinas's work, everything that is related to what he calls the 'entrance of the third' – namely, all relationships that include more than the two people involved in the ethical meeting – is referred to as either social or political, with no emphasis on their differences. However, Levinas's *Talmudic Readings* offer hints about a social domain that is different from both the political and ethical spheres of interest. In this essay, I focus on these texts to underline Levinas's comprehension of the social. I show that Levinas identifies the social with the shortcomings of contemporary urban life, and the vain pursuit of a good life within that urban framework.

The focus on the *Talmudic Readings* to analyze Levinas's conception of the social may seem surprising. Scholars of Levinas tend to fall into one of two camps: those who focus on his phenomenological works, occasionally turning to the *Talmudic Readings* to extract some

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illustration, and those who see him as an original exegete of Scripture, responsible for a renewal of theological concerns in the Judeo-Christian secularized world.<sup>1</sup> Against that polarization, a number of scholars have argued that all of Levinas's work should be read together. Indeed, several have noted that beyond the formal differences in style between Levinas's philosophical treatises and works of textual exegesis, there is no contradiction between the two corpuses, which convey convergent meanings (see Fagenblat, 2010: xiv; Rey, 1997: 17).

My intention, however, is to challenge the pervasive understanding of the *Talmudic Readings* as Jewish or 'confessional' texts which reintroduce religion into Western thought. This understanding pertains to both the 'phenomenological' and the 'Jewish' camps of Levinas scholarship, as well as to those who emphasize the two corpuses' similar meanings: all agree that the *Talmudic Readings* are Jewish texts, and that Levinas's intention in writing and publishing them was to honor and follow the Jewish tradition. (Indeed, Levinas himself uses the word 'confessional' to designate these texts, and so my reading ostensibly contradicts his own characterization of his work.) As a result, most studies of the *Talmudic Readings* focus on the *Talmud*, wondering whether Levinas's interpretations were or were not faithful to Judaism in terms of method as well as of content (see Chalier, 2002; Edwards, 2008; Gibbs, 1992; Kaplan, 1998; Kavka, 2006; Levine, 2001; Maccoby, 2002; Morgan, 2007; Wright, 1999; Wygoda, 2000).

It is certainly not inaccurate to say that Levinas's interpretations of the Talmud are Jewish. However, their being so should not be considered the only or even the main reason for their importance. Levinas repeatedly refused to be called a 'Jewish thinker', acknowledging his Jewishness but asserting that he could not agree to be called by this formula 'when by it one understands something that dares to establish between concepts relations which are based uniquely in religious traditions and texts, without bothering to pass through the philosophical critique' (Poirié, 1996: 130; IRB 61). In other words, the *Readings* were a philosophical product. Moreover, while it has been argued that Levinas 'popularized' Talmudic literature in offering his *Readings* to a public of intellectuals often ignorant of Jewish sources, the *Readings* do not make the rabbinic method less opaque to the untrained reader. Though Levinas offers occasional hints as to context and method throughout the *Readings*, he neither employs the rabbinic method nor explains it. In fact, Levinas's project is not to make rabbinic literature accessible to a broad audience, but to use this literature to say something quite different and individual, using his own (i.e. non-Talmudic) style. As he writes, 'We strive to speak otherwise' (DSS 9, NTR 92).

But why would Levinas use the *Talmud* to say what he wants to say? The Talmud is a commentary on the Torah, or divine law. This commentary confronts the apodictic law with concrete situations.

It does not explain the law, but deconstructs it with the help of practical cases. It is my contention that Levinas's *Talmudic Readings* similarly challenge by means of particular situations the ethical observations offered in his phenomenological or neo-phenomenological works, namely *Totality and Infinity*, *Otherwise than Being, Of God Who Comes to Mind*, and the philosophical essays. The *Readings* indirectly but consistently raise the question: what does ethics mean in *situations* that involve more than the ego and the other? What does ethics mean, therefore, in situations that are, by definition, non-ethical? In line with scholars such as Einsenstadt (2006), Mole (2011) and Katz (2013), I would like to emphasize 'the relationship of Levinas's Jewish texts to his larger philosophical project' (Katz, 2013: 9).<sup>2</sup> My claim is that what interests Levinas in the Talmud is the use of specific cases to challenge his absolute ethics. In that context, the *Readings* have significance because, according to Levinas, only through confrontation by particular cases can general and absolute ideas avoid becoming ideologies:

The great strength of the Talmud's casuistry is to be the special discipline which seeks in particular [cases] the precise moment at which the general principle runs the danger of becoming its own contrary, namely, [the discipline that] watches over the general in light of the particular. This protects us from ideology. Ideology is the generosity and clarity of the principle – generosity and clarity that have not taken into account the inversion that awaits this generous principle when it is applied. (ADV 99; BTV 79, translation modified)

Levinas calls this casuistic method 'paradigmatic modality': 'Without fading before their concepts, things denoted in a concrete fashion are yet enriched with meanings by the multiplicity of their concrete aspects' (ADV 127; BTV 103).<sup>3</sup>

In this paper, I look at the *Talmudic Readings* as an attempt by Levinas to concretize his philosophy with the help of paradigmatic cases. In the first section of the paper, I delineate those elements of the *Talmudic Readings* in which Levinas distinguishes a domain specifically 'social'. Following that, I show how Levinas's identification of the social correlates with his understanding of the city as a paradigm of liberalism's failings. In the final section I outline the place of the social in Levinas's conception of a good life.

## Figures of the Social

Levinas's philosophical ethics describes the relationship between the subject or ego and any other person, in which the former welcomes (or, in *Otherwise than Being*, substitutes herself for) the 'face', a metaphor for

the infinite otherness of the latter<sup>4</sup> – i.e. that which cannot be grasped by concepts, represented by memory, or felt by emotions.<sup>5</sup> It is a relationship ‘beyond essence’ in which the subject takes absolute responsibility for the other person. Politics or justice, on the other hand, is an ‘essential’ or ‘ontological’ praxis of mediation<sup>6</sup> between three people at least: the ego, the other, and any third party. The presence of two people facing the ego inevitably leads to a calculation of what is due to each of them. In politics, therefore, nothing can ever be absolute, i.e. everything depends on thought, feeling, or representation. While the ethical substitution has the infinite authority of a religious command<sup>7</sup> and implies the all-encompassing responsibility of the subject for the other, the relation between the subject and several others raises questions about duties and rights – about sharing goods and responsibility. Ethical responsibility is ‘anterior to all questions’; politics or justice means the emergence of questions about responsibility, and about everything else – questions that lead to institutions and leadership. In Levinas’s famous words:

The third party (*le tiers*) is other than the neighbor but also another neighbor, and also a neighbor of the other ... What am I to do? What have they already done to one another? Who passes before the other in my responsibility? What, then, are the other and the third party with respect to one another? Birth of the question. The first question of the interhuman is the question of justice. Henceforth it is necessary to know, to become conscious [*se faire une conscience*]. Comparison is superimposed onto my relation with the *unique* and the incomparable ... And through this, finally, the extreme importance in human multiplicity of the political structure of society, subject to laws and thereby to institutions where the *for-the-other* of subjectivity – or the ego – enters with the dignity of a citizen into the perfect reciprocity of political laws ... (PP 345; PP’ 168, translation modified)<sup>8</sup>

It has been compellingly observed that the ‘entrance of the third’ does not constitute a chronological event, and does not imply the actual presence of three parties: competing ways (namely, ethical and political) to treat the other already appear in ‘the face of the other’. As Fagan writes, ‘the ethical realm relied upon is always already political within itself’ (Fagan, 2009: 7). Therefore, the interrogation and calculation about how to treat the other – namely, the question of justice – comes in parallel to the absolute responsibility toward the other, although it is rhetorically expressed after it. Two points must be emphasized here: 1) ethics and politics are radically distinct but necessarily connected; in Levinas’s description, they always exist in relation to each other and to each other *only*; and 2) politics is about justice as embedded in *institutions* and *laws*,

namely, in the state, understood as the implementation of general rules about all aspects of collective life (including those that we usually call ‘social’). Ethics is about the infinite demand of responsibility; politics is about the – often violent – regulation of responsibility, which limits responsibility but also makes it possible. Politics is about the concretization and viability of ethics through institutions – and accordingly, it is also, and perhaps most of the time, the source of its destruction.<sup>9</sup>

Levinas’s description of the superimposition of political structures onto the ethical face-to-face leaves little room for the conceptualization of any other kind of relationship. Everything that is not ethics is politics. Moreover, the distinction between the absolute responsibility of the ego for the other and the realm of politics, which means the realm of questions about responsibility, seems to annul the need for distinctions within that latter category. In other words, Levinas never defines the ‘social’ as distinct from the ‘political’. He appears interested in one thing only: the distance between ethics and everything else. What happens within ‘everything else’ is therefore of no conceptual importance. It can be called the political or the social.<sup>10</sup> What matters is that it is not ethics.

In two cases, however, Levinas seems to identify a social domain different from the political one, though he never acknowledges the implications of this distinction. Both lead – directly in one case, indirectly in the other – to the modern city.

The first, indirect, case is that of economic oppression. In the ‘Messianic Texts’ of *Difficult Freedom*, Levinas quotes the Talmudic folio *Berakhot* 34b: ‘Between Messianic times and this world there is no difference other than the end of political violence and oppression, as it says: “For the poor shall never cease out of the land (Deut. 15:11)”’ (DL 93; DF 61). Interpreting this statement, Levinas explicitly distinguishes between the two kinds of oppression – ‘One can indeed group the prophets’ promises into two categories: the political and the social’. In this context, social injustice consists of the ‘power the rich hold over the poor’ (DL 91 DF 60), or, if we look at a later text, ‘the rich humiliating the poor’ (AHN 118; ATN 103). This, in turn, constitutes the ‘capitalist paradise’ (DL 93; DF 61), whose structural and geographical manifestation is the modern city, the

monstrous city of countless skyscrapers, the rabbinic doctors’ futuristic nightmare of the Western world in its 20th-century American realization. A city heaped with riches, a tiny fraction of which would suffice to feed the entire world. The accumulation of useless wealth. Nothing circulates, nothing is distributed. (AHN 112; ATN 96)

A second description of modern cities constitutes the framework of the other case in which Levinas seems to focus on the social as distinct from

the political. Levinas is now speaking of modern cities that ‘rise from the void. They have no past. Within them, populations coming from everywhere are so mixed together and individuals so dispersed that all traditions are lost. Beings without history do exist’ (DSS 30; NTR 105). The loss of traditions and of history sketches a wholly negative archetype of the social, here understood as those collective experiences that are related neither to ethical responsibility nor to political institutions. The social is a domain of dispersion and loss, a domain that is therefore neither ethical nor political. Indeed, this domain consists of neither infinite responsibility nor the implementation of those laws of justice that would transform, sometimes violently, the ethical demand into viable practices – practices that include the economic processes we usually understand as ‘social’. In that purely ‘social’ context, individuals without history or tradition ‘live in anonymity’ (ADV 38; BTV 23). They feel bound neither to the ethical face-to-face nor to political institutions.<sup>11</sup>

For Levinas, in modern society the ethical commitment to the other is forgotten or rejected. We are surrounded by others, yet remain alone. In ‘The Pact’, using a thematic common to many students of Heidegger, Levinas mentions the ‘unease felt by man today in a society which has become, in a certain sense, planetary, and in which – owing to modern means of communication and transport, owing to the worldwide scale of economy in industrial society – everyone has the impression of being simultaneously related to humanity as a whole, but also solitary and lost’ (ADV 88; BTV 69).<sup>12</sup> What has been lost is the realization of concrete solidarity that helps us maintain our hold on everyday life, a solidarity that is ethical but that can be manifested only through politics. In ‘Model of the West’ Levinas underlines a metaphor of smoke used in the Talmudic folio – i.e. *Menahot* 99b–100a. He interprets that smoke as a ‘pollution’, which he understands as the alienating social life:

The metaphor of smoke which is used here to speak of hell is remarkable. It is not an eternal martyrdom through fire, it is pollution; a pollution not as a local and contingent problem but as modality of social life where one can no longer live. There is a lot of wood, there is all the paraffin you want, but it is to smoke out humanity. (ADV 49; BTV 32)

The lack of concern for the other and the subject’s loneliness are connected. Together they constitute the social in its hellish version. Contrary to Sartre’s famous dictum, ‘Hell is other people’ (*L’enfer, c’est les autres*), for Levinas hell is indifference to others, which leads to a social life of seclusion, a society of disconnected individuals. Such a society is exemplified in the oft-quoted (and probably ironic) diatribe against

coffee shops of 'Judaism and Revolution', in which Levinas claims that cafés are the symptom of social indifference:

The café holds open house, at street level. It is a place of casual social intercourse, without mutual responsibility . . . The café is not a place. It is a non-place for a non-society, for a society without solidarity, without tomorrow, without commitment, without common interests, a game society . . . it is because it is possible to go and relax in a café that one tolerates the horrors and injustices of a world without a soul. The world as a game from which everyone can pull out and exist only for himself, a place of forgetfulness – of the forgetfulness of the other – that is the café. (DSS 41; NTR 111)

The café, says Levinas, 'proceeds from an ontological category' or, perhaps, from the category of the ontological – that of egoism and indifference to the other. Therefore it is not the café per se, but the hedonistic character of contemporary civilization that Levinas criticizes. The café is the paradigm of liberal democracy's craving for a state of pleasure and self-realization that has become synonymous with freedom. What was once reserved for a small elite is now open to a whole society of privileged people who claim their right to self-fulfillment. To be a free citizen means not only having the right to vote, but also to pursue self-realization without limit. But for Levinas, this is not the culmination of a meaningful life: the freedom and equality of opportunity offered by modernity should lead to solidarity, not to self-realization. In other words, what seems to be the peculiar and overstated rejection of a very innocent leisure-time pursuit is in fact the denunciation of the prioritizing of the self that has become the essence of Western culture. It must be emphasized here that Levinas's words are not a condemnation of individualism. His philosophy is individualist through and through. However, for Levinas individualism leads to responsibility for the other, not to self-accomplishment.

### **Liberalism's Half-Guilt**

Levinas's critique of the social as a non-responsible culture of the self is developed from another perspective in the essay 'Cities of Refuge' (ADV 51–70; BTV 34–52), in which Levinas deconstructs the inner mechanisms of liberalism. A reading of the Talmudic folio *Makoth* 10a, 'Cities of Refuge', refers to a biblical institution appearing in Numbers 35, Deuteronomy 4 and 19 and Joshua 20. In Numbers 35, shortly before the beginning of the conquest of the promised land, God commands that once settled in Canaan, the people will build six 'cities of refuge' in which 'unintentional' or 'involuntary' killers can seek shelter. Involuntary killers are those who inadvertently cause someone's death,

as when ‘an axe-head comes away from its handle during the work of the woodcutter and deals a mortal blow to a passer-by’ (ADV 55; BTV 39). According to biblical law, such involuntary killers are not to be prosecuted. However, it is expected – and, indeed, is perceived as appropriate – that a relative of the victim will take it upon himself to avenge the death. The involuntary killer has no option but to escape to a city of refuge, where the avenger has no right to pursue him. The extract read by Levinas is part of a long Talmudic discussion on the configuration of the cities of refuge, and on the legal definition of ‘involuntary homicide’.<sup>13</sup>

Levinas begins his reading by pointing out that escape to a city of refuge is both a protection and an exile, namely, a punishment: ‘In the city of refuge, then, there is the protection of the innocent which is also a punishment for the objectively guilty party. Both at the same time’ (ADV 56; BTV 39). Voluntary and involuntary crimes should not be treated in the same way; yet involuntary crimes cause suffering and death and, hence, deserve some kind of penalty. Levinas emphasizes that the absence of legal guilt does not mean the absence of all guilt. The woodcutter did not plan or wish to kill the passer-by; yet he did so. He is a criminal ‘by negligence’, says the Hebrew – a criminal by virtue of the fact that he failed to pay sufficient attention to his work, or to the state of his tools (i.e. ensuring that his axe-head was fully secured to the handle). Levinas remarks, ‘Is our responsibility limited by negligence and lack of care? Are we conscious enough, awake enough, men already men [*sic*] enough?’ (ADV 56; BTV 39). According to Levinas, it is not enough to be ‘innocent’ of premeditation. One must also be ‘conscious’ and ‘awake’. As he writes:

The person who commits a murder through negligence is certainly not a criminal, but he is nevertheless not a worthy man ... The continuity in the scale of murderers is affirmed from now on ... there would be only one race of murderers, whether the murder is committed unwittingly or intentionally. Our conscience is not yet wholly conscience ... We are not awake enough. (ADV 60–1; BTV 43)

It is from this point that Levinas develops his criticism of the social. In contrast to premeditated crimes – which have as their goal power and destruction – social injustice kills without intention, as if by ‘negligence’ and ‘lack of care’. It kills by indifference. In our Western society, ‘free and civilized, but without social equality and a rigorous social justice’,<sup>14</sup> are we not – asks Levinas – involuntarily but objectively guilty of the suffering and death of so many? Are we not guilty ‘by negligence’, like the woodcutter of *Makoth* 10a? Does our society not neglect people without even being conscious of it? Is our wealth not the origin of ‘wars and carnage’ in many places of the world? (ADV 56; BTV 40).



Responsibility for the suffering caused by the ego's indifference is a recurrent theme in Levinas's ethics, which he enlarges here to the responsibility of the satiated West toward the hungry parts of the world.<sup>15</sup> But he continues in an unexpected way: our Western, liberal cities are cities of refuge in which we find protection from the anger of the poor – namely, from the avengers of the blood that we spill 'by negligence'.

Levinas here reverses the logic of the biblical cities of refuge. The intention of that institution was to create shelters for unintentional criminals. From this, Levinas infers that the cities' inhabitants – namely, the members of modern liberal society in its entirety – are unintentional criminals. More, he claims that, being unjust and indifferent to social despair, the city is at one and the same time the refuge and the crime of its criminal inhabitants. The rights and protection enjoyed in liberal society are both the result and *the essence* of our half-guilt: we need protection because we have benefited from a protection that others did not receive, a protection that perhaps indirectly harmed them. The defense against the avenger is not only a right bestowed a posteriori by the city, but also the essence of guilt: our liberal rights, liberties and protections are unintentional crimes against the poor who never received such privileges, and they are our protection against their revenge.

Levinas's inversion of the logic and purpose of the biblical cities of refuge allows him to unmask the circular logic of modern liberalism.<sup>16</sup> The rights that protect modern subjects against violence by their neighbors manifest their *conatus essendi* – the struggle that is at the essence of being. For Levinas, however, this is equivalent to saying that they manifest the ego's selfishness and indifference to others. Then the angry poor want to avenge this crime of indifference – and the subject needs the protection of rights against them:

The cities in which we live and the protection that, legitimately, because of our subjective innocence, we find in our liberal society... against so many threats of vengeance fearing neither God nor man, against so many heated forces – is such protection not, in fact, the protection of a half-innocence or a half-guilt, which is innocence but nevertheless also guilt? Does not all this make our cities cities of refuge or cities of exiles? And while it is a necessary defense against the barbarity of heated blood, dangerous states of mind, and threatening disorder, is not civilization – our brilliant and humanist civilization, Greco-Roman civilization, our wise civilization – a tiny bit hypocritical, too insensitive to the irrational anger of the avenger of blood, and incapable of restoring the balance? (ADV 57; BTV 40, translation modified)

'Cities of Refuge' is not Levinas's first or only explicit criticism of modern liberalism. In his 1990 letter to the journal *Critical Inquiry*, which prefaces the English translation of his 1934 short essay 'Reflections on the Philosophy of Hitlerism', Levinas rhetorically wonders whether 'liberalism is enough to grant the human subject's authentic dignity' (Levinas, 1997: 26). However here, in 'Cities of Refuge', he goes further: our liberal rights constitute a 'half-guilt', as does the protection offered by the city. The question raised, therefore, is not the 'common-place' (ADV 88; BTV 69) criticism of modern social indifference. More deeply, it is that of liberalism's self-legitimization. The city is not simply a domain of indifference toward the other: it is a domain that justifies its indifference as a means of protection! We do not open our doors to the poor, homeless and stateless who could harm us – but, says Levinas, do we not see that the poor, homeless and stateless are threatening us outside because our doors are closed? Social violence is not the manifestation of a universal original sin or of an evil inclination on the part of specific individuals. It is a *reaction* to the fundamental wrong that characterizes modern liberal society, and which is a combination of the two situations that, as I argued earlier, are in Levinas's work defined as purely social: economic inequality and the anonymity of life.

In *Punishing the Poor: The Neoliberal Government of Social Insecurity*, the sociologist Loïc Wacquant presents an argument that enters in dialogue with Levinas's. Wacquant focuses on the recent 'irruption of the penal state' in America and in those nations that draw inspiration from American neo-liberalism (Wacquant, 2009: xiii). According to Wacquant, the reinforcement of penal policy in the First World responds not to rising criminality, but to the rising social marginality and insecurity which neo-liberalism itself has spawned (Wacquant, 2009: 315). Wacquant describes the intricate relationship between three processes: the 'commodification of public goods and the rise of underpaid, precarious work'; the collapse of social protections, 'leading to the replacement of the collective right to recourse against unemployment and destitution by the individual obligation to take up gainful activity'; and the 'reinforcement and extension of the punitive apparatus' (Wacquant, 2009: 5). That is, neo-liberal society at the same time both creates poverty and de-legitimizes it, leading to a broad consensus in favor of punitive policies 'boosted by the tenacious blurring of crime, poverty and immigration in the media' (Wacquant, 2009: 3).

Levinas's cities of refuge function very much like the neo-liberal society described by Wacquant. The relationship between the city and its margins is not that between law-abiding citizens and a few destructive individuals; rather, the actions of the former are the cause of the anger and behavior of the latter, who have no share in the general good (ADV 57; BTV 40). It is a relationship between one group that has wronged another, and that must now seek protection from it. However, contrary

to the neo-liberal society of Wacquant, the Talmudic cities of refuge, in Levinas's interpretation, do not de-legitimize the avenger's feelings. The accent is exclusively on the protection of the half-criminals, while the avenger retains the moral right to resentment.

### **A Dubious Good Life**

Continuing his discussion of the Talmudic cities of refuge, Levinas goes on to consider aspects of their organization and planning. According to the Talmud, a city of refuge cannot be too small, because the avenger could easily slip into it. It cannot be too large, because the avenger would go unnoticed in the crowd. To work, a city of refuge must be of medium proportions. It must be close to a water supply and have markets, so that the criminal by negligence will lack nothing. However, weapons and trap-gear must not be sold there, so that the avenger will not be able to purchase or even walk unnoticed with a weapon. It must be reasonably populous, so that the criminal by negligence will be able to call for help if he is attacked. In addition, it must preserve the structure of a normal Jewish society: if the town lacks priests [*cohanim*], Levites, or Israelites – the three religious categories of Jewish life – then these must be brought in (ADV 58–59; BTV 41). In the same vein, if a student is exiled, his master is exiled with him; if a master is exiled, his students are exiled with him. Levinas comments: 'Can one live without culture? Can one truly live without Torah? And so the Torah makes its appearance in the city of refuge' (ADV 60; BTV 43).

Levinas's emphasis on the Talmudic discussion concerning the size and organization of the cities of refuge points to two things. First, the city is organized to offer thorough protection. That protection is not legal – the avenger's desire for revenge is morally and legally legitimate – but material: the city of refuge is designed specifically to protect the involuntary criminal. Second, the protected person has the right to a material and spiritual good life: 'life in the full sense of the term: exile, of course, but no prison, no hard labor, and no concentration camp. Life which is life. The humanism or humanitarianism of the cities of refuge!' (ADV 59; BTV 42). What Levinas here reveals is that in focusing on the protection of half-criminals, the Talmud defines the characteristics of a good social life *in general* – which is made clear by the surprising mention of the potential exile of masters and students. A good social life, therefore, includes protection together with physical and cultural satisfactions.

Note, however, that the regulation of that good life, or 'humanitarian urbanism' (ADV 59; BTV 42), is made for 'criminals by negligence'. In other words, the urban planning that Levinas finds in the Talmud, and which he celebrates as 'humanism', is not conceived for the victims, for the poor, for those in need, but rather, for the rest of us: the half-guilty. A good city is a place in which *criminals* can live a safe and meaningful

existence, protected from intrusion by the avenger – the angry mob, the suburban delinquents who are also at the center of Wacquant's analyses. As noted above, biblical law does not penalize the avenger. However, neither does it offer the avenger satisfaction. That is, biblical law says nothing about those who have been fatally wronged 'by negligence', and Levinas does not seem to have anything to add on the topic. How should we understand that point?

We should remember that Levinas never focuses on the other, or on what should be done so that the other can have a better life. Levinas does not define the other or deal with the conditions under which the other lives because the other is precisely that which is exterior to all definitions and conditions.<sup>17</sup> The other escapes all attempts to encapsulate him into words and concepts, all efforts to grasp him in a 'said' (AE 43–99; OB 23–60). As Levinas famously put it, 'The best way of encountering the other is not even to notice the color of his eyes' (EI 79; EI 85). As a result, Levinas's focus is exclusively on the subject who faces the other and the third: the half-criminals, the citizens of the liberal or neo-liberal society. In this context, Levinas can only tell us that the half-criminals are entitled to a good life; the life of the victims or their families cannot be described. However, the half-criminals' protected life in the city does not wipe out their wrongs: 'There are cities of refuge because we have enough conscience to have good intentions, but not enough not to betray them by our acts. Hence the manslaughters' (ADV 68; BTV 50). The victims remain victims, the avengers await revenge, and the good life granted by the city of refuge does not obliterate the basic fact that 'nothing could silence the demand for justice' (ADV 63; BTV 45).

The social domain, for Levinas, is thus the setting of an inexorable conflict between two groups: those who are criminals or oppressors by negligence – 'half-criminals' – and those who are wronged or oppressed. In the best of cases – described in the 'Cities of Refuge' – it allows a comfortable life for those who manage to protect themselves from the angry avenger. More often, the protection offered by the city in its modern form is accompanied by loneliness and anonymity. Either way, however, Levinas seems to take for granted that the poor remain poor. His focus on the half-guilty ego as the only conceptualized actor (as the only 'responsible' individual), and his identification of the other with the non-defined poor and destitute, prevent him from theorizing any possible change that could come from the poor, or also from the poor. As a result, the social domain will only and indefinitely repeat its own conditions. There is nothing else to expect from it. The social consists of an 'entrance of the third' that never leads to justice. Accordingly, Levinas responds to Hegel (and to Marx) that there is no dialectical passage between the various forms of human living-together. The social is independent of the ethical (which is about the ego and a single other) and of the political (which is the domain of institutions). It consists of the absence of

responsibility together with the absence of universal laws. Just institutions will *never* emerge from the social domain.

Just institutions will not emerge from the social domain, namely, from a life of loneliness and safeguarded riches, because, for Levinas, justice is always directly linked to ethics: as Weitzman writes, it brings the transcendent nature of ethics ‘into the phenomenal’ (Weitzman, 2008: 10.1353/tae.0.0002). Says Levinas, ‘What is most important is the idea that not only does the essence of the State not contradict the absolute order, but it is called by it’ (ADV 212; BTV 180). Politics – understood as institutions and leadership – is the sole way to concretely implement the ethical principle that, however, can never be realized in its pure form (because society by definition involves more than two people). Politics, as a *superimposition* of comparison and, accordingly, of shared responsibility – and not as a dialectical alteration of economic competition into general law – is the sole way, for Levinas, to give some materiality to ethics.

Thus, for Levinas the social is and remains highly problematic. It is a form of living-together that neither realizes ethics nor leads to politics. It does not even stand between ethics and politics. Rather, it is neither of them – a third domain in which people strive to live without any kind of commitment. Levinas regarded the social as a component of modern life, but unlike Hegel he did not see its modernity as a manifestation of Spirit. On the contrary, he considered the social as a domain of indifferent care for the self, unaffected by ethical responsibility. Such a domain cannot be transformed or redeemed. For Levinas, the pursuit of a better life will come not from the social but from political structures realizing ethical responsibility.

## Notes

1. Most of the Talmudic readings were given as lectures at the Colloque des Intellectuels Juifs de Langue Française, a conference that has been held every year in Paris since 1957.
2. As Katz indicates, for Levinas, the particular characteristic of Judaism, embedded in its classical texts (Bible, Talmud, and commentaries), is to comprise a general significance (see Katz, 2013: 111).
3. See Perrine Simon-Nahum (2002: 262–3).
4. ‘For a face is the unique openness in which the signifyingness [*signifiance*] of the transcendent does not nullify the transcendence and make it enter into an immanent order; here, on the contrary, transcendence asserts itself as the ever bygone transcendence of the transcendent’ (translation modified) (TA 277; TO 355).
5. ‘The relation with the face can surely be dominated by perception, but what is specifically the face is what cannot be reduced to that’ (EI 80; EI’ 85).
6. All ontological situations are ‘reduction[s] of the other to the same by interposition of a middle and neutral term that ensures the comprehension [*l’intelligence*] of being’ (TI 33–4; TaI 43).

7. See TI 30, TaI 40, and AE 139, OB 87.
8. See a slightly different version in AE 245, OB 157, and also AE 33, OB 16.
9. As I wrote elsewhere, 'The other is dying because of politics, but he/she does not die automatically, thanks to politics . . . It is in a political context that I discover the misery in the face of the Other and my responsibility for him/her that comes before all politics' (Herzog, 2002: 211).
10. Most scholars follow him in that matter. See Gibbs's (1992) excellent Chapter 10, 'Marx and Levinas: Liberation in Society', in which, however, 'Levinas's social thought' is explored 'by coordinating my discussion around the theme of the third person' (p. 230).
11. This calls to mind Hannah Arendt's analyses of 'loneliness' in totalitarian society and her criticism of the 'social' of modernity (see Arendt, 1979, 1998).
12. On Heidegger and the social see, *inter alia*, Bourdieu (1991) and Bessant (2010).
13. See Caputo (2000: 293); Derrida (1997a: 182–92); de Vries (2002: 336).
14. By this Levinas means *political* equality and rigorous *political* justice.
15. Recent works in environmental ethics use Levinas to argue that the technologically advanced West has a responsibility toward the entire earth which, as a whole, is negatively affected by every step of 'progress' (see Benso, 2012; Edelglass, 2012; Simmons, 2012; Smith, 2011).
16. Derrida reads Levinas's pages on the cities of refuge in a very different way. He focuses on these cities' hospitality as the manifestation of a certain right, which he understands as the political right or law of the state, founded on violence. This understanding leads to further thoughts about immigration, asylum, the Israeli-Palestinian conflict, etc. (see Derrida, 1997a: 184–211, 1997b, 1994–2005). On Levinas, Derrida, and the cities of refuge, see Eisenstadt (2003).
17. See Alford (2002: 37).

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