

My task does not consist in constructing ethics; I only try to find its meaning.¹

Chapter 6

Ethics is Justice

In the preceding chapter it was argued that the alterity of the face confronts the problem of the possibility of economic justice. This followed the discussion of Chapter Four which suggested that the production of meaning required an encounter with alterity. Without the incessant interruption of the Other, the singular relation to another is reified into a moral economy that ultimately demands a piety and love of the other which does violence to a third. In this chapter, I will return to *Totality and Infinity*, bringing these elements of representation, justice and alterity together in a discussion of the question of the relation of ethics and justice. I argue that the face to face relation contains the idea that the truth of representation is a product of a demand for justice, or an awakening to the question of justice in the face to face. Levinas' claim that ethics is justice, is not a reduction of one to the other but introduces an irreducible two-sidedness into the ethical relation, as both a response to the singular other and an attesting to the social totality.

Two questions arise with regard to this relation, neither of which are independent of the other. The relation to the Other appears as a critique of foundations and the origin of value. It must be asked whether, in the process, Levinas does not reduce the face to a new ground of truth or value. A reply is not

¹ E. Levinas, *Ethics and Infinity: Conversations with Philippe Nemo* (EI), trans. R. Cohen (Pittsburgh: Duquesne University Press, 1985), p. 90.

unrelated to the question of how the face, the singularity of the other, is not subordinated once again to the social whole in the production of a universal. In other words, how the response which attests to the whole can retain its sense of responsibility to the Other. In *Totality and Infinity* Levinas discusses the paradoxical notion of a call to justice which is not only a demand to justify myself before the Other but a demand to make a judgement and thereby make one's entry into the social totality. This reading does not accept the interpretations of Levinas as a propounder of a "new ethics" which absorbs the identity and singular desires of the self and Other into the pure and moral world of the Good, detached from socio-historical and political circumstances.²

The chapter finishes with the suggestion that the erotic relation and the notion of fecundity, both before and beyond the face, describes the manner of being of a subject that is already called to justice by the singular Other, but in the inevitable return to self remains open to an infinite humanity. *Eros*, thought in terms of a non-teleological production of the child, describes the victory over death necessary for the ethical dimension of justice to remain open. I suggest that the non-teleological production of a future, expressed in the notion of fecundity, describes a relation of finite subjectivity and the infinite which offers no consolation but holds open a dimension of responsibility which would otherwise be closed in my awakening to the ontological possibility of death. The phenomenology of *eros* introduces and addresses the problematic of the relation of the ontological and the ethical subjectivity, which becomes the dominant issue of Levinas' later work, as the final two chapters of this thesis will discuss.

i) The Other and Social Justice

² "New ethics is waving at 'the Other' who is drowning and dragging his children under with him in violent, dying gestures ... In its regime of sheer mercy, *new ethics* will be as implicated in unintended consequences as its principled predecessor." G. Rose, *Judaism and Modernity: Philosophical Essays*, (Oxford: Blackwell, 1993), p. 6.

Between the conception in which the ego reaches the other [*autrui*] in pure respect (based on sympathy and love) but is detached from the third party, and that which converts us to a singularisation of the concept man, where an individual in the extension of that concept is subject to the legislation of an impersonal reason, there is a third way to understand the totality as a totality of egos [*moi's*] which are without conceptual unity but in relationship with each other.³

The arguments of the previous chapter suggested that in the paper, *The Ego and the Totality*, Levinas is already concerned with the possibility and necessity of social justice. While the previous chapter discussed the consequences of this concern for Levinas' critique of *eros*, the following discussion introduces Levinas' model of the relation of the subject and the other which he claims is an alternative way to understand the relations between subjects which constitute the social totality. As the quote suggests, Levinas is looking for an alternative way of thinking the intersubjective relationship which does not rely on a division of private and public realms, and therefore refuses to subordinate intersubjective relations to a rational principle.

In *The Ego and the Totality*, having found in love the failure to recognise the injury or injustice to a "third", Levinas begins to explain this concept.⁴ The third is not simply another other (although from within the relation to the face, this is how the third will appear), but a certain manner of appearing of another. Returning to his starting point, and refusing to give up the idea that the individual can participate or be in relation to, the social totality without thereby being swallowed in it, Levinas asks what injustice means "when the standard of justice cannot be derived from a simple comparison of individuals?"⁵ Refusing the opposition between a private ethos and a public justice, in which one is governed

³ *The Ego and the Totality*, CP 37/EN 37-38 .

⁴ *The Ego and the Totality*, CP37/EN 37.

⁵ *The Ego and the Totality*, CP 37/EN 37.

by love and the other by an objective law and impersonal reason, Levinas suggests there is a third way to think the relation of the individual and the totality and discusses the manner in which the individual will appear in the totality without negation.⁶

According to Levinas, the individual subject cannot "hold on to the meaning of its own willing".⁷ Its works enter into a fate over which the subject, who in its willing remains free, nevertheless has no control. Injustice, he claims, is the moment of the limitation of this freedom and the condition in which the totality takes form. The will itself enters a world of valuation in which it is not the only participant. This is a world that Levinas calls "economic".⁸ It is not governed by an absolute but remains a multiplicity in which individuals, unbeknownst to themselves, betray their singularity. For Levinas, the third is the manner of the presence of the will in this economy.⁹ The individual conceived as a third is apprehended in their work. Work, is not only to be conceived as an expression or effect of a producer, but as a possession, that is, as the presence in absence of the worker.¹⁰ In this context, work is not an object, a product, but a value as producer. As producer, I have an economic value. This economic value as a third, has the ontological structure of a body, both the "I can" and a vulnerability of the physiological body.¹¹

For Levinas, this is a realm of economic injustice.¹² But this injustice does not necessarily recognise itself. He suggests that gold, understood as standing for an impartial absolute value, coerces and tempts in this realm, in so far as it simultaneously recognises the singular and yet betrays it in giving it a

⁶ *The Ego and the Totality*, CP 37/EN 37.

⁷ *The Ego and the Totality*, CP 38/EN 38.

⁸ *The Ego and the Totality*, CP 39/EN 39.

⁹ *The Ego and the Totality*, CP 39/EN 40.

¹⁰ *The Ego and the Totality*, CP 38/EN 39.

¹¹ *The Ego and the Totality*, CP 39/EN 40.

¹² *The Ego and the Totality*, CP 39/EN 40.

value within the system.¹³ In other words, in the midst of exploitation, the freedom of the subject is recognised. Economic injustice is thus defined beyond any moral values. It has in fact a positive sense, as the realisation of the irreducible two-sidedness of the relation of the subject and the social totality. Economic injustice, as Levinas discusses it here, is the impossibility of valuing the work of the will in terms of that will. It is a realm of injustice which arises from the ambiguity of subjective identity itself in relation to the social totality.

In Part Five of *The Ego and the Totality*, Levinas turns to the question of how the relation of the singular ego to the social totality can be recognised as a realm of injustice.¹⁴ To not only hear but to hearken to [*entendre*] a cry for justice in the "groans that cry of affliction" [], can only arise from an encounter with "someone", a singular other who, in these cries, calls me to account [*me demande des comptes*].¹⁵ This notion of singularity is the basis of the relation of subjects in the social whole. For this reason, Levinas will call the relation to the other a reciprocal relation.¹⁶ However, reciprocity does not mean equality. While the social totality is made up of relations between third persons, understood as bodies which both appear and absent themselves, it is not with regard to their value in the system, but with regard to their value as unique perspectives that reciprocity must be thought. Overcoming the injustice done to another, who, like me, is understood as a subject who appears in their work while absenting themselves, is not possible through making reparation.¹⁷ The notion of economic injustice is based on this impossibility of compensation which will always entail measuring the immeasurable. Economic justice merely heightens of the play of injustice. How is justice possible? According to Levinas, there must be a principle which does not appeal to an ideal justice, or an absolute law in

¹³ *The Ego and the Totality*, CP 39/EN 40.

¹⁴ *The Ego and the Totality*, CP 39-44/EN 40-46.

¹⁵ *The Ego and the Totality*, CP 39-40/EN 41.

¹⁶ *The Ego and the Totality*, CP 43/EN 45.

¹⁷ *The Ego and the Totality*, CP 39/EN 40.

which an ultimate justification is sought.¹⁸ One must be judged by someone and not by history or a distilled principle. One must begin with an interlocutor, who arises "behind the man known in that absolutely decent bit of skin that is the face".¹⁹

Thus, Levinas introduces the face in all its ambiguity, as that bit of flesh, of embodied tertiality, from behind which the Other emerges. In other words, the relation with the Other is not independent of the conditions of economic injustice, rather it "emerges out of [] a relationship in which the other plays the role of the third party".²⁰ The Other is a moment of a disengagement of reciprocity which would otherwise reduce the tertiality of the other to a you [*toi*], a second person. In the light of the discussion of the previous chapter, this would be to return to a conception of intersubjectivity as a relation of two. The manner in which this relation is blind to the third begins to appear in all its complexity. The Other who appears in that "bit of skin" is a force which breaks the form of the appearance of the other as a third, that is, as a vulnerable body like myself, but does not reduce the other in that moment to a second person. The Other as the face emerges out of this vulnerable body, but it is not equivalent to it.

Thus Levinas says, one listens and spies. One observes as one speaks.²¹ The subject both responds to the unique Other and gazes on the other as a third. The face in this sense signifies a disengagement which is not thinkable as a turning away, from the other as a third party.²² However, this release from, is not a negation of the vulnerable body, but perhaps the opposite. That is, it signifies a refusal of the moment of reification of that body which would reduce

¹⁸ *The Ego and the Totality*, CP 40/EN 41.

¹⁹ *The Ego and the Totality*, CP 41/EN 42.

²⁰ *The Ego and the Totality*, CP 42/EN 44.

²¹ *The Ego and the Totality*, CP 42/EN 44.

²² In *Totality and Infinity*, Levinas links the extraterritoriality of dwelling to this disengagement: "The chosen home is the very opposite of enrootedness. It indicates a disengagement, a wandering [*errance*] which has made it possible, which is not a *less* with respect to installation, but the surplus of the relationship with the Other or of metaphysics", TaI 172/TeI 147.

the other once again to a producer who has no say in the value of their work. The face as the Other, breaks the hold of the totality and demands justice.²³

Levinas' account of the face in this work introduces a crucial theme into the question of the relation to alterity. While the face is understood as a demand for justice that comes from beyond the social totality understood in its economic sense, Levinas argues that it cannot remain isolated from the community. The relation must refuse all intimacy, understood as absence from the community, to avoid instituting another social totality, this time governed by the extraordinary demand of the Other. For this reason, Levinas explains that the relation is neither friendly nor hostile, and reintroduces the notion of respect.²⁴ Unlike the respect he associated with love, however, this is a respect which "attaches the just man to his associates in justice before it attaches him to the man who demands justice".²⁵ This is to suggest that the face who breaks through the form of their own appearance as a third, firstly demands justice of the "I" who awakens to the injustice of the system. However, the response to this demand is already a concern for the Other as an associate in justice, and thus as a member of a community that does not remain a relation of two, but concerns itself with the "we".²⁶ Levinas explains that the face who commands, cannot simply command me to bow down before it. Humiliation before the law is contrary to the command given in the face to face. To be commanded is "to be commanded to command him who commands me".²⁷ In light of the preceding paragraph, I suggest this is a moment in which the Other, heard in the groaning of affliction, nevertheless refuses the pity with which the will, in its self concerned need to restore its own good conscience, attempts to ease the suffering of the Other. This is a moment in which the subject must recognise that the face does not call me to

²³ *The Ego and the Totality*, CP 43/EN 45.

²⁴ *The Ego and the Totality*, CP 43/EN 45.

²⁵ *The Ego and the Totality*, CP 43/EN 45.

²⁶ *The Ego and the Totality*, CP 43/EN 45-46.

²⁷ *The Ego and the Totality*, CP 43/EN 46.

bow down before it, but awakens me to the ultimate act of egoist appropriation in my very attempts to inhabit the space of good intentions. It is in this context that the face to face relation in *Totality and Infinity* should be read.

ii) Freedom and the Face

The Other [*Autrui*]
responsibility, it institutes [*instaure*] and justifies it.²⁸

As the discussion of the relation of "wills" in *The Ego and the Totality* suggests, Levinas refuses to sacrifice the individual to a universal for the sake of a peaceable model of the social totality. In *Totality and Infinity*, the discussion of the relation of the subject and the totality is inverted such that Levinas does not begin with a social totality, but with a notion of subjectivity. As discussed in Chapter Four, the subject of dwelling both participates in an economy and withdraws from it. It is awakened to this separation only with the arrival of the Other [*autrui*]. The will discovers its thirdness or "tertiality", only after the encounter with the face. In other words, Levinas does not begin with a relation of economic subjects in which the alterity of the face breaks through the form of its appearance as a third, but suggests that this thirdness and the recognition of the Other as a third, is subsequent to my encounter with the face in which I awaken to the phenomenality of my own being.²⁹ Thus tertiality in *Totality and Infinity* is approached starting with the relation to the Other as a face. The question of justice and injustice arises in the encounter with the Other as a face. The relation of subjects in the social totality is discussed in terms of this justice.

²⁸ TaI 197/TeI 171 (translation modified).

²⁹ In this regard, Peter Atterton writes that "although the ethical relation is invisible to the third party, the third party is made visible from within the ethical relation". He quotes Levinas: "The
188, P.
Atterton, "Levinas and the Language of Peace. A Response to Derrida", *Philosophy Today* 36/1 (Spring 1992), p. 66.

As the earlier chapters of this thesis have suggested, Levinas' rethinking of the meaning of human subjectivity beyond, but not before, the structures of Heideggerian ontology, is central to his work. In *Totality and Infinity*, the discussion of subjectivity in terms of the dwelling undermined the notion of the virility of being without giving up a notion of will. For Levinas, this notion of the will is a necessary condition for a relation to the Other, while at the same time it is his intention to claim that it is not the sufficient condition. The subject of dwelling is necessary for the possibility of conceiving of a relation to transcendence which is thought in terms of a negation of powers inherent in a thinking being. It is Levinas' intention to show that these powers are already an effect of the encounter with the Other which furthermore does not effect a negation of subjective identity.

Introducing the face, Levinas describes the manner in which the Other confronts the subject, insisting that it does not entail a negative or oppositional relation.³⁰ The Other remains infinitely distant. The face of the Other interrupts the notion of a common world and does this by putting in question the subject in relation to being and the world of possessions.³¹ It is the manner of putting in question which Levinas attempts to explain. He suggests that it is neither in terms of an opposition of free wills nor as a confrontation of subjective limits. While the first of these counters the idealist interpretation of intersubjective relations, the latter challenges the Heideggerian notion which would see the limits of subjective identity to lie in the encounter with being.

Levinas suggests that the Other calls the phenomenal subjectivity of dwelling, which is a "*mode of being* where nothing is ultimate", to its final reality, engendering it for responsibility.³² In this discussion he suggests that this engendering is a movement where I pass from phenomenality to being.³³ In

³⁰ TaI 194/TeI 168.

³¹ TaI 194/TeI 168.

³² TaI 178/TeI 153.

³³ TaI 178/TeI 153.

linking the encounter of the face with existence Levinas seems to be suggesting paradoxically that the relation to being as *il y a* might have a signification beyond the ontological drama of enchainment and finitude. This moment in *Totality and Infinity* when *il y a* and the Other cross paths is highly controversial and little understood.³⁴ Recalling the distinction between the anonymity of *il y a* and the neutrality of "the they" in Heidegger, as discussed in Chapter Two, it can be suggested that the notion of the Other is precisely the moment in which Levinas rejects the attempt to conceive of the social totality as governed by a neutrality or anonymity of "the they" or the "*es gibt*" of Heideggerian ontology. Why or how this does not rely on pre-given moral assumptions about human subjectivity is the issue at hand.

The gravity of being that the face institutes is wholly otherwise to the incessant murmuring of *il y a* in *Totality and Infinity*.³⁵ I suggest that Levinas attempts to demonstrate that the effectivity of the subject's localisation with regard to *il y a*, presupposes this weight, without which its orientation as the centre would not be graspable. Pursuing the metaphor a little further, the gravity here is more akin to what Levinas later calls a "falling upwards" of the human.³⁶ In *Totality and Infinity*, Levinas uses such terms as the straightforwardness/uprightness [*droiture*] and the dimension of height in/across which the face is encountered.³⁷ If the *il y a* is that which awakens subjectivity to its enchainment, it is the other who locates the gravity of this relation beyond the subject's relation to being.³⁸ In the language of the early works and the specific logic of hypostasis, the derivation of singularity from anonymity, already presupposes an Other, an infinite, other to the infinite totality of *il y a*. This

³⁴ I will address this issue again in Chapter Eight, with regard to the difference between the *il* of *il y a* and the *il*' of *illeity*.

³⁵ TaI 183/TeI 158.

³⁶ OTB 184/AE 231.

³⁷ TaI 183/TeI 158 & TaI 215/TeI 190.

³⁸ In Levinas' later work this idea is discussed as the impossibility of the subject sinking into the essence it thematises. I will return to this idea in the final chapter.

infinite is both a foundation and a destruction of the subject's relation to being as ground. In other words, it is an a-ffirmation, or a foundation which comes from elsewhere than the subject or *il y a*, which does not destroy either. Levinas claims that it institutes the freedom of subjectivity, calling it to justice.

Invitation, institution, investiture, are all terms Levinas uses to describe the manner in which the subject is liberated from the arbitrary in this encounter with the Other.³⁹ This liberation is described as a Desire which unlike the need of enjoyment, does not return to the home but is a movement toward the Other which exceeds the notion of the groping hand. It cannot be seen as either the condition of the groping hand nor the non-teleological moment of this movement. It introduces another dimension. Desire does not simply go elsewhere, it comes from elsewhere.

The relation to the Other is a foundation only in the sense of institution and investiture. Levinas claims this relation presupposes the "I", before whom the other "appears":

... it [the relation to the other] takes place, in effect, *before the existent* who expresses itself, that is to say rests in itself [*reste en soi*]⁴⁰

This before, this priority, is an "in front of me".⁴¹ It is an "overflowing presence [which] is effectuated as a position in face of the same."⁴² According to philosophical logic this "before" is translated into an opposition of two terms. However, for Levinas this "*in face of*" is "opposition par excellence".⁴³ In other

³⁹ TaI 84-85/TeI 57 (translation modified).

⁴⁰ TaI 109/TeI 81 (translation modified and my italics).

⁴¹ The French is *devant*, rather than *avant* or "prior to".

⁴² TaI 196/TeI 170.

⁴³ TaI 196/TeI 170.

words, opposition is not reducible to a logical axiom, but itself refers to a relation with the Other.⁴⁴

The "in face of" as a calling into question is an invitation to justice which opens the possibility of response, of dialogue, of "commerce", out of which reason and knowledge are produced.⁴⁵ The call and the response describe the double structure of the ethical space; the "in face of" as "opposition of discourse".⁴⁶

The face opens the primordial discourse whose first word is obligation, which no "interiority" permits avoiding. It is that discourse that obliges the entering into discourse, the commencement of discourse rationalism prays for, a "force" that convinces even "the people who do not wish to listen" and thus founds the true universality of reason.⁴⁷

The notion of an ethical relation which calls the arbitrary freedom of the "I" into question by calling it to responsibility, is in itself not a radical claim. As Levinas points out, for the tradition from Spinoza to Hegel, this would be the advent of freedom itself, in accordance with the universal principles of reason.⁴⁸ In a discussion of justice in a latter essay, Levinas argues that Kant had shown that "through justice being imposed upon the 'incomparable uniqueness' of free persons, we witness the miraculous birth, a birth 'out of suffering', of the objective spirit of truth".⁴⁹ However, Levinas argues that unlike Kant, justice has a different authority than that of the harmonious relation between wills that are

⁴⁴ Tal 197/TeI 171.

⁴⁵ Tal 197/TeI 171.

⁴⁶ Tal 197/TeI 171.

⁴⁷ Tal 201/TeI 175. Levinas references Plato, *Rep.* 327b.

⁴⁸ Tal 87/ TeI 59. It can be assumed, on the basis of his second preface to *Totality and Infinity* that apart from Spinoza and Hegel, Levinas also has Kant, and Fichte in mind.

⁴⁹ E. Levinas, "Rights of Man and the Rights of the Other", in *Outside the Subject* (OS), trans. Michael B. Smith, (Stanford: Stanford University Press, 1994), p. 122.

initially opposed.⁵⁰ In *Totality and Infinity*, Levinas insists that where justice is understood as issuing out of the confrontation of opposing free subjects:

Freedom is not maintained but reduced to the reflection of a universal order which supports itself and justifies itself all by itself, like the God of the ontological argument.⁵¹

Thus, according to Levinas, idealism does not call freedom as such into question but presupposes it in terms of a fundamental being-in-act. What is called into question by this tradition is a subjective spontaneity which does not act in accordance with the freedom associated with the principle of reason. Levinas calls this a "theoretical critique" of spontaneity, in which the "I" is able to reflect on its failure to overcome the limits imposed on it by others.⁵² However, this power of reflection already presupposes a universal order, justified of itself, grounding truth and knowledge. In other words, the discovery of the universal is itself not called into question but entails the "uprooting of the I" and the reconciliation of my spontaneity with the freedom of others through "living in the universal".⁵³

Levinas attempts to describe the difference between a relation to the universal as Idea and the "infinite as desire".⁵⁴ Infinity or "the other as Other is not adequate to a theoretical idea of another myself".⁵⁵ Discussing Hegel's notion of infinity, Levinas finds that the finitude to which Hegel opposes the infinite, is equivalent to his own notion of the subject before the impersonal realm of *il y a*. In face of this realm as we have already seen, the subject can undertake

⁵⁰ *Rights of Man and the Rights of the Other*, OS 122.

⁵¹ TaI 87/TeI 59 (translation modified).

⁵² TaI 87/TeI 59.

⁵³ TaI 83/TeI 55.

⁵⁴ TaI 84/TeI 56.

⁵⁵ TaI 84/TeI 56.

works and labour and thereby postpone the *il y a*, and accomplish a security before this threat. However, the primary reflexivity of labour, is a consequence of a relation to the infinite that is beyond the Hegelian dialectic of finite and infinite. The finite is never subsumed into the infinite which for Hegel encompasses all relations. The infinite neither comes from within the finite nor from without as a negation.

Thus, Levinas finds the infinite to be already present to the cogito, neither as idea nor concept, but as a desire for the infinite. While this does not presuppose reason and truth it is equally not a purely sensuous principle which negates them, as the analyses of enjoyment has attempted to show. Rather:

... the presence of and the desire for the other [*l'Autre*] are not the negation of knowing: knowing is their very articulation. The essence of reason consists not in securing a foundation and powers for man, but in calling him into question and inviting him to justice.⁵⁶

The relation of justice and thematisation to the ethical moment, cannot be seen as an afterthought but as the consequence of the ethical perspective itself. Levinas insists that the face to face relation is the ethos of reason itself. It does not found reason but opens reason to critique and renewal. It is in relation to the Other that the arbitrariness of the free subject is encountered without the consequence being the annihilation of subjectivity, or its reduction to a fatality that idealism would reserve for the less than human.⁵⁷

This idea, that the will opens to reason only through the detour of the face of the Other, is a direct critique of the "identification of will and reason, which is

⁵⁶ TaI 88/TeI 60-61.

⁵⁷ Levinas writes elsewhere that the third Kantian antimony is founded on the priority of freedom over non-freedom, insofar as both the thesis and the antithesis must present themselves to consciousness, E. Levinas, *Humanism and An-archy*, CP 132. Absolute non-freedom cannot, by definition present itself to consciousness and thus becomes for Fichte synonymous with something less than human.

the ultimate intention of idealism".⁵⁸ As we have seen above, for Kant, the will, realising its arbitrariness, aspires to the universal, to reason. Levinas suggests that for Hegel, *that* the will aspires to reason - is reason "seeking or forming itself".⁵⁹ He claims that such an idea "is opposed by the entire pathetic experience of humanity".⁶⁰ The notion of the progression of humanity through the unfolding of reason might, in other words, have presented itself as an inspirational Ideal, but as Levinas goes on to suggest, this possibility is belied, not by the refusal of one man to say yes to the system, but by the Other, who "speaks to the subject and tolerates only a personal response, that is, an ethical act".⁶¹ Thus, the ideal of reason thinking only itself, is not capable of accounting for life as becoming. For Levinas, this is a becoming which effects renewal. That is, as that which produces the Infinite as infinite and not just eternal immutable ideal which reduces life to a fatality that cannot be overcome but merely endured. Even Heidegger, Levinas claims, distinguishes life from "the finality of potency tending toward act".⁶² But unlike Heidegger, the will is a radically arbitrary life, separate or distinct from, the finality of being, and separate *with regard to* the Other who does not merely awaken the reason lying dormant in the "I", but Levinas claims, is the advent of rationality.⁶³

Will is thus distinguished from reason, but for the sake of the ethical. In other words, Levinas is suggesting that the aspiration of the will to reason is itself a sign of the impossibility of its refusal of responsibility to the other. It "is not free to ignore the meaningful world into which the face of the Other has introduced it".⁶⁴ This is an exigency which as already suggested above,

⁵⁸ TaI 217/TeI 193.

⁵⁹ TaI 217/TeI 192.

⁶⁰ TaI 217/TeI 193.

⁶¹ TaI 219/TeI 195.

⁶² TaI 218/TeI 193.

⁶³ TaI 219/TeI 194-195.

⁶⁴ TaI 219/TeI 194.

demands all the resources of the singular subject rather than insisting on their surrender.

iii) The Third and Justice

... the word "justice" applies much more to the relation with the third than the relation with the Other. But in reality the relation with the Other is never uniquely the relation with the Other: the third is always and already represented in the Other; in the very apparition of the Other I already regard [*me regard*] the third. And all this renders an extremely close connection [*rapport*] between responsibility in regard to the Other [] and justice. ⁶⁵

The introduction of the face is concerned with a critique of the grounds of reason itself. Levinas has revealed an unbridgeable gap between the "thinking subject" and that being who has a relation to the world in enjoyment and possession. This division he insists is not overcome by the awakening of an innate faculty of thought in a pre-linguistic, animal existence. There is no spontaneous awakening to this reason. The face awakens me not to my inherent rationality but to the arbitrary nature of my existence. This face asks for justification and calls me to give those possessions in an economy very different from my own totality. The face signifies the birth of reason out of the exigency to respond.

Separation is embedded in an order in which the asymmetry of the interpersonal relation is effaced, where I and the other become interchangeable in commerce ... Separation is not effaced in this ambiguity. We must now show in what concrete form the freedom of

separation is lost, and in what sense it is maintained even in its very loss, and can resurrect.⁶⁶

The idea that the Other calls the subject to justice has been introduced. In the first instance we can understand this to mean the calling of the subject to justify itself before the Other. But how is it possible for the subject to respond, when it is precisely its "being able to be able" which is called into question in the relation to the Other?⁶⁷ In other words, how are we to be just? It might be argued that for Levinas it is not a matter of "being" just at all. Rather, justice is precisely a giving up of one's own being for the sake of the other, the leaving of being for ethics. This is not an uncommon interpretation of Levinas and seems to be supported by Levinas' own claims concerning the meaning and relation of the two terms, justice and ethics in *Totality and Infinity*.⁶⁸ However, in all these places Levinas does not reduce one term to the other. Such an understanding of the relation of the terms conceives the just, ethical relation as a withdrawal from the world of action, into a private realm in which the subject sacrifices itself to the Other.

The submission and passivity of the ego does not lead to my entry into the universal order of justice. I am called to respond. Thus, Levinas says, justice summons me to go beyond the straight line of justice. That is justice as a demand of the Other requires a response. This response does not remain between two, does not merely demand submission to the Other.⁶⁹ The Other is the possibility of renewal, not a demand for silence. I am called upon to respond, and thereby engage in the production of Infinity as infinite. As Levinas explains earlier with regard to the nature of objectivity and signification, that while the utilisation of the sign permits me to render things offerable, and this is a designation to the

⁶⁶ TaI 226/TeI 201.

⁶⁷ TaI 198/TeI 172.

⁶⁸ See for example: TaI 63, 71,72,78,89,99/TeI 35,43,44,51,62,72.

⁶⁹ TaI 212/TeI 187; TaI 245/TeI 222.

Other, the word or language, attests to the sharing of things between me and all others. Language is the very passage from the particular to the universal.⁷⁰

Thus, discourse [*discours*] is not a pathetic confrontation of two beings absenting themselves from things and the other.⁷¹

The relation to the other passes necessarily through the mediation of things and a world in which there is more than one Other. But this does not make things or others considered in their totality, that is the political or economic circumstances of the event, the quint-essence of all relations. The edification of things and the reduction of the plurality of Others to a social totality is undermined in giving to the Other.

Levinas has already warned us that "the relation with the Other, discourse, is not only the putting in question of my freedom".⁷² It is not only a demand to give myself to the Other in the "complicity of a private relation and a clandestinity".⁷³ The response to the Other, Levinas recognises and insists, does not remain "between us", but concerns everyone. This relation of the ethical and the socio-historical in *Totality and Infinity* is often read as an opposition in which the latter is conceived as negating the claims of the ethical. Such claims by Levinas that the will is absent from the judgement of history and only appears there as a third, appear to underlie these readings. In *Totality and Infinity*, however, Levinas' attempts to formulate a positive relation of the two without relying on a notion of reconciliation or negation. In particular he asks how the ethical demand is translated into the historical. Thus, he claims:

⁷⁰ TaI 173-174/TeI 148-149.

⁷¹ TaI 76/TeI 49 (translation modified).

⁷² TaI 213/TeI 188.

⁷³ TaI 212/TeI 187.

But how is that situation which we call the judgement of God, and to which the will that wills in truth and not only subjectively submits [to the universal judgement of history], concretely brought about?⁷⁴

This is not to introduce a traditional conception of God into the solution, but to suggest that the notion of an ahistorical judgement represented in organised religion as the judgement of a God inhabiting a world behind the scenes, is to be interpreted as the attestation of the will, ethical subjectivity, to the face of the Other.⁷⁵ For Levinas, this means that all judgement requires the presence of the will which would reject the violence of an impersonal judgement which silences the response. Thus, the judgement of history does not negate the ethical relation but demands all the powers of the singular subject. Levinas writes that:

In the justice that indicts my arbitrary and partial freedom I therefore am not simply the universal order, my abdication and the end of the apology, whose remanence would then be interpreted as an aftereffect of animality.⁷⁶

The Other awakens me to the question of justice, but *at the same time* confronts the question of how to respond. This apparent moment of paralysis, in which I am awakened to the non-intentional effects of my labour, an apparent moment of passivity, cannot be conceived as the abdication of subjectivity and the subjective will. This is the moment when Levinas confronts a new question concerning justice, the question of how the ethical event is translated into a moment of judgement without an inevitable negation of infinite responsibility.

⁷⁴ TaI 244/TeI 221.

⁷⁵ TaI 244/TeI 221-222.

⁷⁶ TaI 245/TeI 222-223.

As the discussion of *The Ego and the Totality* suggested, the relation to the other, understood as the intimate relation of two, describes a certain moral relation but is not a satisfactory account of the moral conditions for thought as Levinas understands them. The problem, Levinas suggests, is the necessary violence to the third that this relation entails. The relation to another in the dual society is outside the distinction of justice and injustice. This is not to say that there is not violence within this relation, but precisely because a third perspective is absent, the question of justice or injustice does not arise. To be sure within the relation, Levinas claims we are just amongst ourselves. Justice here would be a process of negotiation, of exchange and reparation.

If this begins to sound like a judicial notion of justice then we must add two points. Firstly, that it could be argued that the judicial notion always requires a third person. I would suggest that this third person is not equivalent to Levinas' third. The third person of the judge, is no doubt a third, however, the judge by definition is not another other, but a representative of a law to whom the two parties defer. The very meaning of impartiality requires that the person of the judge does not become a third party in Levinas' sense. Thus, we can also say that when Levinas talks of the third he is not talking about the third as an impartial judge, or the objective perspective which we must somehow climb towards, out of the messy subjectivism of our bi-partiality. Secondly, we can also suggest that insofar as the third party is not the judge, yet introduces the question of justice, we must consider that the meaning of justice in Levinas is being approached from an entirely different perspective to that of the judicial or the moral, understood in the sense of the morality of love. Justice is not the harsh and inhuman rule of law that must be imposed upon the clandestine relation of lovers. On the other hand the ethical relation does not sink into complacency. To say that ethics is concerned with justice is to begin to rethink both morality and justice beyond the traditional oppositions of private and public law. What we have undertaken is the

first step in the break down of this opposition, by suggesting that the private-public opposition in fact resides on the same plane of a morality of goodwill.

The significance of this rethinking of the relation of ethics and justice is fundamental to understanding why Levinas' ethics is not a moralism. The introduction of the question of another Other, or the third party, makes clear that Levinas is already concerned with a critique of morality in terms of justice.

As Levinas says:

It is important to recognise that the idea of justice always supposes that there is a third. But, initially, in principle, *I am concerned about justice because the other has a face.*⁷⁷

In other words, ethics is concerned with justice because it is the condition of possibility and impossibility of the question of justice conceived at the political level, as a calculation, or judgement as. The welcome of the face as the work of justice conditions the birth of truth,⁷⁸ conditions the inevitable moment of decision. Justice supposes a third, but it is in the relation to the Other that this third first becomes "visible".⁷⁹

Thus, justice is "knowledge", "calculation" and "decision" which arises out of the relation to the Other. Elsewhere, Levinas discusses the ambiguity of the terminology, suggesting that in *Totality and Infinity* "just" and "ethical": "are the same word, the same question, the same language".⁸⁰ In making ethics and justice the "same language" Levinas is acknowledging the two-sided event of the face to face encounter itself, that it is a relation that confronts the unique other, but also concerns itself with the whole of humanity. Thus, while for Levinas the ethical relation is linked integrally to justice, it is of utmost importance that the

⁷⁷ E. Levinas, *The Paradox of Morality*, p. 170.

⁷⁸ TaI 28/TeI xvi.

⁷⁹ Cf. Atterton, *Levinas and the Language of Peace*, p. 66.

⁸⁰ Levinas, *The Paradox of Morality*, p. 171.

one is not reduced to the other. While I am necessary for justice, "the relation with the Other, discourse, is not only the putting in question of my freedom", it is not only a demand to give myself to the Other, for this would involve the forgetting of the universe of the many others, in the "complicity of a private relation and a clandestinity".⁸¹ The response to the Other differs from the reaction of a subject to the given of the phenomenal world in so far as it does not remain "between us" but concerns everyone. The ethical relation and the "ethical question": "what do I have to do with justice?", accomplishes the "critical essence of knowledge" beyond the objective knowledge of the cogito.⁸² Justice as knowledge and calculation, is "thought" conceived out of the relation to the Other. The meaning of ethics is this concern for the whole of humanity awakened by the relation to the unique Other. The meaning of justice in this moment refers to "right", in the sense of uprightness [*droiture*] of the face. Thought out of the relation to the Other, justice is not revenge, restitution or compensation, but institution, investiture of arbitrary life through the question of right.

By linking justice to the ethical encounter, neither "morality", nor justice can be understood in terms of an appeal to universal principles. For Levinas, morality presides over freedom only in so far as "reason" does not find, or coincide with, a clear and distinct idea, but comes face to face with the Other⁸³ The Other opens a dimension beyond the open ended economy of needs to a desire that comes from elsewhere.⁸⁴

⁸¹ Tal 212/TeI 187.

⁸² Tal 85/TeI 58.

⁸³ As Bernasconi suggests, in a discussion of Levinas' question to Buber; and quoting Levinas in this regard; the issue is whether (or perhaps we might add more optimistically "how"), philosophy recognises in the face "a reasonable significance which Reason does not know", R. Bernasconi, "'Failure of Communication' as a Surplus: Dialogue and Lack of Dialogue between Buber and Levinas", in R. Bernasconi and D. Wood, (eds.) *The Provocation of Levinas*, p. 119. The quote from Levinas comes from "Martin Buber, Gabriel Marcel and Philosophy", trans. E. Kameron, in H. Gordon and J. Bloch, (eds.), *Martin Buber: a Centenary Volume*, (New York: Ktav Publishing, 1984), p. 320.

⁸⁴ As Llewelyn suggests, for some thinkers this desire for the infinite goes by such names as "divine discontent". But for Levinas Desire is proto-ethical, that is, "that without which ethics would be violence and justice injustice", J. Llewelyn, *The Middle Voice of Ecological Conscience*, (London: Macmillan, 1991), p. 4.

iv) Two Kinds of Justice

recovers itself.⁸⁵

The meaning of ethics in *Totality and Infinity* lies in the insinuation of a radical break with being, but does not yet conceive of this relation from a position beyond being. The positive signification of this is that Levinas implicitly recognises the impossibility of leaving being even in asserting a beyond. This is often overlooked in interpretations of the ethical relation in *Totality and Infinity*. In a certain sense, Levinas remains concerned with the ontological signification of the ethical. In other words, he remains concerned with the question of how the ethical can show itself in being without negation. The paradoxical elements of this approach are well discussed by Derrida in *Violence and Metaphysics* which has as its main theme the question of ontology and ethics and suggests in certain moments that there is an unavoidable and perhaps absolute violence instituted by the ethical relation itself⁸⁶ However, there is also contained in his approach the question of the ethical signification of the ontological. That is, the question of the confrontation with *il y a*, the non-sense to which the relation to the face appears to

⁸⁵ EI 87.

⁸⁶ For example, Derrida writes that "[d]iscourse, therefore, if it is originally violent, can only do itself violence, can only negate itself in order to affirm itself ... discourse [the relation to the Other] chooses itself violently in opposition to nothingness or pure non-sense, and, in philosophy, against nihilism. For this not to be so, the eschatology which animates Levinas' discourse would have had to keep its promise already, even to the extent of no longer being able to occur within discourse as eschatology, and as the idea of peace, 'beyond history'", Derrida, *Violence and Metaphysics*, p. 130. Atterton, in *Levinas and the Language of Peace*, discusses the question of the violence instituted by the relation to the Other, and links it to the question of justice and the third. See especially, section II, p. 64ff. See also Bernasconi's account of Derrida's reading of Levinas in *Violence and Metaphysics*, in R. Bernasconi, *Heidegger in Question*, pp. 213-220. Bernasconi addresses the issue of the relation of the ethical moment to Being, suggesting that we should read Derrida as returning Levinas' text to Heidegger without prioritising one or the other, but according to a *necessity* that forbids such prioritisation, Bernasconi, *Heidegger in Question*, p.220. In the following chapter I will discuss the possible significations of such necessity for Levinas and Heidegger.

stand opposed. While it can be argued that it is not until the later works that Levinas discusses the complexities arising from this paradox, I suggest that the discussion of justice, at the very least does not reduce the ethical and the ontological dimensions to an oppositional relation but is Levinas' attempt to think the consequences for the signification of the human of such an excess to being. In other words, he attempts to think this excess as a dimension of humanity beyond being. Thus, *Totality and Infinity* continues Levinas' reconfiguration of being, subjectivity and world, and perhaps it could be argued that Levinas already offers us a glimpse of a subjectivity which he later describes as an "ex-ception putting out of order the conjunction of *essence, being* and the '*difference*'".⁸⁷ *Ethos*, in *Totality and Infinity* is not a place of inhabitation of the human, but the moment of the effectuation of disorder and disjunction with regard to being and beings. The question of disorder and order, of disjunction and conjunction, is not unrelated to the question of justice and injustice as the following chapter discusses in detail.

In *Totality and Infinity*, it could be suggested that justice is a moment of the ordination of subjectivity by the Other for the social totality. This is a move from the anonymity of the totality, in which I am a being in light, to the moment of singular identity before the Other, who does not justify me but demands a response. In other words, the Other does not just command/order me, but commands me to command, which is to locate myself there before the Other and thus introduce myself to the whole of humanity. Nothing remains between two. The ethical exigency must be translated into an ontological act of calculation and judgment.

Toward the end of Section III of *Totality and Infinity*, Levinas writes:

summons me to go beyond the straight line [*ligne droit*] of justice, and consequently

⁸⁷ OTB xli/AE x (translation modified).

nothing marks the limits of this march; behind the straight line [*ligne droit*] of the law the land of the good extends infinite and unexplored necessitating all the resources of a singular presence.⁸⁸

The distinction between "justice", and the "straight line of justice" marks a crucial turning point in Levinas' analyses in *Totality and Infinity*. The straight line of justice is linked to the "right" [*droit*] attached to law, while the justice which summons me is linked to an infinite unknown realm of the relation to the Other. It is not surprising that this division and distinction has been interpreted as the reassertion of an age old division between ethics and law, between private morality and public duty. However, as the arguments above have suggested, Levinas is well aware of this opposition in his essay *The Ego and the Totality*, in which he attempts to introduce the notion of a relation between two that recognises the exigencies of social justice. Rather than reasserting an age old division in *Totality and Infinity*, I have suggested that Levinas' notion of the ethical relation is the necessary condition of possibility of justice within the social totality.

The argument of the first half of this chapter suggests that this linking of ethics and justice is not merely a rethinking of the grounds of social justice but a questioning of the meaning of the traditional grounds, or foundations of justice as a presupposed, impartial universal. Thus, Levinas' claim that he did not make a distinction between the right before the other and the right before the third, does not mean that he did not recognise a difference between "ethical justice" and "justice" as a moment of calculation, but rather that the call to justice by the Other is already a call to respond and make a judgement in the face of an incomparable uniqueness. As Atterton points out, Levinas does not deny the advent of the third, another Other, but he approaches the signification of the third only out of the relation to the Other. As the discussion of the face and the third in *The Ego and*

⁸⁸ TaI 245/TeI 223.

the Totality suggests, this is to reveal the fundamental ambiguity of signification, an excess which does not refer to the essential infinite possibilities of signification in the relation to *il y a*, but suggests that even this encounter might have an ethical signification, that is, an excessive moment that does not negate it but introduces another question. This will be discussed in the following chapters. For the present I suggest that an understanding of the relation of ethics and justice in Levinas' work is necessary to grasp the configuration of ethics and ontology.

It is only relatively recently that Levinas' linking of ethics and justice in *Totality and Infinity* has been discussed as an important theme of *Totality and Infinity*.⁸⁹ John Llewelyn suggests that *Totality and Infinity* concerns itself with the "condition of the justice of the systems of justice".⁹⁰ Thereby suggesting that Levinas' account of the face to face relation in *Totality and Infinity* is a rethinking of the justice of social totalities in terms of the ethical relation. Simon Critchley also suggests that in *Totality and Infinity* "justice defines and is defined by the ethical relation to the Other" in other words, justice is conceived as arising as a response to the suffering of the Other.⁹¹ Critchley and Llewelyn thereby link Levinas' discussion of the face to the possibility of the question of justice, leading to an interpretation of the ethical relation as a call to justice. In other words, both recognise that the ethical relation is approached from the position of the meaning of justice in the realm of being. The present discussion is in agreement with this idea that in *Totality and Infinity* Levinas is primarily concerned with providing an account of an "ethical justice". That is, of insisting that justice arises out of a singular relation to another and does not presuppose a pre-existing universal. In other words, the notion of the face as a call to justice cannot ignore Levinas'

⁸⁹ Critchley takes up this theme explicitly in *The Ethics of Deconstruction: Derrida and Levinas*, pp. 219-228. Other English language commentators who acknowledge this link include: Atterton *Levinas and the Language of Peace*; Chanter, *Ethics of Eros*, p. 192; Llewelyn, *The Middle Voice of Ecological Conscience*; Wyschograd, *Emmanuel Levinas: The Problem of Ethical Metaphysics*, pp. 94-101

⁹⁰ Llewelyn, *The Middle Voice of Ecological Conscience*, p. 4.

⁹¹ S. Critchley, *Deconstruction and Pragmatism*, p. 15.

concern to rethink the foundations of representational thought which has consequences for how we think the nature of judgement and calculations in the realm of economic justice. Does this rethinking of justice nevertheless introduce a question of whether there might be two irreducible sides of justice?

Simon Critchley writes that there are two notions of justice in Levinas' work, an ethical and a political notion, but that only the former is present in *Totality and Infinity*. Critchley refers to the preface of the 1987 German edition of *Totality and Infinity*, where Levinas suggests that he did not make a distinction in *Totality and Infinity* between mercy, source of the right [*droit*] of the other before me, and justice, where the right [*droit*] of the other imposes itself before the third.⁹² In other words, Levinas did not make a distinction between the relation of the subject and the Other and the relation of subject and another within a social realm in which there is more than one Other. This failure to make a distinction, and to introduce the question of how I make a decision between two Others, could be regarded as a failing of *Totality and Infinity*. However, in the light of the discussion above it can be suggested that in *Totality and Infinity* both the subject and the Other are already a third, insofar as the relation to the face does not absent itself from the social totality but in a certain sense constitutes the plurality of the social whole by refusing the totalising forces operating in it. The problem with *Totality and Infinity* is not that the ethical does not recognise a third, but that Levinas does not show how the demand of the Other is not negated in the response, where such a negation would result in the reification of an "ethical beyond" or its refusal altogether. This problem is related to the discussion above in which it was suggested that the relation to the Other is itself approached in terms of its signification for the social totality. Even if the relation

⁹² E. Levinas, 2nd Preface to *Totality and Infinity*, in _____, (Paris: Le Livre de Poche), p. I-IV. This preface was written in January, 1987 on the occasion of the publication of _____ in German (at the time of writing this preface is not obtainable in English). Simon Critchley suggests in relation to these comments that, in *Totality and Infinity*, "justice defines and is defined by the ethical relation to the Other" and thereby "justice arises in the particular and non-subsumptive relation to the other", Critchley, *Deconstruction and Pragmatism*, p. 15.

to the Other is conceived of as the excess or the interruption of the beyond, it is arguable that such a conception thereby escapes the reification of a beyond.

This issue of reification should be addressed from a position which accepts that the ethical relation is from the first concerned with the "whole of humanity". That is, a position which recognises that Levinas' notion of alterity is concerned with a rethinking of the nature of "social totalities", or in other words, with the relation of ethical response and socio-political significations. From this point of view, the problem Levinas addresses in *Totality and Infinity* is not that my response negates the Other but that the infinite responsibility of the ethical relation is troubled from the start by the finitude of subjectivity itself. As the analysis of *The Ego and the Totality* suggests, subjectivity is already a third, understood as a vulnerable body. As a consequence, the possibility of response to the infinite demand of the Other, turns out to be conditioned on the possibility of a "victory over death", a victory over finite being. This victory, in *Totality and Infinity* is not guaranteed by the relation to the face itself. Thus, Levinas introduces the phenomenology of *eros*.

As the discussion of the previous chapter suggested *eros* introduces a notion of futurity and fecundity which, in the context of the present discussion might be said to introduce a notion of the third which is not equivalent to any of the notions of tertiality introduced in *The Ego and the Totality* or *Totality and Infinity* as discussed up until this point.

In section four of *Totality and Infinity*, Levinas introduces the problem of the inevitability of death, and asks how it is possible that this fact would not negate the ethical moment. At this moment, Levinas acknowledges that death remains an ontological possibility of impossibility. And the question becomes one of how this ontological possibility does not negate the ethical relation. The phenomenology of *eros* and the notion of fecundity are central to this possibility of the overcoming of death and the possibility of the translation of the ethical response into a judgment. Victory over death is associated with *eros* understood

as a relation to a future without teleology.⁹³ While it could be argued that Levinas thereby reveals the ethical signification of *eros*, it is undeniable that *eros* both before and beyond the face appears to function as a principle of generation which introduces a certain "potency" to the ethical subject. It can now be read as Levinas' first attempt to address the question of the inevitable priority of ontology. The phenomenology of *eros*, both before and beyond the face, is Levinas' first rethinking of an ontological event in terms of the two fold perspective effected by the advent of the Other. Returning to the ontological out of the inversion effected by the encounter with the Other, his task will be to rethink the phenomenological or ontological dimension starting from the ethical.⁹⁴ Potency is nothing other than the possibility of response to an ethical demand, without the negation of subjective identity. In other words, while fecundity has an ontological function as the production of value, it also has an ethical signification, which is the fact of its referring to the excessive moment to this production. In his later work, this notion of fecundity, the victory over death, is thought as a tertiality which Levinas names "illeity", reducible neither to an ontic nor ontological third.

For the moment, it can be said that to suggest that to be in relation to the Other is to be "in justice", is to offer a critique of justice conceived in traditional moral or juridical terms. The defence of subjectivity before the face shifts the orientation of justice, which is then shown to have its "origins" in responsibility and the apology of subjectivity before the Other. However, as Derrida, points out, surely this turns the ethical relation into the worst possible violence.⁹⁵ Not only with regard to my responsibility as "*infinite and increasing in the measure it*

⁹³ "Fecundity escapes the punctual instant of death", TaI 56/TeI 27. Levinas points to the non-teleological nature of fecundity when he says that "Paternity is not a causality", TaI 214/TeI 189. In other words, the meaning and value of paternity does not lie in its product or as a producer.

⁹⁴ This notion of inversion and an approach out of it, comes from the German "*Umkehr*" Levinas", *Philosophisches Jahrbuch* 91, (1984), p. 275.

⁹⁵ Derrida, *Violence and Metaphysics*, p. 143.

is assumed",⁹⁶ but also insofar as it takes place in an invisible and silent world of the same and the Other. The suggestion that Levinas' defence of subjectivity in the ethical relation is concerned with the critical essence of knowledge and truth, is meant to demonstrate that ethical metaphysics, as *Totality and Infinity* has been characterised, is from the start, concerned with the possible reification of the ethical relation. Justice is not necessary to save us from the ethical, but rather to save us from turning the ethical into a form of complaisance (and I understand this word etymologically as a shared pleasure).⁹⁷ Derrida claims about the silence of ethical speech are perhaps directed precisely at this danger in which the ethical, in the guise of the good, commits the worst violence. However, as Atterton suggests, the necessity of justice reveals there can be no simple origin, no simple first relation. It is not merely so as to avoid a violence to a third but is also the recognition of the double origin, which is crucial.⁹⁸

Thus, the passivity of subjectivity discovered in *Totality and Infinity* must face the Other or risk becoming a moral being and introducing yet another moral economy to rival the technological economy of being. Perhaps it could also be said that *Totality and Infinity* redefines the ontological before the face and thereby hints at the transformations of these modes of being before the Other. However, it is not until these transformations before the Other are more thoroughly explored that the "ethical" sense of "difference" can be conceived as the fundamental doubling of being with an ethical significance that is not reducible to its relation to being.

While *Totality and Infinity* brings us to the limits of the phenomenological realm, the irruption in which the Other first appears will be reduced to another metaphysical foundation for thought, subjectivity and justice, unless we can find a way in which to keep meaning open to the inversion - unless, as Bernard Caspar

⁹⁶ TaI 244/TeI 222 (translation modified).

⁹⁷ Atterton *Levinas and the Language of Peace*, p. 66.

⁹⁸ Atterton *Levinas and the Language of Peace*, p. 68.

suggests, we can approach meaning and language itself out of this inversion.⁹⁹
This is the work of *Otherwise than Being*, which will be discussed in the next chapter.¹⁰⁰

⁹⁹ Caspar p. 275.

¹⁰⁰ For a summary of the different readings of the relation of *Totality and Infinity* and *Otherwise than Being*, we cannot go past the work of Rudolf Funk, *Sprache and Transzendenz im Denken von Emmanuel Levinas*, (Alber: Freiburg, 1989), p. 57-61. In this work Funk also questions Stephen Strasser's notion of a "Turn", not only because of its proximity to the Heideggerian, "Kehre", but because Funk is also convinced that Levinas is already attempting to think the beyond being in *Totality and Infinity*, despite the restrictions of the "language" of this work. According to Funk what leads Strasser to this claim is his belief that *Totality and Infinity* is dominated by the opposition of metaphysics and ontology and it is only later that the ethical concern becomes apparent. However, Funk suggests insofar as "metaphysics is ethics" in *Totality and Infinity*, this is perhaps a forced explanation of the relation of the two texts. Of course the question could always be posed, whether the fact that metaphysics is ethics is precisely Strasser's problem with *Totality and Infinity*, and thus not yet the "ethical" beyond being.