

# THE CHALLENGE THAT WAR POSES TO LEVINAS'S THOUGHT

Benda Hofmeyr  
*University of Pretoria, South Africa*

*War is a "state of exception" that not only left an indelible mark on Levinas's life but confronts Levinas with a series of "hard questions" that pose a fundamental challenge to some of the most foundational tenets of his ethical metaphysics. Starting with the sole sustained consideration of war in Levinas's thought, the Preface of Totality and Infinity (TI), this study critically unpacks what it considers to be the three core questions or challenges posed by war: Firstly, the pivotal question raised in the Preface of TI: Does war not render ethics ineffective, as it does not just oppose but suspends this ethical relation? Secondly, the inquiry extends to the notion of a just war: If war indeed involves a suspension of morality, what normative basis can justify the idea of a just war? Thirdly, the complexity arises from the fact that the judgment required for considering a war just implies that the initial ethical relation, which exists prior to reflective thought and morality, cannot remain isolated from political considerations. How can we make sense of this seemingly impossible connection between ethics and politics in Levinas's thought or the apparent gap between ethics and justice in his philosophy? This paper concludes that a simple, either/or binary scheme cannot resolve the tension between the oxymoronic couplets (Totality/Infinity; War/Peace; Politics/Ethics) that pervade Levinas's thought. Instead, they appear to be inextricably linked in a Derridean double-bind of both/and that affirms that the ethical aspect of humanity is not an unwavering state but rather an ongoing struggle to combat the inhumanity associated with Totality, War, Politics, and even at times, "Justice." The burning issue of today of the justice/injustice of the Israel/Palestine war currently dividing the global citizenry is a testament to the fact that "Justice" constantly risks becoming unmoored from its ethical foundation in the necessary distinction between Neighbor and Enemy.*

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## INTRODUCTION

We live in a time of global catastrophes – that of capitalist rapacity resulting in extreme global inequality plunging vast populations into states of devastating penury,

violent, bloody conflict, humankind's thoughtless devastation of the earth, its resources and its wealth of species, and nature's backlash in the form of climate change or viral mutations of pandemic proportions. War rages on on all fronts and in many different forms: humans thoughtlessly let die but also actively kill and are being killed. In the process, humans are stripped of precisely that which makes for their humanity. Perhaps the catastrophe that epitomizes them all as arguably the worst form of violence is war in the form of deadly combat in which the form of the other person is stripped of his/her face, depersonalized, and hence reduced to a killable entity belonging to the ranks of the enemy. To be killed, according to Levinas, the Other person has to be divested of his/her transcendent alterity, which makes for the very humanity of the human.

A critical consideration of Levinas's thought on the exemplary catastrophe that is war uncovers a series of intractable dilemmas or "hard questions" that Levinas's extraordinary ethical relation of a Self that is responsible for an Other somehow must account for. First, the pivotal question of the Preface of *Totality and Infinity* (henceforth TI): does not war render ethics ineffectual since it not merely opposes this relation but suspends it? What, in other words, becomes of our infinite responsibility even for the Other's faults and crimes when one finds oneself in deadly combat with the enemy? Is the Other that I am responsible for the same Other as the one I meet on the battleground? The second question concerns the possibility of a just war: if war is indeed a suspension of morality in the sense that war bars or excludes it temporarily from its function and privilege, can there be something such as a just war? And if Levinas does indeed defend the possibility of a just war, on which normative ground is the judgment of the justness of war based if ethics itself is suspended? These questions become even more vexing given the fact that Levinas relegates war to the ranks of "useless suffering." In the third instance, the judgment involved in the possibility of a just war means that the pre-reflective, pre-rational ethical relation of two that precedes ontology and epistemology cannot remain insulated from politics – the concrete world that emerges from a warlike existence that somehow attempts to establish law and order and ensure justice. How are we to understand this impossible relation between ethics and politics in Levinas's thought or the seemingly unbridgeable gap between ethics and justice in his philosophy? This study will critically unpack these complex questions to shed some light on the challenge that war poses to some of the most fundamental tenets of Levinas's thought.

## ARE WE NOT DUPED BY MORALITY? FROM WAR TO PEACE

In his meditation on war, which is the main focus of the Preface of *Totality and Infinity*<sup>1</sup> (1961), Levinas identifies the pivotal question that confronts us in times of war: he asks whether the language of ethics, our ethical responsibility towards the Other, the language that begins and ends with the supreme moral injunction against murder is not rendered ineffectual by the duplicity of war propaganda, not to mention the deafening silence of death effected by the viscerality of warfare? Reflecting on this question, Richard Cohen (1998, 155-156)<sup>2</sup> equates war to evil and contends that the relation between morality and evil is one of apprehension, opposition, and struggle. Morality, then, is not ignorant of evil but precisely an opposition to evil. This implies

that the ethical aspect of humanity is not a constant state but rather an ongoing effort to combat the inhumanity associated with evil. However, as will become clear, for Levinas, war is not straightforwardly synonymous with evil. Rather than the opposite of morality as evil is the opposite of good, for Levinas, war is the very *suspension* of morality (TI, 21).

While TI starts with the question of war, Levinas concludes TI with a conceptualization of peace that is more fundamental than the kind of (temporary) peace agreements negotiated through political rationalization. The preface to TI, in which war takes center stage, was written after the conclusion, and as Richard Cohen puts it, the philosophical labor performed in the body of TI might be understood as "the journey from war to peace" (Cohen 1998, 153), which might also be construed as "one long argument that not only are we not duped by morality but precisely morality – rather than epistemology and the ontology constructed under its strictures – represents humanity's only chance of not being duped" (Cohen 1998, 153). It is morality that founds Peace. Uppercase Peace, according to Levinas, is not to be found in a merger, coalition, or unification of combatants. The central trope of TI is the ethical relation, the "face-to-face" relation between the I and the Other, a relation without relation in which both terms retain their independence: "The face-to-face is not a modality of coexistence nor even of the knowledge (itself panoramic) one term can have of another, but is the primordial production of being on which all possible collaborations of the terms are founded" (TI, 305). This "non-relational relation" comes into being pre-ontologically in the insatiable Desire [Desire as opposed to Need, which can be satiated] for the Other that proceeds from the I, without negating the I (TI, 304). Peace, then, according to Levinas, comes about in the unity of plurality, which should not be mistaken with some peaceable agreement or the (temporary) end of combats. Peace starts from the I – "it must be my peace" (TI, 306). This is the extraordinary ethical relation of an I that maintains itself yet exists without egoism in relation with an Other that remains beyond the reach of compromise, knowledge, and rational negotiation.

Levinas's argument amounts to the insistence that it is only ethics – in which the I maintains itself in a selfless, disinterested way in a non-relational relation with the Other – that can withstand the worst kind of violence – the kind of violence that forces the I to "carry out actions that will destroy every possibility for action" (TI, 21). In the Preface of TI, Levinas puts this argument to the ultimate test – the test of war. War, Levinas admits, destroys the very identity of the self (TI, 21). As we shall see, Levinas's argument that we are not duped by morality recognizes and makes provision for the extraordinary – but not extramoral, as will become clear – condition that war announces. His argument, then, is not without caveat and might even be construed as aporetic.

Cohen (1998, 156) has attempted to make sense of Levinas's argument by locating war within what he identifies as a hierarchical schema in Levinas's thought: orientating from above is the absolute good, which becomes manifest through the transcending moral height of the Other, the Other's absolute priority over the self. Concrete existence plays out on the "middle plane": it is the scene of the moral struggle between serving the good and opposing evil – between cold-hearted egotism and

substitution, i.e., taking on the Other's burden, between care for the self and care for the Other. At the bottom end of the schema, opposing the good would be absolute evil, according to Cohen (1998, 156), "killing, war, the suspension of morality." However, to locate peace in Cohen's hierarchical schema, a more nuanced conceptualization of the absolute good orientating from above is needed: the absolute good cannot be conceived in terms of the Other's absolute priority over the self since Desire for the Other, the ethical relation, *proceeds from the I*; peace starts from the I. War also cannot so simplistically be relegated to the ranks of absolute evil since, as we shall see, Levinas makes provision for the possibility of a just war or at least that, in some instances, war is unavoidable when the well-being of my neighbor is threatened. Moreover, Levinas does not simply speak of war in terms of deadly combat but also of uppercase War, that is, the brutality of the nature of Being itself. We shall unpack these nuances or complications of Cohen's schema in due course.

We may nevertheless situate the potential for catastrophe at the level of the "polar historical struggle of good versus evil" (Cohen 1998, 156): the other as needy and vulnerable, the self as self-interested. It is the very struggle of compassion against indifference at the interpersonal moral level, the struggle for justice against injustice at the social, economic, political, and environmental levels. When this struggle gives way to killing and war – the catastrophe par excellence – morality itself is suspended. What war signifies is neither evil nor nothingness but indifference to morality – a cold obliviousness towards righteousness and goodness. "The state of war," writes Levinas, "*suspends* morality ... it renders morality *derisory*" (TI, 21, my emphasis). War then prevents the injunction to face up to our inherent responsibility towards the Other and the primordial prohibition against killing the Other – the prescription and proscription that issue from the good – from remaining in force. It renders morality derisory, that is, ineffectual or inadequate as a safeguard against killing. War, then, obliterates the coordinates of Cohen's tripartite schema; it dismantles the possibility of orientation between the good above and the evil below (Cohen 1998, 156). The battleground of war somehow turns murder into a form of sanctioned killing. It is sanctioned by politics: "The art of foreseeing war and winning it by every means – politics is henceforth enjoined as the very exercise of reason" (TI, 21). Within this context in which the state-sanctioned genocide of the Second World War was no doubt foremost in his mind, Levinas unequivocally opposes morality and politics: "Politics is opposed to morality, as philosophy to naïveté" (TI, 21).

## THE POSSIBILITY OF A JUST WAR

Without revisiting its secular and Christian history and its various formulations or doctrines, it may be noted that Just War Theory has attempted to negotiate this opposition between morality and politics conceived as indifference to morality by subjecting war before, during, and after its occurrence to ethical deliberation. To be sure, the theory is, first and foremost, an attempt to prevent wars, and to show that going to war is wrong except in certain limited circumstances. Just War Theory does not aim to justify war but maintains that war is always bad. A just war is permissible since it constitutes the lesser evil, but it is still an evil. It nevertheless tries to "navigate"

this evil with a three-pronged approach: *jus ad bellum* – specifying the conditions under which the use of military force is justified; *jus in bello* – specifying how to conduct war in an ethical manner; and *jus post bellum* – specifying the responsibility and accountability of warring parties after the war. A war, so the theory holds, is only a just war if it is both justified and carried out in the right way. The principles of the justice of war are commonly held to be: having just cause, being a last resort, being declared by a proper authority, possessing right intention, having a reasonable chance of success, and the end being proportional to the means used. These principles, then, attempt to offer a set of moral guidelines for waging a war that is neither unrestricted nor too restrictive. As such, it is open to interpretation and necessitates the specification of these guidelines in response to particular wars.<sup>3</sup>

Would Levinas not dismiss such forms of "ethical deliberation" as belonging to the other-reductive realm of knowledge, to the realm of political rationalization and negotiation, which might result in the (temporary) end of combats? In "Useless Suffering," Levinas writes: "For an ethical sensibility, confirming, in the inhumanity of our time, its opposition to this inhumanity, *the justification of the neighbor's pain is certainly the source of all immorality*" (Levinas 1982b, 99, my emphasis). In this 1982 essay, Levinas offers a phenomenological analysis of suffering and concludes that the least that can be said about suffering is that "in its own phenomenality, intrinsically, it is useless: 'for nothing'" (1982b, 93). Here, Levinas considers various sources of suffering, including the persistent pain inflicted by "pain-illnesses" (1982b, 93), the suffering inflicted by the "cruelties of our century" (1982b, 94), but also the suffering imposed by "the arbitrariness and strange failure of justice amidst wars, crimes and the oppression of the weak by the strong, [which] rejoin, in a sort of fatality, the useless suffering that springs from natural plagues, as if they were the effects of an ontological perversion" (1982b, 95). Levinas cannot help but wonder whether all this useless suffering that typifies human experience in history does not "attest to a wickedness and an ill will" (1982b, 95). One might arguably contend that this arbitrary but persistent suffering characterizing the human condition can be ascribed to the very being of Being as War.

Western humanity, to the contrary, has sought to vindicate divine providence in view of the existence of evil. The divine will of an absolutely good God that seeks human atonement for an original sin steers the course of History and Nature along paths that might be painful but meaningful since it ultimately leads to the Good. This is the theodicy that Western humanity has resorted to make sense of "[t]he evil that fills the earth," of "a suffering that is essentially gratuitous and absurd, and apparently arbitrary" (1982b, 96). Levinas (1982b, 97) contends, however, that the extraordinary trials of the twentieth century have spelled the end of theodicy:

This is the century that, in thirty years, has known two world wars, the totalitarianism of right and left, Hitlerism and Stalinism, Hiroshima, the Gulag, and the genocides of Auschwitz and Cambodia. This is the century that is drawing to a close in the obsessive fear of the return of everything these barbaric names stood for: suffering and evil inflicted

deliberately but in a manner no reason set limits to, in the exasperation of a reason, become political and detached from all ethics.

For Levinas, among these events, the Holocaust is the paragon of senseless human suffering in which evil is manifested in all its infernal terror. How can we still find recourse to a good God, to religiosity, and, more fundamentally, to "the human morality of goodness" in the face of such annihilation, murder, and evil purely for the sake of it? What this "century's inordinate trial" reveals to Levinas is, in a certain sense, what Hannah Arendt called the banality of evil: it reveals "the unjustifiable character of suffering in the other, the outrage it would be for me to justify my neighbor's suffering" (Levinas 1982b, 98) – the kind of justification provided on a daily basis by people just going about their business.

According to Levinas, the only thing that remains after theodicy capable of salvaging meaning in the face of useless suffering is the "interhuman order" (Levinas 1982b, 100). Here, Levinas maintains that from the interhuman perspective, suffering may be *meaningful in me* while useless in the Other. The useless suffering of the Other finds its meaning in the way in which it calls the I forth to rise to the occasion of his/her true reason for being: facing up to the responsibility we have for the very suffering of another.

On what grounds is the suffering of the Other always my doing? For Levinas, following Pascal, the suffering of the Other is an indictment of my very right to be, for, asks Levinas, (1985, 225)

...is not my place in being, the *Da* of my *Dasein*, already a usurpation, already a violence in respect of the other? A press speaks to us of the Third World, and we are well off here, our daily meal is assured. At the cost of whom? Pascal said the I is detestable. In the sovereign affirmation of the I, the perseverance of beings in their being is repeated, but also the consciousness of the horror that egoism inspires in myself. Pascal also says that my place in the sun is the image and the beginning of the usurpation of the whole earth.

The suffering of the Other imposes a responsibility, then, calling on all the resources of the I, calling forth "compassion which is non-useless suffering (or love), which is no longer suffering 'for nothing' and immediately has meaning" (Levinas 1982b, 100). Before we conclude from Levinas's vehement insistence that there is no justifying the neighbor's suffering that there is no such thing for Levinas as a just war – a question to which we shall return shortly – let us first consider the intractable relation between ethics and politics in Levinas's thought.

## ETHICS AND/OR POLITICS?

As briefly mentioned above, at the beginning of the preface, Levinas recognizes that the very being of Being has, throughout history, revealed itself as war to philosophical thought. Heraclitus maintained that strife is the state of affairs before

things come into being, since they come into being precisely through strife. Hobbes likewise construed the hypothetical state of nature as a state of war and maintained that "the political order is required to restrict human bestiality and make morality possible" (Hughes 1998, 79). Remarks made by Levinas in an interview with Philippe Nemo betray his opposition to the Hobbesian idea that war is more fundamental than morality and that the possibility of morality depends on the establishment of a socio-political order that creates the conditions of possibility of morality by curbing a warlike ontology:

It is extremely important to know if society, in the current sense of the term, is the result of a limitation of the principle that men are predatory of one another or if, to the contrary, it results from the limitation of the principle that men are *for* one another. Does the social, with its institutions, universal forms, and laws, result from limiting the consequence of war between men, or from limiting the infinity which opens in the ethical relationship of man to man? (Levinas 1982a, 80).

We might deduce from these comments that Levinas is critical of the socio-political order since it is not founded upon or creates the condition of possibility for the ethical relation, but rather hamstring the primordial disinterested openness of an I towards the Other, by precisely organizing these relations in politico-economic terms. The economy of reciprocal rights and obligations of the social contract we enter into, therefore, neglects the primacy of an inherent brotherhood [or sisterhood] of generosity that precedes any rational cost-benefit calculus of guaranteed freedoms in exchange for the sacrifice of other freedoms. Such rational trade-offs are made in political negotiation, and Levinas defines politics in the Preface to *TI*, we may recall, as "[t]he art of foreseeing war and winning it by every means" (*TI*, 21). Here, as we have seen, he unequivocally opposes politics to morality. Levinas would then agree that war rages on unabated in politics, as Foucault's well-known inversion of Clausewitz's (1832, 87) dictum that "[w]ar is the continuation of politics by other means" avers. Foucault contends that politics is, in fact, a war waged by other means (Foucault 1975, 168; 1977, 90; 1982, 222)

If Being itself reveals itself as war, morality cannot belong to the order of ontology. Moreover, what makes war so unbearable is the fact that there is no escaping it: "It establishes an order from which no one can keep his distance; nothing henceforth is exterior" (*TI*, 21). The ontological is warlike, and war is total. It is totality. Ultimate peace, not the temporary peace of peace treaties, must then be founded on something beyond the ontological, beyond the totality of war, which encapsulates the rationalizations of politics. According to Levinas, only the "eschatology of messianic peace" (*TI*, 22) can escape the inescapable. This is a peace of an entirely different order than the peace that philosophers have deduced from reason – "the reason that plays out its stakes in ancient and present-day wars: they found morality in politics" (*TI*, 22). The "prophetic eschatology" that Levinas is talking about is not concerned with the final events in the history of the world or of humankind as if there is, after all, some

final end towards which the ontology of intermittent war and peace is oriented. It is, therefore, not concerned with directing the totality along teleological lines or with providing some orientation to history. If we are not to be duped by morality, if it is truly capable of announcing a peace beyond the inescapable ontology of war, it must be founded on "a relationship with a *surplus always exterior to the totality*, as though the objective totality did not fill out the true measure of being, as though another concept, the concept of *infinity*, were needed to express this transcendence with regard to totality" (TI, 22-23). Infinity, then, would be beyond totality, not enclosed or confinable within totality, and as original or primordial as totality itself. Levinas qualifies the "beyond" of infinity – the beyond totality and objective experience – as something that should not be understood in purely negative terms as that which exists outside of totality, as if the possibility of peace is to be found in some "void that would surround the totality" (TI, 22).

How should we understand infinity as a possibility *within* experience, history, and totality? The eschatological as "beyond" yet within history does not signal the final judgment at the end of time, "but the judgment of all the instants in time, when the living is judged" (TI, 23). This eschatological notion of judgment signals the possibility of meaningful identity "before" eternity, "before the accomplishment of history, before the fullness of time, where there is still time" (TI, 23). As a judgment of each instant in living time, the possibility of peace beyond war implies the taking on of responsibility. By taking on this responsibility, a relationship is instituted with the infinity of being, which exceeds the totality.

The account of the journey from war to peace found in TI raises the specter of the tension in Levinas's thought between ethics and justice. Justice is the necessary thought of deciding what constitutes ethical action when the I is confronted not only with his/her responsibility towards a single Other but towards many others (Caro 2009, 672). Hence, "the question of justice" marks the transition from the ethical to the "political" circumstance (*Otherwise than Being and Beyond Essence*, 141-142, henceforth OB). It is the difficulty of accounting for how exactly the face-to-face relation is incarnated in political justice, legality, the state, and so on, as Levinas claims.

Levinas's intellectual preoccupation with war is no doubt due to the fact that he was no stranger to war and witnessed the atrocities of multiple wars throughout his life.<sup>4</sup> As we have seen, he situates his thought in a century that has witnessed the incomparable "useless suffering" of two world wars, totalitarianism, Fascism, National Socialism, the dropping of nuclear bombs, forced labor camps, and genocides (Levinas 1982b, 97). Moreover, for Levinas, as noted earlier, this is an era "beyond theodicy", beyond any attempts to defend divine *raison d'être* in view of the existence of evil. "Supra-historical perspectives" are no longer able to "divine, in a suffering that is essentially gratuitous and absurd, and apparently arbitrary, a meaning and an order" (1982b, 96). For "[d]id not Nietzsche's saying about the death of God take on, in the extermination camps, the meaning of a quasi-empirical fact?" (1982b, 97). By situating his thought within this context, some commentators (e.g., Shaw 2018, 2) have suggested that Levinas offers his ethical metaphysics as a possible response to "an ethical-spiritual crisis precipitated by the twentieth century's unprecedented wartime atrocities" (1982b, 97). I would venture to say that more than a response to cataclysmic

atrocities, Levinas's thought pierces the existential quandary we face as fragile beings exposed to everyday useless suffering ranging from discrimination, victimization, and abuse to penury and famine, and beyond to violence and murder.

This is one of the very hard and much-debated questions in Levinas scholarship: how does this interhuman order relate to the political order? Levinas maintains that the interhuman perspective can subsist but also be lost in the political order in which the Law establishes mutual obligations between citizens. The interhuman nevertheless precedes the political order. The interhuman relation or ethics "lies in a non-indifference of one to another, in a responsibility of one for another" (Levinas 1982b, 100). The political order is then superimposed on the "pure altruism of this responsibility." The political order complicates the asymmetry of the ethical I's responsibility towards the Other because it calls for the "reciprocity of this responsibility, which will be inscribed in impersonal laws" (1982b, 100). Levinas further specifies the relation between ethics and politics by stating that the order of politics, which institutes the "social contract," is neither the sufficient condition of ethics – as Hobbes thought – nor the necessary outcome of ethics. Therefore, the ethical relation between the I and the Other does not stand in a causal relation to the political relation between the I and all the other Others. The I of the ethical relation, Levinas insists, is unassociated with "the citizen born of the City, and from the individual who precedes all order in his natural egotism" (1982b, 101) – the individual belonging to the state of nature.

Levinas, then, insists that the ethical I is distinct both from the political and pre-political I, but the problem of evil reminds us again that the humanity of ethics is not an unflinching state but a struggle against the inhumanity of evil inscribed in the very fiber of pure Being – and Being, as we have seen "reveals itself as war" (TI, 21). The ethical I, then, it would seem, cannot maintain its insularity from the political I.

## IS THE ENEMY NOT ALSO AN OTHER – A NEIGHBOR?

### The Moral Force of the Face<sup>5</sup>

We need to understand how Levinas conceptualizes the Other we meet in war, but first, we must come to grips with the moral force posed by the face. Levinas maintains that the absolute Other of transcendence is no ordinary killable entity. In the body of TI, Levinas characterizes the relation between the self and Other as a relation maintained "*without violence, in peace* with this absolute alterity. The 'resistance' of the other [to possession or assimilation or being killed] does not do violence to me, does not act negatively; it has a positive structure: ethical" (TI, 197). To be confronted by the face is not to struggle with a faceless god, but to respond to his expression, to his/her revelation. The expression introduced by the face does not defy the feebleness of my powers, but my ability for power [*mon pouvoir de pouvoir*] (TI, 198). The face, still a thing amongst things, breaks through the form that nevertheless delimits it. Concretely, this means that the face speaks to me, and in addressing me, it invites me to a relation incommensurate with a power exercised, be it enjoyment or knowledge.

As I have explicated elsewhere (Hofmeyr 2005, 246-248; 2021, 318-319), the face nevertheless remains, in a certain sense, exposed to my powers. Levinas describes the face as upright *exposure without defense*. It is what stays most naked, exposed, and destitute. The vulnerability of the face almost invites us to an act of violence. The dimension that opens in this sensibility modifies the very nature of power. Henceforth, power can no longer grasp or seize the face as an object or as a knowledge but can kill. The possibility of murder finds itself in the face of a sensible datum, and yet it finds itself before something whose being cannot be suspended by appropriation. This datum is absolutely non-neutralizable. By grasping a thing as an object, by appropriating or using an object, its independent being is only partially negated. The thing is preserved for me. Murder alone lays claim to total negation. Negation by labor, usage, or representation effects a grasp or a comprehension — essentially an affirmation of my powers to be able. To kill, on the other hand, is not to dominate but to annihilate. Murder exercises a power over what escapes power. I can wish to kill only an existent absolutely independent, which exceeds my powers infinitely, and, therefore, does not oppose them but paralyzes the very power of power. The Other is the sole being I can wish to kill (TI, 198). At the same time, the face is what forbids us to kill (Levinas 1982a, 86).

Thus the Other's address consists in an order, as command (TI, 201). There is a commandment in the appearance of the face, as if a master spoke to me from on high. At the same time, the face of the Other is destitute; it is the poor for whom I can do all (and never enough) and to whom I owe all.

To be sure, I *can* kill the Other. Prohibition against killing does not render murder impossible. He is "exposed to the point of the sword or the revolver's bullet." But he can also oppose me with a struggle, that is, oppose to the force that strikes him not a counter-force, but the very *unforeseeableness* of his reaction. He thus opposes to me not a greater force, but the very infinity of the transcendence of his being. This infinity, stronger than murder, already resists us in his face with the primordial expression, the first word: "You shall not commit murder" (TI, 199). Here, there is a relation not with an immense opposition, but with something absolutely *other*: the *ethical resistance*.

Ethical *resistance*, therefore, suggests resistance against my attempt to ignore the Other's appeal (which would amount to murder), while *ethical* resistance refers to the fact that the Other, who is also the Good, does not impose its rights. The ethical resistance, according to Levinas, is "the resistance of what has no resistance" (TI, 199). This resistance is not real but ethical.

This is how Levinas theorizes the "power" or ethical resistance of the Other against murder. But is killing in war not essentially different than murder? According to Eser (2018, 309), the fact that killing in war is considered a matter, of course, may be inferred from the fact that, as stated by Thomas Hobbes, "all laws are silent in the time of war". Although this traditional law-suspending power of war has been restricted to a certain degree by modern humanitarian international law, it is still commonly assumed that killing in war, unless and as long as not explicitly forbidden, is *per se* permitted and thus does not require any further legitimization. This is in fundamental contrast to a "normal" homicide, which requires special justification to be considered lawful. This commonly unquestioned license to kill, according to Eser, is all

the more astonishing given that no legal norm can be found that positively and explicitly declares killing in war to be lawful. How can it be morally justified and sufficiently legitimized? Eser finds no satisfactory answer to the question of whether and why killing in war, as long as it does not constitute a war crime, stays outside the rubric of criminal law. Neither does constitutional law provide empowerments and restrictions of killing in war, nor does international law with particular attention to state sovereignty offer convincing legitimization. The fact that killing in war is not considered murder, Eser concludes, is therefore without proper sanction or substantiation.

### **Does the Executioner Have a Face?**

In Levinas's thought, however, we do find substantiation for killing in war. However, his response to the question, "Does the executioner have a face?" uncovers an aporia in his legitimization of killing in war. When confronted by this question, Levinas responds by aligning the struggle with or resistance to evil with justice (Levinas 1982c, 105). Justice, he is clear, does not concern self-defense. If justice is owed to me, it is up to the Other to defend me. Justice, then, justifies violence when my neighbor is threatened: "If self-defense is a problem, the 'executioner' is the one who threatens my neighbor and, in this sense, calls for violence and no longer has a Face" (Levinas 1982c, 105). This justification of violence when my neighbor is threatened is what Just War Theory calls just cause. While in the preface to *TI*, Levinas maintained that war is the very suspension of morality, here – twenty years later – he makes provision for a just war. Here he supplements the ethical I with "the concern for the third and, hence, justice" (Levinas 1982c, 105). If justice involves a measure of violence, "it is necessary to allow judges, it is necessary to allow institutions and the state; to live in a world of citizens, and not only in the order of the Face to Face" (Levinas 1982c, 105).

In this context, Levinas specifies how the order of the Face to Face, the ethical order, relates to the political order. It is the relation to the Face that must regulate the legitimacy of the state. According to Levinas, a state that would not make allowances for the interpersonal relationship would be a totalitarian state. Here Levinas's thinking bears remarkable similarities to Just War Theory. There is no state, according to him, that does not entail some violence, but this violence can involve justice. To be sure, violence should be avoided as much as possible, and recourse should, first and foremost, be to negotiation. However, says Levinas, "one cannot say that there is no legitimate violence" (Levinas 1982c, 106).

What would constitute the irresolvable internal contradiction in Levinas's legitimation of violence given his insistence that my neighbor's aggressor "no longer has a face" (Levinas 1982c, 105), then? According to Shaw (2018, 16), Levinas is saying something like, "Justice is founded, in a way, on a lie. Each person *is* a revelation of the command against murder: *Thou shalt not kill!* To kill someone, you need to ignore this. You must deny the face. It's a lie, of course. Even aggressors have faces, and you are responsible even for them. Yet sometimes, tragically, it must be

done". So, ethics or love that Levinas insists must watch over justice cannot insulate it against this tragic element of justice – the fact that it depersonalizes.

This 'lie' is put to the ultimate practical test when Levinas is questioned on the status of the Palestinian as "Other" in a well-known 1982 exchange with Shloma Malka:

SM: Emmanuel Levinas, you are the philosopher of the 'other.' Isn't history, isn't politics the very site of the encounter with the 'other,' and for the Israeli, isn't the 'other' above all the Palestinian?

EL: My definition of the other is completely different. The other is the neighbor, who is not necessarily kin, but who can be. And in that sense, if you're for the other, you're for the neighbor. But if your neighbor attacks another neighbor and treats him unjustly, what can you do? Then alterity takes on another character; in alterity, we can find an enemy, or at least we are faced with the problem of knowing who is right and who is wrong, who is just and who is unjust. There are people who are wrong (Levinas 1989, 294).

As Cora (2018, 674) points out, Levinas's response seems to suggest that the Palestinian is the enemy: "Although Levinas does not directly name the Palestinian here, yet he seems to confuse him not as the victim of an attack, as listeners had expected so soon after the massacre at Sabra and Chatila, but as the attacker and therefor as the enemy." Levinas scholars such as Bernasconi (2006), Shapiro (1999), and Campbell (1999) concur with this interpretation, whereas Loumansky (2005, 189) holds a contrary view, "arguing that while the neighbor is invariably kin [...] Levinas' enemy here is rather 'the Jew' when he does not fully live up to the ethical obligations owed to the Other" (Cora 2018, 674). Irrespective of the undecidedness of the matter, what is clear from his response is that Levinas does make a distinction between an enemy and a neighbor and that how this is determined is a matter of justice since it "structurally lessens the responsibilities that a neighbor or citizen has towards another" (Cora 2018, 674). Levinas explains the necessity for justice and how it relates to ethics as follows:

I don't live in a world in which there is but one single 'first comer'; there is always a third party in the world: he or she is also my other, my neighbor. Hence, it is important to me to know which of the two takes precedence. Is the one not the persecutor of the other? Must not human beings, who are incomparable, be compared? Thus, justice here takes precedence over the taking upon oneself of the face of the other. I must judge where before I was to assume responsibilities ... But it is always starting from the face, from the responsibility for the other that justice appears, calling in turn for judgment and comparison ... (Levinas 2001, 166).

Levinas is adamant that ethics precedes and is more fundamental than justice: "Justice should flow from, issue from, the preeminence of the other" (Levinas 1999, 176). He further insists that "[i]n no way is justice [...] a degradation of the for-the-

other, a diminution, a limitation of anarchic responsibility" (OB, 159). While it seems clear that for Levinas, the ethics of two is primary and justice that involves the third is secondary, this is, however, a deceptive hierarchy or sequence: "In the proximity of the other, all the others than the other obsess me, and already this obsession cries out for justice" (OB, 158). We live in a social world in which the twosome of ethics is *always already* complicated by the ethical demands of other others. Ethics is primary in the sense that it founds justice and safeguards it against the excesses of political calculation and rationalization. Inversely, while justice is necessary, it puts ethics in danger precisely because it inaugurates comparison, a weighing of which other I am most responsible for. It draws me out of the anarchic pre-reflective realm of ethics into the realm of rational comparison of the phenomenology of multiple others. Levinas's ethical metaphysics was not conceived as a practicable ethics but rather an attempt to understand what makes possible the very unlikely event of ethical action – the ability of the self-interested I fixed in its *conatus essendi* to put the Other's interest before his/her own. The debates ensuing from his appealing axiomatic relationship for-the-Other and his avowed Zionism, however, forced the early Levinas of TI – who maintained that war suspends ethics – to consider the muddy normative ground of politics that could possibly justify violence and war. However, Caro (2018, 676) makes a compelling argument that Levinasian justice "is conducted based on criteria that are so underformulated that the results which it offers are quite as likely to be partisan as for another." The "lie" upon which justice is based that Shaw (2018) insists on then turns into the fact "that the enemy must still be the Other although the extent of responsibilities owed to that other can be less than that owed to someone else [...] The political problem, though, is how to judge such justice?" (Caro 2018, 677).

## CONCLUSION: THE INEXTRICABLE RELATION BETWEEN TOTALITY AND INFINITY, WAR AND PEACE, POLITICS AND ETHICS

If we critically consider Cohen's schema mentioned at the very onset of this paper, then we must admit that both the absolute good in which the Other enjoys absolute priority over the self, and absolute evil, the death and destruction that ensue when the moral proscription against killing is suspended, constitute insufferable conditions. Such a binary scheme is not an accurate portrayal of the dynamics at play in Levinas's thought, especially beyond the confines of the preface of TI but also within it. Rather, what he presents us with is a Derridean double-bind of both/and.

Foremost is the fact that TI is not an indictment of subjectivity, but rather a "defense of subjectivity" (TI, 26). If Levinas defends subjectivity, can the good be an *absolute* priority of the Other over the self? Levinas recognizes that without a measure of self-care, of self-subsistence, and without resources to give, the self will not be able to take up his/her responsibility towards the Other. It entails a form of self-maintenance for the sake of the Other. How can this self-caring self realize its potential as a selfless self, a self that maintains itself without egotism?

This 'capability' or 'predisposition' resides in the idea of infinity in me. What stands in – more accurately – for the good in Levinas is infinity. Evil, then, may be

equated with totality. This is not an opposition; however, it is totality *and* infinity, as the title of the book announces. Levinas is clear that infinity does not first exist, and *then* reveals itself:

It [infinition] is produced in the improbable feat whereby a separated being fixed in its identity, the same, the I, nonetheless contains in itself what it can neither contain nor receive solely by virtue of its own identity. Subjectivity realizes these impossible exigencies – the astonishing feat of containing more than it is possible to contain. This book will present subjectivity as welcoming the Other, as hospitality; in it, the idea of infinity is consummated (TI, 26-27).

Therefore, the idea of infinity lodged within the self is coextensive with the totality of cold-hearted egotism. The idea of infinity accounts for the humanity of humans – their moral potential to override their self-regarding persistence in being for the sake of another. The totality of egotism, which accounts for the possibility of murdering the Other, is always already invested with the potential to be otherwise – to be for-the-Other first before the very firstness of being-for-oneself. This potential, to be sure, is not an over-determination, but remains a choice. Responsibility is a pre-reflective always-already infectedness with compassion for another, but the taking on of this responsibility is a choice. The pre-reflective realm of ethics precedes ontology and politics, but rational moral decision-making is effected in the ontological realm of knowledge, calculation, and political negotiation. Although the third of politics always already haunts the twosome of ethics, it is the precedence of ethics that facilitates the possibility of justice in the political realm.

Whereas concrete wars play out in the realm of politics, which is situated on the ontological plane, it is on the ethical plane that *my* peace, which is more originary than temporary peace agreements instituted through political negotiation, is situated. I find this Peace when I take up my ethical responsibility towards an unassumable Other, which opposes the violence of my egotism with an ethical resistance that forbids murder. Levinas would like us to believe that the self has recourse to this Peace even amidst the destruction of concrete war and the death of the extermination camp, but surely the promise of such Peace means very little to the soldier faced with a merciless enemy. In fact, it would seem that uppercase Peace brings no consolation or resolution to the challenge posed by lowercase war.

Foremost in Levinas's mind when he equates the state of war with the suspension of morality and defines politics as the opposite of morality in the Preface of TI was the Holocaust – the systematic, state-sponsored persecution and murder of six million European Jews by the Nazi German regime and its allies and collaborators from 1933-1945. "Shoah," the Hebrew word for the Holocaust, means "catastrophe."<sup>6</sup> The Holocaust was truly catastrophic, a "downturn" [from the Greek *kata-* (down) and *strophe* (turning)] in the history of humanity, an unequivocal turn towards the bottom end of Cohen's schema, towards absolute evil: "killing, war, the suspension of morality" (Cohen 1998, 156). The extent of the senseless slaughter has come to represent the incarnation of absolute evil in modern consciousness. If politics can

sanction such evil, it is little wonder that Levinas is so adamant here regarding the opposition between politics and morality. The Holocaust made the Second World War not just one war amongst many, but the war par excellence. It was the most destructive thing to life, liberty, and property that the world has ever seen. Of the 50 million people who lost their lives, more were civilians than combatants. It wounded hundreds of millions and turned as many into refugees, widows, and orphans. But it is the genocide of the Jewish people that turned men into executioners.

While it was OB (1974) that Levinas explicitly dedicated "[t]o the memory of those who were closest among the six million assassinated by the National Socialists, and of the millions on millions of all confessions and all nations, victims of the same hatred of the other man, the same anti-semitism," it is in TI that Levinas grapples with what such unbridled hatred means for morality. Levinas is unequivocal: the suffering inflicted by the war and the Holocaust is total and useless, and it spelled the end of theodicy. Levinas's eschatological peace is not a teleological vindication of divine providence, but the interhuman order in the here and now that renders the suffering of my neighbor useful in me as it raises me up to the moral height of compassion and love as I rise to the occasion of what responsibility towards the suffering neighbor demands of me. My suffering remains useless to me, however. Hence, there is no way around this tragic or wicked aspect of existence. If my suffering remains useless in me, I should, in theory, be the recipient of the compassion of another, which is, of course, more often than not, *not* the case. Moreover, ethics appears to be trumped by politics when I have to decide who is my neighbor and who is an executioner. I am called back from that place of pre-reflective, affective connectedness to my neighbor to distinguish him/her from the enemy.

However, the mature Levinas remains adamant that even war cannot completely obliterate the Face of the enemy. In the last fifteen years of his life, he often cited Vasily Gossman's *Life and Fate*, a war novel about the Battle of Stalingrad, as illustrative of his philosophy – in particular how when seeing a face one can find oneself unable to depersonalize an enemy, moments of "absolutely gratuitous, unforeseen" kindness when hostility turns into hospitality and generosity, which ruptures the enmity of war (2001, 80-81; 89-90). Shaw (2018, 11) cites a particular scene that occurs late in the novel, in the aftermath of the Battle of Stalingrad, when a group of captured German soldiers are forced to retrieve corpses from a cellar, a young officer among them. Among the crowd that gathers to watch is a woman whose daughter turns out to be among the dead. Filled with rage, the woman grabs a brick and storms towards the young soldier, intending to strike him down. What happens next is the moment that attests to Levinas's insistence that "my peace" trumps the death and destruction of concrete war:

The woman could no longer see anything at all except the face of the German with the handkerchief around his mouth. Not understanding what was happening to her, governed by a power she just now seemed to control, she felt in the pocket of her jacket for a piece of bread that had been given to her the evening before by a soldier. She held it out to the

German officer and said: "There, have something to eat" (Grossman 1987, 805-806).

To what extent, however, does this fictional scenario resolve the intractable dilemmas that Levinas has to account for: the dilemma posed by war to ethics, the possibility of a just war if war suspends ethics, and the contamination of ethics by politics, which both war and (temporary) peace treaties necessarily entail? What this scenario depicts for Levinas is the *possibility* of the ethical resistance of the enemy's Face remaining in force, giving the self a recourse to "Peace" when love trumps hatred even amidst the destruction of concrete war and the death of the extermination camp. Yet, this possibility offers no consoling resolution of any of the real dilemmas at play in the concrete drama of war and peace. To the young soldier conscripted into war against their will and delivered over to killing those arbitrarily relegated to the ranks of the enemy, no consolation is possible. Levinas was painfully aware of the brutality of warfare, and to read his journey from war to peace as an attempt to resolve these dilemmas would be to miss the point. Far from being a teleology, his stance in TI, on the Palestinian Other, and on war as useless suffering, precisely underscores the intractability of these dilemmas. What we have noted in his treatment of war and peace is a constant slippage of conceptual registers between War – the warlike ontology of Being – and concrete war, on the one hand, and the Peace I find in the awareness of an inherent pre-original infectedness by the Other and concrete peace as the (temporary) end of warfare, on the other. Also evident is the fact that the non-relational relation between the Self and the Other is echoed in the intertwining of the other chiasmically associated "dualisms" (such as war and peace, ethics and politics, or totality and infinity). To be sure, Levinas is adamant that we are not duped by ethics. Perhaps this is nowhere more evident than in the simple fact that I can only kill another Self, and, unless mentally deranged, the first act of killing is affectively experienced by the Self as a forsaking of the pre-original bond with the Other. However, Levinas's position on the neighbor turned executioner seems to affirm that in concrete wars, politics eclipses ethics as a rule. What his philosophy seeks to account for is the inexplicable exception to the rule.

## NOTES

1. A condensed version of this analysis can be found in *Transcendence and Height*, a 1962 talk Levinas gave to the *Societe Francaise de Philosophie*.

2. Throughout this study, I critically engage Levinas's conceptualization of war both with and against Levinas scholar, Richard Cohen's 1998 interpretation to come to a more precise and nuanced understanding.

3. Source: *The Internet Encyclopedia of Philosophy*  
<https://iep.utm.edu/justwar/#:~:text=2.,proportional%20to%20the%20means%20used>  
 d. Alexander Mosely's entry on "Just War Theory" provides an instructive overview of its history and, in particular, its recent revival and ensuing debates over the past three decades.

4. See Cohen (1998, 152) for an overview of Levinas's experiences of war.

5. This section draws on my explication of Levinas's conceptualization of the ethical resistance posed by the face in Hofmeyr (2005, 246-248) and Hofmeyr (2021, 318-319).

6. Source: United States Holocaust Memorial Museum. Introduction to the Holocaust. *Holocaust Encyclopedia*.

<https://encyclopedia.ushmm.org/content/en/article/introduction-to-the-holocaust>.

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