Is the Ought in the Other?

A Levinasian Reimagining of Subjectivity and Ethics

Submitted by

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A thesis submitted in total fulfilment

of the requirements for the degree of

Doctor of Philosophy

School of Humanities and Social Sciences

College of Arts, Social Sciences, and Commerce

La Trobe University

Victoria, Australia

October 2020

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Summary

Despite widespread recognition that human beings are social animals, an egotistical conception of subjectivity dominates the collective Western consciousness. This understanding of the subject—derived from a superficial reading of Hobbes' state of nature—is not only culturally pervasive, it has influenced moral philosophy to the point that the contemporary literature appears unable to think moral obligation beyond the interests and rights of the subject, often making our responsibilities to others a 'problem' or vague 'afterthought.' Our current state of moral crisis is a consequence of this thinking, and to overcome it we must rethink subjectivity and its ramifications for moral obligation.

I undertake this reimagining by employing and expanding on the work of Emmanuel Levinas, utilising his conception of the other-constituted subject, defined by its relation to the human other, and his conception of ethics founded on the fundamentally asymmetrical responsibility for that other. I begin by engaging with Levinasian scholarship to provide an exegesis of Levinas's thought that contests the egotistical picture of the subject, and exposes how this picture influences prominent interpretations of Levinas's framework. This reading is then applied to areas of study that are not often aligned with Levinasian scholarship - analytic philosophy and business ethics. Through this 'Levinasian lens', I reveal that an inability to (a) conceive of subjectivity as anything but self-constituting, and/or (b) conceive of ethics based on anything but reciprocity, means that even moral philosophers who appreciate our 'deep social nature' cannot overcome this egotistical understanding of the subject. Ultimately, this shows that only a Levinasian picture of subjectivity can account for our capacities for both egoism and self-sacrifice. Finally, by applying this Levinasian lens to the negative impacts of neoliberal ideology in the workplace, and briefly to the current impasse in the #MeToo movement, I demonstrate the positive and practical implementation of this Levinasian framework.

Statement of Authorship

Except where reference is made in the text of the thesis, this thesis contains no material published elsewhere or extracted in whole or in part from a thesis submitted for the award of any other degree or diploma.

No other person's work has been used without due acknowledgment in the main text of the thesis.

This thesis has not been submitted for the award of any degree or diploma in any other tertiary institution.

Tiffany Plotzza
8 October, 2020

Acknowledgements

I am fortunate to have received encouragement and support from numerous people throughout this process. I will have to restrict myself to naming only a few, as to thank everyone who provided me with inspiration and affirmation throughout these years of research and writing would far exceed the small space that I am allocated here.

I would not have made it to the final stage of my PhD candidature without the love and tireless support of my parents, Belinda and Gary Plotzza. They have encouraged and cheered me on throughout, and in a climate where philosophy is profoundly undervalued they never pressured me to pursue a different, more 'economically viable', area of study. On top of that, the thesis could not have been completed without the countless hours of childcare provided by my mother, and the core question that gave rise to the central argument of the thesis has its origins in an ongoing debate with my father. I would also like to thank my dear friend Margaret Ugbo, who generously took time out of her own life to carefully read through drafts of the chapters and provide me with invaluable feedback.

I am incredibly lucky to have received a high level of supervision throughout my candidature. As my principal supervisor early on, Jack Reynolds provided critical guidance that gave shape to some of the fundamental tenets of the thesis. I have benefited tremendously from his exhaustive knowledge of both continental and analytic thought, and his generosity with his expertise and time. Serving as secondary supervisor in the later stage of my candidature, Toula Diamanto Nicolacopoulos always made herself available, sometimes at a moment's notice, for crucial support and advice. I am especially grateful for her quick edits and critical eye. My greatest intellectual debt is owed to my principal supervisor, George Vassilacopoulos. At a precarious time when the thesis was shifting into a new direction, my weekly discussions with George were pivotal in paving this new ground and moulding my ideas into a coherent way forward. The depth and breadth of his philosophical knowledge, along with his clarity and insights, were vital to the reshaping of the thesis. His timely and considered feedback kept me

focused. Furthermore, his patience, kindness, and confidence in my abilities sustained me in the final months of writing.

I am grateful for the supportive and intellectually vibrant postgraduate community at La Trobe, and in particular I would like to thank Aaron Harrison, Paul Barry, Ross Pain and Ricky Sebold for their thought provoking discussions. I have also profited from the suggestions and criticisms of staff and audience participants at the La Trobe Philosophy Seminars. Additionally, this work was supported by a La Trobe University Postgraduate Research Scholarship, and by an Australian Government Research Training Program Scholarship.

A big thank you is due to my two-year-old daughter Murphy Plotzza-Mahan for listening attentively as I talked through problems with my arguments, and for sleeping peacefully in her baby wrap as I leaned over her head to make corrections. She has given me the resolve to see this process through to the end.

Finally, there is no way to fully express the debt and gratitude owed to my husband, Brandon Mahan. Without his patience, love, intellectual, emotional and domestic support, his willingness to enter into impassioned philosophical debates at any hour, his creativity, his intellectual rigor, and the innumerable other things that make him the wonderful person that he is, this achievement would not have been possible.

Introduction

Moral Obligation, What's the 'Problem'?

Context: A Time of Moral Crisis

We need to talk about ethics. More specifically, we need to re-examine our approach to moral obligation.[1] Events culminating in and arising out of the outcome of the 2016 U.S. presidential election appear to have solidified this moment as a time of moral crisis. The global refugee impasse, apathy to what is now a climate emergency, the rise of demagogues, the insipid and structural violence against women, people of colour, and other minorities, unconversable tribalism and the widening gap between the rich and the poor speak to this cultural moment being defined as one of crisis.

At the time of writing, in what is a turbulent and rapidly evolving situation, COVID-19 has erupted into a global pandemic, killing over one million. People all over the globe anxiously await a vaccine, yet the rise of 'vaccine nationalism' has seen the world's wealthiest nations, with only 13 per cent of the global population, buying up over 50 per cent of the promised doses.[2]

In the early months of the pandemic, as hundreds were dying every day in Italy, Spain and the UK, and Australia headed into a nationwide lockdown, people fought over toilet paper, spat on healthcare workers and abused supermarket staff. Now, as the pandemic rages on, restrictions continue, and conspiracy theories propagate, a sense of fatigue seems to have smothered any glimmers of solidarity or civic duty. A former Australian Prime Minster calls for the sacrifice of some of

[1] I use the terms ethics and morality interchangeably throughout, following Emmanuel Levinas, whose pivotal role in my analysis is explained later on in this introduction. In a conversation with Richard Kearney, Levinas makes a distinction between ethics and morality, but doesn't seem to adhere to this terminological division in his philosophical works. In this conversation, what Levinas characterises as morality is usually referred to as politics in his work. See Levinas (1986a, p. 29). For a different reading of Levinas's use of the term morality see Moati (2017, pp. 1-12).
[2] See Rigby (2020)

our most vulnerable citizens for the country's quick economic recovery, and an end to extended government assistance[3], while so-called 'sovereign citizens' protest against restrictions to their individual freedom of movement.[4]

Over two hundred thousand Americans have died in less than eight months[5], yet the country's President, seemingly indifferent to the health of his citizens, responds as if the pandemic is nothing but a personal adversary threatening his re-election. With U.S. gun sales at an all-time high, the President of the world's most powerful nation weaponizes the virus as a rhetorical tool in his re-election campaign, apparently without a thought for the repercussions this has for Americans of Asian descent.

Forty years ago when writing of a point of moral crisis in the current culture, Alasdair Macintyre (1979, p. 16) claimed that the majority of moral philosophy, as a symptom of the problem, was unable to solve it. This is true of our present moment in that a particular understanding of 'human nature' has infected not only the popular imagination, but moral philosophy as well.

The idea that human nature or the nature of the human subject is defined by egoism is pervasive in popular moral discourse and in contemporary moral philosophy, and it creates a tension in the way ethics is discussed in both arenas. The tension lies in how this conception of the subject affects our understanding of intersubjectivity and, therefore, our treatment of others.

In public discourse, there is the expressed desire for more ethical behaviour and for empathetic action[6], yet this is persistently undercut by our popular conception of human nature as fundamentally egotistical. Moreover, our

[3] See Wintour (2020)
[4] See Gillespie (2020)
[5] See Khullar (2020)
[6] A recent book by Stanford neuroscientist Jamil Zaki (2019) is a good example of this.

society, through the far-reaching mechanisms of capitalism, rewards those that play into this idea (more on this in chapter four).[7]

Moral philosophy claims that its primary concern is what we owe others, nevertheless, this is persistently undermined by ethics framed in the context of the subject's needs and characteristics. More often than not, a significant amount of intellectual energy in philosophical debates, intentionally or otherwise, is focused on putting limits or qualifiers on the subject's moral responsibilities to account for their capacities and needs. Consequently, the other person, along with their needs and demands, are relegated to the sidelines and our obligations to them are seen as a problem to be solved.

The force of these moral obligations, their origin and how they hold us to account, is the question that continues to haunt the prescriptive claims of morality. Stephen Darwall (2013, p. xiii) notes that what is distinctive about modern moral philosophy is "the conceptual centrality of irreducibly second-personal notions, such as obligation and accountability." While many accept the pragmatic usefulness of moral obligations, their authority is continuously questioned and challenged. In *The Sources of Normativity*, Korsgaard (1996, p. 9) explains, "it is the force of these normative claims – the right of these concepts to give laws to us -that we want to understand."[8] She highlights the fact that fulfilling the moral

[7] Barak Obama's call for increased empathy in his 2006 commencement speech to graduates at Northwestern University highlights Western culture's encouragement and rewarding of egoism. Zaki (2019) also cites this. Obama's address can be viewed here: https://www.northwestern.edu/newscenter/stories/2006/06/barack.html

[8] Norms are generally defined as standards or rules that shape or regulate conduct within groups, communities or wider forms of social life. Normative claims are obligations or principles that prescribe action. They tell us what we ought to do in a given situation. What justifies these normative claims or what gives them their force is the subject of what Korsgaard (1996, p. 10) terms "the normative question." By providing an answer to the normative question, she addresses the problem of moral obligation.

demands of others can be extremely difficult, to the point that they can require the sacrifice of one's own life. (Korsgaard 1996, pp. 17-18)

Robert Stern (2012, p. 42) defines the problem of moral obligation along similar lines as Korsgaard. He writes:

"For it is widely held that morality is a matter of obligation, and to that extent a matter of laws or principles or duties that *bind* or *command* us, with a special kind of *imperatival force*."

How these demands can have this kind of authority over us apart from any divine authority is the problem that must be solved.[9] G.E.M Anscombe's influential critique of moral obligation divorced from divine command theory highlights this as the 'problem' of moral obligation.[10]

If we pick up the threads of the stories told by Korsgaard, Darwall, Stern, and Anscombe and weave them together, we can see that moral obligation becomes a problem in modern society when God is no longer taken to be the underlying authority justifying moral demands. This is where the problem is inextricably tied to the search for the foundation of ethics.[11] If God is no longer the foundation of morality, something else foundational is needed to take 'his' place to justify moral obligation's special imperative force.

Historically, moral philosophers have tended to locate this something else within the human subject. We see this in Kant with the founding role the rational

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[9] According to Stern, the 'problem' of moral obligation is accounting for its force or the authority that lies behind its prescriptive claims, without an appeal to divine authority. Korsgaard makes a similar point, before arguing for her own Kantian solution to the problem, addressing those who claim that the 'problem" of moral obligation is only a problem if it is divorced from its Christian origins of divine authority. Korsgaard (1996, p. 4) notes that proponents of this view generally advocate a return to virtue ethics as means of dealing with moral or ethical dilemmas. For more see Anscombe (1958), and Williams (2006).

[10] Darwall turns Anscombe's position on its head by arguing that the divine command view of moral obligation is inherently unstable. For more see Darwall (2006, p. 115). For Stern's comments on Darwall's argument see Stern (2014, pp. 1095-1122).

[11] For more on foundationalism and specifically ethical foundationalism see Shafer-Landau (2007), Audi (1982) and Timmons (1987).

autonomy of the human will plays in his moral system, in Mill's appeal to the subject's liberty and the significance of happiness, in Hume's focus on the sentiments, and in those that adhere to a teleological conception of human nature derived from Ancient Greek philosophy.

These founding principles, entities or conditions seem to relate to or make a claim regarding something fundamental about the kind of beings human animals are. Moreover, they do not simply describe the nature of human subjectivity, but highlight how it informs and founds moral obligation. To sum up, the problem is the power other people are able to exert over us through moral claims and how to justify it. We were comfortable with 'God' having this power, but not so much with other people, and have traditionally looked to the nature of the subject to justify it.

A reappraisal of the matter reveals that it is not the 'death of God'[12] that creates the problem, but how we approach the issue itself. We address it as if other people are primarily a problem for the subject, a mere limitation on her freedom. In reference to this limitation, Sartre (1989, p. 45) famously wrote: "Hell is other

[12] Nietzsche famously criticises moral philosophers for failing to grapple with the real consequences of 'the death of God', the fact that western society considered as a whole, no longer holds a genuine belief in the existence of a theistic God as it did in previous centuries. The idea is that without God to act as the supreme authority justifying the legitimacy of Judeo-Christian morality, moral philosophers since the Enlightenment have made anxious attempts to seamlessly fill that void with other things, like Pure Reason, a form of the Good etc. (Nietzsche 1966, pp. 97-99) Even philosophers who held no genuine belief in God were willing to retain him as the justification behind moral law because they simply thought it was useful for keeping moral order within society. To "furnish" "the rational ground of morality" in light of God's demise, Nietzsche laments that after "unlearning" faith in this superhuman authority "one still follows the old habit and seeks another authority that can speak unconditionally and command goals and tasks." (Nietzsche 1968, pp.16-17) Perhaps Nietzsche would accuse Levinas of performing the "subtle tricks of old moralists and preachers of morals" who he saw as notorious for taking "a desire of the heart" and formulating it as the ground for ethics, defending it "with reasons they have sought after the fact." (Nietzsche 1966, pp. 12-13) Unfortunately, I don't have the space to address this question here. For more see Moyn (2005) and the collection edited by Stauffer & Bergo (2009).

people", nevertheless, other people are an indispensable part of the human subject's life.

Our lives are so intricately intertwined with the lives of others that to live in isolation is a near impossibility. Some may take the curmudgeonly stance and view most of their encounters with other people as trivial or as an annoyance, yet considering how reliant we are on others for the fulfilment of our most basic needs and the importance the majority of us place on family, friendship and other interpersonal relationships, it seems that a life without others, free from their demands, would actually be hell. With this in mind, it is difficult to understand why our obligations to others pose such a problem for moral philosophy.

To understand why, we have to examine the way this idea of the subject defined by egoism has been collectively internalised. The traditional approach to moral obligation contains two presuppositions that render this obligation a 'problem.' They are: a conception of human subjectivity defined by egoism, and an understanding of intersubjectivity as necessarily reciprocal or symmetrical. The former presupposition feeds into the latter. If subjectivity is thought of as fundamentally egotistical then intersubjectivity must guarantee that there's 'something in it' for the subject.

The first presupposition appears to be derived from Thomas Hobbes' famous description of the state of nature in the *Leviathan*. By this, I am not saying that all moral philosophy has adopted Hobbes' notion of the subject as defined by egoism. What I mean is that traditional moral philosophy along with wider contemporary culture has internalised a conception of subjectivity that is derived from this idea.

Mary Midgley (2010, p. 41) makes a similar observation writing: **"**Indeed, Hobbes may be regarded as the inventor of the modern supposedly independent self."[13] I refer to the idea of the subject defined by egoism as the 'Hobbesian presupposition.' I elaborate on this notion later (chapter three); in short it's an assumption about the nature of subjectivity, derived from Hobbes but not dependent on his philosophy that pervades both the popular imagination and academic philosophy.

Conceiving of the subject as fundamentally egotistical is inextricably bound to the privileging of the capacities for reason and autonomy post-enlightenment. The influence of the Enlightenment on our understanding of subjectivity in the West cannot be overstated, along with its connection to the internalisation of Hobbes' depiction of the state of nature. His presupposition that the human subject is defined by egoism concerned first and foremost with its self-interest and self-preservation has been internalised in the modern psyche to the point that it is indistinguishable from 'common sense.' Modern common sense appears to correspond to Hobbes' understanding of human nature, as the latter has been internalised by the former and, therefore, egoism and the right to self-preservation has come to dominate contemporary moral discourse as its presumed foundation.[14]

When we explicitly identify how the human subject is defined within current moral discourse and the wider imagination by three primary aspects -

[13] Like myself, Midgley is interested in how Hobbes' conception of the subject has been reinterpreted in modern society as a means of justifying a primarily egotistical understanding of subjectivity, which she refers to as "Hobbism." (Midgley 2010, p. 41) Midgley (2010, p. 4) claims that the Hobbesian conception of human nature is "the seed" from which the current understanding of subjectivity has grown. I elaborate on her thesis and how it differs from mine in chapter three.

[14] Hobbesian scholar Richard Tuck (1996, pp. 175, 188) makes this point saying: "The reasonableness of Hobbes's approach is usually taken for granted, particularly since it corresponds in some ways to a modern common sense…" For Tuck (1996, p, 191) this is reflected in the current Western understanding of ethics as a means of securing and safeguarding individual rights.

egoism, reason and autonomy - it is easier to understand why moral obligation is a problem. When the discussion begins with a subject defined in this way, ethics becomes centred around how to protect the subject from others, how to ensure their autonomy, and how to exercise their reason in the face of the constraints others impose. This takes us to the current issue within moral philosophy.

When the focus is the subject and ensuring their autonomy, desires, and needs against the actions and demands of the other, our obligations to others not only become a problem, but other people and the significance of their role in ethics and in the subject's life on the whole are lost. They become an afterthought. Even moral philosophers who explicitly reject Hobbes' understanding of human nature and the presupposition derived from it, by highlighting the importance of the social in human development, appear to succumb to the Hobbesian presupposition in their approach to the problem of moral obligation.

I expand on this claim later in the thesis (chapter three) and if it can be successfully defended, what it suggests is that a radical reconceptualization is needed for what has become a tired and arguably ineffectual approach to ethics. As it appears to be the assumptions made about the nature of subjectivity and intersubjectivity that have led to this impasse in moral philosophy, and in wider moral discourse, a radical change in approach must include an alternative understanding to these. This is where the thought of Emmanuel Levinas comes in.

Unlike most positions within moral philosophy, which establish the parameters of moral obligation in terms of the nature of subjectivity, Levinas's phenomenological framework demonstrates how moral obligation determines what it means to be a human subject. More than that, Levinas locates an essential

asymmetry in the relation between the subject and the other person.[15] This is a direct contrast with the majority of contemporary moral theories that focus on equal standing and reciprocal responsibility. It is Levinas's conception of the nature of subjectivity and its relation to moral obligation that makes his solution unique, yet often disregarded, reduced or overlooked.

Those in analytic philosophy often dismiss Levinas's ethics[16] of the 'face' as impractical or useless. His focus on the transcendence or otherness of the human other, and on the subject's asymmetrical limitless responsibility, sit uncomfortably with those who are accustomed to moral philosophy that is framed in terms of the subject's needs and capabilities.[17]

Richard Rorty's somewhat hostile criticisms of Levinas's conception of responsibility are often cited as an exemplar of this view. (Morgan 2016, p. ix, Perpich 2008, pp. 4-5, Shaw 2008, pp. 3-4, Strhan 2012, pp. 68) Rorty (1998, pp. 96-97) claims Levinas's understanding of responsibility as infinite could only be of use[18] in an individual's private pursuit of moral perfection and that in the

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[15] As is well known when referring to the other, Levinas uses two different terms, capitalised and in the lowercase. Autrui, capitalised and lowercase, refers to the human or personal other, whereas autre usually denotes otherness in general, i.e. other objects. Katz (2003, p. 157) notes that when Autre is capitalised it is generally done in comparison with the Same or to refer to 'God.' In *Totality and Infinity* (Levinas 1969, pp. 24-25) Lingis translates autrui as Other and autre as other. Following Katz, to avoid confusion I use only other in the lowercase and rely on the context and use of terms like 'otherness', 'human other', and 'transcendent human other' to make clear to the reader what I'm referring to.

[16] In his lucid and concise introduction to Levinas's thought, Colin Davis (1996, p. 47) makes a similar observation. He writes: "From the standpoint of the Anglo-American analytic tradition in philosophy, it is difficult to see why such a fuss is made of Levinas as a philosopher of ethics. His work fulfils none of the conditions by which ethical or meta-ethical philosophy might be recognised."

[17] For a very recent and brief overview of Levinas's relationship with moral philosophers practicing on the analytic side of the divide see Fagenblat (2020a). Fagenblat also offers other reasons as to why Levinas is often dismissed by analytic philosophy.

[18] In line with his version of pragmatism, Rorty determines the merits of a particular political or ethical theory in terms of its usefulness and not its truth-value. In a prior exchange with Critchley, Rorty (1996a, pp. 17, 41) states that he understands ethics and in turn politics in terms of settling disputes between competing interests. For him, Levinas's conception of otherness as unrepresentable renders it unable to meaningfully participate in such disputes and, therefore, he does not view Levinas's descriptions of the relation with the other person as ethics. See also Rorty (1979) and (1982).

context of public political or ethical responsibilities "the infinite and unrepresentable are merely nuisances."[19]

Similarly Axel Honneth (1995, pp. 311-312, 316, 319), reading Levinas as a religious idealist,[20] maintains that his understanding of moral obligation as asymmetrical and infinite[21] can be of no practical use, as the fundamental concern of justice—as Honneth sees it—is to resolve intersubjective conflicts of interest by attributing equal respect to all individuals involved.

Levinas's conception of moral obligation as fundamentally asymmetrical provokes even advocates of his thought, like Hilary Putnam (2002a, pp. 36-37, 56-57), who reads this asymmetry as a moment of moral perfectionism, to ultimately reject Levinas's account in favour of others.[22] This uneasiness with the

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[19] For a detailed analysis of Rorty's criticisms and defence of Levinas's thought against them see Simmons and Perpich (2005).

[20] How the concept of God fits into Levinas's ethical framework is a complicated issue within the scholarship. Levinas's Jewish heritage, his Talmudic scholarship, and his use of traditionally religious terms within his philosophical texts make it difficult to read his philosophy as non-theological. His persistent claims that what he's doing is not theology but philosophy adds to the complexity of the matter. Critics like Janicaud (2000) and supporters like Ward (2005) and Tallon (1995) who read the God of the Jewish bible as the authority behind the 'face' of the transcendent human other present a problem for my overall argument. If God is the clandestine authority providing the expression of the other person with its special imperative force, Levinas's solution to the problem of moral obligation is to rely on the Judeo-Christian conception of divine authority as the traditional guarantor of morality. If this is the case, his solution is not a novel revelatory solution at all, but a reiteration of divine authority. The only way to disentangle the somewhat convoluted use of 'God' within Levinas's philosophical project is to clearly elucidate his Judaism and his notions of Illeity and Absolute transcendence. Unfortunately, I don't have the space to do this here, however, relying on the analyses of those that have like Wyschogrod (2005), Llewelyn (2002b), Morgan (2012), Fagenblat (2010), Cohen (2007), Römer (2019a), Strhan (2012) and Bernasconi (1999) leads to the conclusion that the term God for Levinas only has meaning as it refers to the transcendent otherness of the other person. Talmudic scholarship intertwines with his phenomenology not to produce a religious ethics, but to reveal, where the two intersect, a secular account inspired, to some extent, by his rational and intellectual reading of the Talmud.

[21] With criticisms like these in mind, Michael B. Smith (2005, p. 72) writes: "Except for a small number of readers, Levinas is generally rejected as being too metaphysical to be of serious philosophical interest." Smith (2005, pp. 61-74) attributes this rejection to the prevalence of naturalism with contemporary philosophy, especially within analytic philosophy.

[22] As another example of an analytic philosopher dismissing Levinas's thought, Michael Slote is critical of Levinas's claims that the Western tradition's privileging of reason is connected to patterns of violence and domination. Despite the similarities between his approach to ethics and Levinas's, Slote (2013, p. xii) explains that "it makes more literal sense to see the emphasis on reason in ethics and epistemology as tied to failures of receptivity rather than to actual tendencies to dominate or do violence." Slote's response highlights how Levinas's critique of the privileging of rationality in Western moral philosophy is seen as a reason to dismiss his contribution.

radical asymmetry of the ethical relation spills over into the scholarship through established patterns of reading that unconsciously or consciously locates symmetry or a self-constituting subject defined by egoism in Levinas's project. My goal is to show that it is precisely these features of Levinas's thought - the recognition of the human other's transcendence and focus on asymmetry - that make it indispensable in altering the current and somewhat tired approach to moral obligation.

Goals: A Reimagining of Subjectivity with Levinas

You may be left wondering why a radical change to the way we approach moral obligation is needed, inside and outside academic philosophy, when the Hobbesian presupposition appears to fit with our observations of human behaviour. If our current understanding of subjectivity fits best with our observations, it seems not only strange but philosophically irresponsible to approach the problem of moral obligation with a different concept simply because it may shake up the debate or present us with a nicer idea.

The primary goal of my analysis is to show that the Hobbesian presupposition does not in fact match up with our observations of human interaction the way we think it does, and Levinas's conception of the nature of subjectivity is actually a better fit. His conception is able to address the aspects of human subjectivity—the egoism along with the capacity for self-sacrifice—in a way that the Hobbesian presupposition, and even accounts that recognise our status as social animals, cannot. If my arguments for these claims (chapter three) are successful, a radical reconceptualization of the nature of subjectivity and to our approach to moral obligation is needed.

Levinas provides us with the means to undertake these reconceptualizations, yet by failing to grasp how radical he is throughout his thought in the context of (a) the asymmetry of the relation, (b) in precisely how the subject is fundamentally other-constituted and defined, and (c) how these relate to the ethical relation as a foundation for ethics, the existing scholarship misses the full potential he has for shedding new light on the problem of moral obligation.

Undertaking my primary goal rectifies this blind spot in the literature by demonstrating how Levinas's conception of the subject provides a foundation for ethics (chapters one and two) that not only debunks the Hobbesian presupposition (chapter three) but revolutionises our approach to moral obligation, providing us with a new lens through which to see not merely ourselves but our relation to others (chapters three and four). Realising this primary goal generates a number of secondary goals.

I add to the extensive literature on Levinas's thought by providing a reading of the ethical relation that attests to continuity in his overall project and to his providing a prescriptive foundation for ethics (chapters one and two). In attending to these two secondary goals, I contribute to both explicit and implicit debates and conversations in the scholarship surrounding how the ethical relation should be interpreted, the extent to which Levinas's framework can accommodate foundationalism and ethical prescription, and the continuity of his overall project in the context of his understanding of the subject.

After establishing my exegesis of Levinas's framework, I place his thought in dialogue with prominent thinkers who tackle the problem of moral obligation in the analytic tradition. In doing so, I situate my analysis in what I identify as the

‘fourth wave’ of Levinasian scholarship. Nevertheless, the secondary goals that contribute to my primary aim do have interpretative features characteristic of the first and second waves, and my practical application of Levinas’s framework to the consequences of neoliberal ideology (chapter four) is consistent with ‘third wave’ scholarship.

Peter Atterton and Matthew Calarco (2010, p. x) mark the development of English language Levinasian scholarship in “three waves.”[23] Following their lead is a helpful means of mapping the existing scholarship and tracing its development. Beginning with the publication of Edith Wyschogrod’s *Emmanuel Levinas: The Problem of Ethical Metaphysics* (1974), this first wave is primarily concerned with the exposition and analysis of *Totality and Infinity* - the interpretation of key concepts, articulating Levinas’s use of the phenomenological method, and situating his project in relation to the work of Edmund Husserl and Martin Heidegger.

Atterton and Calarco (2010, p. x) credit Jacques Derrida’s critical assessment of Levinas’s first major work in ‘Violence and Metaphysics: An Essay on the Thought of Emmanuel Levinas’ as fuelling the second wave of scholarship. I contend that this period begins in the late 80s and is solidified with the publication of Robert Bernasconi’s ‘Rereading *Totality and Infinity*’ (1989) and the essay collection, *Re-reading Levinas* that he edited with Simon Critchley two years later.

This wave analysed and built on the questions raised by Derrida concerning but not limited to the use of ontological concepts and language, with particular attention to Levinas’s second major work, *Otherwise Than Being or*

[23] Drabinski (2011, pp. xiv-xvii, 1-3) describes the evolution of Levinasian scholarship in much the same way, although his contribution to the third wave is to put Levinas in conversation with postcolonial thinkers, in an effort to ‘decolonise’ Levinasian ethics.

Beyond Essence, which is often interpreted as a response to Derrida's critique. (Atterton & Calarco 2010, p. x) The influence of the work of Bernasconi and his students, like Critchley, William Large, Tina Chanter, and Claire Katz[24] on this second wave cannot be overstated and this becomes evident in my discussion of the deconstructionist (or deconstructive) and constitutive readings of Levinas that I claim were initiated by Bernasconi's (1989) paper.[25]

With the publication of *Radicalizing Levinas* (2010), Atterton and Calarco (2010, p. x) announced the third wave of scholarship, which situates and explores "Levinas's work within the context of the most pressing sociopolitical issues of our time." Exploring Levinas's thought in this sociopoltical context began in the early to mid 2000s, and the issues it focuses on include, but are not confined to, feminism[26], race theory, identity politics, technological developments, post-colonialism, globalisation and animal rights.

In their identification of the 'three waves' of Levinasian scholarship, Atterton and Calarco omit what I identify as a 'fourth wave' that emerges with the publication of *Discovering Levinas* by Michael L. Morgan (2007). Although he does not explicitly identify this as the beginning of a new wave in Levinasian scholarship, in the introduction to the *Oxford Handbook of Levinas* (2019), Morgan (2019, p. 8) (as editor) notes the influence his approach has had on others

[24] While these prominent Levinasian scholars are students of Bernasconi's, they have developed their own distinct readings apart from his. Katz's work in particular diverges from Bernasconi's in that her focus is less on Derrida and Levinas's phenomenological influences, and more on the role of the feminine and fecundity in Levinas's work, and the influence of Judaism and his Jewish writings on his philosophical project. See Katz (2003 and 2013).

[25] Morgan (2019, p. 1) acknowledges Bernasconi's influence on the emergence of English language scholarship on Levinas. Morgan (2019, p. 4) categorizes Bernasconi and his students, naming Critchley, Large and Chanter as prominent proponents of the "Derridean approach" and "Derridean reading" of Levinas. Morgan (2019, p. 4) claims that this approach and/or reading "may be the most common tendency among philosophical readers of Levinas."

[26] Levinas's complicated relationship with feminist thought can be traced back as early as 1949 with Simone de Beauvoir's critique of *Time and the Other* in *The Second Sex*. In the context of the English language scholarship, commentators like Chanter and Alison Ainley have been exploring this topic since the late 80s. See Chanter (1988) and Ainley (1988).

in the field, like Joshua James Shaw and Kevin Houser, both Morgan's former students. This influence, coupled with Morgan's editing of what I imagine will become a seminal collection of papers on Levinas's work, points to Morgan's initiation of this fourth wave.

Morgan (2019, p. 7) is one of the first to explicitly put Levinas in conversation with the analytic tradition and to take up "a largely analytic style of interpretation" in his approach to Levinas's philosophy.[27] His strategy has influenced the work of others like Michael D. Barber, William H. Smith, Fiona Ellis, and more recently Stern, who have all generated new insights in Levinasian scholarship by placing him in dialogue with analytic philosophy.

The publication of *Levinas and Analytic Philosophy: Second-Person Normativity and the Moral Life* (2020) edited by Michael Fagenblat and Melis Erdur marks the growth of this strategy into a fourth wave of scholarship. Fagenblat (2020a, p. x) explains that the essays that make up this volume aim at "rejuvenating our understanding of Levinas's thought", which he suggests, following Davidson and Perpich (2012), has stagnated. I suggest that this stagnation is a consequence of Levinas's thought being contextualised in routine ways and with the same continental thinkers. I aim to overcome this by aligning my project with this fourth wave. This fourth wave of scholarship coincides with the third, as contextualizing Levinas's thought within the analytic tradition often spills over into his influence and utilisation within a sociopolitical context, which I demonstrate later (chapter four).

[27] Bob Plant's (2005) comparative study of Wittgenstein and Levinas, and Putnam's (2002a) contribution to *The Cambridge Companion to Levinas*, where he compares Levinas's approach to moral philosophy with Stanley Cavell's, could be viewed as earlier attempts to put Levinas in dialogue with analytic philosophy. For even earlier attempts see Furrow (1995) and Werhane (1995). Greisch (1991) puts Levinas in conversation with Wittgenstein, but in a very 'continental' way.

My arguments in chapters three and four demonstrate that by putting Levinas in this wider context, his importance is amplified and in turn rendered more discernable for a broader audience. Morgan (2019, p. 8) recently highlighted the benefits of placing Levinas's work in an analytic context saying:

"One of the fruitful by-products of making an effort to translate Levinas into terms other than those he uses or those widely used in recent French philosophy, and other disciplines influenced by that tradition, is that what is original and especially novel in his thought may present itself with greater clarity and impact."

Building on Morgan's methodological approach, I put Levinas in dialogue with the analytic tradition not only to signal his relevance to moral philosophy outside the continental tradition, but to provide a fresh reading of his phenomenological framework divorced from the jargon and sometimes alienating vocabulary that often develops within a field of scholarship over the decades as commentators absorb and expand on each other's work. Unfortunately, as Morgan (2019, p. 8) notes, the use of 'parochial' language can have the unintended effect of confusing new readers and alienating those who come to Levinas from outside the tradition.[28]

I aim to overcome these pitfalls and make Levinas more accessible to those interested in moral philosophy and wider moral discourse who are not familiar with continental philosophy, or do not identify as working within the tradition. These aims constitute the second set of secondary goals I set out to accomplish in chapters three and four; however, these chapters only make sense against the background of my interpretation of Levinas's phenomenology, provided by

[28] Critchley (2015, p. 71) makes a similar, but slightly different point, when he says: "A lot of writing on Levinas simply takes up his rhapsodic intensifications and repeats them."

chapters one and two. As mentioned above, my understanding of Levinas's framework in these chapters responds to a reading of Levinas's thought that pervades almost all the trends within the literature. These trends can be roughly identified with the four waves of scholarship.

Bernasconi's (1989) seminal paper is not only a significant milestone in the scholarship, it also pinpoints the four most common readings of the face-to-face or ethical relation. One of the reasons that Bernasconi's (1989) paper is cited so frequently[29] is its explicit identification of the two readings of the ethical relation that developed in the first wave of scholarship: the empirical and transcendental readings. In identifying these readings of the ethical relation and arguing against an uncomplicated choice between the two, Bernasconi initiates two further readings that can be roughly identified with more recent waves of scholarship: the deconstructionist and the constitutive.

These interpretations are connected with the different approaches to Levinas's work that are prominent within the scholarship. Putting what are complex and intricate readings of Levinas's thought into categories can be a little misleading, yet helpful in navigating and locating my place in what is a wide reaching and comprehensive scholarship. Following—but not limiting ourselves—to Morgan's recent categorizations, we can roughly identify four different approaches. (Morgan 2019, pp. 4-6) There are those that read Levinas as a phenomenologist through his relationship with Heidegger and Husserl[30]. Prominent examples of this approach in the earlier stages of the scholarship are

[29] I do not have the space here to list every citation and, therefore, have listed only a few. See Shaw (2008), Morgan (2007), Dudiak (2001), Rae (2016), Staehler (2010), Drabinksi (2001), Fagenblat (2004), Shuster (2019), Marsh (2015), and Strhan (2012).

[30] For a nuanced reading of the proximity between Levinas and Husserl's accounts of intersubjectivity see Overgaard (2003, pp. 115-138). See also Drabinski (2001) and Dodd (2010).

Bettina Bergo, John Llewelyn, Silvia Benso, Alphonso Lingis[31] and Theodore de Boer. The latter offers the most well-known example of a transcendental reading of the ethical relation, and it is the focus of that type of reading in Bernasconi's (1989) paper.

Other influential commentators like Catherine Chalier and Richard A. Cohen approach Levinas through the tradition of Jewish thought and the influence of Franz Rosenzweig[32], while others like Adriaan Peperzak and Edith Wyschogrod take an approach influenced by an engagement with Hegel. These groups tend to place a greater emphasis to varying degrees on the question of God in Levinas's framework, but do not ignore the role of phenomenology in Levinas's project; they simply approach him through different means. Scholars like Michael Fagenblat and Joëlle Hansel understand Levinas through his phenomenological roots, yet pay nuanced attention to how the tradition of Jewish thought has influenced his work.[33]

Bernasconi's deconstructive (or deconstructionist) reading of Levinas's thought in his 1989 paper signals the rise of those who approach Levinas through a Derridean[34] or postmodern lens, like John D. Caputo, Jill Robbins[35] and Sean Hand.[36] As I mentioned earlier, other commentators who approach Levinas in this manner, or through Bernasconi's influence, adopt the deconstructionist and

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[31] Arguably, more than anyone else, it is most difficult to categorize Alphonso Lingis' place in the scholarship, perhaps due to his own unique philosophy of sensibility. Lingis (1986, pp. 228-229) reads the relation with the other as constituting the subject's existence "here", and, in line with his own philosophical interests focuses on Levinas's descriptions of sensibility and sensuality.

[32] See Michael B Smith's reading of what he refers to as "Chalier's Levinas" (Smith 1997). See also Chalier (2002a and 2002b) and Cohen (1994).

[33] See Fagenblat (2010) and Hansel (2012).

[34] Cohen (2010, p. 171), a student of Lingis, states that he and Wyschogrod "came to Levinas through Levinas", unlike scholars like Bernasconi who, Cohen says, came to Levinas through Derrida. He claims that this produces two quite different readings of Levinas's thought.

[35] See Robbins (1999).

[36] Llewelyn would also fit into this category as well. See Llewelyn (1995b) and (2002a). Llewelyn (1995b, p. xiii) notes the debt his own contribution to the scholarship has to Bernasconi's "responses" to Levinas.

constitutive readings. Critchley is a prominent example of the former and Diane Perpich an influential example of the latter. Although transcendental and empirical readings continue after Bernasconi's intervention, they tend to follow Bernasconi's insight and incorporate the two without necessarily adopting a deconstructionist reading. Morgan is a notable example of this.

Morgan (2007, pp. 296, 2012, and 2019, p. 7) claims that he couples his analytic style of interpretation with a reading of Levinas as a transcendental philosopher, although his arguments for Levinas being understood as a "philosopher of the ordinary" highlights the empirical aspect of the ethical relation. I elaborate on the interplay between the transcendental and the empirical in the ethical relation in chapters one and two, which also situates my interpretation in the context of these different readings.

Following prominent scholars like Bergo, John Drabinski, Colin Davis and Steven Crowell, I read Levinas as a phenomenologist and argue that the prescriptive aspect of the ethical relation can only be understood phenomenologically (chapter two).[37] Expanding on Drabinski's study of 'sense' in Levinas's framework, I make my argument through a critical engagement with the interpretation of the ethical relation offered by Shaw, as his analytic style of

[37] Embedded within my arguments are two important presuppositions - that Levinas is a phenomenologist in the tradition of Husserl, Heidegger and Maurice Merleau-Ponty, and that the God of the Jewish bible does not provide the authority behind the ethical relation's special imperative force. While both presuppositions are widely accepted within the literature, they have also attracted notable opposition. Unfortunately, due to time and space constraints they will have to remain largely unargued for here. For more see Janicaud's (2000) widely cited critique of Levinas's phenomenology as theology in disguise. For responses to Janicaud see Sebbah (2012) and Dalton (2014). Influenced by Harman (2009) and Lingis (1998), Sparrow argues that Levinas should be considered a speculative metaphysician rather than a phenomenologist. For Sparrow, this has more to do with phenomenology as a method or style and not so much with Levinas's specific appropriation. Sparrow claims that phenomenology has no coherent centre and therefore, the term becomes effectively meaningless. See Sparrow (2013 and 2014). For a similar critique see Marsh (2015). See also Moran (2000) and for an opposing view Drabinksi (2001). It is worth noting that despite Moran's suspicions of Levinas being considered a phenomenologist, Moran does include him in *The Phenomenology Reader*.

approach—unlike mine—seems to miss how Levinas's phenomenology is vital to the possibility of reading a prescriptive claim in his ethics.

In line with Bernasconi's prudent observation of the tendencies within the scholarship, and expanding on more recent explications on the interrelation of the transcendental and the empirical in the work of those like Morgan and Neal Deroo, my reading of the ethical relation establishes how it operates as both a condition for ethics and an experience that is had in our day-to-day interactions with others.

Through the influence of Bernasconi and Perpich, I develop a novel species of the constitutive reading with the claim that the ethical relation is a condition for ethics through the constitutive role it plays in the nature of subjectivity. With my arguments for how this constitution defines and, therefore, founds the nature of the subject and moral obligation (chapters one and two), I establish how my reading diverges from those offered by these prominent scholars.

It is through a critical engagement with the influential readings of the 'face-to-face' or the ethical relation offered by Bernasconi and Perpich that I demonstrate how the literature seems not to have completely grasped the significance of Levinas's contribution to moral discourse through his solution to the problem of moral obligation. The Hobbesian presupposition has been internalised within Levinasian scholarship so that even those who respect and champion Levinas's work are uncomfortable with the with radical asymmetry of the ethical relation.

This uneasiness with radical asymmetry is apparent in what has become the dominant way of reading the relationship between *Totality and Infinity*

(Levinas 1969) and *Otherwise Than Being* (Levinas 1998a) exemplified in the interpretations offered by Bernasconi and Perpich: the self-constituting subject of the former text is replaced by a fundamentally other-constituted subject in the latter. Bernasconi's interpretation of the subject and transcendent human other as mutually constituting moments of the ethical relation, which is expanded on to some degree by Perpich in her development of its temporal implications, has become the orthodoxy for addressing the question of foundationalism in Levinas's framework. The basic claim is that if the ethical relation is not a transcendental condition, then it cannot be considered a foundation for ethics. It is through a critique of these dominant readings that I demonstrate the radicality of Levinas's project to show that, rather than preventing him from making a practical contribution to moral philosophy, this is what enables him to make such a contribution.

Accomplishing my first set of secondary goals naturally leads to my second set which, as I mentioned above, concerns the rejection of Levinas's thought for being a mere moral ideal with no practical use or relevance outside continental philosophy or personal moral development. By putting Levinas in the context of analytic philosophy (chapter three), I aim to show his relevance to how the problem of moral obligation can be reshaped on both sides of the philosophical divide.

Applying his framework to what has become a widely discussed issue in political philosophy and wider political discourse - the harmful consequences of neoliberal ideology (chapter four) - aims to show that it can have practical applicability by reshaping current practice in workplace relations, combatting oppressive power structures. My hope is that placing Levinas in this concrete

sociopolitical context will shift the focus of contemporary debate, from the differences between classic liberalism and neoliberalism, to how a questioning of our conception of subjectivity and in turn intersubjectivity can challenge existing power relations allowing those in the dominant group to genuinely listen to the oppressed.[38]

The goals of the project necessitate arguments that are internal to Levinasian scholarship (chapters one and two) and external insofar as they situate Levinas in the broader field of moral and political philosophy alongside so-called analytic thinkers like Korsgaard, Darwall and Elizabeth Anderson (chapters three and four). Similarly, the aims of my analysis can be divided in terms of meta-ethical and normative concerns. The first three chapters are primarily concerned with meta-ethical questions, how Levinas answers these questions, and the affect his answers have on how subjectivity, intersubjectivity and the approach to moral obligation are conceived of in the wider context of moral philosophy. The fourth chapter tests the normative implications of the conclusions drawn from these earlier chapters.

Methodology: An Interrogation of Levinasian Scholarship and Analytic Philosophy

I rely primarily on Levinas's two major works, *Totality and Infinity* (1969) and *Otherwise Than Being or Beyond Essence* (1998a) to develop my own reading of

[38] It is worth noting that in their critical overview of the intersection between Levinas's framework and clinical practice in psychology, Goodman and Severson (2019, pp. 672-673) suggest that Levinas's thought, particularly his rethinking of subjectivity, should be employed to challenge "the self-oriented and self-mastering base of the neo-liberal subject" that is often taken as the norm in clinical psychology. They claim that the "positive psychology" movement that challenges the field's current universalized understandings of suffering and pathology, and aims to reintroduce moral thinking into clinic practice, is not up to the task as it operates according to this neoliberal notion of subjectivity.

Levinas's project. While I reference some of Levinas's other works, I do so as a means of corroborating my reading of these two major works and their relationship. Restricting my analysis to the two major works allows me to delve into the intricacies of Levinas's phenomenology and establish continuity in his project as a whole within the spatial constraints of the thesis. Establishing my interpretation (chapters one and two) in contrast to comprehensive and influential readings within the scholarship enables me to demonstrate the significance of the radicality of Levinas's project and how this is missed to some degree by the scholarship.

With this in mind, in chapter one I provide my reading of Levinas's framework through critical engagements with Bernasconi and Perpich's interpretations of (a) the ethical relation, (b) the concept of a foundation for ethics in Levinas's phenomenology, and (c) the relationship between *Totality and Infinity* and *Otherwise Than Being*. Both Bernasconi and Perpich's arguments on these points have been so influential, to the point that they not only articulate, but have also established the dominant interpretational paradigms in the literature.[39] This means that engaging with these two commentators entails addressing the main readings in the scholarship. I judge their interpretations on how closely they adhere to the phenomenological descriptions presented by Levinas in these two major works understood as a unified whole.

[39] For citations and varying degrees of adherence to Perpich's interpretation of Levinas's thought see Smith (2012), Gak (2015), Coe (2019), Katz (2013), Strhan (2012), Staehler (2010) and Lipari (2012 p. 230-232). Although she doesn't adopt Perpich's reading of Levinas's project, Katz (2013, p. 193) writes: "I believe Diane Perpich's book *The Ethics of Emmanuel Levinas* offers one of the strongest and clearest examinations not only of Levinas's phenomenology but also of a phenomenological reading of Levinas's philosophical project." See also Rosato (2015, p. 448), Crowell (2020, p. 23), Severson (2014, p. 139), Houser (2016, p. 147), Achtenberg (2015 pp. 137,153), Hatley (2011, p. 90), and Nelson (2012, p. 80).

I continue this methodological approach in chapter two by arguing for a prescriptive claim embedded in the ethical relation through a critical engagement with the readings advanced by Perpich and Shaw. My interrogation of Perpich's interpretation of the ethical relation, if it can be considered a foundation for ethics, and the relationship between Levinas's two major works slips over into the next chapter as all three issues culminate in her reading of Levinas's temporal structure, which she uses to argue that there is no prescriptive element within the ethical relation. I establish my position in opposition to hers as she explicitly addresses what is often left implicit or confused in the literature.

Like Perpich, Shaw explicitly attends to the prescriptive capabilities of the ethical relation in terms of its capacity to direct the subject to what she ought to do. For both Perpich and myself, Shaw is a paradigmatic example of the tendency to read a prescriptive claim in the ethical relation. He explicitly addresses the issue, yet does not account for precisely how the prescriptive operates in Levinas's phenomenological framework. Situating my reading in between these two opposing interpretations allows me to establish exactly how the prescriptive operates phenomenologically, and in accordance with Levinas's temporal structure. Focusing primarily on the readings of only two commentators in both chapters allows me the space to provide a close reading of the primary texts, demonstrating how my interpretation of Levinas's phenomenology is faithful to the original sources, rather than simply adhering to the dominant trends in the secondary literature.

Chapter three adopts a similar structure in that I focus on the solution to the problem of moral obligation offered by two prominent scholars, Korsgaard

and Darwall.[40] To demonstrate how Levinas reconceptualises the approach to moral obligation in this wider context, I reconstruct the arguments of these analytic philosophers through a Levinasian lens. Reading their arguments through Levinas enables me to show that a traditional post-enlightenment understanding of the subject as self-constituting, defined by reason and autonomy, cannot help but fall back into the Hobbesian presupposition. This establishes Levinas's radical reconceptualization of subjectivity as the only alternative to this pervasive presupposition, as it accounts for the subject's capacities for both egoism and self-sacrifice.

Unfortunately, due to the spatial and temporal constraints of the thesis I cannot cover a broader pool of analytic thinkers and have to restrict my analysis to two prominent and influential ones. My choice of Korsgaard and Darwall follows established links in Levinasian scholarship. Darwall's focus on the address of the other means he is often thought of as Levinas's analytic counterpart and this has been explored in book chapters by Smith (2012), Crowell (2020), and Stern (2019) and in a paper by Barber (2008).[41] Nevertheless, all four scholars don't seem to fully appreciate how Levinas's understanding of subjectivity radically

[40] Some may suggest that I could have looked at the work of communitarians like Charles Taylor and Macintyre who like Levinas are critical of the atomistic conception of the self. This could be a future project, however, I have a suspicion that as neither adopt a concept of the subject as radically other-constituted, a comparison with Levinas's framework would reveal that their conceptions of the subject fall back into the Hobbesian presupposition. Another concern is that due to the influences of both philosophers, influences like Heidegger, Hegel, Nietzsche, Marx and Kierkegaard, a focus on the arguments presented by Taylor and Macintyre would return me to the continental tradition, which would defeat the purpose. Nevertheless, for this line of argument against liberalism and the atomistic subject see Taylor (1985), Sandel (1998), Macintyre (2007) and the collection of essays edited by Sandel. (2003)

[41] Stern puts Levinas in dialogue with Darwall and K.E. Løgstrup in order to highlight the similarities and differences between each of their approaches to moral obligation, and to emphasize what he sees as Darwall's, and to a lesser extent Levinas's problematic attachment to the command model understanding of moral obligation. For Stern (2019, pp. 304-308), the greatest similarity is found in both Darwall and Levinas's re-envisioning of divine command theory, in that the moral command comes from the authority of the other in the second-personal. I refer to Smith (2012) and Barber's (2008) readings in greater detail in chapter three.

alters the focus of the debate on the problem of moral obligation and how the comparison with Darwall brings this to light.

Bernard Williams' (1996, p. 216) early suggestion to Korsgaard to consider the work of Levinas who, as Williams notes, works on the problem of moral obligation "in a different style",[42] has been, as I mentioned, taken up briefly by Morgan (2007), in greater detail by Smith (2012) in another chapter of his perceptive book, and very recently by Barber (2020) in the collection edited by Fagenblat and Erdur. However, these nuanced and insightful comparisons miss the full significance of Levinas's reconceptualization of subjectivity in this context and in the case of Smith have retreated back into a traditional post-enlightenment understanding of the subject that, if my arguments in this chapter succeed, falls back into the Hobbesian presupposition.

Some may claim that comparing Levinas with other figures identified within the analytic tradition would have provided a more philosophically considered and compelling analysis that may not have produced results favourable to my goals. While Korsgaard and Darwall's work is dominant within the field and the basic conception of subjectivity they operate with is by and large the same one held by their contemporaries, my analysis should be thought of as part of the early steps in a fruitful dialogue between Levinas and analytic philosophy. Comparing his work with others on this side of the divide would be fertile ground for future projects.

To test the capacity of Levinas's reconceptualization of subjectivity to break new ground in our approach to intersubjective relations in a sociopolitical

[42] In this context, Williams (1996, p. 216) suggests that the solution to the problem hinges on the recognition of the other. Williams is critical of the idea of moral obligation, however, his broader conception of ethical life, which he distinguishes from traditional morality, is likely to have attracted him to Levinas's unorthodox thought. See Williams (2006, pp. 1-3, 186-188) See also Fagenblat (2020a, p. viii).

context, I apply his thought to the harmful consequences of neoliberalism in chapter four. Applying his framework to one of the most topical and extensively discussed issues not only in recent political philosophy, but also in wider political discourse allows me to demonstrate its practical use for those tackling these problems when forming private and public workplace policies. With companies like Amazon opening their controversial 'fulfilment centres' in Australia, this is a crucial time to see if Levinas can shed new light on the problems the logic employed by these corporations creates for their most vulnerable workers.

I utilise Anderson's critique of the toxic effects of neoliberal ideology in the workplace as a way into the existing literature and public debate. Entering this field through Anderson enables me to demonstrate how Levinas's reconceptualization of both subjectivity and intersubjectivity is better equipped than classic liberalism to provide an antidote to toxic power relations in the workplace. As Anderson is a prominent figure operating according to a dominant liberal critique, reading her through Levinas allows me to shift the debate from using a classic liberal framework to criticise neoliberalism to looking beyond the liberal conception of subjectivity that infected with the Hobbesian presupposition has become entrenched in Western thinking.

Again, the space and time constraints of the thesis have forced me to narrow my focus and attend to one thinker with one specific conceptual approach to what is a complex and historically rich debate. Not only does Anderson provide one of the most influential and lucid recent critiques of neoliberalism, she has taken her philosophical inquiry into public political discourse.[43] This is symbiotic with my wanting to highlight Levinas's practical applicability inside academic

[43] See Heller (2018).

philosophy, but also outside in the wider moral and political discussion. Again, those who have other thinkers in mind who they believe would have afforded more engaging or philosophically nuanced results should view this as a first step in testing Levinas's applicability in this context.

Chapter 1

Levinas, Radical Asymmetry, and Reimagining Subjectivity

1.1 Introduction

In this chapter, I demonstrate how revolutionary Levinas's solution to the problem of moral obligation actually is. I do this by situating my interpretation alongside those that obscure his most profound contribution by reading symmetry and a self-constituting subject into his overall framework. This reading of symmetry and self-constituting subjectivity into Levinas's first major work not only neglects the radical asymmetry of the ethical relation, it also delegitimizes the conception of the ethical relation as the foundation for ethics, and undermines the continuity of his project from his first to his second major work.

Engaging with the readings of two prominent scholars within Levinasian scholarship, Robert Bernasconi and Diane Perpich, I argue that *Totality and Infinity* contains a conception of subjectivity founded on a radically asymmetrical relation with the transcendent human other. It is through this reconceptualization of subjectivity as constituted and defined by its relation to the other that Levinas provides a non-traditional foundation for moral obligation. My reading of *Totality and Infinity* indicates continuity in Levinas's understanding of subjectivity, which contradicts the dominant way of interpreting the relationship between this first major work and *Otherwise Than Being*.[1] My intervention has two stages.

[1] The orthodox reading of the relationship between the two works is shaped by the idea that the focus of *Totality and Infinity* is the transcendence of the human other and her affect on the subject, while *Otherwise Than Being* concentrates on subjectivity that is structured by virtue of 'substitution' for the other. Those that advocate this general thesis fit awkwardly into two camps. The first explicitly read the earlier work as depicting a self-constituting ontological subject that becomes a moral subject through the encounter with the transcendent human other. For them, subjectivity in the later text is reenvisioned as one immediately other-constituted. The interpretation proposed by those in the second camp is more varied and ambiguous on how the extent to which Levinas's understanding of subjectivity can be seen to have undergone a complete revision or a mere change in presentation. Some hint or imply that the subject of *Totality and Infinity* is a self-constituting ontological subject, and that the 'true' moral self is constituted after

In the first stage, I engage critically with Bernasconi's (1989) paper 'Rereading *Totality and Infinity*' to demonstrate that the subject of *Totality and Infinity* is constituted through an asymmetrical relation with the transcendent human other. The crux of Bernasconi's argument is that the ethical relation cannot be considered a foundation for ethics, as both the subject and the other are mutually constituting terms of the relation. I establish my position through his influential account as this interpretation of the subject and the other as mutually constituting terms, which has come to dominate the scholarship and encourage a reading of subjectivity presented in *Totality and Infinity* as self-constituting, has its origins in Bernasconi's widely cited paper. By undermining Bernasconi's thesis, I make my case. The implications of his argument are realised in Perpich's reading of the ethical relation as non-foundational and her interpretation of the relationship between Levinas's two major works, which leads to the second stage of my argument.

In the second phase, I continue to argue for my interpretation of subjectivity in *Totality and Infinity* through critical engagement with Perpich's (2008) *The Ethics of Emmanuel Levinas.* As she reads subjectivity in Levinas's first major work as self-constituting, Perpich interprets *Otherwise Than Being* as rectifying the failings of its predecessor, by reconceiving of subjectivity as other-constituted via the development of its temporal framework. I challenge Perpich's

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the encounter with the other by juxtaposing it with descriptions of an immediate ethical subjectivity offered in *Otherwise Than Being*. Those in the first camp appear not to read ethics as having priority over ontology in the earlier text, whereas this is largely questioned and left unclear by those in the second camp. Prominent examples of the first camp are de Boer (1997), Fagenblat (2010), Giannopoulos (2019), Coe (2019), Smith (2012) and Mosès (2005). For examples of the second camp see Wyschogrod (1974), Bergo (1999), Cohen (2004 and 2010), Peperzak (1993), Katz (2013), Large (2019) and Strhan (2012). Notably, Moati (2017, p. 12) claims "*Totality and Infinity* has nothing in common with constitutive project of *Otherwise Than Being*" and, thus, cannot be placed in either of these broadly defined camps. Nevertheless, his reading of the earlier text's separated self as a precondition for the transcendent other and of its role in the production of infinity creates ambiguity in his account on the issue of the subject and human other being mutually constituting terms. See Moati (2017, pp. 29, 33-35, 140, 145)

account by demonstrating, through a reconstruction of her argument, that Levinas describes subjectivity as radically other-constituted in both major works. In doing so, I propose a novel reinterpretation of the relationship between the two texts.[2]

The later work becomes a realisation of the first. This avoids interpretations that read symmetry into the ethical relation, overlooking the way it founds subjectivity, or ones that miss the significance the egotistical aspects of the subject have in Levinas's framework. These conclusions have implications for the ethical relation being read as a foundation of moral obligation, and for Levinas's conception of subjectivity being a superior alternative to the Hobbesian presupposition, releasing the hold the latter has on the relationship between subjectivity and ethics. I elaborate on these points in the second and third chapters.

[2] The orthodox reading of the relationship between Levinas's two major works also includes Derrida's critique of *Totality and Infinity* in "Violence and Metaphysics." Derrida's (1978) major claim is that Levinas inevitably incorporates transcendence into the totality in his attempt to describe the meaning of ethics as beyond the totalizing world of the Same. Derrida explains that by operating within philosophical discourse and continuing to use the philosophical tools and vocabulary he's inherited from his teachers and precursors, Levinas perpetuates the very totalitarian cycle he so ardently criticises. Derrida concludes that in setting out to achieve what he accuses the entire history of Western philosophy of failing to do, Levinas inevitably succumbs to the limitations of philosophical discourse. Derrida (1978, p. 151) argues that this inevitable consequence of Levinas's philosophical aim enacts a significant feature of Derrida's own thought - no philosophical critique or radical rethinking can get outside the tradition it aims to destroy; it can only undertake such a task from within. The orthodox reading understands the changes in Levinas's vocabulary and his explicit acknowledgement of the contradictions inherent to his project in *Otherwise Than Being* as a response to Derrida. I think it would be a mistake to interpret the differences and, consequently, relationship between Levinas's two major works primarily as a result of Derrida's critique. In fact, Derrida's major claim is already acknowledged by Levinas in *Totality and Infinity*. Recognising this, Bernasconi (1991, pp. 154, 157) explains that although they're not raised by Levinas as an external critique, Derrida acknowledges that his questioning of Levinas's text is more of an elaboration of questions already raised internally by Levinas within *Totality and Infinity*. See also Derrida (1978, pp. 84, 109). For more on *Otherwise Than Being* as a response to "Violence and Metaphysics" see Bergo (1999), Critchley (1999), Strhan (2012), Morgan (2007), Hand (2009), Eaglestone (1997), Drichel (2012) and Baring (2019). For a rejection of Derrida's major claim see Moati (2017).

1.2 Bernasconi's 'ReReading'

Bernasconi's (1989) paper does two important things: he alerts readers to the significance of section II for understanding *Totality and Infinity* as a whole and, he explicitly identifies the two ways of reading the ethical relation that have become prominent in the literature up to that point. Bernasconi pinpoints what he refers to as the empirical and the transcendental readings of the ethical relation, and draws attention to the significance of section II of *Totality and Infinity* to make his argument surrounding their legitimacy. In other words, Bernasconi utilises section II to highlight the deficiencies of both the empirical and transcendental readings in support of his claim that the subject and human other are mutually constituting components of the ethical relation. From this he concludes that the ethical does not have primacy in Levinas's framework.

As I mentioned in the introduction, I credit Bernasconi's (1989) paper with initiating the deconstructionist (or deconstructive) and constitutive readings of the ethical relation. Bernasconi's (1989, p. 34) claim that Levinas employs the 'languages' of the transcendental and the empirical "drawing them into contradiction… to introduce us to a way of thinking which rests on neither" highlights Levinas's 'proximity' to Derrida, and scholars, like Critchley, have expanded on this in their deconstructive readings of Levinasian ethics. Bernasconi's focus on section II, the anterior posteriori and the constitutive aspects of subjectivity, coupled with his argument that the ethical relation is not a traditional transcendental condition or simply an experience, gives shape to the

idea that the relation with the human other constitutes only moral subjectivity.[3] Scholars like Diane Perpich expand on this point in their own readings.

My species of the constitutive reading relies on a close analysis of section II read in accordance with the text as a whole, much like Bernasconi's, however, our readings differ in how we interpret the significance of this section. Bernasconi interprets it as establishing the subject and the transcendent human other as mutually constituting components of the ethical relation, whereas I read it as identifying the ethical relation as the defining aspect of subjectivity. It is through this divergence in our readings of section II, that Bernasconi and I differ, not only in our interpretations of the ethical relation as presented in *Totality and Infinity*, but of the relationship between Levinas's first and second major works, and of the potential for the ethical relation to be read as a foundation for moral obligation. As Perpich expands on Bernasconi's reading of section II my criticisms of her interpretation of Levinas's thought on these points have their origins in my critique of Bernasconi's reading. The contours of my interpretation become clear through my analysis of Bernasconi's argument.

Bernasconi (1989, p. 23) contextualises his position by highlighting "certain habits of reading" that emerged in the first couple of decades following the publication of *Totality and Infinity*. He identifies three habits, and his argument is formed as a response to all of them. Firstly, he explains that readers focus on the first thirty pages that open section III. Secondly and consequently,

[3] In his most recent paper on Levinas, Bernasconi appears to promote the reading of the subject of *Totality and Infinity* as self-constituting in that he seems to maintain the same somewhat ambiguous reading of Levinas's conception of subjectivity in that work. Of the focal point of that text, Bernasconi (2019, p. 259) writes: "…the focus fell on recounting the experience in which an apparently self-sufficient subject, not unlike the liberal individual as understood by moral philosophy, could have its complacency challenged from the outside by the other in the face-to-face relation." Nevertheless, in the same paper, Bernasconi (2019, p. 265) cautions against "exaggerating the contrast" between the two major works.

Bernasconi (1989, p. 23) says "*Totality and Infinity* is known as a book about ethics,"[4] and as such the majority of readers engage with Levinas's thought by attending to the idea that the face-to-face or ethical relation "provides the foundation for ethics." Thirdly, Bernasconi explains that the two interpretations of the ethical relation that have come to dominate the scholarship up to that point are what he terms the empirical and transcendental readings. The former understands the ethical relation "as a concrete experience that we can recognise in our lives" and the latter interprets it as "the condition for the possibility of ethics and indeed of all economic existence and knowledge." (Bernasconi 1989, p. 23) For Bernasconi, the second and third habits are tied together in that if the ethical relation is read as a transcendental condition then it provides the foundation for ethics. The next step in Bernasconi's argument is to demonstrate that settling "what status is to be accorded the face-to-face relation" is not as simple as choosing between the empirical or transcendental readings, and in turn establishing if the relation is a foundation for moral obligation. (Bernasconi 1989, p. 23)

Bernasconi (1989, p. 23) explains that the "puzzle is that Levinas himself seems unable to decide between these rival interpretations", as Levinas claims the ethical relation can be experienced while also endorsing the transcendental reading. Bernasconi goes on to highlight the passages of *Totality and Infinity* where Levinas appears to both support and discourage the ethical relation being understood as an experience and as a transcendental condition. (Bernasconi 1989, pp. 23-24) Levinas (Levinas 1969, p. 25) writes that "the relation with infinity cannot, to be sure, be stated in terms of experience" as it exceeds every thought

[4] For more on this thought see Bernasconi (2012 and 2019).

the subject may have of it, yet if we take the ultimate meaning of experience to be the ethical relation as "what always overflows thought, the relation with infinity accomplishes experience in the fullest sense of the word." Bernasconi (1989, pp. 23-24) notes that on the same page Levinas attempts to distance his project from the traditional conception of the transcendental with the claim that his own method only "resembles what has come to be called the transcendental method." (Levinas 1969, p. 25)

For Bernasconi (1989, p. 24), Levinas's use of the word 'resembles' to characterise his project's relationship to the transcendental method is connected to Levinas's questioning of its connection with a method that "consists always in seeking the foundation." (Levinas 1998c, p. 88) What's interesting, and Bernasconi (1989, p. 24) points this out, is that this questioning of the connection between his project and the search for foundations is done in the same Q&A where Levinas endorses the transcendental reading.[5] Bernasconi returns to the question of the ethical relation as a foundation for ethics later in the paper, after explaining how neither the empirical and transcendental readings alone can account for the status of the ethical relation.

He explains that Levinas's means of articulating the ethical relation can only be said to resemble the transcendental method because what Levinas is describing is an experience that disrupts "what is ordinarily called experience." (Bernasconi 1989, p. 24) Levinas (1969, p. 24) writes: "we can proceed from the experience of totality back to a situation where totality breaks up, a situation that conditions the totality itself." In other words, Levinas is describing that which is only experienced as a disruption of the subject's field of experience and

[5] Both Bergo (1999) and Peperzak (1993) mention Levinas's questioning of foundations in this Q&A.

uncovering this disruption reveals it to be what conditions all experience. Bernasconi (1989, p. 24) points out that as "the very process of tracking the transcendental conditions of experience require that a continuous path be drawn between experience and its condition" the ethical relation cannot be understood as a transcendental condition in the traditional sense.

As an experience that is felt as a disruption of experience, there is no clear path to be drawn between it as a disruption and as a condition. Bernasconi explains that this disruption or 'rupture', as he calls it, is the transcendence of the 'face' of the human other, which Levinas terms exteriority. Exteriority becomes an important term in the structure of Bernasconi's argument later in the paper.

That exteriority or transcendence is reflected within the totality or within experience allows Bernasconi (1989, pp. 24-25) to reiterate that for Levinas totality and infinity "are not opposed in such a way as to mean totality *versus* infinity", as to oppose them "would allow for their reintegration, according to a logic learned from Hegel, addressed by Levinas in *Totality and Infinity*…" Later in the chapter I demonstrate how Bernasconi's argument for the subject and the human other as mutually constituting terms risks their reintegration by putting them on equal or symmetrical terms.

The key to Bernasconi's argument is the interplay between the transcendental and the empirical in Levinas's framework. Bernasconi (1989, p. 25) elaborates on this point by raising two claims made by Levinas: "that the infinite in the finite is produced as desire", and that "doing and labor are said to imply the relation with the transcendent." It is at this point with his mention of the term labour that Bernasconi first alludes to section II of *Totality and Infinity* and the significance it has for his argument, but before getting into his reading of this

section he identifies his primary interlocutors within the scholarship - Derrida and de Boer. Bernasconi (1989, p. 25) uses the former as an example of a "highly articulated" empirical reading and employs the latter as the prominent proponent of the transcendental reading.

Bernasconi introduces Derrida's interpretation of *Totality and Infinity* in "Violence and Metaphysics" not as a prominent example of someone who reads the ethical relation as a concrete experience that is recognised in everyday life, but as a way to introduce the proximity of Derrida's thought to Levinas, laying the groundwork for his, Bernasconi's, own interpretation of Levinas. To be sure Derrida describes Levinas as a "radical empiricist" insofar as Levinas reveals, as Bernasconi (1989, p. 25) explains, "empiricism to be also (what *he* calls) metaphysics."

Derrida is referring to the ethical relation as an experience but also as that which is metaphysical, however, for Derrida, as Bernasconi (1989, pp. 25-26) points out, this leads to a questioning of Levinas's complicity with ontology or what Derrida calls "metaphysics of presence." Derrida famously concludes that Levinas in his critique of totalizing ontology is unable to break with the tradition, and this points to Derrida's own claim that one can only destroy a traditional conceptuality from within. Bernasconi's argument turns on "whether Levinas was as unsuspecting" of this claim "as Derrida, in places in the essay, seems to suggest." (Bernasconi 1989, p. 26) For Bernasconi (1989, p. 26) the "interweaving of the transcendental and the empirical" in Levinas's framework, as presented in *Totality and Infinity*, suggests that he was not.

Before attending to this interweaving of the transcendental and the empirical, Bernasconi provides his critique of de Boer's transcendental reading of

the ethical relation.[6] Bernasconi (1989, p. 26) admits that de Boer does not describe the ethical relation as a traditional transcendental condition, a universal and necessary ontological structure that can be reconstructed out of phenomenon. However, he objects to de Boer's use of Heideggerian language to depict the ethical relation as a non-traditional transcendental condition and claims that its use represents an "empirical moment at the heart of de Boer's attempt to sustain the transcendental reading." (Bernasconi 1989, p. 27) Bernasconi (1989, pp. 26-27) maintains that de Boer's reading gestures towards this "interweaving of the transcendental and the empirical" in Levinas's framework without following through.

According to Bernasconi, another aspect of de Boer's account that is valuable, but not realised, is the attention he pays to the often ignored second section of *Totality and Infinity*. Bernasconi (1989, p. 27) maintains that it is "in the second part of *Totality and Infinity* that Levinas specifically addresses the interrelation between the transcendental and the empirical" and the remainder of Bernasconi's paper is devoted to his analysis of that section. Bernasconi (1989, p. 27) claims that as his analysis is restricted to this section, he is "unable to give a direct answer to the question… about the status Levinas gives to his account of the face-to-face." Nevertheless, Bernasconi (1989, p. 27) argues "only through an examination of this second section are we in a position to understand how Levinas prepares his answer."

I agree with Bernasconi in that it is only through an analysis of section II that we can comprehend how Levinas understands the status of the ethical relation, and although my interpretation of the ethical relation, like so many in the

[6] For a defence of de Boer against Bernasconi's criticisms see Dudiak (2001, pp. 359-393).

scholarship, is influenced by Bernasconi's analysis, our differing readings of this section means that we come up with distinctly different answers. For me section II reveals the constitutive aspects of subjectivity, with the ethical relation being the defining aspect. It is as this defining structural or constitutive aspect that the ethical relation acts as a non-traditional foundation for ethics. How Levinas achieves this becomes clear through my critique of Bernasconi and Perpich's interpretations.

For Bernasconi (1989, p. 27) the interweaving of the empirical and transcendental within Levinas's framework is highlighted by his discussion of labour and representation "as relations *analogous* to transcendence" in section II. According to Bernasconi, the primary concern of this section is with these "relations analogous to transcendence." As these relations "already imply" the ethical relation, Bernasconi (1989, p. 27) explains that in this section "Levinas must therefore pursue the twofold task of, first, showing the difference between transcendent relations and relations analogous to transcendence and, secondly, showing the former to be reflected in the latter."

The relations analogous to transcendence are contextualised in Levinas's discussion of enjoyment and representation. Bernasconi (1989, p. 28) notes that Levinas contrasts his conception of enjoyment with Husserl's notion of representation or intentionality understood "as a thematic or objectifying relation with an object." In other words, Levinas sets up his concept of enjoyment alongside Husserl's notion of representation. Levinas characterises Husserl's notion as a primarily objectifying relation, where the subject has complete dominion over the way it relates to objects in its field of experience. In doing so,

Levinas shifts the focus of the subject/object relation from the spontaneity of intentional consciousness to the affect of the sensible.

According to Levinas (1969, pp. 110-111), in contrast with the intellectualism of representation, the objects of enjoyment are not conceived of as objects of thought or as tools defined by their use, but as objects 'lived from', as a source of energy, strength, and pleasure. Absorbed in this sensuous 'living from', the I of enjoyment is completely in itself, existing to satisfy its needs in the solitude of its egoism. (Levinas 1969, p. 118) Bernasconi explains that Levinas contrasts enjoyment and representation before describing their interdependency. It is at this point in his analysis that Bernasconi introduces us to the dialectical structure of relations of enjoyment that is vital to his argument, in terms of the connection between relations analogous to transcendence and the ethical relation - the relation with transcendence.

The fundamental distinction between the relationality of enjoyment and that of representation is the structure of constitution. For the former, the structure is dialectical and for the latter, it is one-directional. In representation, the "meaning ascribed by the representing subject" constitutes the object experienced. (Bernasconi 1989, p. 29) In other words, the subject constitutes the objects of representation and through this act the objects lose their exteriority, as they are absorbed into the identity of the subject. Bernasconi (1989, p. 29) explains: "… reflection reveals the object as a work of thought. Alterity disappears in the same." This is contrasted with the intentionality of enjoyment where the structure of constitution is dialectical, in that while the I constitutes or determines the object, the object also constitutes the I. (Levinas 1969, p. 130)

Bernasconi (1989, p. 29) explains that it is through this dialectical structure that the exteriority of the objects, the way they transcend the subject's representation of them, are maintained. What he means is that as the I through the act of enjoyment constitutes these objects, they are not merely absorbed into the I. It is the sensuous nature of enjoyment that is key here. (Levinas 1969, p. 127) As enjoyment is a process characterised by embodiment, the I's sensuous enjoyment of the objects it lives from that sustain and nourish it constitute the "needs of the body" and, therefore, it is corporeity that affirms their exteriority. (Bernasconi 1989, p. 29) By affirming the exteriority of the object in the act of enjoyment, "the distance between the I and its object", their separation is maintained. (Bernasconi 1989, p. 31) From this dialectical mode of constitution, Bernasconi (1989, p. 29) concludes that:

"The structure of enjoyment is therefore an offense to the transcendental method, which in Levinas's mind is closely tied to representation. The language of transcendental conditions is turned upside down… The constituted becomes the condition of the constituting."

Put another way, enjoyment reveals the objects constituted by representation to be the condition for representation, insofar as the objects of enjoyment constitute the I through the process of nourishment. This turns the transcendental method on its head, as the process of constitution does not move in only one direction, from the I to the objects, but is instead dialectical. This dialectical structure of constitution in this context is made possible by the anterior posteriori.

At this point in his argument, Bernasconi introduces the complex notion of the anterior posteriori that makes this dialectical form of constitution or

intentionality possible. It is through the notion of the anterior posteriori that representation as that which constitutes, "is also found to be conditioned… in the being it claims to constitute." (Bernasconi 1989, p. 31) Quoting Levinas, Bernasconi (1989, p. 29) explains how intentionality changes direction within this dialectical structure of constitution. Levinas (1969, p. 129) writes:

"The world I constitute nourishes me and bathes me… The intentionality aiming at the exterior changes direction in the course of its very aim by becoming interior to the exteriority it constitutes, somehow comes from the point to which it goes, recognising itself past in its future, lives from what it thinks."

In other words, in the aftermath of the intentional act of representation, the I discovers the objects constituted already underlie the act, through the constitutive role they have in the constitution of the I's embodiment. In this way, "the represented, the present, already belongs to the past as a fact." (Bernasconi 1989, p. 29) Bernasconi (1989, p. 29) notes that Levinas's formulation of the anterior posteriori in this section of *Totality and Infinity* "anticipates the notion of the trace", a concept critical to the framework of *Otherwise Than Being*. I elaborate on the connection between the anterior posteriori, the trace, and on how the development of Levinas's temporal framework in his second major work can help us understand the anterior posteriori later in the chapter.

Bernasconi (1989, pp. 30-31) makes the point that with this analysis Levinas is not privileging the act of embodied enjoyment over representation, but challenging what he perceives as representation's dominance in the transcendental tradition, as the sole determination of meaning through the act of thought. For Bernasconi (1989, p. 31) the point is not to prioritise enjoyment over

representation, rather it is to reveal both acts as "irreducible moments" of the anterior posteriori.

Bernasconi identifies both representation and enjoyment as structural moments of the anterior posteriori, as the dialectical constitution of enjoyment is revealed to the subject in the aftermath of the act of representation, revealing the represented in the present moment as already belonging to the past prior to this act of representation. According to him, this is also the point where the transcendental and the empirical intersect. Bernasconi (1989, p. 31) writes: "Transcendental thought is under investigation with representation, just as concretization (corresponding to empiricism) is at issue in the theme of enjoyment." Insofar as representation and enjoyment are structural moments of the anterior posteriori, he reads the transcendental and empirical as intersecting through this notion.

The concept of the anterior posteriori is complex and unfortunately both Levinas and Bernasconi devote little time to its exposition. Bernasconi (1989, pp. 31-32) defines it as a "logically absurd" structure where "the a priori constitution of the object as performed by the idealist subject takes place only after the event, that is to say, a posteriori." As I said, this is exhibited in the interplay between the acts of representation and enjoyment. It is after the act of representation that the subject realises the object represented has already constituted her to some degree in enjoyment, and in this way helps make the present representation possible. The represented object belongs to the past in that it is recognised as being always already there underlying the subject's representational act.

Bernasconi's (1989, p. 31) equation of the transcendental with representation and the empirical with enjoyment means that for him transcendental thought (as representation) reveals that the object of concrete

experience (as enjoyment) makes that transcendental thought possible. Put another way, the objects of enjoyment are always already there in the world for the I, conditioning it, before they are constituted through the act of representation. They are always already there, a part of the past as a fact, an absolute past that has never been known through representation in the present and, thus, does not receive its status as past from memory. (Levinas 1969, pp. 103, 170) They are there behind the I conditioning it and in this way make transcendental thought possible. Bernasconi (1989, p. 32) writes: "Indeed, representation and enjoyment do not only imply transcendence, they are analogous to transcendence." According to him the structure of the anterior posteriori is the shared ground between relations analogous to transcendence and the relation with transcendence. (Bernasconi 1989, pp. 31-32)

Bernasconi (1989, p. 32) claims that what makes representation and enjoyment analogous to transcendence is they make up the structural moments of the anterior posteriori much like "the I and the radically exterior Other." What he means is just as the I and the objects it lives from are a "double origin", insofar as they mutually constituting, the subject and transcendent human other are mutually constituting moments of their relation. (Bernasconi 1989, p. 32) Put another way, for relations to have the structure of the anterior posteriori, according to Bernasconi's reading, means that what is constituted is also revealed as constituting and, therefore, there is no single point of origin. The constitution is dialectical, which is why Bernasconi refers to each point as being one of origin.

In the context of the relation with transcendence both the subject and the transcendent human other are moments of origin. Bernasconi (1989, p. 32) explains quoting Levinas (1969, p. 203): "Just as representation and enjoyment

are each found to presuppose each other, "the alleged scandal of alterity presupposes the tranquil identity of the same", while at the same time making it possible." For Bernasconi (1989, p. 32), this means that the ethical relation does not have priority over the subject or the totality in Levinas's framework, rather both the subject and transcendent other are mutually constituting moments of their relation.

To conclude his argument, Bernasconi returns to his discussion of transcendental conditions and concrete experience, and explains his mutual constitution or symmetry thesis through it. Quoting a passage near the end of section II of *Totality and Infinity,* Bernasconi (1989, p. 33) claims that the relation with the human other cannot be a transcendental condition or foundation for ethics as the meaning or ethical direction [sens] of the relation is "given concretely." For him, what characterises a transcendental condition is that it "renders invisible the *sens* of the condition it reveals by withdrawing from the empirical or concrete." (Bernasconi 1989, p. 33) This means that because the sens (direction of meaning) of the ethical relation is revealed in concrete experience, and does not withdraw from it, the relation with transcendence cannot be considered a transcendental condition in the traditional sense.[7] This again reaffirms Levinas's admission that his method only 'resembles' the transcendental.

I'll return to the significance of sens in the ethical relation, and how it's revealed in experience in the following chapter. At this stage, what is important is how Bernasconi ties this point to why the ethical relation cannot be a transcendental condition, and in turn a foundation for ethics, with his claim that

[7] In line with this and following Derrida, Llewelyn (1995, p. 100) describes the force of the face as a quasi-transcendental condition. For Derrida (1986), the idea is that transcendental conditions cannot be clearly demarcated or kept pure from the experience that they condition, and he develops the notion of the quasi-transcendental to account for this.

the totality or the subject is a mutually constituting moment of the relation with transcendence. Bernasconi (1989, pp. 33-34) writes, quoting Levinas (1969, p. 172):

> ""No face can be approached with empty hands and closed home," is Levinas's way of saying that the relation with the absolutely Other who paralyzes possession presupposes economic existence and the Other who welcomes me in the home. Thus in a movement parallel to that found in the account of representation and enjoyment, Levinas reverses the movement by which it seemed that the face of the Other was being made an ultimate ground."

That the face of the transcendent human other cannot be approached outside of concrete experience, that its meaning is given in experience, and that it as a condition requires a subject in the world demonstrates, for Bernasconi, the interdependency of the empirical and the transcendental.

The complicity of the transcendental and the empirical in Levinas's framework takes place in three interrelated instances for Bernasconi: (1) through the structure of the anterior posteriori, (2) in the way the totality and the relation with transcendence imply one another, and (3) in the way the meaning of the ethical relation is given concretely in the relation. I agree with Bernasconi on the third point, insofar as the ethical relation cannot be considered a traditional transcendental condition, as its meaning or sens is given in concrete experience. He is right to say that the empirical and the transcendental cannot "be maintained in isolation from" each other in Levinas's framework, and I return to this later in the chapter in terms of my understanding of the status of the ethical relation. (Bernasconi 1989, p. 34) It is on the first and second points, and how they relate to

the subject and the transcendent human other being understood as mutually constituting terms of their relation, that I take issue.

1.3 Divergence from Bernasconi's 'Rereading'

My reading of section II of *Totality and Infinity* diverges with Bernasconi's on how the ethical relation exhibits the structure of the anterior posteriori, and on the manner in which the totality and the transcendent other imply one another. I'll attend to how the ethical relation operates according to the structure of the anterior posteriori first.

The ethical relation operates according to the logic of the anterior posteriori in that the subject encounters the transcendence of the other person in the present moment, only to realize that her relation to the transcendent human other has already constituted her, and as such belongs to an absolute irrecoverable past that has made her capacity to engage with this other person possible. In other words, the subject experiences the ethical relation through concrete encounters with the human other, only for it to be revealed through these experiences that this relation is not only a condition for intersubjectivity, but for the subject's capacity to have meaningful self-conscious experience as well. (Levinas 1969, pp. 53-54 and Levinas 1998a, pp. 9-10) This experience of the anterior posteriori is similar to the relations analogous to transcendence, in that the experience of the present moment is revealed in that moment to be conditioned by that which preceded it, in a past not recoverable through memory. (Levinas 1969, p. 130)

As I explained earlier, Bernasconi (1989, p. 31), if I understand him correctly, seems to interpret the connection of the relations analogous to transcendence with the relation with transcendence slightly differently. In the

context of the latter he appears to substitute the role of representation for the transcendent, and the empirical for the role of the totality, or the subject. This is in line with his argument, in that he equates transcendental thought with representation, and the dialectical constitution of enjoyment with the empirical.

Following this train of thought, when discussing how the structure of the anterior posteriori works in the relation with transcendence, Bernasconi (1989, p. 31) has the transcendent other take the place of representation or transcendental thought, and the subject of the totality take the place of enjoyment or the empirical. In light of this, he can say that the transcendent other does not take priority over the subject in the relation, as each are mutually constituting components of their relation. As mutually constituting components, neither is foundational, and more akin to the relationship between representation and enjoyment, or even the I immersed in enjoyment and the objects of enjoyment. Bernasconi (1989, p. 32) writes: "The double origin of the I and the element from which it lives is analogous to the double origin of the I and the radically exterior Other." Put another way, he sees the interdependence of enjoyment and representation and of the I of enjoyment and its objects mirrored in the relation between the subject and the transcendent human other.

The problem with interpreting how the ethical relation exhibits the anterior posteriori in this way is that it appears to rely solely on Bernasconi's equation of representation with transcendental thought, and in turn transcendence, and enjoyment with the empirical, and in turn the subject. There doesn't seem to be any textual basis in Levinas's brief descriptions of the anterior posteriori in *Totality and Infinity* to justify equating representation with transcendence, and enjoyment with the subject of the totality, in the context of the anterior

posteriori's operation in the ethical relation. While this makes sense for the relations analogous to transcendence, it does not appear to make sense for the relation with transcendence. In fact, Levinas (1969, pp. 130, 153, 170) doesn't seem to mention the anterior posteriori in the context of the relation with transcendence in any explicit way in the passages from *Totality and Infinity* that Bernasconi cites. In these passages, Levinas is discussing how this concept operates in the context of relations analogous to transcendence, through enjoyment and through representation in the dwelling.

The exception to this occurs in a passage that Bernasconi doesn't seem to mention, part one of the section entitled 'Separation and Discourse', in *Atheism or the Will.* Discussing the separation of the ego and the transcendent human other, Levinas employs the formal structure of Descartes 'proof' of God's existence in the *Meditations*.[8] Levinas (1969, p. 54) explains: "The being infinitely surpassing its own idea in us – God in the Cartesian terminology – subtends the evidence of the *cogito* according to the third *Meditation*." Levinas (1969, pp. 53-55) does this to demonstrate how the subject can contain the idea of the ethical relation, its 'cause', discovering it 'after' as a fully constituted subject.

He insists that this forgetting or initial ignorance of the metaphysical relation as its 'cause' is vital for the subject and transcendent human other remaining separate terms. Levinas (1969, p. 54) writes: "The present of the *cogito*, despite the support that it discovers for itself *after the fact* in the absolute that transcends it, maintains itself all by itself – be it only for an instant in the space of a *cogito*." Just as Descartes begins with the *cogito*, only to reveal the existence of God as its cause, Levinas begins with the ego and separated subject of the

[8] It is worth noting that Leora Batnitzky (2004, p. 21) argues that Levinas reappropriates "Descartes modern subject" for his own "ethical purposes."

dwelling only to reveal the relation with the human other as what makes this subjectivity possible. This order of exposition, derived from the structure of the anterior posteriori, has implications for interpreting *Totality and Infinity's* narrative structure, which I return to later in the chapter.[9]

I suggest that it's the early language of the diachronic temporality and the trace that Levinas employs in *Totality and Infinity,* to describe the anterior posteriori in the context of enjoyment and representation, that lets Bernasconi leap to his discussion of how this structure operates in the relation with transcendence before Levinas explicitly does. In other words, Levinas's implicit use of underdeveloped diachronic language to refer to the ethical relation having the structure of the anterior posteriori in *Totality and Infinity* lends to the impression that it is explicitly applied in this context. My own reading of how the structure of the anterior posteriori operates in the ethical relation too relies on the language of diachronic temporality that is developed in Levinas's second major work.

The temporal framework that includes the concept of the anterior posteriori, or the "posteriority of the anterior", is underdeveloped in *Totality and Infinity* and, therefore, any comprehensive reading of how that structure operates in the ethical relation must refer to the later text, where Levinas (1998a, p. 101) discusses the structure of the anterior posteriori more explicitly in the context of

[9] Despite its importance for understanding the ethical relation and the narrative structure of *Totality and Infinity*, relatively few commentators discuss or even mention the anterior posteriori or "anterior posteriorly." (Levinas 1969, p. 170) Of those that do address this concept, all seem to be in agreement with Bernasconi and myself on its general mechanics. See Ciaramelli (1997), Drabinksi (2001), Staehler (2010) and Wright (2013). Large (2015, pp. 29-31), Bergo (1999, p. 23) and Moati (2017, p. 33) describe the operation of the anterior posteriori in *Totality and Infinity* but in a different context. All three refer to the "posteriority of the anterior" as their discussions of the concept seems to be restricted to the section on the separation of the ego in *Atheism or the Will.* (Levinas 1969, pp. 53-54) Notably, Bernasconi does not mention this passage in the context of his (1989) paper. Of all these scholars only Large (2015, p. 29-30) appears to mention, yet does not elaborate on, the significance the anterior posteriori has for understanding *Totality and Infinity's* narrative structure.

the ethical relation. As most of the textual evidence for my reading of how the anterior posteriori operates in the ethical relation is in *Otherwise Than Being*, I return to this topic later in the chapter in my discussion of the relationship between Levinas's two major works, and the development of his temporal framework. With this in mind, I move to Bernasconi's second point and the ways the totality and the relation with the transcendent human other imply or presuppose one another.

Bernasconi's claim that the subject and the transcendent other are both points of origin in the ethical relation relies not only on his reading of how the structure of the anterior posteriori operates in the ethical relation, but on the idea that the transcendent other presupposes the subject of the totality. Bernasconi (1989, p. 34) argues that the relation with transcendence presupposes the subject of the totality, insofar as it "presupposes economic existence and the Other who welcomes me in the home."

The idea is that the ethical relation cannot be foundational as it presupposes a subject with a dwelling and something to give, and Bernasconi (1989, pp. 33-34) quotes that passage from *Totality and Infinity* (Levinas 1969, p.172), "No face can be approached with empty hands and closed home", to solidify this point. I argue that the subject understood in the aspect of the dwelling and the face of the transcendent human other cannot be considered mutually constituting terms or points of a "double origin" as they do not presuppose each other in the same way.

Bernasconi is right to read the aim of section II as demonstrating the differences between the relation with transcendence and relations analogous to transcendence, yet the second task is not to show "the former to be reflected

within the latter", (Bernasconi 1989, p. 27) but how the latter 'rest' or are dependent on the former. (Levinas 1969, p. 109) This alludes to the priority the ethical relation has over these other forms of relationality, which Bernasconi (1989, p. 32) seems eager to deny. Levinas (1969, p. 109) writes:

"It will therefore be necessary to show the difference that separates the relations analogous to transcendence from those of transcendence itself… Even if they rest on transcendence, the relations analogous to transcendence… remain within the same."

The section is devoted to these relations analogous to transcendence "that are produced within the same" or the totality, and Levinas immediately characterizes these as implying the relation with transcendence. For him, this means that the need exhibited in enjoyment rests on the Desire that is characteristic of the ethical relation.

One of the fundamental differences between the relations analogous to transcendence (enjoyment) and the relation with transcendence is the former is characterized by need and the latter by Desire.[10] Levinas (1969, pp. 50-51) distinguishes between the need the I of enjoyment has for the objects that sustain it, and the Desire the subject has for the other person as the transcendent other - the one who exceeds every thought the subject may have of her. The other person triggers this Desire and ends the solitary or "inward thought" of the subject, releasing it from its preoccupation with itself, opening it up to the truly new. (Levinas 1969, pp. 49-50)[11] For Levinas (1969, p. 50), Desire for the transcendent

[10] For further discussion of need and Desire see Staehler (2010) and Moati (2017). Moati (2017, p. 88) discusses the priority of desire over need and appears to at the same time endorse and undermine this priority, whereas Staehler (2010, p. 62) briefly outlines why, for Levinas, Desire has priority over need.

[11] Levinas's use of the term Desire in this context is derived from the Platonic notion of Desire in the *Phaedrus*. According to Levinas (1969, pp. 49-50) the presence of the idea of infinity within

human other is distinguished from need in that it is not a desire for possession or satisfaction, but of "perfectly disinterested – goodness", by which he means that it is an unselfish Desire that generates a response of pure generosity.[12]

The two way constitutional structure enacted by the need of enjoyment ultimately absorbs the exteriority or otherness of objects into the I, whereas the movement of Desire is one way, asymmetrical, and does not take from the human other to satisfy its own needs. Put another way, despite the dialectical structure, need is always a return to interiority, but Desire is a concern for the transcendent human other that does not look for reciprocity. Needs ultimately rest in the power of the I, whereas Desire signals the power of the human other. (Levinas 1969, p.116)

Bernasconi acknowledges that need rests on Desire, but he focuses his discussion on the need of enjoyment. Quoting Levinas (1969, p. 116), Bernasconi (1989, p. 28) says that needs constitute "a veritable subject", "independent of the world", yet doesn't contextualize these statements by demonstrating how need rests on Desire. Need rests on Desire, as what is presupposed and required by the former is produced through the ethical relation. Need requires capacities that are only achieved through the relation with the human other. When Levinas (1969, p. 116) refers to the I as a veritable subject, it is only a subject "capable of ensuring the satisfaction of its needs, which are recognized as material" and, therefore, not a fully formed subject in possession of language, meaning and a complete conception of time. The subject understood in the context of enjoyment is a mere 'I' or ego, an appetite, what Levinas (1969, p. 134) refers to as "without ears, like

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the subject is given expression in Plato's conception of Desire as a type of rational delirium that is triggered by the subject's exposure to the human other.

[12] I return to this idea of the initial response to the other person as one of pure generosity in the following chapter.

a hungry stomach." An I, characterized by need, requires and presupposes time and labour, which are already provided by Desire, produced through the ethical relation.

Possession of a conception of time that extends beyond the now and into the future requires a relation with the human other.[13] Tanja Staehler (2010, p. 62) explains the connection between time and Desire. She says:

"Levinas argues for the priority of desire on the basis of the respective temporal structures... If time rests on alterity, and if time in the emphatic sense rests on my encounter with what is truly other and cannot be assimilated, then the more manageable time of needs (where I can "work" on the other) presupposes the time of desire, which is not at my disposal."[14]

Both time and labour already require discourse, which is made possible by "the height of the other irreducible to the same" experienced through the ethical relation. (Levinas 1969, p. 117) Here the term labour, which Bernasconi mentions in his argument, refers to the dwelling.

When Bernasconi (1989, p. 34) writes that the relation with transcendence presupposes "the Other who welcomes me in the home", he is referring to Levinas's conception of the dwelling. Dwelling links to representation in that in order to reflect on the objects of enjoyment, the I must be able to withdraw from its immersion in them and gain some distance from them. (Levinas 1969, p. 153) Through the act of labour, facilitated by the dwelling, these objects are

[13] For more on how the time of the ego or I is confined to the instant see Severson (2013, pp. 152-163). For more on Levinas's conception of time and its relation to Heidegger's *Being and Time* see Severson (2014). See also Chanter (2001b)

[14] Staehler doesn't seem to take this point any further by demonstrating how Levinas, through his conception of time, via the anterior posteriori and the development of his temporal language in his later work, is able to circumvent the confusion generated by the narrative structure of *Totality and Infinity,* and ensure the priority of the relation with the transcendent other over the subject and totality.

appropriated and determined by the ego. (Levinas 1969, pp. 156-157) In doing so, the ego is able to possess these objects apart from its need for them and, thus, it's through this aspect of the dwelling that the I gains superiority and power over the elements that surround it. (Levinas 1969, p. 153) Dwelling implies the relation with the transcendent in that like the aspect of enjoyment it 'rests' on the ethical relation for the procurement of capacities like representation and language, and concepts like time and meaning.

Levinas (1969, p. 155) is adamant that the I understood as dwelling is not in possession of language or meaning. Both are acquired through discourse, which is only possible by being in relation with the transcendent human other. (Levinas 1969, pp. 73-74) Dwelling also presupposes the relation with transcendence in that it contains a notion of the other in the home, the Woman, which I come back to in my engagement with Perpich. At this stage, what is important is that the subject of the dwelling, in "the intimacy of the home" (Bernasconi 1989, p. 34) is not an ontological subject, awaiting moral transformation, but an aspect of subjectivity reliant on the relation with transcendence for its realization.

When Bernasconi claims that the transcendent or the 'face' of the human other presupposes the same, he is arguing that a relation with the transcendent implies a subject that has something to give the other person, yet this differs from the way in which the subject or the Same presupposes the relation with the other. Egoism is an important aspect of subjectivity and I elaborate on this point later in the chapter, however, according to Levinas it does not define what the human subject is.

The I of enjoyment and dwelling is dependent on the transcendent human other not simply to achieve fully formed subjectivity, but to define what kind of

subjectivity that is. Levinas (1969, p. 178) writes: "the questioning of the Other, and this urgency of the response… engenders for me responsibility; as responsible I am brought to my final reality." In the following chapter, I describe, in greater detail, how the ethical relation defines the nature of subjectivity through the production of meaning, what is important at this stage is that the "I and the radically exterior Other" do not imply each other in the same way. (Bernasconi 1989, p. 32)

By reading the subject and the transcendent other as mutually constituting terms of the ethical relation or points of a "double origin", Bernasconi risks putting them into a relation of parity, or symmetry and collapsing the latter into the former. Doing so threatens to undermine Levinas's whole notion of separation and the importance he places on it. (Levinas 1969, pp. 38, 53-54, 60, 102) To be sure, Bernasconi (1989, p. 32) acknowledges that the formal structure of the ethical relation is asymmetrical, what he is challenging is the primacy of the ethical relation in Levinas's framework. He says: "The blind spot in most discussions of Levinas… is that they maintain the absolute priority of the face-to-face, something which Levinas's analyses constantly question." However, for Bernasconi this questioning seems to take place in the similarities between relations analogous to transcendence and the relation with transcendence, similarities that Bernasconi appears to overplay.

By characterizing the subject and the transcendent human other as mutually constituting terms of the ethical relation that presuppose one another in the same way, Bernasconi's influential reading has the following consequences. (1) It encourages the reading of the dwelling as depicting an ontological subject already fully formed, with time, meaning and language, rather than as a mere

aspect of subjectivity. (2) This conception of the dwelling, as describing a self-constituted subjectivity, undermines the continuity of Levinas's project as a radical reconceptualization of subjectivity. (3) Bernasconi's reading undercuts the priority of the ethical relation in Levinas's framework, which discourages it being read as foundational beyond traditional transcendental thought. (4) Most of all, it obscures Levinas's most valuable contribution not just to moral and political philosophy but also to our understanding of subjectivity in general.

By interpreting the subject and transcendent human other presented in *Totality and Infinity* on equal terms, as points of a "double origin", Bernasconi reads symmetry into the ethical relation, which obscures Levinas's radical reconceptualization of subjectivity as fundamentally other constituted. The consequences of Bernasconi's argument are realized in Perpich's more recent and highly influential reading.

1.4 Perpich's Reading

Perpich's interpretation of Levinas's thought realizes these consequences of Bernasconi's reading in three ways: (1) she claims the subjectivity presented in *Totality and Infinity* is self-constituting, (2) she argues that the ethical relation cannot be a foundation for ethics due to Levinas's diachronic temporal structure, and (3) her reading of *Otherwise Than Being or Beyond Essence* as a reorientation of Levinas's thought presented in *Totality and Infinity* undermines the continuity of his project as a radical reconceptualization of subjectivity.

If the subject of the earlier work is self-constituting and the subject of the later other-constituted then there is obviously a significant shift in the way Levinas conceives of subjectivity over the course of his project. The problem with

reading the relationship between the two texts in this way, which I elaborate on later in the chapter, is that it appears to deny the significance of egoism in Levinas's conception of subjectivity in *Otherwise Than Being*.

The first point is a realization of Bernasconi's mutual constitution thesis in that if the subject is a mutually constituting term of the ethical relation then it is not fundamentally other-constituted. On this reading, the subject is self-constituting with only its moral nature or moral self constituted by the relation with the transcendent human other. (Perpich 2008, pp. 79, 109) Utilizing the temporal framework developed in *Otherwise Than Being*, the second point expands on Bernasconi's claim that the ethical relation having the structure of the anterior posteriori means it cannot be considered a foundation for ethics. I allude to this significant feature of Perpich's reading later in the chapter, and examine it in greater detail in the following chapter in the context of the ethical relation's prescriptive possibilities.

One of the most significant features of Perpich's interpretation is how she understands the relationship between Levinas's first and second major works and this is the third way that her reading realizes the implications of Bernasconi's thesis. The first way, Perpich's interpretation of the subject of *Totality and Infinity* as self-constituting, is a vital aspect of her reading of the relationship between the two texts, and as such I discuss it in terms of its role in this reading. She uses what she claims to be the failure of *Totality and Infinity* as a way of establishing the ethical relation as a non-foundational call to ethics. Put another way, part of her methodology is to undermine the continuity of Levinas's project to make her

claim that the ethical relation is non-foundational,[15] and in doing so she obscures his most valuable contribution.

According to Perpich (2008, pp. 80-81) the primary aim of *Totality and Infinity* - to secure the special imperative force of the subject's obligation to the other person - "without grounding it either in a mute and ambiguous nature or in the false transcendence of a world behind the world", ultimately fails. *Otherwise than Being* accepts this failure, and continues to argue for moral obligation, but for a conception of it without a foundation.[16] Perpich (2008, p. 80) refers to this idea of *Totality and Infinity's* failure as a 'hypothesis.'[17] She explains: "It remains a hypothesis because there is no way to decide… between the claim that Levinas's account of responsibility in *Totality and Infinity* fails and the claim that its failure may be the only way it could succeed."

For Perpich, the opening sentence of *Totality and Infinity* sets the tone for the work as a response to the moral sceptic. Levinas (1969, p. 21) writes: "Everyone will readily agree that it is of the highest importance to know whether we are not duped by morality." Perpich interprets this tone as one of anxiety, a desire for ethical certainty with which to answer the sceptic. She explains that this anxiety manifests in the way the text "oscillates, rather desperately at times, between the impossibility of a foundation or ground for ethical life and the

[15] In her most recent paper on Levinas, Perpich (2019, pp. 244-245, 254) reiterates her reading of the 'face', along with the argument that it cannot provide a foundation for moral obligation. However, she applies a different methodology by taking a genealogical approach focusing on Levinas's early writings from 1947-1954. Here Perpich (2020, p. 234) reaffirms her reading of the differences between Levinas's two major works, albeit briefly and with far less detail. However, she now admits a "continuity of development" in the context of Levinas's conception of the human other's vulnerability. (Perpich 2020, p. 239)

[16] Bergo (1999, p. 25) appears to agree, to some extent, with Perpich on this point, she says: "Understood as the ethical performativity of the face and its incomprehensible possibility, the question of transcendence persists into OBBE where discussion of foundations and principles is given up."

[17] Gesturing towards Perpich's hypothesis, Katz (2013, p. 133) makes a similar point about this failure but reaches a different conclusion.

certainty that the face of the other produces an ethical demand to which I cannot be indifferent and from which there is no escape." (Perpich 2008, p. 80) She maintains that this 'failure' to secure moral certainty becomes a success when put into context with *Otherwise Than Being*.

Perpich (2008, p. 80) claims that by explicitly acknowledging "that the skeptic's demand will never be met" in the later work, Levinas recognizes that moral obligation is lived as the desire and demand for it. She writes:

"The failure of *Totality and Infinity* is taken up and turned to good account in the later works, as the demand for ethics becomes the only positive content of ethics. To be ethical is not to achieve moral certainty, but never to let go of the demand for it." (Perpich 2008, p. 81)

I come back to this idea of positive content in the ethical relation in the following chapter, what is significant at this point are the structural and substantive elements of Levinas's framework as presented in *Totality and Infinity* that Perpich reads as the cause of its failure.

She argues that *Otherwise Than Being* succeeds where the first work fails because it dispenses with two elements of earlier text's framework. Getting rid of these two interrelated features contributes to the second work's development of Levinas's temporal language and, consequently, the overcoming of the desire for moral certainty. The first of these features is *Totality and Infinity's* narrative structure. Perpich (2008, p. 79) explains that sections II, III and IV have the appearance of a plot consisting of three stages that she sums up as a "tale of "I meets Other"."

She summarizes this 'tale' as follows: The ego is immersed in its needs, living from the objects that surround it in the relative domestic security of the

home, until it is disrupted by an other, who calls into question its mode of egotistical living. As a consequence of this encounter, the ego is embroiled in an ethical relationship that supersedes its egoism and renders it morally obligated. In the final act the ego is depicted in intimate and familial relationships that demonstrate the concrete reality of moral life.[18] Perpich (2008, pp. 78-79) notes that this narrative construction is an unfortunate bi-product of *Totality and Infinity* being structured as a classical phenomenology in successive strata and is actually "at odds with the most original impulses of the work."[19] For her, the narrative structure contributes to *Totality and Infinity's* failure largely because of its connection to the concept of dwelling, which entails the notion of the Woman.

Perpich argues that Levinas dispenses with the notion of dwelling in *Otherwise Than Being* as it fails as a bridging concept between subjectivity conceived of as in-itself (the I of enjoyment) and as for-the-other (the I exposed to the transcendent human other). The need for such a concept arises when considering how the ego in enjoyment is able to process a revelatory experience as foreign as the transcendence of the human other. Levinas (1969, p. 148-149) explains, preparing for his introduction of the dwelling:

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[18] Section IV isn't directly relevant to my argument, and unfortunately I don't have the space to provide an analysis of it here. The focus of analyses in the scholarship vary, from ones that provide a feminist critique of the depiction of eros and the exclusion of maternity, (see Irigaray 1991 and 1993, and Chanter 1995) to ones that interpret the paternal relation or fecundity as a concrete enactment of the ethical relation, (see Bergo 1999, and Katz 2003 and 2019) to those that center on the possibility of successive generations and, consequently, reconciliation opened up by this paternal relationship. (See Mensch 2019, Critchley 2015, Peperzak 1993,and Fagenblat 2020b) Notably, Giannopoulos (2019, pp. 219-242) proposes reading fecundity, not as "a specification of the ethical relation" but the concrete realisation of transcendence that goes beyond the transcendence of the ethical relation. Bernasconi (2005 and 2019) makes a similar argument, which contributes to his prioritizing of symmetry over asymmetry in Levinas's framework, because the father sees himself in the child. Irigaray's (1991 and 1993) powerful critique highlights how Levinas's use of the feminine ultimately excludes the woman conceived of in this context from ethics. This does not undermine Levinas's reconceptionalizations of subjectivity and ethics, but exemplifies how the attempt to describe and define the transcendent human other, even in a metaphorical sense, can have unethical consequences. I elaborate on this point in fn.21 and in the conclusion to the thesis.

[19] For a reading of the narrative structure as substantive, rather than simply structural see Coe (2019).

"In the separated being the door to the outside must hence be at the same time open and closed… *within the very interiority* hollowed out by enjoyment there must be produced a heteronomy that incites to another destiny than this animal complacency in oneself."

The ego, understood solely in this egotistical aspect, must possess a quality that enables it to recognize the other person as transcendent other, otherwise it's not clear how a being entirely deaf to the needs of the other person can become entirely for-the-other.[20]

Levinas uses the formal structure of sexual difference to depict a relation between the I and the other where the I encounters the other, this feminine alterity, as a concept that is familiar, yet different from it.[21] Levinas (1969, p. 155) writes:

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[20] Derrida (1978, pp. 125-126) raises this objection in "Violence and Metaphysics." He claims that if the subject does not first perceive the transcendent human other as another ego, this other cannot have meaning for her as another ego with the capacity to speak and to achieve some form of mutual understanding with. He writes: "The egoity of the other permits him to say "ego" as I do; and this is why he is Other, and not a stone, or a being without speech in my real economy. This is why, if you will, he is face, can speak to me, understand me, and eventually command me." Derrida argues the asymmetry of the ethical relation is not possible without this initial symmetry. In other words, if the subject is incapable of recognising some form of commonality with the human other, in terms of experiencing her as another ego, it is not clear how that other affects the subject as another human being, or how the subject has the capacity to recognise the transcendent human other at all. Perpich (2008, p. 107) claims, following Derrida, that if the transition of the ego from in-itself to for-the-other was enacted through a violent force or a revelation it was completely unprepared to recognize, it would fail to be ethical, which is why the Woman is introduced to ensure it's a process that includes welcoming and teaching.

[21] Unfortunately, I don't have the space here to discuss how Levinas's use of sexual difference as a formal structure is extremely problematic. Criticism of his use of the feminine as a metaphor begins with Simone de Beauvoir's critique of his descriptions of the feminine in *Time and the Other*, over ten years before the publication of *Totality and Infinity*. According to de Beauvoir (1953, p. 16), Levinas's use of the feminine conforms to the common binary set up between the masculine and feminine: the former is taken as the norm, whereas the latter is defined as other, relative to this established norm. In *Totality and Infinity,* the Woman operates within the dwelling, but does not engage in discourse and is excluded from ethical interaction. The use of sexual difference as a metaphor and as an instantiation of the ethical relation within familial life, with the passages on the erotic relation in section IV of *Totality and Infinity* (first explored by Irigaray), pose similar problems, as they exclude the notion of the feminine from ethics, until the production of a child, privilege paternity and the birth of male children. While Levinas uses the feminine as a metaphor and clearly states that the Woman of the dwelling does not refer to empirical women, his use of the feminine as a metaphor relies on popular misogynistic stereotypes of the female sex that relegate women to the home, conceive of them as irrational and fragile love objects, perceive their worth in terms of their capacity to procreate and privilege the birth of sons over daughters. For some of the best analyses of this problematic feature of Levinas's framework see Irigaray (1993, pp. 185-217), Katz (2005, pp. 190-211), Chanter (1995), Chanter (2001a, 2001b, and 2005, pp. 101-135), Sandford (2002, pp. 139-160), Guenther (2006a, pp. 119-136), and Rosato (2012, pp.

"And the other whose presence is discreetly an absence, with which is accomplished the primary hospitable welcome… is the Woman. The woman is a condition for recollection, the interiority of the Home, and inhabitation."

This other in the home is not the transcendent human other that questions the subject's freedom, but a relation of familiarity and parity, and with this in mind Levinas (1969, p. 155) likens it to Martin Buber's dialogical I-Thou relation. The feminine in its discretionary mode prepares the ego for exposure to the other person, while retaining its separation and solitude.

For Perpich, the idea is that Levinas conceives of the dwelling as a bridge between the ontological and the ethical. If the ego of the dwelling is taken to be the self-constituting ontological self, it is constituted as a moral self and introduced to ethics through the encounter with the other person. It is the notion of the Woman or the feminine in the dwelling that does this bridging work. Perpich (2008, p. 106) writes: "the figure of the feminine locates the place where the narrative of *Totality and Infinity* falls into ruins and cannot be put back together again."[22] She interprets the feminine as enabling the transition of a self-

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348-365). For a defense of Levinas against de Beauvoir's critique see Manning (1991). For a recent and comprehensive overview of the feminist interpretations of Levinas's work in the scholarship and an account of how the feminine develops in Levinas's thought from *Time and the Other* to *Otherwise Than Being* see Coe (2019).

[22] Large (2015, p. 66) comes to a similar conclusion as Perpich about the success of the dwelling as a concept in *Totality and Infinity* when he writes: "*Totality and Infinity* never overcomes the puzzle of the relation between these two relations, even when Levinas attempts to integrate them to the overall argument of the book." Large reads the Woman of the dwelling (along with the child of fecundity) and the transcendent human other of the ethical encounter as two different meanings of the other, and claims, against the prevailing idea in the scholarship, that the former is the "true meaning." The idea is that the transcendent other is designated as such by speech, however, this speech or language actually nullifies the asymmetry of the relation, as Large insists the transcendent human other and the subject are present in the words they speak in the same way. I think Large is wrong on this point, and by reading symmetry into the ethical relation in this way, in *Totality and Infinity* Large is underestimating how revolutionary Levinas's thought is for rethinking subjectivity. Large claims that Levinas, discarding the concept of the transcendent other, develops the immanent and exterior other of the dwelling into the immanent and exterior other of substitution. I suggest that interpreting substitution in this way, conflating it with the psyche, and overlooking the way the transcendent human other operates in *Otherwise Than Being*, risks, again, reading symmetry into the relation between the subject and human other. Both the Woman (or feminine/maternity) and child, not yet being the transcendence of the other but the

constituting subject deaf to the human other into a being that can recognize that other and develop a moral conscience.

According to Perpich (2008, pp. 112-113), the development of Levinas's temporal structure in *Otherwise Than Being* means he can discard the narrative structure and the notion of dwelling.[23] She writes:

"the trace does away with the need for a mediating figure… There is no longer a need to explain how the imposition of a face both shatters the egoism of the ego and comes in the greatest gentleness, since the disturbance is no longer in the same temporal order as its effect."

I return to the notion of the trace later in the chapter and in the following one, for now, what's important is to challenge Perpich's reading of the relationship between Levinas's two major works, by highlighting what I read as the significance of his discarding of the narrative structure, and by showing how the dwelling is not absent from *Otherwise Than Being,* but simply reworked.

For Perpich, the problem with the narrative structure is it requires a bridging aspect to get the ego from the first to the second act, whereas I identify its problem as encouraging the reading of the ego of enjoyment and dwelling as a self-constituting subject. The narrative structure can make it appear as if the ego of enjoyment and dwelling is a fully formed subject that is then confronted with the revelation of the human other, thus making it seem as if the relation with the

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other-in-the-same (or in the case of the child seeing the same in the other) means the relation is not yet asymmetrical. For more see Large (2011, pp. 243-254).

[23] Severson (2013, p. 109) makes a similar point with different emphasis when he says: "by neglecting the concept of time, Levinas slips into spatial and ontological imagery, leading to the troubling analogy of the "dwelling" and its problematic expression of the feminine." Like Perpich, Severson (2013, pp. 109, 172) recognises that the seeds of the "robust philosophy of a primordial past" developed in *Otherwise Than Being* are present in the first major work, yet like Perpich he seems to overlook the specific role of the anterior posteriori in this earlier text, its connection to the narrative structure and how much work it does to reveal how time operates in the ethical relation.

other constitutes only moral subjectivity, and not subjectivity generally.[24] As I've already mentioned, this is an oversight of Perpich's reading. (Perpich 2008, pp. 109, 113) Following Perpich, William H. Smith (2012, p. 112) makes a similar misstep, he states:

"According to Levinas's phenomenological reconstruction of the stages of the ego's development, the self begins not in sociality with the other, but by separating itself through work and labor from the other anonymous forms of being."

Similarly, Bernasconi, in a paper published with Stacey Keltner (2002, p. 257), claims that while *Otherwise Than Being* investigates the condition of possibility for an ethical subject, the earlier text "treated the subject as already given prior to the Other's calling the self into question." It is the narrative structure that puts Levinas's phenomenology of subjectivity at risk of being read as a linear account of how subjectivity develops, rather than a description of the aspects of subjectivity that should be understood diachronically.

It's conceivable that Levinas did not foresee this problem as the narrative structure is enacting the form of the anterior posteriori. As I mentioned earlier in the chapter, the ethical relation operating according to the logic of the anterior posteriori means that the separated subject has 'forgotten' its 'cause' and is going about its business, preoccupied with its egoism, when it encounters the transcendent human other. The encounter with this other triggers the realization that the relation to the other is that which makes not only this encounter possible and ethics along with it, but subjectivity as well. The narrative structure reflects

[24] Similarly, the use of temporal language, like before and after, in different scholars' exegeses of Levinas's framework presented in *Totality and Infinity* make it seem as if they're providing a reading of self-constituted subject meets other and develops into moral self, when they may not be. For an example of this see Wyschogrod (1974, pp. 53, 79)

this logic by describing the egotistical aspects of subjectivity in section II before the revelation of the other in section III. Arguably, this is why *Otherwise Than Being* begins with the ethical relation as the defining structure of subjectivity, as it completes the mirroring of the anterior posteriori that started in section II of the first major work. As the structure of the anterior posteriori and the way it operates in the context of the ethical relation is given limited attention in *Totality and Infinity*, its being mirrored in the narrative structure is often missed and it appears to be something that Perpich has overlooked.

She is right when she says that Levinas's development of his temporal language enables him to circumvent the problems of the narrative structure, where she goes wrong is in the identification of what these problems are. The expansion of the notion of the anterior posteriori into the diachronic temporal structure employed in *Otherwise Than Being* enables Levinas to avoid the temporal implications the narrative structure imposes on *Totality and Infinity* when its reflecting of the logic of the anterior posterior is missed. However, reexamining the concepts of enjoyment and dwelling in context with their descriptions in *Otherwise Than Being* reveals Perpich's claim that the dwelling is discarded and absent from this later work to be misguided.

1.5 *Otherwise Than Being*: A Realization of *Totality and Infinity*

Levinas's discussion of enjoyment in *Otherwise Than Being* is quite brief, yet this makes sense when we consider the attention it was given in *Totality and Infinity*. In the later text Levinas (1998a, p. 73) describes enjoyment as follows:

"Before any reflection, any return upon oneself, enjoyment is an enjoying of enjoyment, always wanting with regard to itself, filling itself with these lacks

for which contentment is promised, satisfying itself already with this impatient process of satisfaction, enjoying its own appetite."

Having provided this comprehensive phenomenological analysis of enjoyment in the previous work as an aspect of subjectivity in its own right, Levinas (1998a, p. 73) is able to contextualize it as a kind of inversion of the for-the-other aspect of subjectivity, as a "coiling in over itself."[25]

He explains that in proximity with the other person the unicity of the ego's identity in terms of the in-itself is painfully disrupted, as the ego is torn away from its immersion within its own needs to find itself exposed to the other person. (Levinas 1998a, p. 49) Levinas (1998a, p. 74) describes this disruption or "the "hemorrhage" of the for-the-other" as "tearing away of the mouthful of bread from the mouth that tastes in full enjoyment." Instead of living from and for the nourishment of its own needs and desires, the ego is ripped away from itself for the needs of the other, in spite of itself.

The obsession of the subject in the context of the for-the-other is not its own needs but the needs of the transcendent human other, and in this state all its resources are given in service of the other person, even to the detriment of itself. (Levinas 1998a, p. 56) Levinas reiterates the statement, quoted by Bernasconi in the argument for his symmetry thesis, that "no face can be approached with empty hands and closed home" in *Otherwise Than Being*. Levinas (1998a, p. 74) writes: "openness, not only of one's pocketbook, but of the doors to one's home." By putting the statement employed by Bernasconi in context with the later work, we can see that it does not signal a self-constituting subjectivity as a mutually

[25] Chanter (1995, pp. 186-187) makes a similar point with different emphasis.

constituting term, but points to a vital aspect of subjectivity that is in some way subordinate to its defining aspect.

Reading Levinas's descriptions of enjoyment in *Totality and Infinity* in context with those in *Otherwise Than Being* allows us to see them as a continued analysis of the interplay between aspects of subjectivity, rather than the rejection of an old conception for a new one. Perpich (2008, p. 130) interprets "the ego's enjoyment and self-complacency" as "the starting point for the account in *Totality and Infinity"* that had to be "overcome in responsibility" through the encounter with the other. She argues that in *Otherwise Than Being,* this enjoyment is a secondary possibility to the pre-original vulnerability of being for-the-other. Perpich (2008, p. 130) writes:

"It is only because I am *for* the other, Levinas says, that enjoyment, or suffering *by* another become possible. Being for-the-other is the precondition for all other subjective experiences."

Perpich is right when she claims that egoism is a secondary possibility, and that its pre-condition is the ethical relation what she misses is that this is the case for egoism described in both *Totality and Infinity* and *Otherwise Than Being.*

Only an ego that eats and has possessions is able to give to the other and this is true for both texts. (Levinas 1969, pp. 172-173) Levinas (1998a, p. 74) says in *Otherwise Than Being*: "Only a subject that eats can be for-the-other…" To be sure the structural presentation of enjoyment changes between the texts, but the way he describes the concept, and its significance for his understanding of subjectivity remains the same. For example, in the later work Levinas (1998a, p. 72) says, again echoing statements made in the earlier text:

"It is the passivity of being-for-another, which is possible only in the form of giving the very bread I eat. But for this one has to first enjoy one's bread… in order to give it with one's heart, to give oneself in giving it."

This consistency between the two works is true to a lesser degree for the notion of dwelling.

Levinas doesn't discard the concept of the dwelling, but reformulates it in the second major work. If the section on enjoyment and the dwelling in *Totality and Infinity* is read as describing aspects of subjectivity instead of a self-constituting ontological subject, it doesn't make sense to read the dwelling, or more specifically the Woman in the dwelling, as a bridge between ontology and ethics. That the gap between the two can't be bridged is arguably one of the most important points that Levinas makes.

If section II of the earlier text is read as a depiction of the aspects of subjectivity then it seems more fitting to interpret the Woman in the dwelling as a conception of the other-in-the-same, where the transcendent human other intersects within the same or the totality, while maintaining the radical separation that ensures the transcendence of that other. (Levinas 1998a, p. 70) This fits with Levinas's (1969, p. 162) descriptions of the Woman in the home as "the limit of interiority and exteriority." The concept of the other-in-the-same persists in *Otherwise Than Being* with the notion of the psyche.

To describe the psyche, Levinas again employs a metaphor related to the female sex: the maternal body.[26] As the maternal body is quite literally a case of

[26] Although Levinas's use of the maternal body as a metaphor doesn't succumb to the same criticisms leveled against his use of sexual difference and the Woman as metaphors in *Totality and Infinity*, it is still subject to similar critiques, in terms of trading on female stereotypes. In this case, such stereotypes include the self-sacrifice that is seen as characteristic of motherhood. See Chalier (1991), Chanter (1995), Guenther (2006a and 2006b) and Rosato (2012).

the other-in-the-same, he uses the physical realities of pregnancy as a metaphor to establish the vulnerability and passivity characteristic of possessing the idea of the other. Levinas (1998a, p. 75) writes: "it is maternity, a gestation of the other in the same." The emphasis is no longer on a formal element of otherness within the I, but of an overwhelming and an obsession, of "being torn up from oneself." (Levinas 1998a, p. 75) This is a shift in focus from the other-in-the-same that is presented through the dwelling, nevertheless, the comparative passages reveal the continuity between the concepts.

Much like the psyche, it is the notion of the Woman or the other-in-the-same that accomplishes the relation between the subject and transcendent human other, without one term being absorbed into the other. With this in mind, Levinas (1969, p. 155) depicts the woman as a "lapse of being" and as what enables the possibility of the welcome of the home. Similarly, Levinas (1998a, pp. 68-69) describes the psyche as "a loosening up or unclamping of identity" and as "becoming "for the other", the possibility of giving." Both the psyche and the woman manifest in the Said, and Levinas (1998a, p. 70) describes the role of the psyche as "the way a relationship between uneven terms, without any common time, arrives at relationship." Comparably, he depicts the Woman or the idea of infinity, as that which "provokes separation" making the relation between the two uneven terms of transcendent other and Same possible "by the feminine grace of its radiance." (Levinas 1969, p. 151) Despite the continuity between the two concepts, the psyche does provide a less problematic description of the other-in-the-same.

The psyche circumvents the problems of the dwelling as it makes explicit the diachronic constitution that is only implicit in the dwelling. The psyche is

described "as the diachrony of the same and other in sensibility." (Levinas 1998a, p. 71) In *Totality and Infinity*, the I has possession of things in the home because, Levinas (1969, p. 157) says, it's already "hospitable for its proprietor. This refers us to its essential interiority, and to the inhabitant that inhabits it before every inhabitant, the welcoming one par excellence… the feminine being." In other words, the diachronic structure is implicit in the dwelling in that the Woman is within the dwelling before it is inhabited by the I, and the Woman always refers to the transcendent other. When Levinas (1969, p. 151) says: "Inhabitation and the intimacy of the dwelling which make the separation of the human being possible thus imply a first revelation of the Other" he alludes to this diachronic nature of the ethical relation as the condition for the subject's constitution after the fact.

By making the diachronic temporal structure explicit, the psyche demonstrates exactly how the transcendent human other and the totality intersect. Put another way, the anterior posteriori's presence in *Totality and Infinity* implies that the disruption of the transcendent human other doesn't appear in the same temporal order that comprises the subject's field of experience.[27] However, this is made clear in *Otherwise Than Being* with the development of this diachronic temporal structure.

Levinas seems to allude to the confusing nature of his previous presentation of the other-in-the-same through the dwelling in his later work. Levinas (1998a, p. 71) writes, after describing the psyche as the intersection of the other-in-the-same, that this "is not better expressed by the metaphor of inhabitation" and that "sensibility cannot be better expressed by starting with

[27] For more on this see Ciaramelli (1997). Ciaramelli (1997, p. 412) seems to conflate the psyche of *Otherwise Than Being* with psychism in *Totality and Infinity*, whereas I read them as having slightly different meanings. The latter as "inner life" refers more strictly to the separated ego of enjoyment, with allusions to the dwelling, rather than simply the other-in-the-same. Our readings also seem to differ on how the "primacy of ethics" is produced.

receptivity, where sensibility has already been made into representation, thematization, assembling of the same and the other onto a present, into essence". Staehler (2010, p. 36) [28] appears to pick up on this point when she says:

"The structure of *Totality and Infinity*, where the section on interiority precedes the section on exteriority, facilitates his investigation while at the same time inviting misunderstandings about the order and relation of these two modes. In *Otherwise Than Being or Beyond Essence*, Levinas moves away from the systematic structure of his earlier work to avoid such misunderstandings. He now stresses that the Other is in me from the very beginning, and his name for this invasion is "psychism."[29]

While Levinas (1969, p. 166) points to the diachronic nature of the dwelling through his claim that dwelling already implies or presupposes the relationship with the transcendent human other, this form of temporality is lost in his descriptions of the Woman as the discreet presence in the home. With this in mind he reworks the dwelling as psyche in the later work.

Perpich doesn't appear to address the psyche in any detail and makes a fleeting reference to Levinas's use of maternity as a metaphor, but only in the context of sensibility and the affect of the other. Perpich (2008, p. 121) briefly refers to the psyche as the other-in-the-same in her discussion of responsibility and "subjectivity as an original *for*-the-other." She explains how the very substance of the subject is derived from this exposure to the other in *Otherwise*

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[28] Staehler (2010, p. 245) takes issue with Lingis' translation in *Otherwise Than Being* and prefers "psychism" rather than psyche. She reads psychism as the other-in-the same, yet interprets more continuity in Levinas's use of the terms from his first to second major work than I do. (Staehler 2010, pp. 36, 43)

[29] Staehler (2010) appears to be one of the few, if not the only, scholar to read these changes in presentation from the first major work to the second as a way of avoiding misunderstandings. However, she doesn't seem to read the narrative structure as explicitly reflecting the logic of the anterior posteriori or recognise the dwelling as reworked as psyche in *Otherwise Than Being*.

Than Being, yet she does not tie this to the other-in-the-same discussed in *Totality and Infinity*. (Perpich 2008, p. 121)

She does not associate maternity with the psyche, which is odd as the first passage she quotes in her exposition of maternity is under the heading 'Sensibility and Psyche.' Perpich (2008, p. 129) writes, quoting Levinas (1998a, p. 69):

"In the middle chapters of *Otherwise Than Being* maternity becomes the principle figure of this affective relationship in which extreme susceptibility to the other *becomes* [my emphasis] a being *for* the other or "the possibility of giving."

She does not make the connection between the use of the word *becomes* with the Woman and the idea of moving from one aspect of subjectivity to the other - moving from giving to egoism or vice versa. This is important for understanding the significance of egoism in Levinas's concept of subjectivity.

If all the focus is placed on "being *for* the other" as what encapsulates the entirety of subjectivity described in *Otherwise Than Being* then that text can be accused of forgetting egoism, or the possibility of choosing to act in accordance with one's egoism over the other person. This is why it is important to read *Totality and Infinity* and *Otherwise than Being* together, not as the failure of the former leading to the success of the latter, but as the a unified whole, where the latter is a realization of the former.

Reading *Otherwise than Being* as a realization of *Totality and Infinity* opens us up to a new way of understanding the relationship between the two texts that doesn't overestimate the role of egoism in the earlier work or the role of self-sacrifice in the later one. By interpreting the second major work as a realization of the first, I mean that because egoism, as a vital aspect of subjectivity, is given comprehensive attention in *Totality and Infinity*, Levinas is able to devote less

time to it, and more to the idea of subjectivity as fundamentally for-the-other. In the first text, reflecting the logic of the anterior posteriori, Levinas begins with the familiar, with the egotistical aspects of subjectivity in order to uncover the ethical as the condition that makes fully formed subjectivity possible. By beginning with what's familiar, he reveals what makes subjectivity identified in its egoism possible, and to justify this claim, he fleshes out the self-presence of the ego to uncover how it is disrupted and diachronically constituted by the ethical.

By beginning with subjectivity as first and foremost for-the-other in *Otherwise Than Being,* Levinas is not discarding these prior descriptions of egoism. Arguably, if he is continuing to reflect the logic of the anterior posteriori in the presentation of his project, he has to start with descriptions of the ethical relation as the defining structure of subjectivity, in order to complete the move from egoism to the ethical encounter, (in *Totality and Infinity*) and back to the condition of that encounter (the starting point for *Otherwise Than Being*).[30] As the egoistical aspects of subjectivity, and how they presuppose the ethical have already been described in extensive detail in the earlier work, Levinas has prepared the ground that enables him to begin with subjectivity conceived of as fundamentally for-the-other in the second text. It is because egoism is not only reframed, but receives less attention in *Otherwise Than Being* that it and *Totality and Infinity* must be read as a unified whole.

[30] Keeping with this line of thought, section IV: 'Beyond the Face' can be read as realising the possibilities of the ethical encounter, discussed in section III, by signalling the political with the descriptions of the erotic conditions that eventuate in the birth of the son, and the implications this has for the idea of fraternity and future generations. The return to the ethical relation as the defining structure of subjectivity at the beginning of *Otherwise than Being* is the next move, after this realisation of the concrete possibilities of section III at the end of the earlier work. For a reading of "human fecundity" as "mediator" between the ethical and the political see Mensch (2014).

If the earlier work is disregarded in favour of the latter, the importance of egoism in Levinas's conception of subjectivity risks being lost, as Levinas, in the later work, articulates subjectivity as radically other constituted in a more hyperbolic manner through the notion of substitution. If the significance of egoism within subjectivity is lost, the importance of Levinas's insight into the problem of moral obligation is lost with it. Put another way, if egoism is overlooked as a vital aspect of subjectivity in *Otherwise Than Being,* Levinas's understanding of the subject is not equipped to challenge the Hobbesian presupposition. If egoism is forgotten or discounted, it appears impossible to reconcile Levinasian subjectivity, presented solely in *Otherwise Than Being,* with the acts of indifference and violence that we observe or read about on a daily basis.

It seems that by reading the relationship between *Totality and Infinity* and *Otherwise Than Being* as she does in terms of a reorientation of Levinas's understanding of subjectivity, the significance of egoism is lost in Perpich's analysis of subjectivity as substitution. She frames her discussion of subjectivity conceived of as originally for-the-other or substitution in the context of how moral responsibility should be understood on Levinas's account. Perpich (2008, p. 120) explains:

"Responsibility in this extravagant version is not just other-regarding behavior, but is a being-*for*-the-other, the one-for-the-other of a substitution constitutive of the subjectivity of the subject."

In describing being for-the-other as substitution, Levinas (1998a, pp. 114-117) claims that the subject is affected by the transcendent human other in such a way that it lives only for the sustenance of the other's needs. In other words,

Levinas characterizes substitution as being-for-the-other to the extent that the subject takes on the other's suffering and gives them all she possesses.

Perpich (2008, p. 120) contends that through this extreme understanding of responsibility as what constitutes subjectivity, Levinas goes "beyond" the ego or "the notion of the subject itself." This means that before I can be for myself, I'm for-the-other, as being-for-the-other is a condition for becoming a self. As I am responsible for the other before I have the capacity to choose, Perpich (2008, p. 120) writes: "Responsibility is a passion undergone without there yet being anyone who submits to it or undergoes it". And, therefore, Perpich (2008, p. 121) claims that in Levinas's later account, the notion of "a pre-existing ego collapses in on itself, imploded under the weight of responsibility." This doesn't mean that the radical separation between the subject and the transcendent human other maintained in *Totality and Infinity* has collapsed with the introduction of substitution.

What the concept of substitution conveys is how the nature of subjectivity is fundamentally for-the-other as Perpich (2008, p. 121) explains, the self "is exposed to the other as that from which it lives, as its own very substance or core". The subject is not or does not become the transcendent human other, rather it is defined by the relation to that other, yet because Perpich does not read the descriptions of subjectivity in Levinas's two major works as a unified whole the importance of egoism is forgotten in her reading of *Otherwise Than Being*.

What I mean is that Levinas's descriptions of subjectivity as substitution can make it seem as if the subject is nothing more than for-the-other, if they are not read in conjunction with his analysis of egoism in *Totality and Infinity*. Describing being-for-the-other as "an abandon of all having, of all *one's own* and

all *for oneself"* or as "a being divesting itself, emptying itself of its being", and by employing and redefining Rimbaud's phrase "I am an other", a superficial reading of substitution can make it seem as if the subject presented in *Otherwise Than Being* is a mere effect of the other as subjectivity devoid of any egoism. (Levinas 1998a, pp. 117-118)

Gavin Rae (2016, p. 198) explicitly articulates the implications of Perpich's interpretation in this context when he says:

"Levinas's rejection of all forms of egoism means that there simply is no agent to decide what to do in the exceptional situation. If the ego is nothing but an effect of the other, as Levinas's theory of substitution claims, it is difficult to see how it has the autonomy from the other to make an independent decision about the other. If it does, there has to be an aspect of the ego that remains distinct from the other."

This kind of misreading is only possible when the account of egoism provided in *Totality and Infinity* is disregarded for the description in *Otherwise Than Being*. The separation emphasized in the earlier text demonstrates that there is an aspect of the ego, enjoyment, which remains distinct from the transcendent human other. Rae (2016, p. 199) says:

"Levinas *explicitly* rejects any form of egoism by affirming his theory of substitution, but continues to *implicitly* depend upon a sense of egoism to permit the decision that his analyses of the ethical relationship and… movement from the ethical to the political relationship demand."

Reading *Otherwise Than Being* as a realisation of *Totality and Infinity* allows us to see that Levinas is not implicitly depending on a notion of egoism that is discarded in the later text. Self-conscious subjectivity is not possible

without the relation to the transcendent human other, nevertheless, without egoism and enjoyment the subject could not be content or "complacent in itself", it would have nothing to give and no way "to escape its own critical eye" through its "naïve spontaneity." (Levinas 1998a, pp. 73-74, 92)

With this, and my analysis of enjoyment, dwelling and psyche in mind, we can see that it is not that Levinas rejects all forms of egoism, rather the attention he gives to these aspects of subjectivity in the first major work, and their continued presence in the later one, shows that what he rejects is a conception of subjectivity defined by its egoism. If his conception of subjectivity is devoid of egoism, lacking the capacity to make an autonomous choice to adhere to or reject moral responsibility for the transcendent human other, Levinas (1969, p. 198) would not describe the human other as "the sole being I can wish to kill."[31] He claims that war presupposes peace, however, only a being that values its egoism can pose a possible threat to the other.

Without the dangers that egoism entails, the subject would not have the capacity to go to war, to dominate the transcendent human other or even to designate the other as other, and Levinas's whole project would be deemed redundant before even getting off the ground. (Levinas 1998a, pp. 86-87) However, the significance of egoism as a vital aspect of subjectivity does not undermine the primacy of the ethical relation in Levinas's framework, and vindicate Bernasconi's symmetry thesis. Peace, or to be more precise the reinstatement of peace during or after war, is only possible when subjectivity is defined by substitution.

[31] I elaborate on this point and its significance in Levinas's overall framework in the following chapter.

What I mean is that acts of self-sacrifice are better understood if we adopt Levinas's conception of the subject as defined as for-the-other. Bernasconi (2002, p. 235) explains in a later paper that Levinas employs the notion of substitution as a means of understanding how "behaviour which is sometimes called superogatory" or acts of self-sacrifice are possible. He says:

"Levinas is strongly committed to the claim that egoism cannot give birth to generosity… If egoism is true, then sacrifice would be impossible, except perhaps under extreme conditions of self-deception."

I elaborate on this point in the following chapter, and expand on it in much greater detail in chapter three, what's important to keep in mind at this stage is how Levinas's notion of the subject accounts for both egoism and self-sacrifice.

It is only through a reconceptualization of subjectivity as constituted and defined by the radically asymmetrical relation with the transcendent human other that Levinas is able to provide a solution to the problem of moral obligation that does not render acts of self-sacrifice impossible, while still accounting for the often shockingly violent consequences of egoism. Before returning to Perpich's reading in the next chapter, and explaining precisely how the ethical relation defines the nature of subjectivity providing a foundation for moral obligation, I need to tie up a few loose ends in terms of the development of Levinas's diachronic structure, what this means for how the ethical relation should be understood, and how this relates to the question of foundationalism in Levinas's framework.

1.6 The 'Status' of the Ethical Relation

Although his reading misinterprets precisely how these elements function together in the context of the ethical relation, by bringing attention to the notion of the anterior posteriori through his interrogation of the empirical and the transcendental, Bernasconi (1989, p. 23) still points the reader towards "what status is to be accorded" the ethical relation, in terms of how it operates as both a structure of subjectivity and a concrete experience. As I explained earlier in the chapter, the logic of the anterior posteriori presented in *Totality and Infinity* gestures towards how the ethical relation constitutes subjectivity, while also being something the subject experiences in her day-to-day life.

This is explicitly articulated in *Otherwise Than Being*, due to the development of Levinas's temporal framework, but he does gesture towards this diachronic structure in the earlier work, using language similar to what he employs later on to describe the notion of the trace. For example, in *Totality and Infinity*, Levinas (1969, p. 181) writes of the ethical relation: "The phenomenon is the being that appears, but remains absent. It is not an appearance, but a reality that lacks reality, still infinitely removed from its being."

What enables the ethical relation or the affect of the transcendent human other to remain 'infinitely removed' from the subject's totalizing field of experience is the diachronic structure. In *Otherwise Than Being*, Levinas (1998a, p. 101) describes it as follows: "This anteriority is "older" than the a priori… The relationship with exteriority is "prior" to the act that would effect it." With the claim that the anterior posteriori is 'older' or 'prior' to the a priori, Levinas is referring to how, as what makes conscious thought and representational acts possible, the ethical relation precedes the a priori.

It is by virtue of what Bernasconi (1989, pp. 31-32) calls this "logically absurd" temporal structure that the ethical relation can be both a condition for or structure of subjectivity and a concrete experience the subject has in her day-to-day life. Levinas (1998a, p. 10) explains:

"But the relationship with a past that is on the hither side of every present and every re-presentable, for not belonging to the order of presence, is included in the extraordinary and everyday event of my responsibility…"

The anterior posteriori connects the constitutive and practical facets of the ethical relation in that the subject experiences the relation or the affect of the transcendent human other, their otherness, in her everyday intersubjective encounters, however, the ethical relation is also revealed in these encounters, as not only what makes them possible, but as what conditions the subject's capacity for self-conscious subjectivity.

In this way the ethical relation operates at two levels or according to two facets - it is part of our everyday experience of others, and is also a condition for intersubjectivity and self-conscious subjectivity.[32] In conversation with Philippe Nemo, Levinas (1985, pp. 88-89) says of the ethical relation: "If it were not that, we would not even say, before an open door, "After you sir!" It is an original "After you, sir!" that I have tried to describe."

[32] Bernasconi (2002, p. 242) makes a similar point when he describes the ethical relation as a formal structure of transcendence that is realised in the concrete encounter with the transcendent human other. See also Bernasconi & Kelter (2002, p. 252) For more on the ethical relation as a formal structure of transcendence, modelled on the idea of infinity in Descartes' Third Meditation, see Hansel (2012, p. 189) and Critchley (2002, pp. 14-16) and Levinas (1996e, pp. 156-157). For more on the ethical relation being both an everyday experience and a structure of subjectivity see Morgan (2007, pp. 261, 296). Morgan and I differ in that he doesn't appear to explain precisely how the ethical relation is able to prescribe or prohibit action through Levinas's phenomenological framework. Nevertheless, Morgan's analysis of Levinas's thought in *Discovering Levinas* is more of an introduction into Levinas's work and isn't meant to be an in depth examination of the operations of his phenomenology.

By making moral behaviour possible, the ethical relation acts as a condition for ethics, yet is visible in all human relationships, through acts of self-sacrifice and even the smallest acts of generosity. According to Levinas, for such actions to be possible the ethical relation must obtain, yet at the same time the subject can perceive the relation within these experiences.

Although Bernasconi's reading ultimately leads him to the wrong conclusion, in terms of what the complicity between the transcendental and the empirical tells us about how the ethical relation should be understood, by drawing our attention to this complicity, Bernasconi's (1989) paper points towards the relation's two levels of operation. The ethical relation is not a traditional transcendental condition, nevertheless, as a structure that makes self-conscious subjectivity possible, intersubjective experience, or any meaningful experience is not possible without it. As I observed in the first stage of this chapter, Bernasconi is right to claim that the ethical relation cannot be considered a traditional transcendental condition for ethics, however, this does not mean that it cannot be foundational for moral obligation in another way.

Returning to Bernasconi's third point - that the empirical and transcendental remain complicit in Levinas's framework through the way the 'sens' or the direction of meaning of the ethical relation is revealed in concrete experience - helps us to see how the ethical relation can provide a foundation for moral obligation through its constitutive role in the nature of subjectivity. (Bernasconi 1989, p. 33, Levinas 1969, p. 173) I expand on this point, as sens or the direction of meaning in the ethical relation is a critical component of my argument for how the relation is the defining aspect of subjectivity, providing the

foundation for moral obligation, and I explore this in the following chapter with my return to Perpich's reading.

I understand Levinas's development of his diachronic framework, through the expansion of the anterior posteriori with the notion of the trace, as providing not only the means to articulate how the ethical relation is experienced, while acting as the condition for that experience, but also for explaining how the affect of the transcendent human other is felt as a disruption that transcends the subject's field of experience. Perpich interprets the maturation of Levinas's temporal language quite differently, as she argues that the ethical relation having the structure of the trace means that it cannot be foundational for ethics. Perpich (2008, p. 149) recognizes that the ethical relation constitutes subjectivity, "though without that moment being able to serve as a foundation or ground." She argues that because the trace, as something unperceivable and perpetually absent, "is nothing certain or unambiguous", and has no content, it cannot consist of any normative principles, or act as the origin or foundation for normativity. (Perpich, 2008, pp. 127-128)

This brings us to a fundamental question of my project: if the ethical relation cannot tell the subject what she ought to do when faced with a practical ethical dilemma, how can it provide a foundation for moral obligation? More than that, if the ethical relation cannot prescribe or at the very least prohibit action, what value does it have in everyday life? I address this question in the next chapter by arguing that the structure of the trace does not prevent the ethical relation from directing the subject to what she ought to do when confronted with the needs of others.

1.7 Conclusion

To summarize the ground covered in this chapter, I have tried to demonstrate that Levinas conceives of subjectivity as fundamentally other-constituted in both his major works. This constitution is radically asymmetrical as, contra Bernasconi, the subject and transcendent human other are not mutually constituting terms of the relation, and do not presuppose or imply each other in the same way. My interpretation of section II of *Totality and Infinity*, read together with corresponding passages in *Otherwise Than Being,* reveals that enjoyment and dwelling do not indicate a self-constituting subject, but vital, although non-defining, egotistical aspects of subjectivity.

Although my species of constitutive reading is heavily influenced by Bernasconi's work within the scholarship, and the emphasis he places on section II of *Totality and Infinity,* by reading symmetry into the ethical relation presented in this earlier text, Bernasconi downplays the primacy of the relation in Levinas's framework. This undermines the continuity of Levinas's overall project in terms of his conception of subjectivity and, therefore, obscures his most fundamental insight into the problem of moral obligation.

The aim of my engagement with the first and third points of Perpich's reading has been to show that *Totality and Infinity* and *Otherwise Than Being* must be understood together as a unified whole, with the latter realizing the notion of the subject outlined in earlier text. If the two major works are not read together in this respect, and as reflecting the logic of the anterior posteriori, the significance of the egotistical aspects of subjectivity risks being overplayed in the first and lost altogether in the second. Only if the full picture of the Levinasian subject is taken into consideration is it able to account for acts of indifference and

violence, along with self-sacrifice, in a way that the Hobbesian presupposition cannot. Contra to Bernasconi and Perpich's readings, it is Levinas's temporal framework that enables him to establish the ethical relation as an everyday experience, and the founding structure of subjectivity. How it is foundational in the context of moral of obligation is made clear in the next chapter.

Chapter 2
Subjectivity Defined as Ethical

2.1 Introduction

With the conclusions of the previous chapter fresh in your mind, it's likely that you've been left with one rather rudimentary thought – 'so what?'. Even if I am radically other-constituted, this doesn't automatically mean that I'm morally obligated to respond to the needs of the other.[1] More than that, being constituted by my relation to the transcendent human other, even if that relation is asymmetrical, doesn't necessarily entail that I ought to respond to the other's need with generosity, rather than indifference or even malice. Put another way, it may be easy to accept, given that we are profoundly social animals that the nature of subjectivity is radically other-constituted, yet that moral obligation follows from this is to posit another claim entirely.

Levinas's reconceptualization of subjectivity, in its ability to account for both egoism and self-sacrifice, may lead us to question the Hobbesian presupposition, nevertheless, it will have little practical bearing on how we approach the needs of others if it has nothing to say about what we ought to do. William H. Smith (2012, p. 125) sums this up well, he writes:

"A call to ethical responsibility is not yet living up to that call, even if it is shown that the call to ethical responsibility is the transcendental condition for my

[1] Both Bergo (1999, p. 57) and Critchley (2015, p. 74) note how many theories of intersubjectivity born out of the 'idealist tradition' maintain that a relation with the human other is vital for the subject's achievement of reflective self-consciousness. They highlight, in different ways, how Levinas sets himself apart from this tradition by taking the role of the other as more than a requirement for mere separation and self-recognition. I agree with both scholars on this point, nevertheless, neither Bergo nor Critchley pick up on how Levinas's break with this tradition is even more extreme, through his claim that the relation with the transcendent human other defines what kind of subjects we are. Strhan (2012, p. 33) makes a similar point to the one raised by Bergo and Critchley.

subjectivity. There must be a sense in which I can succeed and fail at my responsibility to the other if Levinas's theory of responsibility is to motivate an ethical response…"[2]

The claim that the other's call to ethical responsibility constitutes subjectivity doesn't immediately entail prescription and, therefore, if we accept the constitutive accounts offered by Bernasconi and Perpich, Levinas's framework doesn't have the capacity to prescribe or prohibit action. In other words, simply being constitutive of the nature of subjectivity isn't enough for the ethical relation to be considered a foundation for moral obligation. It must direct the subject to what she ought to do in her treatment of others.

In this chapter, I claim that in describing the subject as radically other-constituted, Levinas is not merely saying that the subject owes her capacities for self-reflection, language and ethical behaviour to her form of relationality with the other person. Rather, he maintains that the relation with the transcendent human other orients the subject in such a way that her initial response is characterised as one of pure generosity. I argue that it's in this way that the relation with the other defines the nature of subjectivity as fundamentally ethical. To defend this claim, I return to Perpich's (2008, pp. 51-52, 128) reading and her assertion that the ethical relation has no "ethical content built into it" that can prescribe or prohibit action. I

[2] Smith (2012, p. 129) adheres to the constitutive reading insofar as he locates the value of Levinas's thought in revealing, "that first-personal moral behaviour is grounded by –"founded"- by the second-personal ethical demand." However, Smith (2012, p. 128) concludes that Levinas's constitutive thesis is ultimately unsatisfying, as it cannot provide the subject with moral norms or articulate how such norms are to be justified from the first-personal stance. Smith (2012, p. 196) adopts Perpich's reading of *Totality and Infinity*, which leads him to these conclusions. Additionally, he appears to miss how sense-bestowal operates in the ethical relation, affecting a generous response that manifests within the subject and, therefore, within the phenomenological field. It's because he misses this aspect of Levinas's thought that Smith claims Levinas's framework must be supplemented with Heideggerian ontology. Smith (2012, p. 129) argues that the phenomenological legitimacy of the ethical relation and its ability to generate a substantively moral response from the subject can only be established with an ontology, which he claims Levinas does not provide. I return to this point and to Smith's account in chapter three.

juxtapose this with Joshua James Shaw's interpretation of the relation, as he argues for a prescriptive claim within it.[3]

In the first and most extensive stage of the chapter, I demonstrate how the 'ethical content' of the relation can only be understood phenomenologically,[4] through a critical engagement with the position Shaw (2008) articulates in *Emmanuel Levinas on the Priority of Ethics.* Shaw's interpretation is paradigmatic of those Perpich criticises for reading 'ethical content' into the relation in a somewhat mystical way. The irony here is that the 'foil' of Shaw's argument is a group he would identify Perpich with - those who read the Levinasian other as essentially unknowable or 'ineffable.' (Shaw 2008, pp. 3, 141-142)[5]

Shaw argues against this reading of the affect of the human other as ultimately ineffable and, therefore, unable to tell the subject anything at all, by claiming that the ethical relation provides the subject with the moral ought. Like myself, he adheres to a species of the constitutive reading, and locates a prescriptive claim in the ethical relation. I chose Shaw's account to elucidate my position through because of the similarities between our readings of Levinas's framework and because Shaw articulates his analytic approach in a clear[6] and

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[3] When examining the descriptive/prescriptive debate in Levinasian scholarship, commentators can be divided into roughly two camps: those who read Levinas's account as purely descriptive and others who read the ethical relation as containing some kind of prescription for action. Notable scholars that fit into the first camp alongside Perpich are Bernasconi, Bergo (1999, p. 257), Crtichley (1999, p. 271 and 2015, p. 87), Smith (2012, p. 125), Drabinski (2001), and Staehler (2010, p. 102). For those that sit in the second camp with Shaw see Wyschogrod (1974, pp. 93-94) Cohen (2004, pp. 146, 199), Morgan (2012, pp. 92, 98-101), and Katz (2013, p. 90). For a different way of characterizing this debate see Katz (2019, p. 496).

[4] Crowell makes a similar point, but in a much broader context that doesn't address prescription. See Crowell (2015, p. 584).

[5] Notably, Perpich (2019, p. 243) writes, in her most recent paper on Levinas, that in some respect what Levinas "has in mind" with his conception of the face "is the ineffability of each singular person."

[6] By clear I mean that Shaw is able to explicate his position without getting caught up in Levinas's own evocative, but often confusing lexicon. Shaw (2008, pp. 22-23) alludes to his frustrations with this feature of Levinasian scholarship.

concise way, free of the jargon that often complicates interpretations in the secondary literature.

I reconstruct Shaw's argument through a juxtaposition with Perpich's reading to show that unless this prescriptive claim or 'ethical content' of the relation is understood phenomenologically, through the direction of meaning or sense-bestowal, it risks giving the subject's response to the demand of the human other the air of ineffability that Shaw wants to avoid. Expanding on John Drabinski's interpretation of the function of meaning or sense-bestowal in Levinas's phenomenological framework, I construct this missing step in Shaw's argument. I do this by demonstrating how the logic of sense-bestowal operates in the ethical relation, directing the subject to what she ought to do. Through this process, I solidify my exegesis of Levinas's framework, specifically in terms of his conception of the nature of subjectivity being fundamentally defined by the transcendent human other and his understanding of intersubjectivity as radically asymmetrical.

In the second phase of my intervention, I continue my engagement with Perpich, returning to points raised in the previous chapter, to establish how the affect of the transcendent human other bestows sense on the subject without appearing within the phenomenological field, along with the implications this has for directing the subject's action. Through my critique of her argument, I claim that although the affect of the other has the structure of the trace, the response it arouses in the subject is not ambiguous, but directs the subject to respond with pure generosity. I argue that it is the development of Levinas's temporal language - culminating in the introduction of the trace - that enables him to describe how the transcendent human other affects the subject, directing her toward what she

ought to do without that affect being an object of comprehension appearing in her field of experience. I look to the significance Levinas places on discourse to articulate how this directedness can lead to the introduction of norms.

In the third stage of my argument, I briefly clarify how the affect of the transcendent human other having the structure of the trace does not preclude the ethical relation from being read as a non-traditional foundation for moral obligation.[7] Tying in the conclusions from chapter one, I reinforce my exegesis of Levinas's conceptions of subjectivity and intersubjectivity presented in his two major works. Moreover, I conclude that the ethical relation can be read as a foundation for moral obligation by virtue of the way it constitutes the subject, and defines the nature of subjectivity as fundamentally ethical. In light of this, we can see how it presents a legitimate alternative to the Hobbesian presupposition challenging our preconceived notions about the nature of subjectivity and its connection to the problem of moral obligation.

2.2 Shaw vs. Perpich and the 'Content' of the Ethical Relation

As I mentioned in the introduction to the thesis, Levinas's focus on the transcendence, or otherness of the human other is often used as a reason to dismiss his contribution to moral philosophy as impractical or useless, and like myself,

[7] Unfortunately, the scholarship engenders some confusion surrounding the question of the ethical relation being considered a foundation for ethics. As I mentioned in the previous chapter, when Levinas briefly addresses the issue in that Q&A he implies that his own method, in contrast with transcendental phenomenology, doesn't have a foundational structure as he attributes such a structure to totalizing ontology. However, he immediately undercuts this with the claim that "ethics is first philosophy", which carries the implication that ethics is the foundation for ontology, epistemology, etc. (Levinas 1998c, p. 90) That Levinas rules out reading the ethical relation as a traditional foundation for ethics doesn't mean it can't be understood as foundational in another more novel way, and here the confusion ensues. For slightly perplexing ways of conveying the ethical relation as a non-traditional foundation for ethics see Chalier (2002a, p. 111) and Llewelyn (1991, pp. 36, 280). Schroeder (2009) argues that Levinas offers no ground for moral obligation. On this point, Schroeder likens Levinas's position to Nietzsche's. For opposing views see Caputo (1993) and Greisch (1991, pp. 71-72).

Shaw wants to challenge this criticism. Our shared concern is to demonstrate, in light of this critique, that Levinas's project can offer useful and substantive insight on "how to determine ethical conduct." (Shaw 2008, p. 2-3) Shaw (2008, p. xxxi) explains that his "main targets… are critics who argue that Levinas, for all his talk about ethics, cannot give us anything like a useful, practical ethics."[8] With this in mind, he aims to show "that it is a mistake to think that Levinas's rationale for insisting that the other cannot be comprehended precludes him from developing a practical ethics." (Shaw 2008, p. xxxii)

The 'targets' of Shaw's reading are not simply critics of Levinas, like Rorty, who don't see anything particularly valuable in his project but also Levinasian scholars who see the merit in his work, yet ultimately claim that Levinas "*cannot* offer his readers anything like a normative ethics." (Shaw 2008, p. 2) Shaw employs his interpretation of Critchley's reading of Levinas's framework as an exemplar of this second camp.[9]

Shaw (2008, p. 4) reads Critchley as making two important claims about the relevance of Levinas's project to moral philosophy. Firstly, that he, Critchley, identifies the "Achilles' Heel" of Levinas's ethics as the "failure to specify his theory of justice." In other words, Critchley's lament, as Shaw understands him, is that Levinas cannot "effect this shift from ethics to justice." (Shaw 2008, p, 14) Secondly, Shaw explains that following Putnam, Critchley views Levinas as a moral perfectionist. For Shaw (2008, p. 5), this means that Critchley's Levinas:

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[8] Shaw (2008, pp. 3-4) cites Rorty's critical remarks as the exemplar of this view. He also refers to Alain Badiou and Axel Honneth's criticisms of Levinas as examples of those who read the ineffability hypothesis into Levinas's work. Shaw (2008, p. 21) also identifies Jill Robbins as a Levinasian scholar whose reading adheres to the ineffability hypothesis.

[9] Shaw (2008, pp. 28-29) acknowledges the complexities of Critchley's interpretation of Levinas's thought, nevertheless, Shaw does simplify the former's position for the purposes of his own argument.

"is interested in something closer to what we might call metaethics; he wants to show us something about the nature of ethical responsibility itself, the nature of the ethical demand. He leaves it to other philosophers to take up the task of spelling out what is required to be ethical."

As Shaw (2008, p. 7) understands Critchley, the problem is not that Levinas "*does not* say enough about how to put his ideas into practice but that, in principle, *he cannot say anything at all*." The idea is that Levinas's conception of, and the significance he places on, the human other's transcendence means that, for Shaw (2008, p. 7), both "critics and defenders" of Levinas "believe it would go against the drift of his thinking for him to advance any sort of normative ethics." Shaw (2008, p. 12) refers to this claim as the "ineffability hypothesis."

He sums up the ineffability hypothesis as follows: the transcendence of the human other renders her beyond the comprehension of the subject, or as ultimately unknowable, and therefore, beyond the scope of prescriptive normative claims. Shaw (2008, p. 12) says:

"Levinas frequently writes about "the face-to-face encounter with the other." He uses this expression to refer to situations in which we become keenly aware of other persons as ineffable."

Shaw identifies the ineffability hypothesis as a central claim of Critchley's 'deconstructionist' (or deconstructive) reading of the face-to-face or the ethical relation.

Like myself, Shaw pinpoints the deconstructionist reading and the ineffability hypothesis, insofar as he associates it with the deconstructionist account, as emerging out of Bernasconi's argument in 'Rereading *Totality and*

Infinity'.[10] Shaw identifies Bernasconi as the first to offer a deconstructionist interpretation of Levinas and characterises it, correctly, as an approach that embraces the contradictions of the empirical and transcendental readings. Shaw (2008, p. 141) writes:

"Levinas's point is precisely to show how our thinking is structured by a relation that we cannot comprehend and that, consequently, generates these contradictions. The difference between this approach and the transcendental approach is that the deconstructionist does not view Levinas as *deducing* conditions but as exposing a necessary aporia in the concepts and languages we use to make sense of our lives."

For Shaw (2008, p. 141) the crux of Bernasconi's, and in turn Critchley's deconstructionist account, is that by deconstructing the empirical and transcendental readings, "two major philosophic discourses that have come to shape our thinking", Levinas reveals "how our thought is structured by a relation it can never truly grasp."

Shaw's (2008, p. 142) interest is not so much the superiority of the deconstructionist reading over the empirical or the transcendental readings, rather he sees it as "useful to assume that the deconstructionist's criticisms are sound" for two reasons. Firstly, he notes that "this approach matches the trajectory in the scholarship on Levinas" in that, as I highlighted already, the recent scholarship has come to adopt what Shaw refers to as a "broadly deconstructionist reading of Levinas." (Shaw 2008, p. 142) Secondly, Shaw (2008, p. 142) accepts the deconstructionist account over the transcendental and the empirical as, due to its

[10] Although the title is misprinted as 'Rereading Levinas', instead of 'Rereading *Totality and Infinity*', in a footnote, Shaw (2008, p. 30) acknowledges Bernasconi's (1989) essay as "the unacknowledged *locus classicus* for this interpretation of Levinas in the English language scholarship on him."

embrace of "the cluster of assumptions I associate with the ineffability hypothesis", he can employ it as 'the foil' to his own interpretation.

Shaw doesn't refer to the deconstructionist account as a species of the constitutive reading that emerges from Bernasconi's paper, and I doubt that he'd be comfortable making close ties between the two. While Shaw's reading is a constitutive one, insofar as he reads the ethical relation, to some extent, as a structure of subjectivity, he obviously creates a lot of distance between it and the deconstructionist account, especially in the context of his second reason. For Shaw, this second reason is crucial as it reveals the ineffability hypothesis as the primary target of his criticism, rather than the deconstructionist approach itself.[11]

To return to the ineffability hypothesis, the idea is that if it's the human other's transcendence that characterises the intersubjective relation, it is not clear how normative principles that can be discussed and analysed can be drawn from such a relation. Put another way, if what makes our experience of the other unique is that she transcends every effort to conceptualise her, the idea that normative concepts can be derived from such a relation appears contradictory. (Shaw 2008, p. 11) Shaw (2008, p. 12) claims that if we accept that the other is essentially ineffable,

"it follows that Levinas cannot specify any ethical standards that claim to be expressive of this premonition, for any claim to have accurately expressed it

[11] Shaw names three scholars: Bernasconi, Critchley and Robbins (he should perhaps add Llewelyn to this list) as proponents of what he calls the deconstructionist reading. While it's true that all three approach Levinas thought, to some extent, through or in conjunction with his proximity to Derrida's, the similarities between their positions and other contributors to the scholarship on crucial points (like Bergo or Perpich), who are not generally seen as advocating a deconstructionist reading, suggests that the deconstructionist label is too restrictive. If the primary thesis that holds these scholars together is that they, (following Bernasconi) focusing on Levinas's phenomenological heritage and method, read the ethical relation as neither a transcendental condition nor strictly empirical encounter, but primarily as a structure of subjectivity that cannot generate concrete norms to guide action, Shaw is better off characterizing his 'foil' as those who adhere to (what I refer to as) the constitutive reading, yet read the "face-to- face" as offering a "normativity without norms." (Perpich 2008, p. 126)

will contradict the claim that it is ineffable. His philosophy seems to lead, therefore, to a kind of "moral mysticism" in which the basis of morality stands beyond all intellectual apprehension."

By using the deconstructionist reading as a foil to advance his own interpretation, Shaw appears to misrepresent the former as making what is primarily an epistemic claim about the ethical relation, when what scholars, like Bernasconi and Critchley, are arguing for is more of a claim about meaning, or as Leslie MacAvoy says: "a point about language."[12] I don't have the space here to elaborate on these aspects of Shaw's account, however, what I want to suggest is that those scholars who describe the Levinasian other as ultimately unknowable are generally referring to the idea that the expression of the other cannot be thematized in the register of the Same.

According to Levinas's diachronic temporal structure,[13] the transcendent human other belongs to the register of the Saying, which Levinas claims cannot be

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[12] MacAvoy (2009) provides an excellent review and critique of Shaw's account. When claiming that the real point of contention between the deconstructionist and Shaw is one about language, MacAvoy is referring to the Saying and the Said and Levinas's general idea that although the Saying cannot avoid its attempted translation into the Said, any attempt to do so ultimately betrays the Saying. In light of this, for the deconstructionist, it follows that any attempt to translate the ethical (as identified with the Saying) into the political (as identified with the Said) always results in the betrayal of the ethical. MacAvoy (2009) explains that Shaw's pragmatic approach to Levinas's framework, and its potential role in the political sphere, leads him to overlook this betrayal at least to the extent that the deconstructionist attends to it. She concludes: "As Shaw points out, the deconstructionist is more worried about the accuracy of the translation of the ethical to the political, while he himself, as a pragmatist, is more concerned with the efficacy of what results from this translation." MacAvoy doesn't refer to the temporal implications of the Saying and the Said, in that for Levinas the Saying operates according to a diachronic temporal structure that interrupts, but cannot be captured within the synchrony of the Said. As I've already mentioned, this is the point Perpich picks up on in her argument for the other's ineffability via the structure of the trace, which I return to and examine in greater detail in the third stage of this chapter.

[13] Levinas's development of his temporal picture in *Otherwise Than Being* results in the central terms of the his first major work, *Totality and Infinity*, being referred to primarily by their linguistic and temporal counterparts: the Said and the Saying. The former favors a synchronous conception of time, where all events of being are taken to occur within the same uninterrupted temporal structure and all instances, occurrences and propositions are united in one unified temporal sphere. (Levinas 1998a, pp. 28-29) On the other hand, the latter entails disruptions that break up these temporal moments fracturing them. Diachronic time cannot be reduced to a unified temporal structure, as it's characterized by these constant disruptions. (Levinas 1998a, pp. 11, 51-

fully recuperated into the register of the Said and this is the point Perpich takes up in her reading of the ethical relation as non-foundational. To say that the other transcends comprehension is not necessarily an epistemic assertion, but a claim that the meaning of the other's expression cannot be captured in its pure form within the phenomenological field.[14]

It seems to me that a more fitting opponent of Shaw's reading is not someone who claims the human other is unknowable in an epistemic sense, like Shaw's deconstructionist, but someone who reads the ethical relation as devoid of positive content unable to tell the subject what she ought to do. With this in mind, it seems like a better idea to contrast Shaw's reading with Perpich's account, as she explicitly describes how the expression of the transcendent human other can't be captured within the phenomenological field and, therefore, concludes that the ethical relation has no 'ethical content.'

Putting the question of Shaw's problem with the deconstructionists being an epistemic issue or one about meaning to one side, for Shaw, Perpich's reading would be a good example of a defender of Levinas who adopts the ineffability hypothesis, insofar as she understands Levinas's conception of the ethical relation

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52) The Saying can only be discussed or uncovered to some extent within the Said, as it operates according to this diachronic structure in that it only occurs as a constant disruption of the Said. That the signification of the Saying cannot be reduced or absorbed into the Said explains how Levinas can provide a phenomenological account of the way the transcendent human other affects the subject, without absorbing that affect into totalizing philosophical discourse and that affect appearing in the phenomenological field. I expand on this point later in the chapter. For more on the Saying and the Said see Chanter (1997 and 2001b), Hand (1997), Davis (1996) and Severson (2013).

[14] This point speaks to why Shaw would identify Perpich as a Levinasian scholar who adheres to the ineffability hypothesis. He says of the hypothesis: "… what I have in mind by it is not so much an acknowledged school of thought about how to read Levinas, but a cluster of widely accepted assumptions about his philosophy in general… This is not to say that they do not discuss the subtle ways in which the face of the other resists comprehension. It is not uncommon, for example, to find probing analyses… of how various forms of language or experiences of time misrepresent it." (Shaw 2008, p. 21) He would no doubt put Perpich in that latter group of "probing analyses."

as an account of "normativity without norms."[15] On the other hand, Shaw's a good example of those Perpich identifies as reading the ethical relation as immediately ethical, giving it the air of mysticism he is trying avoid.[16] Perpich (2008, pp. 51-52) explains:

"To be told that the ethical force of the face is there immediately or straight away and to be denied an account of it that is open to further scrutiny raises the suspicion that here one is dealing not with a philosophy but with something else… if we grant that the face has ethical content built into it, it is unclear how Levinas's thought escapes the charge of circularity and dogmatism."

While I agree with Shaw's position on the point that the ethical relation has the capacity to direct the subject to what she ought to do, I contend with Perpich that the ethical force of the face must not be taken for granted and accounted for philosophically. Reading Shaw and Perpich's accounts together provide a contrast between two constitutive positions, where the former reads Levinas's framework as providing the moral 'ought' and the latter does not. Both interpret the ethical relation as conveying the human other's moral value, although, unlike Perpich, Shaw interprets this value as prescriptive. Highlighting the significant difference between these two positions enables me to elucidate the precise nature of my form of constitutive reading and, thus, locate my own interpretation in this area of the scholarship. In order to do so, I return to Shaw's

[15] Notably, in his most recent paper on Levinas, Shaw mentions Perpich's reading of Levinasian ethics as offering a theory of "normativity without norms." (Shaw 2019, p. 574)

[16] Cohen (2004) is another example of a prominent scholar within the literature who appears to take the 'ethical content' of the relation with the transcendent human other for granted. It seems that for Cohen the transcendence of the other is simply its prescriptive moral force. He writes: "The other must not only be heard, but must be cared for, and this requires not only the giving of food and shelter, but also all the institutions and laws, the ''rules, imperatives, maxims,'' of a just society." (Cohen 2004, p. 199) Wyschogrod also appears to understand the 'goodness' of the ethical relation as simply 'built in.' (Wyschogrod 1974, pp. 93-94) Sthran seems to make a similar oversight. (Strhan 2012, p. 33)

account, which centres on his reading of *Totality and Infinity* and the primordial expression of the 'face' as "you shall not commit murder." (Levinas 1969*,* p. 199)

Central to Shaw's argument for the normative 'content' of the ethical relation is Levinas's description of the face as the prohibition against murder. Shaw refers to this section of *Totality and Infinity* as Levinas's 'murder argument.' Before I delve into Shaw's reading of this portion of the text, I'll provide a brief summary of this often misunderstood aspect of Levinas's framework.

In *Totality and Infinity,* the disruption of the transcendent human other is described as a revelation that's expressed as the command of the face. According to Levinas, the revelation of the face expresses this one fundamental command as a primordial communication that exemplifies the other's infinite resistance to murder. This commandment - "you shall not commit murder" - isn't spoken, but expressed in the epiphany of the face or by virtue of the human other's transcendence. (Levinas 1969*,* p. 199)[17]

For Levinas (1969, p. 198) the command of the face is an expression that initiates discourse, rather than a form if it, and he defines murder, or the wish to kill, as that which "exercises power over what escapes power." The idea is that the other person is the only being that the subject can wish to kill, when killing is understood as a means to annihilate and not simply dominate. (Levinas 1969*,* p. 198) In being confronted by the demand of the human other, the subject is forced to acknowledge the power that other has to challenge her freedom and possession of the world. Upon realising that the transcendent human other is the only being

[17] There is general consensus in the literature not to interpret the commandment of the face as a literal prohibition against murder, however, there is a vague tendency in some accounts to read it as expressing a moral norm. See Kosky (2001, pp. 22-23), Llewelyn (2002a, p. 149) and Cohen (2010, p. 75).

that the subject cannot subsume, and as such is the only being that challenges and questions the power the subject has over her field of experience, the subject wishes to annihilate what "paralyzes the very power of power." (Levinas 1969, p. 198)

Furthermore, Levinas claims that murder aims to annihilate that which transcends the subject's capacity for understanding, yet it is this transcendence that always escapes every attempt to destroy it. Levinas (1969, p. 199) says of the attempt to murder the other person:

"But he can oppose to me a struggle, that is, oppose to the force that strikes him not a force of resistance, but the very *unforeseeableness* of his reaction. He thus opposes to me not a greater force, an energy assessable and consequently presenting itself as though it were part of a whole, but the very transcendence of his being by relation to that whole; not some superlative of power, but precisely the infinity of his transcendence. This infinity stronger than murder, already resists us in his face, in his face, is the primordial *expression*, is the first word: "you shall not commit murder.""

In other words, the resistance of the other person is not an act of physical opposition, but the fact that the subject has no first-hand access to the mind of the other person. The subject can guess, often with reliable predictability, what the other person may do, yet there is always an element of her that transcends the understanding of the subject.[18] The greater force that the other person opposes the subject with is not something that is accessible or visible, it is the very thing that transcends all the aspects of the other person that are presented to the subject. What gives this aspect of the human other its power of resistance is that it

[18] Wyschogrod (1974, p. 86) provides a similar reading.

transcends all efforts to grasp it. In this way, its transcendence is Infinite. I return to this point later in the chapter.

For Levinas (1969, p. 199), the Infinity of this transcendence is stronger than murder, since the object of murder always fails in a performative contradiction. The wish to murder the transcendent human other is motivated by the challenge that other poses to the subject's sovereignty, yet inherent to this motivation is the subject's recognition of this power, of the other's right to challenge her sovereignty. Put another way, the wish to murder involves the recognition of the human other's normative value, of their right to demand recognition from the subject, and this is the key point for both Shaw (2008, p. 38) and myself.

Through the act of murder, the subject wants to deny the other person this power, she wants to deny their inherent value, but this always fails as the act of murder, by definition, involves the recognition of this value.[19] Shaw (2008, pp. 36-37) explains that with the 'murder argument' Levinas argues:

"acknowledging another person's humanity requires us to view her as transcendent *and* that we can't help but acknowledge her in this way. For it is only with his murder argument that Levinas is concerned to establish that one cannot help but recognize other persons as possessing an inalienable dignity."

Shaw uses terms like humanity and inalienable dignity to refer to the other person's moral value.

For Shaw, Levinas's 'murder argument' is the centrepiece of *Totality and Infinity,* as it conveys how the subject experiences the human other's transcendence. Shaw (2008, pp. 19-20) suspects that "approaches that take his

[19] See also Levinas (1990b, pp. 8-10).

epistemic claims about the other's incomprehensibility as his foundational idea" simply think we "need to grant Levinas this point." Shaw (2008, pp. 19-20) maintains that 'the murder argument' answers the question: "why should we think there is anything transcendent or "absolutely other" about other persons in the first place?" and explains "why we cannot help but acknowledge others as sources of responsibility." Put another way, with it he claims that Levinas shows that we experience the human other as that which transcends comprehension, and that the reality of the transcendent human other is incontestable. (Shaw 2008, p. 36)

Shaw (2008, p. 38) claims that the 'murder argument' "turns on an observation about the normativity of the ethical." He interprets this observation as saying that to acknowledge an act as ethical is to acknowledge it as an act one ought to perform. Shaw (2008, p. 39) maintains that judging an act to be right "involves recognizing it as exemplifying authority, as exemplifying what I *ought to do*." He says that if this basic assumption is granted, Levinas's argument reveals that the act of murder is self-defeating.

As I outlined above, the murderer finds herself in a kind of performative self-contradiction that is inherent to the act she wishes to perform. Shaw (2008, p. 40) writes:

"Recognising her victim as a fount of such value requires her to see her as instantiating normativity. Yet if she sees her victim as normative, she must be perceiving her as something she recognises she *ought not* harm."

For the act to be defined as such, the murderer must at the same time recognise and deny the other's normativity.

With this paradox in mind, he explains that for Levinas acts of cruelty, of which murder is the ultimate example, reveal more about the power of the good

than the desire for evil. Shaw (2008, p. 41) writes: "It feigns the hope of our proving able to retain poise before a source of value whose nature consists in compelling us to recognize an authority in our lives greater than our own." The aim of Levinas's argument is not "to show that murder is physically or ontologically or metaphysically impossible" but to demonstrate, as Shaw (2008, p. 43) explains:

"that murder is irrational or involves "bad conscience", insofar as the murderer purports to be able simultaneously to recognize her victim's humanity and violate her."

In other words, murder always fails as its goal - the denial of the transcendent human other's moral value - always coincides with the recognition of this value. In this way, murder is always irrational, or involves some form of self-deception. Shaw claims that with this 'murder argument' Levinas not only highlights the self-deception involved in denying the moral authority of the other person, he reveals ethics to be self-justifying.

For Shaw (2008, p. 46), the 'murder argument' shows ethics to be self-justifying in that it forces the reader to reflect on what it would mean "truly to perceive another person as a raw manifestation of "oughtness."" The idea is that in having the reader reflect on such a notion, and the challenges it involves, they come to see that they cannot help but perceive the other person in this way. To make his point, Shaw compares this reading of Levinas with J.L Mackie's argument against moral realism.

Shaw (2008, p. 46) explains that Mackie's well-known conclusion is "that moral realism is untenable" as it forces the realist to posit epistemologically and metaphysically 'queer' entities, in the form of moral facts, that radiate this raw

manifestation of 'oughtness.' Shaw likens the face of the other to Mackie's queer entities. Shaw (2008, p. 46) claims that Levinas's conception of the expression of the other is a moral fact that radiates sheer oughtness, and this moral fact is epistemologically and metaphysically queer as it transcends being and all acts of comprehension. The expression of the other blurs the fact/value distinction,[20] as it is neither a metaphysical nor epistemological fact, but makes both modes of inquiry possible by constituting the subject's capacity for rational thought. (Shaw 2008, p. 47) Levinas contends that the transcendence of the human other renders ethics separate from these modes of inquiry, as it founds our capacity to engage in them.[21]

Shaw (2008, p. 46) explains that for Levinas, perhaps the 'queerest' feature of the face as a moral fact is that it cannot be denied. He writes:

"Precisely because they radiate sheer *to-be-pursuedness* or *not-to-be-doneness* or *thou-shalt-not-killness*, they morally *prohibit us* from doubting their authority and hence are what we might call "performatively immune" to coherent questioning." (Shaw 2008, p. 47)

According to Shaw, the murderer's paradox exemplifies this immunity. The murderer's inherent recognition of the other's moral authority means she cannot truly doubt it without resorting to self-deception. This paradox extends to

[20] Through a novel reading of the Humean is/ought distinction, Erdur (2020, p. 275) utilises Levinas's thesis of ethics of as first philosophy in order to provide an "ethical defence" of this distinction. The idea is that Levinas, like his analytic counterparts Simon Blackburn and Ronald Dworkin, adheres to this distinction, which entails the "autonomy of ethics." (Erdur pp. 272-275) In other words, insisting that empirical facts and metaphysical phenomenon are distinct from moral phenomenon or content, and that statements that attest to the latter cannot be justified by appeals to the former, does not question the legitimacy of the ethical but affirms its autonomy.
I would argue that what Levinas is insisting on is not the "autonomy of ethics" but the priority of ethics. For him this priority does not entail the strict separation of or distinction between facts and ethics, but as the ethical relation makes epistemological and metaphysical/ontological inquiries possible, it does not depend on the latter for justification, rather it colours everything that is. For more discussion of the fact/value distinction in Levinas's thought see Morgan (2008, p. xiii and 2007, p. 84), Bergo (1999, p. 257) and Staehler (2010, p. 96).
[21] This point is what makes Shaw's reading a constitutive one.

the moral sceptic. In the act of asking the question the moral sceptic acknowledges the moral value of the human other. He writes:

"I am being disingenuous if I ask a drowning man to prove I have a moral responsibility to help him. This request is insincere because I am asking him to show me, in effect, that I should not be asking this question. For if I recognised him as morally entitled to lay claim on me, I would recognize it as irresponsible to hesitate to help or question his claim." (Shaw 2008, p. 47)

Shaw contends that in this sense ethics is self-justifying and Perpich makes a similar point in her discussion of the moral sceptic.

2.3 Thin and Thick Accounts of Levinasian Responsibility

Perpich argues that in demanding a justification for the moral value of the other person the sceptic engages in a performative self-contradiction, due to the constitutive role the other plays in the formation of subjectivity. She frames her argument in terms of the connection between valuing and reflection. Perpich (2008, p. 132) explains that "valuing requires and expresses the fact that I am *already reflectively in a world*", and, on Levinas's account "to have a world (which means being capable of reflection) is already to be in a relationship to the other."

Appealing to newborn and toddler development to make her point, Perpich (Perpich 2008, p. 133) writes that for Levinas: "Other's are not co-originary with the world… they are the pre-original condition for any subjectivity and any relation to the world whatsoever." In light of this, like Shaw, she contends that the other person's right to challenge and make demands on the subject cannot be questioned coherently. (Perpich 2008, p. 140)

On her reading, Levinas responds to the moral sceptic by revealing the question to be in a sense self-defeating, or to have come "*too late*." (Perpich 2008, p. 135) By demanding a reason that would justify concern for another's welfare, the sceptic implicates herself in a series of processes: evaluation, reflection, and reasoning, which she could not engage in if she was not a being already constituted by and in relation to the human other. (Perpich 2008, pp.134, 143) Perpich (2008, p. 144) explains: "That is, the skeptic uses a faculty or practice granted to her by the social or ethical relationship in order to question whether such a relation could really be attributed to her." By asking for a reason to value the transcendent human other, the sceptic engages in the practice of reason giving, a practice she only has by virtue of being called into question by the other.[22] (Perpich 2008, pp. 140-141)

Perpich explains that to question the legitimacy of the other's demand is to engage in the reflective process, and by engaging in it the subject values or endorses it and its origin. (Perpich 2008, p. 143) Of Levinas's understanding of reflection, Perpich (2008, p. 143) writes that it "is not a naturally occurring capacity, but the evidence and product of a prior social relationship… I reflect on and approve reflection and the election that promotes it." Put another way, through the act of questioning the authority of the other's demand, the sceptic is at the same time endorsing a relation she is trying to deny. For Perpich (2008, p. 145), this performative contradiction reveals "the subject is constituted in a manner that makes it unable to be totally deaf to the other's demands, whether those be demands for reasons, a cry for compassion, an expression of pain, or the pangs of hunger."

[22] See Houser (2019) for a similar argument but with different emphasis.

Perpich (2008, p. 141) explains that for the other's demand to be intelligible to the sceptic as such, she must already be a subject in relation to the other and, consequently, susceptible to the challenge the other poses to her sovereignty. In questioning whether or not the other person's demand has a legitimate claim on her, the sceptic tries to conceive of herself as closed off or isolated from the other. (Perpich 2008, p. 145) Nevertheless, if she truly existed in such isolation, she would not have the capacity to ask such a question, nor would she hear the demand of the other as such and, therefore, her question is self-defeating,[23] as it involves a denial of the fundamental aspects of subjectivity that make her a being capable of asking such a question.

On Levinas's account, the subject can choose to ignore the other's demand, or as Perpich (2008, p. 145) puts it, "harden my heart against the other." The subject can even choose to respond with malice and act violently, but what she cannot do, without falling into self-deception, is claim the human other is meaningless to her and has no moral value. Perpich (2008, pp. 145-146) writes: "This inability to turn a deaf ear, this non-indifference to the other, *is* the moment of normativity in Levinas's thought." Despite the similarities between her and Shaw's arguments, for the transcendent human other's undeniable moral value, Perpich comes to a completely different conclusion. She ends this section of her reading by saying:

"The other does not give me rules or principles that will now constrain or guide my action. The discourse opened by a face only obliges me to more discourse, to the practices of giving and weighing reasons, and of doing so without taking my own "reason" to be the gold standard." (Perpich 2008, p. 149)

[23] Werhane (1995, p. 66) makes the same point but argues for it in a different way.

Obviously, Shaw interprets the immediacy of the other's moral value quite differently.

On his interpretation, the human other's moral value is the normative or 'ethical content' of the relation, in that apprehending this value leads the subject to respond in a way that honours it. It's not that the ethical relation contains a specific set of norms that tells the subject what she ought to do, rather Shaw (2008, pp. 46-47) claims the other affects the subject as "raw oughtness" or as radiating "sheer *to-be-pursuedness* or *not-to-be-doneness*." By perceiving the other person as such, the other affects the subject as something she ought to respond to ethically, where the ethical is understood as having all its traditional connotations. Shaw (2008, p. 51) writes:

"I apprehend the vulnerability of others as an unconditional command to enact a fitting ethical response to it in my life. There is a danger, though, in depicting the choices I make by way of response as if they involved acts of comprehension."

To be clear, the implication here, and this is the significant point of contention between Shaw and Perpich, is that the subject is not simply compelled to respond to the other or end up caught in a performative self-contradiction or state of self-deception. Instead, Shaw reads Levinas as saying that the subject is compelled to respond to the human other's need with benevolence. Furthermore, Shaw claims that the choices derived from such a response transcend the subject's understanding. As that which constitutes the subject's capacity for comprehension, the ethical is a sphere distinct from epistemology and ontology and, therefore, that which falls into its purview cannot be reduced to acts of comprehension or neutral reports on facts.

For Shaw, what's important here is that the nature of the subject's relation to the transcendent human other means that the subject's experience of that other is not akin to acts of cognition. Perceiving the other as immediately normative means that the subject doesn't simply question the other's authority to make claims on her, then calculates the costs and benefits of helping them, rather, the intersubjective experience differs in that the subject is affected by her responsibility for the other and acts.[24] Shaw (2008, p. 52) continues:

"The person whom I see begging for change on the street is not a neutral fact, something about which I may be in a state of ignorance, like, for example, my current ignorance as to the square root of 947. She is a being that, first and foremost, places practical demands on me, requires me to change my life."

On this reading, it is not that the human other is essentially ineffable, but that the experience of the other is not a simple act of cognition as it's defined by moral responsibilities, "and thus it differs in significant ways from the neutral, disengaged perspective that defines our relationship to objects of comprehension." (Shaw 2008, p. 65)

Shaw's (2008, p. 44) interpretation admits that I can turn a blind eye to the human other, ignore her, or even act violently towards her, yet to choose to respond in such a way, I must "blur my sense" of her "as an immediate, utterly particular source of value", treating her as a mere object or category, i.e. just a woman, Black, Asian, gay, etc. In sum, Shaw claims that to recognise the human other's normativity and avoid the trappings of self-deception, the subject must acknowledge the other person as someone she ought to help and not harm. As I outlined earlier, Perpich is wary of interpretations like these that read the ethical

[24] Wyschogrod (1974, p. 94) makes a similar point.

relation as immediately ethical, by advocating a traditionally ethical response to the other.

To reiterate, Perpich (2008, p. 52) claims that if the ethical relation is interpreted as having 'ethical content' built into it, capable of telling the subject what she ought to do, it appears that the ethical nature of the relation is taken for granted, rather than argued for. She maintains that her reading avoids this criticism by arguing for a thinner concept of normativity, in terms of the transcendent human other's moral value. On her account, Levinas's conception of responsibility is defined as response, instead of as what the subject ought to do.

This thinner account of responsibility, or responsibility as response, focuses on the constitutive role of the other in the nature of subjectivity and, therefore, responsibility for others is not defined in terms of being held accountable for an action one ought to or not to have performed. (Perpich 2008, pp. 128-130, 133) In other words, according to Perpich, the subject is morally responsible for the other in that she cannot avoid responding to the other's demand and not in terms of the substance of her response. The subject has a choice in how she responds to the other, yet she cannot, by virtue of the structure of her subjectivity, avoid responding and, therefore, responsibility for the other is understood as this unavoidable response. (Perpich 2008, pp. 133-134)

For example, I'm driving and see a woman lying in the grass by the side of the road, she's not in danger of being hit, but she seems injured. I'm not sure how serious it is, yet I'm pressed for time so decide to keep driving. I don't call the authorities and report what I've seen. Some may hold me accountable for these actions in that they believe I had a moral responsibility to stop and check on the woman or at least call for help. Others may think I was perfectly justified in my

actions, for all I knew she could have been some kind of lunatic and, thus, do not consider me morally responsible for the woman in this instance. That was my view at the time, which is why I decided to keep driving. Although later, upon further reflection, I may decide I should have at least called the authorities and consider myself blameworthy for not doing so.

Returning to Perpich's interpretation, it's not that I have a moral responsibility to help, nothing in Levinas's framework can tell me what I ought to do in this case, rather my responsibility consists in my being unable to view this woman as something that is not in need of response. The subject can choose to ignore or violate the other without violating the content of the ethical relation as, on this thin reading, there is none. (Perpich 2008, p. 145) Perpich (2008, p. 144) claims that being subject to the demand of the other "is not a guarantee of what we would ordinarily call ethical goodness, moral character, or right action." According to her, this thinner interpretation of Levinasian responsibility avoids the charge of circularity, as the subject's responsibility is justified by the argument that the moral sceptic's denial of the other's moral value is self-defeating. Like myself, Shaw maintains that this reading of the ethical relation doesn't do justice to Levinas's account,[25] yet I agree with Perpich insofar as Shaw's interpretation of the other's normativity, as entailing a prescriptive claim, does appear to take the 'goodness' of the relation for granted.

Reading Shaw and Perpich's interpretations together highlights two issues with Shaw's account: he appears to take both the moral value and the 'goodness' of the ethical relation for granted. The first issue is relatively minor when

[25] Katz (2013, pp. 7, 81, 90) makes a similar argument when she criticises phenomenological readings of Levinas's conception of subjectivity, implicitly referring to the one offered by Perpich. Katz (2013, pp. 91-96) adheres to the thicker account of responsibility in her interpretation of Levinas and claims that prescription arises for him through the cultivation of an ethical subjectivity via a traditionally Jewish form of education.

compared with the second so I will give it only a brief mention. If I'm reading Shaw (2008, pp. 17-18) correctly, it's the subject's recognition of the transcendent human other's moral value that makes the experience of her an experience of transcendence. Put another way, it is the experience of the other as possessing undeniable moral value that makes it an experience that cannot be entirely captured in epistemological or ontological terms, exceeding the subject's powers of comprehension. (Shaw 2008, pp. 17, 36-37) This point appears circular in that the human other is experienced as transcendent due to their possessing this undeniable moral value, yet this moral value cannot be accounted for without referring to the other's transcendence.

Without acknowledging, as Perpich does, that it's the way in which the other questions the subject that reveals her moral value, Shaw seems to take the other's moral value for granted. To be sure, Shaw does allude to the significance of this questioning when he points to the challenge the human other poses to the subject's sovereignty, and when he refers to the sceptic's disingenuous questioning of the drowning man. Nevertheless, the focus of his discussion of the other's undeniable moral value is the human other as the 'raw manifestation of oughtness.' (Shaw 2008, p. 46)

It seem to me that what makes the experience of the transcendent human other distinct from the experience of objects and other entities is that the subject is aware, at least at an empirical and phenomenological level, that the other has a mind like hers, and she, the subject, has no first-hand access to that mind. In other words, the subject cannot experience the other's consciousness, or 'what it is like' for that other person, in the same way that she has access to or understands her own conscious experience. It is that the subject cannot grasp or access 'what it is

like' for the other person that makes her questioning of the subject all the more confronting.[26] As I outlined earlier, Levinas (1969, p. 199) makes this point in his 'murder argument' when he refers to how the human other paralyses the subject's powers "by the very *unforeseeableness* of his reaction." With this in mind, I suggest that it's something about this questioning always escaping the subject's understanding that highlights the transcendent nature of the human other, and Shaw's reading understates this.[27] Nonetheless, this is a relatively minor point at this stage in my analysis, but I revisit it later in the chapter.

To return to my second and major issue with Shaw's account, in order for the other's moral value to affect the subject in such a way that she responds with help and not harm, there must be something within the relation that provokes such a response, it can't simply be taken for granted. His reading of the ethical relation hinges in his thick interpretation of the human other's moral value, however, in taking this moral value to be more than an incontestable demand for a response or justification of one's action, his reading seems to miss a step. To risk overstating the point, it is one thing to say that the demand of the transcendent human other forces the subject to recognise that other has meaning for her, and the right to

[26] Perpich (2019, p. 247) makes a similar point in her most recent paper on Levinas.

[27] Perhaps Shaw understates this, as he thinks to acknowledge it would be to make, or at least gesture towards an epistemic claim about the other's 'ineffability.' I would argue that it does not, as when I say that the subject cannot grasp or access 'what it is like' for the other person, this non-accessibility is something that is felt rather than known. What I mean is that it is something that affects the subject at a sensible or pre-reflective level, even though it is something that can be thought, or discussed in an empirical or phenomenological context.

MacAvoy (2009) makes a similar point, although in more general terms. She points out, and I agree, that it's not clear that the deconstructionist is making an epistemic claim, and deriving moral responsibility from it, when referring to the other's ineffability. She suggests that the deconstructionist may actually be making an assertion not all dissimilar to Shaw's. She writes: "For Levinas responsibility is experienced in the ethical relation between oneself and a singular other, and is always about experiencing oneself being put in check by consideration for somebody else… On Levinas's account, then, the phenomenon of ethical responsibility necessitates an account of the other as other, and it is presumably this part of Levinas's text that contributes to the idea that the other is ineffable. Thus, it is not clear that if we begin with moral responsibility (as Shaw rightly insists) that we will avoid the ineffability hypothesis. It could be argued that the hypothesis, in fact, is itself derived from a more basic premise regarding responsibility." (MacAvoy 2009)

question her actions, it requires another step to say that the demand of the other directs the subject to respond to her with benevolence.

Take for example a chauvinistic husband. He may grant that his wife has moral value and, therefore, has the right to question his actions. After all she is his wife, and a human being in her own right, however, it does not immediately follow that his recognition of her normativity and humanity entails that he must genuinely take her needs into consideration. He believes that her gender makes her naturally inferior to him and, thus, does not view her needs or opinions to be as important as his. He believes that on occasion he has to use physical force to keep her in line for her own good. He appears to be able to do so while still recognising her humanity, normativity, and right to make demands of him. He maintains that it's not her fault that her natural inferiority means she mostly gets things wrong, and it is his responsibility to correct her.

Shaw may respond that the chauvinistic husband is in a state of self-deception, as he's 'blurring his perception' of his wife's moral value by conceiving of it as less than his or of her as inferior. Nevertheless, the example does highlight the need for an extra step between recognising the subject's normativity and acknowledging her as something I ought to respond to with sincerity and pure generosity. In other words, to recognise that the other has moral value does not necessarily entail how one should respond to this value.

In order to read Levinas's conception of moral responsibility as having this thicker notion of normativity, there must be something within his framework that directs the subject to what she ought to do, beyond her immediate recognition of the human other's moral value. By highlighting this 'something', I construct the missing step in Shaw's argument and account for the deficiency in Perpich's

reading by demonstrating how the human other arouses the subject's 'goodness.' Levinas (1969, p. 200) writes:

"The being that expresses itself imposes itself, but does so precisely by appealing to me with its destitution and nudity – its hunger – without my being able to be deaf to that appeal. Thus in expression the being that imposes itself does not limit but promotes my freedom, by arousing my goodness."

Perpich's interpretation is unable to do justice to the thicker conception of Levinasian normativity these descriptions of the other's destitution and nudity point to. Furthermore, her reading cannot account for how the other arouses the subject's goodness, beyond making acts of benevolence possible. The only way an interpretation of the ethical relation as containing this prescriptive claim or 'oughtness' can be sustained, without evoking the mysticism Shaw's does and Perpich criticises, is through an explicit engagement with the complexities of Levinas's phenomenology, specifically with the way the logic of sense-bestowal operates in the ethical relation.

2.4 The Logic of Sense-Bestowal: The Missing Step

To understand how it is that our relations to other people are defined by, and felt as, moral responsibilities and not as acts of comprehension, we need to examine Levinas's conception of the transcendent intention.[28] In his discussion of the transcendental reading of the ethical relation, Shaw (2008, p. 137) briefly mentions Levinas's understanding of the transcendent intention as "one of his key observations in the preface and section I of *Totality and Infinity*…"

[28] For more on Levinas's development of this concept see Levinas (1995 and 1998e, pp. 111-121).

Shaw discusses the concept, insofar as it relates to the ethical relation, as a condition for the subject's capacities for reflection, rational thought etc. that make her experience of the world possible. For him, Levinas's key observation is that these capacities, which make up the subject's interior life, presuppose a relation to something exterior beyond the subject's consciousness that it does not facilitate. In other words, the subject experiences the world through the powers of her intentional consciousness, yet this mode of experience assumes a relation to something outside it that is not constituted by its intentionality. Levinas (1969, p. 28) explains:

"Notions held under the direct gaze of the thought that defines them are nevertheless, unbeknown to this naïve thought, revealed to be implanted in horizons unsuspected by this thought; these horizons endow them with a meaning..."

As the subject experiences and understands the world through the powers of her intentional consciousness, she forgets that it is her relation to things outside, or to exteriority, which constitute these powers. In other words, she perceives and comprehends the objects that surround her, constituting their meaning through acts of intentional consciousness and, therefore, it is only through consciousness that the meaning of being in the world becomes intelligible to the subject.

For example, while I'm walking to a tram stop, I perceive a tram as it passes me. I don't simply perceive the tram in a general way, as a mode of transportation that looks a particular way, instead I perceive the tram in that it has meaning for me as the tram I'm late for. Similarly, when I find a seat on this same tram and gasping for breath reach into my backpack for my water bottle, I do not

merely understand the liquid inside as clear and odourless, with the chemical formula H20, I perceive the water as means to satisfy my thirst.

According to Levinas, this conception of intentional thought assumes the transcendence of a world that consciousness is conscious of, while implying that consciousness constitutes meaning independently of this external world. His point is that on this model of intentional thought, I naively perceive the tram and the contents of my water bottle through my meaning laden perception of them, which obscures the horizons of meaning they are implanted in, that transcend my perception of them. To articulate Levinas's claim in greater detail, we need to understand how meaning, or to be more specific, how *sens* or sense operates on this naïve intentional model. To do so, we have to turn to the intricacies of Levinas's phenomenology.

To fill this gap in Shaw's account, and appreciate how it is articulated phenomenologically, it is helpful to turn to the reading of Levinas's phenomenological picture offered by Drabinski, as my interpretation of the operation of sense-bestowal within the ethical relation expands on this reading. As far as I can tell, Drabinski is the only Levinasian scholar to provide an extensive account of the fundamental role sense-bestowal plays within the ethical relation. Furthermore, he appears to be the only one to explicitly articulate that the production of sense in the ethical relation, as a "reversal"[29] of the Husserlian

[29] Following Drabinski, Irina Poleshchuk (2016, p. 10) refers to enjoyment as "a kind of reversed intentionality" and claims, "nonintentional consciousness has been defined by the other." She argues that the affect of the human other "enlightens an ethical sensibility at the level of nonintentional consciousness and passivity" (Poleshchuk 2016, p. 2), however, she does not tie this 'directed intention' (Poleshchuk 2016, p. 11) or sense-bestowal of the other to an initial response of pure generosity on the part of the subject. (Poleshchuk 2016, p. 15) Put differently, she implies that this 'ethical sensibility' arises in the giving of the ego's enjoyment, the bread from its mouth, but does not make the explicit connection between sense-bestowal from the other and how it could initiate the "sharing of enjoyment." (Poleshchuk, pp. 17, 19)

conception "of intentionality", begins with the transcendent human other. (Drabinski 2001, p. 85)[30]

According to Drabinski, Levinas is able to provide a phenomenology of the fundamental nature of subjectivity, and alter our understanding of intersubjectivity, by uncovering a form of relationality where the sense of that relation is not produced by the intentional consciousness of the subject. In this relation, the ethical relation, sense does not originate with the subject, but 'sets out' from the transcendent human other. (Drabinski 2001, pp. 86-87) As Drabinski (2001, p. 15) notes, "Levinas's work enacts a reversal of the Husserlian position",[31] Levinas's conception of sense-bestowal must be understood in context with Husserl's model of intentionality. In other words, as Levinas articulates how sense-bestowal operates in the ethical relation in contrast with his reading of Husserlian intentionality, the logic according to which sense-bestowal operates can only be understood properly against this background. (Levinas 1969, p. 122)

Levinas (1995, p. 16) maintains that the Husserlian subject experiences or relates to the external world through the immediate perception or intuition of consciousness. He writes that, for Husserl, the very mode of existence of consciousness is characterised by intentionality and, therefore, "intentionality is constitutive of *all* forms of consciousness." (Levinas 1995, pp. 41, 45) The

[30] For readings of Levinas's thought that specifically discuss sense or directedness, or meaning of the face or expression of the transcendent human other, but don't connect these to a 'reversal' of Husserlian intentionality or potential for prescription within the ethical relation see Houser (2019, p. 590), Fagenblat (2019, p. 123), Strhan (2012, pp. 28-29), Cohen (2010, pp. 216-219), and Wyschogrod (1974, p. 138). In a more recent discussion of the sense of the other, Fagenblat (2020b, pp. 71-72) seems to imply that this sense arouses 'goodness', yet his distinction between "ethics" and "moral sense" appears to suggest that the face has no 'content' and evokes nothing more than moral answerability.

[31] Sebbah (2012, p. 53) uses the term "inversion" to describe Levinas's redeployment of Husserlian intentionality. For Sebbah (2012, p. 53) this means that the human other "thus assigns me to the originary non-intentional heart, inhabiting all my intentional representations." In other words, Sebbah (2012, pp. 203, 210) appears to read this 'intentionless' intentionality as playing a role in the constitution of subjectivity, but does not tie this to the definition of the subject as ethical or to sense-bestowal on the part of the human other.

intentionality of consciousness specifies that consciousness is always consciousness of something,[32] which, according to Levinas, means that consciousness aims to transcend itself in the intentional act. He says: "it expresses only the very general fact that consciousness transcends itself, that it directs itself toward something other than itself, that it has a sense." (Levinas 1995, p. 44)

Sense, translated as *sens* in French, and as *Sinngebung* or *Sinn* in German, designates a way of being directed towards an object. Sense as a certain conception of meaningfulness[33] is produced in relationality in the way the subject relates to objects in the world. The notion of sense is a fundamental aspect of

[32] According to Husserl, consciousness is always consciousness of something, which means that consciousness is always directed towards an object. He writes: "In perception something is perceived, in imagination, something imagined, in a statement something stated, in love something loved, in hate hated, in desire desired etc." (Husserl 2001, p. 95) That the act of perception, imagination or desire is always directed towards its object demonstrates the intentionality of consciousness. Husserl differentiates between the quality and matter of an intentional act in order to demonstrate how objects are intended in different ways. The quality of the act refers to the mode or way the act is intended in terms of it being an act of perceiving, stating, imagining, desiring etc. The matter refers to the particular way the object is given in the intentional act of consciousness, in terms of its reference to an object in a general way and the specific way in which it is meant for the transcendental subject. (Husserl 2001, pp. 120-122) Returning to my example of the tram, while I'm walking to the tram stop I perceive a tram as it passes me. In this particular intentional act, the quality of the act is the mode of perception. The matter of the act consists of the reference to a determinate object, the tram, and the precise way in which it is meant in that specific intentional act, as the tram I am late for. In this way, the matter of the intentional act contains what Husserl calls an interpretive sense, which directs it towards an object and determines how the particular character of the object is presented to consciousness. The sensuous contents of experience that make up my perception of the tram become a part of the intentional act when they are bestowed with sense through the unifying powers of intentionality. In my perception of the tram, a flux of sensations are unified by consciousness to present the tram, which I am late for. Even if the quality of the act changes from a perception, to a desiring, imagining or remembering, the matter retains an interpretive sense. Husserl defines the matter of an intentional act by this sense-bestowing aspect, which endures as the complexities of his conception of intentionality evolve.

[33] *Sinn*, *bedeutung* and *meinung* are three basic, yet somewhat different modalities of phenomenological meaning, despite Husserl employing them as relatively equivalent terms in the *Logical Investigations*. In *Ideas I* 124 Husserl appears to define *bedeutung* only in terms of linguistic meaning. Drabinski (2001, pp. 25-28) explains that Levinas makes strict distinctions between the three, in order to distinguish *sinn* as the specific mode of meaningfulness generated in the ethical relation. Levinas translates *meinung* first as penser and later as vouloir-dire (wanting to say) to capture the notion of wanting to say or wanting to think something. In this light, *meinung* is understood as meaning connected to an attitude or disposition, as wanting to intend, mean or refer to something. Levinas generally translates *bedeutung* as signification. *Bedeutung* belongs to the economy of manifestation and, therefore, is dependent, phenomenally and structurally on *sinn/sens*. Both *meinung* and *bedeutung* refer back to *sinn/sens,* or sense-bestowal for their meaning. See also Cohen and Moran (2012, pp. 263-266)

intentionality structured as the relation between the noesis and the noema.[34] Drabinski (2001, p. 92) explains that for Husserl: "Sense is born from the creative activity of the primal ego; absolute consciousness, the primal *logos*, gives birth to meaning." Levinas highlights the importance Husserl places on this active sense-bestowing aspect of intentional consciousness, and in turn defines Husserlian intentionality by the constitutive achievements of the subject.

The noema or the intentional object contains the interpretive sense of the conscious act and, therefore, the noesis or intentional act constitutes the interpretive sense. The noematic core of the noema is the sense, or meaning of the object as it is experienced through the intentional act.[35] In other words, the subject determines the meaning of the objects around her, in that she constitutes their sense in the intentional act. She determines the way in which she is directed towards these objects. Drabinski (2001, pp. 87, 79) explains that Levinas's

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[34] Husserl developed and refined his conception of intentionality in his second major work, *Ideas*, with the introduction of new terms - noesis, noema and hyletic data - replacing the language of the *Logical Investigations*. The noesis is the intentional act (my perceiving the tram) and the noema is the intentional object of the act (the tram as perceived by me). The hyletic data are the brute sensuous elements of experience. Noesis is the mode or way something is intended in an act of consciousness. Noema as the intentional object refers to how the object is intended in the intentional act. For a clear explanation of Husserl on these points see Russell (2006, pp. 79-89)

[35] Drummond (2012, p. 127) explains that the intentional object or noema consists of the thetic characteristic, the noematic sense, and the "innermost moment" of the noema, the determinable X. The thetic characteristic refers to the intentional object as actually existent, and it joins with the noematic sense to form the full noema. (Husserl 1983, pp. 217-218) The determinable X refers to the objective thing to which the experience is directed. (Husserl 1983, pp. 311, 313) Husserl describes noematic sense as the core of the noema, in order to distinguish it from the full noema. The noematic core of the noema is the sense, meaning, or significance of the object, as it is experienced through the intentional act.

Returning to my example of the tram, the thetic characteristic is the actual existent tram of my perception, and its noematic sense is it being the tram I am late for. The determinable or substrate X is the something, tram, towards which my experience is directed. After I run to catch up to the tram and stand in front of its doors as they open, the noematic sense of the noema changes. The thetic characteristic (actually existent) and the determinable X (tram) remain the same, but the noematic sense has changed from the tram I am late for, to the tram I have caught, or old Z-class tram. In this way, the active sense-bestowing powers of consciousness determine the meaning of the object of experience. The relation between the object and transcendental consciousness is accomplished via the objectifying intentional act through the sense-bestowing powers of consciousness. Consciousness constitutes its objects by virtue of the unified sense bestowed upon the stream of sensations or hyletic data in an intentional act. Intentionality enables the endless stream of sensations or sensuous elements to be experienced by consciousness as intelligible objects of experience.

"phenomenological rethinking of sense" thus "must break with the nucleus of meaning constituted by the free subject" as an "ethical *Sinngebung*" or "a bestowal of sense which is essentially respectful of the Other" can only be "accomplished and maintained to the extent that an intentionality set out from sensibility does not impose the conditions of the Same on the Other." To do this, Drabinski (2001, p. 98) rightly acknowledges that Levinas turns to "the forgotten horizons… supressed by" the 'idealism' characteristic of Husserl's phenomenological picture.

For Levinas (1969, p. 28), this Husserlian account only inquires into the representational mode of intentional consciousness, and in doing so ignores the pre-reflective horizon of sensibility that such representations are embedded in. Within this horizon, Levinas identifies an affective intentionality, which differs from the representational mode, in that sense arises from a term outside the I, affecting it. Levinas (1969, p. 29) writes: "the essential of ethics is in its *transcendent intention*, and because not every transcendent intention has the noesis-noema structure." He claims that within these sensible intentional relations, the logic of sense-bestowal does not operate on this one-directional model.

Levinas claims that the logic of sense-bestowal operates beyond the one-directional model that characterises representation, by locating a two-directional model of sense-bestowal within this sensible horizon. As I discussed in the previous chapter, Levinas's conception of enjoyment entails a dialectical structure of constitution. He explains: "It is not that at the beginning there was hunger; the simultaneity of hunger and food constitutes the paradisal initial condition of enjoyment." (Levinas 1969, p. 136)

As these objects constitute the I, they bestow sense on it, and as such they have meaning for the I that is not solely derived from its constitution of them. Put another way, the affect these objects of enjoyment have on the I is not entirely determined by the sense-bestowed on them by that I and, therefore, the way the I is directed towards these objects is in part determined by the objects themselves. Levinas (1969, p. 128) writes: "To assume exteriority is to enter into a relation with it such that the same determines the other while being determined by it". Drabinski (2001, p. 118) describes this dialectical structure as maintaining "a double flow, thereby leaving a sort of quasi-constitutive function to the I." Nevertheless, as I established in the previous chapter, the dialectical structure of enjoyment is only a relation analogous to the relation with transcendence, as the I absorbs these objects, subsuming their otherness.

In other words, the objects on this dialectical structure of sense-bestowal still have meaning for the subject only insofar as they satisfy her needs through her sensuous experience of them. With his discussion of these relations of enjoyment, Levinas prepares the descriptive ground for his approach to the logic of sense-bestowal in the ethical relation, in that he has already revealed the possibility of sense-bestowal arising from outside intentional consciousness. Drabinski (2001, p. 86) explains how Levinas's analyses of these relations analogous to transcendence "are indispensable for articulating this reversal." He says:

"Levinas's analyses constitute a preliminary break with the thematization and thus accomplish much of the work demanded by the thought of transcendence. Ethics, however, demands another step."

What he means is that it's only through the relation with the transcendent human other that sense-bestowal arises outside of the subject, and determines her, without her defining it.[36]

Drabinski (2001, p. 127, 98) rightly points out that it's "the one way flow of sense" set out from the transcendent human other that makes the ethical relation a relation "beyond those relations of cognition and representation." As Levinas (1969, p. 193) uncovers the ethical relation through the phenomenological horizons of sensibility, it is not something that's understood by the subject as a relation of representation or reflection, rather it is felt as an affective relation. He says: "To think the infinite, the transcendent, the Stranger, is hence not to think an object… The "intentionality" of transcendence is unique in its kind…" (Levinas 1969, p. 49) Intentionality is placed in inverted commas to highlight its difference from intentionality in the mode of representation. The sense-bestowed in the relation with the human other is distinct from the sense imposed within the representational model. Levinas (1969, p. 51) explains that the ethical relation

[36] MacAvoy (2005, p. 109) explicitly addresses the notion of the ethical relation as a 'reversal' of the Husserlian model of representational intentionality. Like myself, she recognises the significance of Husserl's conception of sensation in Levinas's claim that intentional consciousness is founded on that which cannot be understood through the intentional act. (MacAvoy 2005, pp. 110-111) She also acknowledges the interrelation of the notion of meaning with sense in Levinas's framework, where sense entails a direction or orientation. Where our readings differ is on how this 'reversal' of the Husserlian model is achieved, and the role of sense within it. According to her, this 'reversal' takes place, not in a 'reversal' of sense-bestowal, but in sense being unable to meet its object. MacAvoy (2005, pp. 113-114) argues that in the ethical relation, the initial production of sense still sets out from the subject, but is deflected by the other, in that she exceeds all the subject's attempts to understand her. This reading of the 'reversal' of intentionality doesn't fully appreciate Levinas's conception of a subject determined by the relation with the human other. MacAvoy's interpretation cannot account for Levinas's conception of subjectivity "as a sensibility from the first animated by responsibilities", as it cannot demonstrate how the ethical relation is "the sense of the sensibility." (Levinas 1998a, p. 19) In other words, MacAvoy's (2005, p. 114) reading cannot show how the ethical relation determines the subject at this primordial level as fundamentally responsible, as it can only demonstrate how the subject is called into question, and not how the subject is affected by the other through the bestowal of sense. MacAvoy must maintain a thin notion of Levinasian responsibility for her reading to remain coherent, yet as I claim in this chapter, this thin notion doesn't do justice to Levinas's account of the ethical relation.

"brings us to a notion of meaning prior to my *Sinngebung* and thus independent of my initiative and my power."

The transcendent human other bestows sense on the subject before the subject has the capacity to impose meaning on the encounter through the intentional act and, therefore, she is oriented towards the other in a way that is initially determined by that other. As the relation with the other is the condition for the subject having meaning in the context of *Sinngebung*, the sense-bestowed by the other cannot be understood as *Sinngebung* or sens; it can't be characterised apart from the affect it has on the subject.[37] It can't be understood apart from its affect as it only relies on itself for signification, and not the cognitive powers of the transcendental ego. Levinas (1998a, p. 78) explains that it is "… independent of the adventure of cognition…" as it "signifies otherwise than by the synchrony of being..."

Drabinski (2001, pp. 104-105) notes that Levinas utilizes the Greek term *kath auto* (καθ' αὐτό) to articulate how the expression of the other "signifies with reference only to itself" which means that it doesn't "refer to the subject as an a priori condition of its possibility." Put another way, it is self-referential in its signification and does not rely on the subject for the production of sense. (Levinas 1969, pp. 51, 65) Levinas (1969, p. 65) writes:

"The manifestation of the *καθ' αὐτό* in which a being concerns us without slipping away and without betraying itself does not consist in its being disclosed, its being exposed to the gaze that would take it as a theme for interpretation, and would command an absolute position dominating the object. Manifestation *καθ'*

[37] For a discussion of the way the operation of sense-bestowal in the ethical relation underlies historical and cultural meaning see Levinas (1987b, pp. 75-107).

αὐτό consists in a being telling itself to us independently of every position we would have taken in its regard, *expressing itself*."

It manifests only in its capacity to exceed every idea the subject may have of it, in that it exceeds the limits of the subject's cognitive capacities. (Levinas 1969, p. 62)

In other words, the sense-bestowed by the transcendent human other within the relation does not rely on the subject for signification and cannot be understood by the subject, in terms of the way she understands the meaning she imposes on objects within the phenomenological field. It's not as though the other approaches the subject and hands her a distinct set of meanings that define the subject and the relation; it's through the expression of the transcendent human other and the affect it has on the subject that defines her. Drabinski (2001, p. 102) explains:

"The face, exteriority in its preeminent manifestation, is the production of sense, but is a production of sense that does not offer itself to intuition as construed in an act of intellection… though expression manifests without the supporting apparatus of ideality, it is not the expression of non-sense. Rather, expression produces sense that is excessive of form… The production of sense in or as expression makes form insecure."

Put another way, the expression of the other affects the subject as an overflow of sense that she cannot contain or limit through her attempts to understand it.

Levinas describes the expression of the transcendent human other as ethical, as opposed to objective or real, due to its operating by this different intentional structure. This 'reversed' intentional structure differentiates the mere

perception of the other, which can entail the wish to dominate or harm the other person, from the initial moment of the relation that is determined by the expression of the other. He writes:

"If the resistance to murder were not ethical but real, we would have a *perception* of it, with all that reverts to the subjective in perception. We would remain within the idealism of a *consciousness* of struggle, and not in relationship with the Other, a relationship that can turn into struggle but already overflows the consciousness of struggle… The struggle this face can threaten *presupposes* the transcendence of expression." (Levinas 1969, p. 199)

This initial moment escapes or overflows every perception the subject may have of the transcendent human other, yet it founds the subject's ability to perceive the other through the powers of her intentional consciousness.

By returning to my example of the tram, we can appreciate the distinction between the intentional act and the sense-bestowal that is enacted within the ethical relation. (Levinas 1969, p. 109) I perceive the tram, and in doing so impose meaning or *Sinngebung* on it, as the tram I am late for, or the tram I must catch to make it to work on time. Although the human other is obviously not an object like the tram, in my perceptions of others I can impose meaning on them.

For example, I can perceive the driver of the tram as someone who is not slowing down for me. Similarly, when I finally make it onto the tram, I can perceive the person who sits in the seat I had my eye on as the person who stole my seat, or the homeless man sitting in the opposite doorway as the pungent thing I can smell. Levinas's point is that I can perceive other people in this way, yet these perceptions are secondary moments to my initial response to the other.

This initial response is an aspect of the relation that founds these perceptions, and makes the meaning I impose on them possible. Drabinski (2001, p. 215) makes this point about the initial moment or position of the ethical relation when he says: "The relational character of this sense… contests the primacy of the intentionality of "opening upon" or "aiming at" by insisting instead on the first position of a reversed intention." Shaw is right to define our relations with other's as primarily ethical, in opposition to our relation with things that are defined by powers of comprehension, yet his reading cannot account for this difference in terms of definition and sense. Furthermore, it does not entirely explain how perceiving someone as a mere smell or as the taker of my seat involves blurring my perception of their moral value. It is by taking the sense of my experience with the other to be determined by my act of sense-bestowal, rather than by the sense that emanates from her prior to these superficial representations that I skew my perception of her, as a mere thing, or something that only has sense as far as I determine it. Although the sense-bestowed by the other within the relation cannot be an object of cognition, Levinas insists that it directs the subject's action through its affect.

Levinas (1969, pp. 50, 200) claims that the expression of the other, enacted in the sense-bestowal of the relation, affects the subject in such a way that it 'arouses' her 'goodness.' In other words, the expression of the other orients the subject to respond to her need. Drabinski (2001, p. 116) makes this point when he says: "The ethics of the face-to-face is quite straightforwardly understood as the interruption of my egoic life by the vulnerability of the Other. Vulnerability punctures the rhythm of consciousness and its sense of self-responsibility." Similarly, Levinas (1969, p. 75) writes: "The nakedness of the face is

destituteness. To recognize the Other is to recognize a hunger. To recognize the Other is to give."

Levinas uses tropes like the face of the 'stranger', 'orphan', and 'widow' to highlight the other in need. He does so as the sense of the relation is determined by the expression of the transcendent human other, which orients the subject to respond to their need, with generosity and self-sacrifice. In describing this expression, Levinas (1969, p. 78) continues: "His very epiphany consists in soliciting us by his destitution in the face of the Stranger, the widow, the orphan."

Shaw refers to these passages in *Totality and Infinity* where Levinas describes recognising the other in terms of their need to justify his reading of the prescriptive claim within the ethical relation. He notes that those, like Perpich, who define moral responsibility as response, read passages like these as hyperbole, rather than referring to a prescriptive aspect within Levinas's framework. (Shaw 2008, p. 154) Shaw (2008, 155) insists that these sections show that the relation to the other is "robustly ethical in that it involves pity, accepting responsibility for others, self-sacrifice, and generosity." However, to understand these terms - pity, self-sacrifice, generosity - as immediately loaded within the ethical relation, as Shaw does, without reference to sense-bestowal, is to take the subject's initial response for granted. Furthermore, it is to parasitically rely on the traditional connotations that are associated with the terms 'ethical' and 'moral responsibility.' It's not the transcendent human other's moral value alone that provokes a generous response from the subject, it is that the other directs the subject to respond to them in such a way. It is this response that defines the nature of subjectivity as fundamentally ethical.

Drabinski points to the specifically 'ethical' direction of the sense-bestowal within the relation, but doesn't realise the prescriptive implications of his study of sense. He writes:

""The interruption of self-responsibility opens to the subject as for-the-Other or the questioning of the Same by the Other. Interruption and questioning impose absolute obligation… The widow, the stranger, the orphan—these images have come both figuratively and literally to represent the aim and content of the ethics of *Totality and Infinity*." (Drabinski 2001, p. 116)

Drabinski (2001, p. 116) follows these remarks with the disclaimer that the primary concern of his analysis is "not with the straightforward sense of moral consciousness", but with "the alteration of the problem of sense in the sensibility of the face." In other words, his focus is on how the operation of sense-bestowal in the ethical relation differs from other forms of relationality, specifically through its diachronic temporal structure, and this potentially keeps him from drawing out the prescriptive implications of his argument.

Nevertheless, he points to these prescriptive implications when he refers to the interruption of the sense set out from the other as a 'moral summons.' He writes: "The I is a born subject, a created subject, generated and named in and through the affect of the moral summons." (Drabinski 2001, p. 121) But even for Drabinski (2001, pp. 119-120), what makes this summons moral is more than its putting the freedom and spontaneity of the subject into question. He says:

"That questioning is not sufficient. The singularity of the expression of the facing face is not merely an excessive manifestation: it is a moral summons… the summons that comes from the human Other implicates or catches the I in a one-way relational structure." (Drabinski 2001, p. 123)

In other words, Levinas (1969, p. 43) describes ethics as the calling into question of the freedom and power of the subject by the presence of the human other, yet this calling into question entails being directed to respond to the need of the other by putting the subject in the accusative.

Levinas encapsulates this initial openness to the other's need with the phrase, *"me voici"*, to express the passivity of the subject who stands in an accusative position in relation to the other.[38] Drabinski (2001, p. 213) notes that the sense-bestowed on the subject within the relation is "concretely manifest as the subject accused of something." Levinas (1998a, p. 142) explains:

"There is an assignation to an identity for the response of responsibility… To this command continually put forth only a "here I am" *(me voici)* can answer, where the pronoun "I" is in the accusative…"

Drabinski (2001, p. 209) refers to this when he says: "The exposure of the body accused in its skin is what allows the I to say *me voici* without violence, to say "here I am"… and to declare the unicity of the oneself as "here I am for the others."" For Levinas (1998a, p. 142), this response, "here I am", is inextricably bound to a "constraint to give with full hands."

More than expressing the position of the subject as accusative within the relation, Levinas employs the phrase to exemplify the subject's initial response as self-sacrifice, in terms of a sincere offering of help to the human other. It encapsulates the subject's openness to the other as a readiness to give. (Levinas 1998a, pp. 139, 142, 199) Bettina Bergo (2005b, pp. 136-137) sums this point up well when she says:

[38] See also Hand (1997, pp. 64-65).

"The irreducibility of the face-to-face relation is lodged in the words given, not as information but as the true meaning of being-with… The subject is opened otherwise by the other… (it responds, "here I am"), whose meaning is firstly sincerity, and whose sincerity makes conversation possible."[39]

It is the ethical sense of the relation, originating with the transcendent human other, that manifests through the subject's initially generous response. Abi Doukhan explains:

"The face signifies already before any noetic movement on the part of the self. As such, the sensible moment of the face's solicitation is not here *animated* by an intentional act, but, on the contrary, the sensible moment of the face is itself *animating*, that is to say, it animates the self's generosity". (Doukhan 2014, p. 437)[40]

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[39] Bergo (2005b, p. 122) argues that Levinas's phenomenology of the subject evolves into a conception of the self, characterised by the pre-reflective affective responses to the human other. She interprets Levinas's framework as establishing the condition for intersubjectivity through a conception of subjectivity as a preconscious self that is a priori ethical. In other words, the subject is open to experiencing the human other as truly other due to subjectivity being structured by virtue of being in relation to the human other. (Bergo 2005b, p. 140) She claims the command of the other is indeterminate, yet establishes meaning or its possibility in terms of the Said through the subject's sincere and generous first response. (Bergo 2005b, pp. 136, 138) However, her account does not tie this initial affective response to the sense aspect of meaning and how this orients the subject, eliciting this generous response. Consequently, Bergo (2005b, p. 139) highlights the ambiguity of the meaning of the human other and the way the expression cannot be captured conceptually, over the initial response defining the subject as fundamentally ethical. Elsewhere Bergo, (1999, p. 160) refers to the 'inverse' of Husserlian intentionality, but depicts it as the subject being unable to simply understand the human other through the act of intentional consciousness. In her most recent paper on Levinas, Bergo (2019, pp. 72-86) conceives of intentionality in the ethical relation as set out from the subject, yet producing an "intentional surplus" as the human other disrupts the attempted constitution of the subject's intentionality.

[40] Like Drabinski, Doukhan (2014) reveals how Levinas's conceptions of intentionality are derived from his interpretation and critique of Husserl's thought, in order to argue that Levinas doesn't reject intentionality and, therefore, go beyond the limits of phenomenology. Doukhan (2014, p. 437) claims that what distinguishes Levinas's 'reversal' of intentionality (although she doesn't use that phrase) from the Husserlian model is that it's characterised, not by the imposition of meaning by the subject, but by her "capacity to receive inspiration or movement from another." According to Doukhan (2014, p. 437) "ethical sense", "more ancient than that which is bestowed by consciousness on its objects", is inspired by the other's demand, which manifests in the "animation" of the other's generous response. Mine and Doukhan's readings diverge on a vital point: her account doesn't appear to detail how Levinas's temporal picture articulates the subject's ability to receive this "ethical sense" as a "solicitation" of the other without that "summons" appearing in the ontological order and, consequently, subsumed by the subject.

It is this characterization of the subject's initial response as one of pure generosity via the sense-bestowal of the other, which entails the prescriptive capabilities of the relation and defines the subject as fundamentally ethical.[41]

With this gap in Shaw's argument filled, my reading is able to withstand Perpich's criticism of interpreting the ethical relation as immediately ethical, yet my analysis thus far leaves us with two important questions. These questions make my reading vulnerable to the second criticism offered by her account, which I outlined at the end of chapter one, and alluded to earlier in this chapter. It's all well and good to say that the ethical relation has prescriptive capabilities through its directing of action via the subject's response, nevertheless, how is this possible if the affect of the transcendent human other does not appear?

2.5 The Affect of the Other as Trace

Levinas insists that the expression of the transcendent human other isn't a phenomenon that appears within the phenomenological field. If this is the case, it's not clear how it's able to affect the subject within the field of her experience without being subsumed into the totality of that field. Furthermore, how can this ethical directedness have any practical applicability in day-to-day life if it's not understood, and is nothing more than an affective response or an initial impulse towards generosity? As I mentioned earlier, the answer lies in the development of Levinas's temporal structure and the notion of the trace. Put another way, to understand how the direction of sense-bestowal can orient the subject's action, it needs to be understood in context with the trace.

[41] See also Levinas (1987c, pp. 61-73).

To reiterate, Perpich (2008, pp. 127-128) maintains that as the ethical relation has the structure of the trace, the face or expression of the transcendent human other is too ambiguous to tell the subject what she ought to do and cannot be considered a foundation for ethics. The issue is Levinas's insistence that the face does not appear as a phenomenon within the phenomenological field, but is felt by the subject as a disruption, rupture, or interruption of that field. Levinas (1969, p. 66) writes, in *Totality and Infinity*:

"The face is a living presence; it is expression. The life of expression consists in undoing the form in which the existent, exposed as a theme is thereby dissimulated."

The problem here is Levinas's description of the face as a living presence. As is well known, many scholars, including Perpich and most famously Derrida, criticise Levinas's use of ontological language, or the language of presence in his first major work for unintentionally incorporating the transcendent expression of the human other into the ontological order.[42]

Levinas is able to combat this through the development of his diachronic temporal structure, initiated with the anterior posteriori, and with it a temporal language that enables him to describe precisely how the face disrupts the phenomenological field without being subsumed within it. This brings us to my second point of contention with Perpich's reading. For her, it's this development of his temporal picture that means that Levinas's framework can only be read as a non-foundational, "normativity without norms", (Perpich 2008, p. 126) whereas, I claim that it is precisely the maturation of Levinas's diachronic temporal structure

[42] For more on Levinas's use of ontological language in *Totality and Infinity* see Davis (1996, pp. 63-79), Lingis (1981, pp. xxi-xxii), Morgan (2007, pp. 302-303), Peperzak (1993, p. 32), Moati (2017, p. 12), Large (2019), Critchley (1999), and Bergo (1999). For Levinas's own remarks see Levinas (1978, pp. 188-189).

that enables him to reveal how the face affects the subject as a disruption that transcends her understanding, yet directs action through the subject's response. Before analysing Perpich's argument, it might be helpful to provide a brief account of Levinas's conception of the trace.[43]

According to Levinas (1998a, pp. 5-7, 37-38) the trace is the mode in which the Saying (identified with the Infinite or transcendence) is felt within the Said (identified with the totality or the subject's totalizing field of experience). In more specific terms, it's the way in which transcendence affects or is felt within the subject's field of experience. Levinas conceives of this diachronic conception of temporality as fractured moments that affect the subject in terms of a lapse, or breaking up of their perceived continuity of time. Transcendence is signaled within these fractured moments for the subject, but without being rendered present by intentional consciousness.

Levinas (1998a, pp. 24, 38) associates these fractured moments with the immemorial past[44], "a past which was never present" that cannot be recuperated by memory, or understood through the act of retention. This notion of the immemorial past, which includes the concept of the trace, connects to my previous discussion of the anterior posteriori in that this past is revealed as the condition for both subjectivity and intersubjectivity after the 'fact', or after the experience that it makes possible. Neal Deroo (2010, p. 229) encapsulates this point well he says:

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[43] For an account of the trace published in 1963, prior to the publication of *Otherwise Than Being*, see Levinas (1986b, pp. 345-359).

[44] In his discussion of the anterior posteriori in *Totality and Infinity,* Levinas (1969, p. 130) refers to the immemorial past, which he calls an absolute past. In the context of the ethical relation, this absolute past is the relation with the transcendent human other as what constitutes my subjectivity. He writes: "A movement radically different from thought is manifested when the constitution by thought finds its condition in what is has freely welcomed or refused, when the represented turns into a past that has not traversed the *present* of representation, as an absolute past not receiving its meaning from memory… The represented, the present, is a *fact*, already belonging to the past."

"we encounter the Other only by the traces of what he has left behind after he has left the scene. Existing always in the present, the subject discovers that the encounter with the Other always has already occurred, and is therefore always in the past, though in a past that is not merely a past-present."[45]

As it cannot be recaptured through intentional consciousness in the act of memory, the expression of the other is an affect referred to as a disturbance of the totality or the Said. (Levinas 1998a, p. 38) Edward Casey (1988, p. 248) explains:

"Such memory is intimately allied with indicative sign-consciousness, for both attempt to recapture, to make things come back; each is a paradigm of re-presentation; and each therefore fails to attain the absolute past."[46]

The affect or expression of the transcendent human other disrupts the totality in that it's not complicit with the present, instead it inserts itself between moments within the present, without being one of these moments. The subject experiences these lapses in her synchronous conception of time through the structure of the trace.

All that remains of transcendence within the Said, or the phenomenological field, is its trace, however, this trace is not a tangible or visual trace that can become an object of representation for consciousness. Levinas (1998a, p. 94) explains:

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[45] Deroo (2010, p. 231) explicitly discusses the 'reversal' of Husserlian intentionality in Levinas's framework and describes it as sense initially setting out from the other, enabling the subject's ability to bestow sense on the world. Like myself, Deroo's understanding of the operation of sense-bestowal within the ethical relation draws on Drabinski's reading. Deroo (2010, p. 231) and I differ in that he doesn't read this 'reversal' of intentionality as affecting an initial response of pure generosity in the subject. For Deroo (2010, p. 233), the sense-bestowal from the human other elicits a response to make sense of the world and, therefore, it's through making sense of the world that the subject responds to the human other. On Deroo's (2010, p. 234) reading, the ethical relation is ethical due to it being premised on a sense-bestowal that originates with the other, and realises a subjectivity constituted by that other. In this respect Deroo's, reading is similar to Perpich's, as it doesn't locate a prescriptive aspect within the relation.

[46] Like mine, Deroo's reading of the trace adheres to the dominant, and as far as I can tell, largely uncontested reading within the scholarship. Casey's paper appears to be the first to advance this reading. Jill Robbins' (1995) account seems to follow Casey's and remains, at least as far as I can see, the most cited on the topic.

"A face as a trace, trace of itself, trace expelled in a trace, does not signify an indeterminate phenomenon; its ambiguity is not an indetermination of a noema, but an invitation to the fine risk of approach qua approach, to the exposure of one to the other, to the exposure of this exposedness, the expression of exposure, saying."

The trace is the structure or the mode in which transcendence signals its absence, however, this absence is not revealed as a presence or as an absence concealing a presence.

As such the trace cannot be likened to a mark of absence like, as Levinas says, the fingerprints of a thief or a hunter following the tracks of her game, as these are the effects of a cause that was once present within a synchronous temporal sphere, and as such indicates presence. According to Levinas (1987b, p. 104), a more befitting metaphor would be the unintentional traces left by a thief in wiping away his fingerprints. Following Casey, Robbins (1995, p. 177), who is often quoted in the literature on this point, says: "For this enigmatic trace is simultaneous with its effacing." Levinas explicitly states that the trace is not an indeterminate object of thought. He says:

"There is a paradox in responsibility, in that I am obliged without this obligation having begun in me, as though an order slipped into my consciousness like a thief…" (Levinas 1998a, p. 13)

In other words, the expression of the transcendent human other is felt by the subject as an ambiguity or as an enigma, as it transcends her understanding.

As this expression signifies as trace and, therefore, transcends understanding, Perpich (2008, p. 129) claims it cannot generate traditional moral prescriptions or prohibitions. Moreover, she claims that it's not simply that the

face cannot be known but that its nature, as trace, is so ambiguous, the subject cannot even be sure she has heard it. Perpich (2008, p. 117) writes:

"And what evidence is there that an infinite has passed by in a trace?... only my responsibility… it is crucial to remember that this responsibility depends on a trace that is "less than nothing.""

According to her, the ambiguity of the trace is intractable to the point that "if one likes, one has never been called!" (Perpich 2008, p. 128) Although the subject cannot avoid responding to the other's demand, the enigmatic nature of that demand, structured as trace, makes it one that, for Perpich, has no content and can be easily dismissed.

Perpich is right insofar as the expression of the other having the structure of the trace means that it cannot provide the subject with an indisputable number of moral prescriptions or prohibitions, like a set of laws or biblical commandments. However, this does not prevent it from directing the subject's action through an understanding of her own response. Levinas (1998a, p. 147) writes:

"this impossibility of being contained and consequently entering into a theme, forms, as infinity, an exception to essence, concerns me and circumscribes me and orders me by my own voice. The command is stated by the mouth of him it commands."[47]

The subject, through the disruption of her phenomenological field, experiences the expression of the other, as trace, and the sense-bestowed via this expression orients the subject in such a way that her initial response is one of pure generosity to the other's need. The subject comes to understand this sense not

[47] Elsewhere Levinas (1996a, p. 145) writes: "… the Infinite concerns and closes in on me while speaking through my mouth."

through the expression itself, but through her initial response to it. On this point, Perpich (2008, p. 128) reads Levinas in a similar way. She writes:

"The response to the other becomes the site or moment in which the order to respond is given… Levinas speaks of a command that commands me "by my own mouth" and of an order that is heard only in the response that obeys…"

The expression of the other is ambiguous, yet for Levinas the way it directs the subject's response is not. As Perpich's reading overlooks how sense-bestowal operates in Levinas's framework, she misses the significance it has for understanding the subject's response, not as neutral, but as characterised by giving as responding to the other's need.

As the ethical relation has the structure of the anterior posteriori, the subject is always already directed to respond to the transcendent human other in this way, before she is even aware of it. Her initial response, as directed by the other, defines her relation to the other as something she adheres to before she has a chance to articulate it or make a choice to do otherwise. Levinas (1998a, p. 13) writes:

"the first movement of responsibility… consists in obeying this order before it is formulated. Or as though it were formulated before every possible present, in a past that shows itself in the present of obedience without being recalled, without coming from memory, being formulated by him who obeys in his very obedience."

Referring back to Levinas's 'murder argument' with this point in mind, highlights the initial orientation towards the transcendent human other before the choice to act in accordance with this initial response or against it, and in line with the 'wish to kill.' In other words, the subject's initial response to the affect of the

other is characterised by pure generosity. The wish to quash this response, and the power it exercises, is a secondary moment that motivates the 'wish to kill' or objectify the human other.

In sum, Levinas's point is that the subject is oriented towards the transcendent human other in a specifically ethical way due to the nature of sense-bestowal in the relation. The subject, through her response, experiences this directedness at a pre-reflective level. This orientation both constitutes the nature of her subjectivity, and directs her to how she ought to treat the other person. A return to my discussion of the two facets of the ethical relation in the previous chapter can help us answer the second question my analysis produced, in terms of how this ethical directedness can lead to a reflective approach to moral norms.

2.6 Ethical Direction and Moral Norms

As I outlined in the last chapter, there are two facets to the ethical relation - it as a founding and defining structure of subjectivity, and the subject's experience of it through her day-to-day interactions with others. It is this second facet that connects with how it directs the subject to what she ought to do. To reiterate, the first facet of the relation is the primordial responsiveness to the transcendent human other inscribed in the flesh of the subject as constitutive of its nature. The second is the subject conceived of as fully formed, within the phenomenological field, where she must commit to the development of this sensible responsiveness that defines her subjectivity through the conscious decision to respond generously to the needs of the other person. David Michael Kleinberg-Levin (2009, p. 106) sums this point up well, he writes:

"It is, thus, a question of the development of a moral self from the traces, or ruins, of a prepersonal responsiveness and attunement to the registers of alterity, a moral self ideally rooted in, and in good contact with, a vital *sense* of this responsiveness."

It is the trace that connects these constitutive and practical facets of the ethical relation.

Although it's impossible to capture the expression of the transcendent human other in the Said, the subject's persistent attempts to reach an understanding with the other person is what drives moral obligation at this experiential level. For Levinas (1998a, pp. 149-150), the retrieval of the trace is an absolutely impossible task, yet the persistent attempt is one that is necessary for the conscious development of the reflective moral self. Kleinberg-Levin (2009, p. 110) explains:

"But perhaps this is not as paradoxical as it seems, because what matters, ultimately, is not mastery, not knowledge, but the moral character constitutive of the self. What matters, therefore, is the desire to live a moral life—a desire expressed by the attempt, the effort, the undertaking of the recuperative process."[48]

It is the subject's persistent attempts to recapture the expression of the other, by trying to reach an understanding with them, which reveals the affect of

[48] Kleinberg-Levin (2009, p. 102) maintains that as the moral command of the other has the structure of the trace, it cannot be the metaphysical ground of moral experience. However, he reads this command as prescriptive insofar as it predisposes the subject in a certain way towards the human other prior to any conscious choice. For Kleinberg-Levin (2009, p. 105) this command, as trace, is inscribed within the subject as a primordial bodily responsiveness. He doesn't acknowledge the 'reversal' of intentionality in Levinas's framework and, therefore, seems to take for granted that this responsiveness is characterised by sympathy towards the suffering of the other. (Kleinberg-Levin 2009, pp. 101, 112) As he doesn't seem to recognise the significance of discourse in the attempt to recuperate the constitutive expression of the other, what he calls 'tracework' or the conscious development of this constitutive moral disposition is left to those, like me, who try to follow in Levinas's phenomenological footsteps. (Kleinberg-Levin 2009, p. 112)

the trace at an empirical level. These attempts will always engender a corruption of the ethical Levinas reminds us that this is inevitable, however, they will not descend into violence as long as they continue in line with the subject's initially sincere and generous response. To be sure, the expression of the transcendent human other cannot 'tell' the subject anything directly, yet it is through open discourse with that other that norms can be approached.

The importance Levinas places on language and discourse provides a means of understanding how the prescription of the ethical relation can guide the subject's actions when navigating the perils of moral life. There would be no attempt made on the part of the subject to formulate the content of the moral ought, if such attempts were not preceded by the pure prescriptive of the transcendent human other's expression. Although this expression, or sense set out from the other, cannot be adequately captured or reformulated as an object of understanding, the persistent attempt to do so is the manifestation of ethics in everyday life.[49] Of being unable to comprehend the pure prescription of the other, Levinas (1998a, p. 194) writes:

"Yet this is an inability which is *said.* Anarchy does not *reign*, and thus remains in ambiguity, in enigma, and leaves a trace which speech, in the pain of expression, seeks to state."

The persistent attempt on the part of the subject to reach an affinity with the other is enacted through discourse. Listening to the other, sincerely hearing her

[49] For those who argue that the 'pure prescription' of the other cannot be translated in any way into the Said see Lyotard (1989) and Bankovsky (2012). According to Lyotard, the command of the transcendent human other cannot be translated into and, therefore, understood within the cognitive register. The idea is that the prescription of the relation cannot be understood in any way and, thus, it is unable to guide the subject's action. Bankovsky employs Lyotard's reading in her critique of Levinas's solution to the problem of moral obligation. Arguing for a constructivist account of justice along similar lines to Honneth, although blended with a deconstructive approach, Bankovsky claims the inability to reformulate the expression of the transcendent human other renders it meaningless in terms of realising the subject's responsibilities in everyday life.

and trying to understand her needs, through their reformulation in intentional consciousness, is not to simply corrupt the purity of the prescription of the relation, but to live it as it is realised in concrete human existence.

The relation with the other engenders the subject's capacity for language, and language is the means by which she attempts to reach some degree of understanding with the other person. (Levinas 1969*,* p. 206) Levinas (1998a, p. 151) argues that "thematization is then inevitable", as without it meaning could not be enacted in intentional consciousness and empirical intersubjective encounters. He explains:

"sincerity or witness signifies by the very ambiguity of every said, where, in the midst of the information communicated to another there signifies also the sign that is given to him of this giving of signs." (Levinas 1998a, p. 152)

In other words, the subject can never reach complete accord with her interlocutor. These failings, whether big or small in the forms of misunderstandings, disagreements or misinterpretations, and the continued effort to reach such an affinity regardless, reveal what is always lost as the Saying transcends the Said. The subject's responsibility, her primordial response to the transcendent human other, is expressed in these attempts to reach understanding, through the murky ambiguity of every day communication. I expand on the significance Levinas places on discourse within his framework, in the context of the practical applicability of his thought in chapter four. To end this chapter, I return to Perpich's reading, and the question of foundationalism in Levinas's framework.

2.7 A Non-Traditional Foundation for Ethics

One of the main contentions of my reading of Levinas's phenomenological picture is that while the ethical relation doesn't provide a traditional ontological foundation for moral obligation, its defining role in the nature of subjectivity means it provides us with a non-traditional foundation. As I've already explained, Perpich (2008, pp. 127-128) argues that the expression of the transcendent human other having the structure of the trace effectively renders Levinas's ethics non-foundational. She writes:

"Since responsibility, for Levinas, has the structure of the trace - that is, since it is a response to a face that never appears as such – then the face may be said to be something like the site of normativity but not its origin or source. Indeed, there will be nothing that functions so foundationally in the Levinasian account."

That the expression or affect of the other does not originate with the transcendental ego, cannot be an object of understanding for it, does not appear within the ontological order, and is not a traditional transcendental condition, means that for Perpich and others, it cannot be considered a foundation for moral obligation.

Despite this, Perpich and I are in agreement in that her reading does admit that Levinas provides an answer to the problem of moral obligation, insofar as he establishes how and why human subjects are bound to one another, compelled to justify their actions, and respond to the claims made on them by others. (Perpich 2008, p. 126) She writes of Levinas's solution to the problem of moral obligation:

"He gives us a compelling account of why others' needs, concerns, and very lives are something which makes a claim on us and toward which we cannot

be wholly indifferent. As such, I argue he gives us an account of normative force, that is, of how we come to be bound to respond to others' claims." (Perpich 2008, p. 126)

In light of this claim, and her argument that the relation to the other is "constitutive of subjectivity" and "constitutive of my having a world at all", (Perpich 2008, pp. 127, 133) Perpich's (2008, p. 127, 146) assertions that the ethical relation is the mere 'site' or 'moment' of normativity within Levinas's philosophical picture does sound a little odd.

To be fair, Levinas does not offer the ethical relation as a traditional foundation for moral obligation and his account of subjectivity and, consequently, intersubjectivity is definitely an outlier when compared with the history of moral philosophy, nevertheless, at this stage of my analysis it is clear that his framework does more than simply identify the ethical relation as where normativity resides. It seems to me that Perpich is only prepared to identify the ethical relation as the 'site' of normativity, and not its foundation, because she maintains a narrow view of foundations in moral discourse. I suggest that this narrow view is tied to the influence of the Hobbesian presupposition.

As I outlined in the introduction to the thesis, historically moral philosophers have derived the foundation for moral obligation from the nature of subjectivity. Put another way, we have become accustomed to foundations for moral obligation after the 'death of God' being derived from the founding aspects of subjectivity with these informing our perception of moral obligation. Levinas breaks with this, turning this traditional model on its head, as he conceives of moral obligation as being constituted by the transcendent human other and derives the nature of subjectivity from this.

It seems that his answer to the problem of moral obligation is not considered foundational because it does not originate with the human subject, and transcends her capacity for understanding. If we can follow Levinas's example and let go of these deeply embedded preconceived notions about the appropriate connections between subjectivity and foundations for moral obligation, considering the ethical relation as a non-traditional foundation might not be such an issue. By expanding the notion of foundations within moral thought beyond the totalizing ontologies, and the preoccupation with egoism that has dominated Western moral philosophy, Levinas is able to reveal the relation to the other person as foundational, not only in terms of moral obligation, but for the nature of subjectivity.

The expression, or sense that sets out from the other having the structure of the trace may exclude the ethical relation from being understood as a traditional foundation for moral obligation, nevertheless, the way it constitutes subjectivity, and defines it through the logic of sense-bestowal, reveals it as what not only founds the subject but directs that subject towards ethical action. Understanding the ethical relation's role in the constitution of subjectivity as foundational acknowledges that the constitution of subjectivity, and the subject having a world, depends on the relation with the transcendent human other, while avoiding the slightly confusing semantics of Perpich's reading.

2.8 Conclusion

To summarise the ground covered in this chapter thus far, I have aimed to show that Levinas not only offers us a radical reconceptualization of subjectivity as fundamentally other-constituted, but that this picture defines the subject as

intrinsically ethical. Put another way, I have tried to demonstrate that the ethical relation is not simply constitutive of subjectivity; it defines the nature of that subjectivity as ethical through the logic of sense-bestowal originating with the transcendent human other. The operation of sense-bestowal within the ethical relation attests not only to what makes the experience of the human other radically different from acts of cognition, but to how the nature of subjectivity is defined by this relation to the other.

Through my reconstruction of Shaw's argument, I identified a missing step in what is a paradigmatic example of a reading of the ethical relation as immediately ethical, which takes its 'ethical content' for granted. Expanding on Drabinski's study of sense within Levinas's phenomenology, I located this missing step as the operation of sense-bestowal within the ethical relation. Realising the prescriptive implications of the former's study, I demonstrated how this sense, set out from the transcendent human other, indicates that it is more than the other's undeniable moral value that makes the ethical relation ethical. The sense-bestowed by the other defines the meaning of the relation in terms of the other's need, and evokes an initial response of pure generosity. That the production of sense within the ethical relation originates with the human other exhibits the radical asymmetry of the relation. As this initial sense-bestowal sets out from completely outside the subject, the origins of subjectivity lie wholly outside the powers of the subject. This is why Levinas (1969, p. 85) claims the subject is 'created' by the ethical relation. Furthermore, my analysis of his 'murder argument' highlights that the production of sense originating with the transcendent human other does not undercut the significance of egoism in Levinasian subjectivity or the malice that it can engender.

The aim of my return to Perpich's reading, in the second and third stages of the chapter, has been to make two points. Firstly, that the expression, or sense-bestowed by the other, having the structure of the trace does not prevent the ethical relation from directing the subject to what she ought to do in her day-to-day interactions with others. Secondly, it does not preclude the ethical relation from being considered a non-traditional foundation for moral obligation.

To address the first point, the expression of the human other transcends comprehension and, therefore, does not appear, yet it can direct action through the subject's understanding of her own response. By acting in line with this generous response to the other's demand, ethics is enacted through discourse, with the persistent attempt to reach an understanding with the other, to listen and attend to her needs.

In terms of the second point, Levinas's temporal structure does not entail that the ethical relation must be non-foundational, rather, it enables us to conceive of a foundation for ethics that breaks with the egoistic tradition. In other words, Levinas's non-traditional foundation for ethics provides us with a way of understanding moral obligation as originating with, and being defined by the human other, as what transcends the subject's freedom and intellectual powers. Perhaps the charge that Levinas's account lacks practical applicability is not a consequence of the significance he places on the human other's transcendence, but the way in which his phenomenology of the subject goes against how subjectivity and foundationalism are traditionally thought of in moral discourse.

To read Levinas as I do does justice to his descriptions of the response to the other's need by justifying this thicker conception of Levinasian responsibility. It also presents his conception of subjectivity, as constituted and defined by a

radically asymmetrical and fundamentally ethical relation with the human other, as a legitimate challenge to the Hobbesian presupposition. Precisely how Levinas's understanding of subjectivity presents such as challenge is elucidated in the following chapter.

Chapter 3

The 'Problem' of Moral Obligation, the Hobbesian Presupposition, and Reimagining Ethics

3.1 Introduction

With my exegesis of Levinas's framework now firmly established, I'm in a position to tackle the primary goal of my analysis: presenting Levinas's conception of subjectivity as a superior alternative to the Hobbesian presupposition. Chapter one demonstrated how Levinas conceives of subjectivity as constituted by a radically asymmetrical relation with the transcendent human other. Chapter two established that the relation with the human other not only constitutes Levinasian subjectivity, but that this relation arouses an initial response of pure generosity directing action. Thus, it defines the nature of subjectivity as primarily ethical. I argued that this directing of the subject's action leads to moral norms via discourse, with the sincere and persistent attempt to reach an understanding with the other.

The aims of my project are modest insofar as I'm providing a reading of Levinas's thought that challenges the Hobbesian presupposition to shed new light on how we think about subjectivity and moral obligation.[1] Put another way, I'm employing Levinas's phenomenological picture as means of shaking up our current understanding of subjectivity and in turn ethics. Reading Levinas my way enables this fresh approach, and this chapter realises the implications my reading has in the wider context of moral philosophy.

[1] As my goal is to establish Levinas's conception of the nature of subjectivity as a superior alternative to the Hobbesian presupposition, this is all my arguments have to demonstrate. If Levinas's phenomenological picture is right beyond this is another claim altogether, and one that would exceed the spatial confines of this thesis. Nevertheless, this may prove to be a colossal and immensely challenging future project.

Levinas's reconceptualization of subjectivity offers a radical solution to this longstanding issue in modern moral philosophy. Traditional solutions to the problem of moral obligation have been largely unsatisfying because they operate according to a notion of subjectivity understood as self-constituted - defined by egoism, reason, and an autonomous will. As I outlined in the introduction to the thesis, the problem of moral obligation being considered a 'problem' is not a consequence of the 'death of God', but of the modern notion of the subject conceived of as fundamentally egotistical, defined by its capacities for reason and autonomous choice. When subjectivity is understood in this way, the vulnerabilities and needs of others become a problem for the subject, distracting from her own wants and needs. As I touched on in the introduction, this modern perception of subjectivity is derived from a simplified understanding of Hobbes' description of the natural state of man.

This idea of the subject has become insipid within moral philosophy to the point that even solutions to the problem of moral obligation that recognise the subject's fundamentally social nature and interdependence slip back into this Hobbesian presupposition. I argue that not only does Levinas provide radically new insight into the problem, it is only through his approach that we can identify the Hobbesian presupposition as that which makes the problem of moral obligation a 'problem' and overcome its pervasive hold on our understanding of subjectivity, and in turn, our relations with others.

My argument has three stages. Firstly, I briefly underscore Levinas's membership within a group of thinkers who recognise and are critical of the Hobbesian presupposition's pervasive hold, and the consequences this has in the

context of moral philosophy. My account brings to light the tenuous nature of this view of the subject as it pertains to moral obligation.

Secondly, I read solutions to the problem of moral obligation provided by two of these thinkers, Christine Korsgaard and Stephen Darwall, through a Levinasian lens. This reading demonstrates that although these accounts appear to reject the Hobbesian presupposition, by recognising the subject's fundamentally social nature, ultimately they cannot overcome it. Reconstructing Korsgaard and Darwall's arguments, and reading them through Levinas's framework, reveals that the insistence on an understanding of the subject as self-constituting - defined by reason and autonomy - cannot help but slip back into the Hobbesian presupposition. Thus, Levinas realises the implications of the critique of this presupposition in a way that Korsgaard and Darwall cannot. He's able to do so because his conception of subjectivity, in contrast, is founded and defined by an asymmetrical relation with the human other.

Freeing Levinas from the confines of the continental tradition and putting him in conversation with two philosophers prominent in the analytic tradition, not only aligns with and contributes to the current wave of Levinasian scholarship, it allows me to break new ground in the literature on moral obligation and on Levinas's thought. I chose Korsgaard and Darwall specifically for the following reasons. This decision follows established links between these thinkers and Levinas in the scholarship, and I expand on these prior insights and pick up on points that they have missed. The commonalities between the projects of all three philosophers enable a natural, coherent and perceptive discussion, and both Korsgaard and Darwall seem to offer a 'middle position' between egotistical accounts and Levinas's thesis. The basic conception of subjectivity that both

Korsgaard and Darwall maintain is representative, for the most part, of the one held by their contemporaries and, therefore, by engaging with Korsgaard and Darwall my criticisms reach beyond their solutions to the problem of moral obligation.

Finally, I establish the limitations of the Hobbesian presupposition as expressed in Korsgaard and Darwall's positions by revealing how Levinas's understanding of subjectivity is able to account for both self-sacrifice and egoism. My argument demonstrates that only the Levinasian subject, constituted by a radically asymmetrical relation with the human other and defined by the ethical, can overcome the Hobbesian presupposition and in turn provide a fresh solution to the problem of moral obligation that can account for pure altruism, or what Levinas refers to as pure generosity.[2]

My analysis is the first step in identifying how Levinasian subjectivity can break new critical ground in our approach to intersubjective relations, and consequently, our understanding of ethics and political discourse. By awakening us to the possibility of subjectivity as fundamentally other-constituted, and moral obligation involving a founding asymmetry, Levinas exposes the limitations of defining subjectivity by the capacities for reason and autonomy, and ethics in terms of reciprocity. A key move in breaking this new critical ground is reading analytic thinkers who conceive of subjectivity and ethics in this orthodox way through a Levinasian lens. Recent efforts to highlight the convergences in the continental and analytic traditions have shown that creating a dialogue between

[2] Levinas (1998a, pp. 111-112) prefers the term pure generosity as opposed to altruism for the kind of self-sacrificing behaviour I'm referring to. He seems to associate altruism with intentionality and, therefore, the term does not convey the radical passivity of the subject's response to the other. He also appears to identify it as an alternative act to a typically egotistical one. (Levinas 1998a, p. 177) In contrast, pure generosity doesn't conform to the egoism/altruism dichotomy. It is characteristic of the initial founding moment of subjectivity that enables choice and deliberate action.

philosophers with these different methodological approaches can lead to new insights on both sides.[3]

3.2 Levinas and Analytic Philosophy

As I outlined in the introduction to the thesis, an emerging wave in Levinasian scholarship recognizes the benefit of placing Levinas's thought in conversation with philosophers identified with the analytic tradition. To recapitulate this point, examining Levinas in this new context enables the reader to gain an understanding of his work disentangled from his beautifully written, yet often confusing idiosyncratic lexicon, and view the implications of his framework in the wider context of moral philosophy and apart from his continental contemporaries. In this way, we can understand Levinas's contribution to the problem of moral obligation beyond the continental tradition.[4] Moreover, as scholars like Barber and Smith have argued in their comparative efforts,[5] examining Korsgaard and Darwall's notions of subjectivity and moral obligation alongside Levinas's phenomenological framework reveals the limitations of their accounts.

I take the insights of Smith[6] and Barber further with the claim that it's only by reading Korsgaard and Darwall's solutions to the problem of moral obligation

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[3] Explaining his reasoning behind bringing the philosophies of Robert Brandom and John McDowell into conversation with Levinasian phenomenology, Michael D. Barber (2011, p. 14) writes: "In brief, such systematic encounters between different philosophies reveal philosophy *itself* to be an intersubjective endeavor, for it is only in seriously encountering counterpositions that require that we understand, appreciate, and carefully disagree with that we begin to understand ourselves."

[4] For more on the analytic and continental divide see Chase & Reynolds (2014), Critchley (2001), Bell, Cutrofello & Livingston (2016), Glock (2008), and Glendinning (2006).

[5] See Barber (2008) and Smith (2012).

[6] As I mentioned earlier, Smith (2012) argues that Levinas's framework cannot provide an ontology of the subject, due to the transcendent nature of the relation with the human other. Consequently, he claims Levinas's phenomenology must be supplemented with a form of Heideggerian ontology to fill that gap. I claim that Levinas does provide an ontology (but not a 'fundamental' ontology) of the subject, yet his point is that this ontology is founded on the relation with the other. In this way, Levinas points beyond ontology in order to provide a phenomenology of subjectivity that reveals it as other-constituted. Smith makes a mistake similar to that of Darwall

through Levinas's framework that we can uncover how embedded the Hobbesian presupposition is within moral philosophy.[7] It is because Levinas's solution is centered on an asymmetrical relation between the subject and the transcendent human other that he is able to expose the extent of the Hobbesian presupposition's influence. This fundamental difference between Levinas's conception of subjectivity and Korsgaard and Darwall's reveals how the latters' solutions to the problem of moral obligation cannot escape the Hobbesian presupposition. However, it is, to borrow Wittgenstein's phrase, the 'family resemblances' between the accounts of all three thinkers that help bring this claim to light. Before attending to these family resemblances, I'll briefly elaborate on the concept I've been referring to as the Hobbesian presupposition.

3.3 The Hobbesian Presupposition

To expand on what I outlined in the introduction to the thesis, the popular characterization of the subject as egotistical, which underlies not only contemporary moral philosophy, but permeates the popular imagination, is derived from, yet not necessarily faithful to Hobbes' description of the state of nature. It's well known that Hobbes (1998, pp. 84, 86) defines the human subject, in its natural state, by self-interest and concern for self-preservation and, consequently, he characterizes the state of nature as the "war of every man against

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and Korsgaard, in that he too slips back into the Hobbesian presupposition. Smith follows Levinas's insights to the point that he argues that the other has moral authority over the subject, independent of the latter's endorsement of it, only to return to Heideggerian ontology and the powers of the subject. For others who argue that Levinas does provide an ontology of the subject, distinguished from Heidegger's fundamental ontology, see Gak (2015) (who also adopts Perpich's reading of the ethical relation to some extent) de Boer (1986), Llewelyn (1995b) and Moati (2017).

[7] Darwall (2006, p, 21) mentions Levinas once in *The Second Person Standpoint* in a footnote comparing Levinas's descriptions of encountering the other with Fichte's notion of the summons.

every man."[8] Levinas associates the popular understanding of subjectivity defined by egoism with Hobbes, and in response an implicit 'polemic' against Hobbes' moral philosophy runs through Levinas's entire body of work.[9] In 'Useless Suffering', he claims that all modern moral philosophy since Hobbes has built its constructivist projects for bringing about a just social order on this conception of subjectivity as primarily self-interested. Levinas (1998f, pp. 100-101) writes:

"The order of politics (post-ethical or pre-ethical) that inaugurates the "social contract" is neither the sufficient condition nor the necessary outcome of ethics. In its ethical position, the *I* is distinct both from the citizen born of the City, and from the individual who precedes all order in his natural egotism, but from whom political philosophy, since Hobbes, has tried to derive—or succeeded in deriving—the social or political order of the City."

Through this implicit polemic,[10] Levinas aligns himself with a group of thinkers who, recognizing how this conception of subjectivity has come to

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[8] Hobbes (1998, p. 87) goes as far as to claim that in the state of nature, "… every man has a right to every thing; even to one another's body." In this state, good and evil are determined by each subject's individual preference, and their freedom to pursue these desires is their right by nature. As constant violence lessens their chance at self-preservation and, thus, is ultimately unprofitable, it is reason that leads those in the state of nature to pursue their own best interest by forming a social contract with others. Through Hobbes' social contract, morality emerges, not from a concern for the other person, but from pure self-interest. With this in mind, his moral theory is often referred to as ethical egoism. For more see Hobbes (1998). For more on Hobbes' moral theory as a form of ethical egoism see Mizzoni (2014, p. 278).

[9] Bernasconi (2002, p. 235) refers to this implicit engagement with Hobbes running throughout Levinas's thought as an "ongoing polemic." Although Levinas rarely mentions Hobbes by name or engages with his work directly, he continues to argue against the nature of subjectivity defined by egoism, and implicitly refers to Hobbes while doing so. For example, Levinas makes implicit reference to Hobbes' (1998, pp. 84, 86) famous characterization of the natural state of mankind as "war of every man against every man" on at least three separate occasions in *Totality and Infinity*. On page 150, Levinas writes: "The welcoming of the face is peaceable from the first… War itself is but a possibility and nowise a condition for it." Levinas reiterates his point that the subject's initial response to the other person is defined by peace and not war on page 199 where he says: "War presupposes peace, the antecedent and non-allergic presence of the Other; it does not represent the first event of the encounter." Repeating his claim that any hostility or violence towards the other person follows an original peaceful moment, Levinas writes on page 222: "War and commerce presuppose the face and the transcendence of the being appearing in the face". See also Levinas (1998a, pp. 159-160) and Levinas (2001b, p. 68), and Levinas (1998b, p. 105).

[10] Römer (2019a) claims the relationship between Levinas and Hobbes is slightly more complex than Levinas offering a counterposition to Hobbes, which is generally how their relationship is

dominate the popular imagination, have sought to combat its influence with an appeal to humanity's inherently social nature. To be clear, these scholars are not engaging in a collective critique of Hobbes' moral philosophy. They are critical of the popular conception of subjectivity as defined by egoism, which although derived from Hobbes, has evolved into a superficial understanding of his account of the natural state of man, and is comprised of other components taken from similarly superficial readings of Charles Darwin and Adam Smith.

The pervasiveness of the Hobbesian presupposition within the popular imagination can be attributed to a number of factors, namely the Enlightenment's privileging of reason and autonomy, and the alignment of an individualist and self-interested subject with the interests of the free market. Conceiving of modern subjectivity as primarily individualistic supports the neo-liberal ideology that is characteristic of current Western democracies. Similarly, the notion of subjectivity defined by self-interest confirms the logic of free market capitalism that has become a fundamental component of these democracies. As I've already mentioned, Midgley's (2010) philosophical overview identifies the way this strange composite of Hobbesian and Darwinian ideas has come to shape the popular conception of the modern subject, in all modes of discourse.

In *The Solitary Self: Darwin and the Selfish Gene,* she argues that Hobbes' understanding of the natural state of man has been developed into a more extreme tradition of egoism through its conflation with a popular understanding of Neo-

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read, although it's rarely examined in any great detail. She argues that the name Hobbes signifies, for Levinas, "a constant threat to the ethical as such, as threat that is characteristic of our times." (Römer 2019a, pp. 174-175) For her, this threat is nihilism, as it's tied to a 'hypothesis' that links Levinas's notion of war with the 'there is.' She also maintains that for Hobbes the state of nature is an anthropological account, whereas Levinas's conception of the subject has "a metaphysical dimension." (Römer 2019a, p. 175) For more see Römer (2019a, pp. 173-194). I refer to what appears to be the only other paper that analyses the relationship between Hobbes' moral theory and Levinas's philosophical picture in any great detail later in the chapter.

Darwinism.[11] Midgley (2010, p. 6) claims that Neo-Darwinist theories that locate selfishness and ruthless competition at the heart of human existence have influenced the view of subjectivity employed in political and moral discourse.[12] She maintains that this form of Neo-Darwinism is in fact derived from Hobbes' conception of the subject and not Darwin's.[13] (Midgley 2010, p. 10)

Midgley (2010, pp. 2, 142) explains how this Hobbesian Neo-Darwinist composite has meshed with the individualist picture of subjectivity that emerged out of the Enlightenment and, coupled with the biological reductionism derived from Neo-Darwinism, has been co-opted by various individualist ideologies. The "most influential" of these ideologies, she claims, is "essentially a commercial one, centering on the importance of free competition – free enterprise – the deregulation of business", which welcomes scientific and "philosophic backing"

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[11] Midgley (2010, pp. 26, 55-68) draws on Darwin's analyses of human sociality and morality to argue against what she refers to as Hobbism.

[12] Midgley (2010, pp. 6-14) acknowledges that although much of the dramatic rhetoric used by Richard Dawkins and others to explain competition and egoism pertains to genes, rather than fully formed subjects, their dramatization of natural selection has influenced and fostered a worldview that reduces all human motives to a fundamental self-interest. She writes: "*The Selfish Gene* was not, of course, intended as a political or social statement. But, at the time when it came out, Dawkins's emphatic use of the word *selfish* was both an expression of the zeitgeist and a stimulus to its further development. The choice of the word "selfish" is actually quite a strange one. This word is not really a suitable one for what Dawkins wanted to say about genetics because genes do not act alone… But, on the topic of human motivation, it was then just what people wanted to hear." (Midgley 2010, p. 40) Lee Alan Dugatkin (2006, p. 221) explains the influence of *The Selfish Gene*, and similar texts on the wider public. He writes: "*The Selfish Gene* and Sociobiology instantly became required reading for all evolutionary and behavioral biologists, as well as for the layman science reader."

[13] Arguing that Hobbes uses nature as the foundation from which he derives his moral theory, Derek Reiners (2008, p. 70) draws comparisons between Hobbes and Dawkins's, in his account of Hobbes' naturalistic ethics. He highlights similarities in their focus on the individual, not as a conscious subject, but in terms of the biological system within the individual as the underlying source of behavioural drives, whose ultimate goal is self-preservation. For Reiners, Hobbes defines the nature of the subject in biological terms. Reiners says of the extent to which Hobbes defines what it means to be human in biological terms: "The manner in which he does this immediately brings to mind certain ideologies which have become popular in the last few decades; namely those branches of biology and psychology which attempt to explain human drives and behaviour in terms of evolutionary function." (Reiners 2008, p. 64) Mizzoni (2010) makes a similar comparison, highlighting the connection between Hobbes and Neo-Darwinism, in terms of their shared focus on egoism. Mizzoni (2010, pp. 381-382) argues that many contemporary evolutionists, like Dawkins and Stephen Jay Gould, turn to Hobbesian social contract ethics in order to explain how certain ethical behaviors, such as cooperation and reciprocity, arise from an egotistical subject.

for its justification of the free market. (Midgley 2010, p. 2)[14] Similarly, leading biologist and primatologist Frans de Waal (2006) claims that despite its apparent tracking with scientific, economic, and social observations, this popular conception of the subject is ultimately a fiction.

He claims that although the popular understanding of subjectivity, derived from this Hobbesian "assumption", "permeates large parts of law, economics, and political science", it is fundamentally flawed, as it denies the subject's inherently social nature. (de Waal 2006, pp. 3-4) De Waal (2006, p. 4) explains:

"Yet, there never was a point at which we became social: descended from highly social ancestors—a long line of monkeys and apes—we have been group-living forever. Free and equal people never existed."

What is significant here is that although this idea of the subject defined by its egoism is taken by the popular imagination as fact, it is simply an assumption, or presupposition, and one, which, as de Waal argues, is contradicted by empirical fact. According to de Waal (2006, p. 4), human beings have always been "interdependent" and "bonded."[15] Korsgaard (2006, p. 100) makes a similar point in her philosophical response to de Waal's biological thesis when she says:

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[14] In fact, David Gauthier (1979), who derives his own form of moral contractarianism from Hobbes, goes as far as to say that Hobbes' theory succeeds because it embraces the economist's dogmas. Gauthier (1979, p. 547) explains that the economist's dogmas consist of three presuppositions: value is equated with utility determined by individual preference, rationality is equated with maximization of the subject's capacity to achieve her objectives, and the subject is only concerned with her own interests. He insists that Hobbes succeeds where other moral theorists have failed by embracing the dogmas and accepting them as his fundamental presuppositions. Gauthier (1979, p. 547) writes: "The majority of moral theorists have, of course, sought to establish the possibility of morality by rejecting one or more of the economists' suppositions. They have offered alternative accounts of value, or reason, or interest. But the dogmas remain, and the bolder course is to embrace them. This is what Hobbes does, establishing a place for morality as a conventional constraint on our natural behavior." In other words, it is through this equation of the economist's dogmas with our natural dispositions that Hobbes' understanding of the subject has been internalized within modern society, as these corroborate the psychology of the free market.

[15] Reiners (2008, p. 80) explains: "It is true that Hobbes claims that the priority of self-preservation cannot be derived from any strictly moral argument. Instead, self-preservation is simply an a priori principle, conferred upon us by nature." What he means is that Hobbes isn't making the

"In the first place, despite its popularity in the social sciences, the credentials of the principle of pursuing your own best interests as a principle of practical reason have never been established… In the second place, it is not even clear that the idea of self-interest is a well-formed concept when applied to an animal as richly social as a human being."

Nevertheless, this conception of the subject defined by egoism has become entrenched in the popular imagination, and in turn permeates all fields of human inquiry, including moral philosophy. De Waal (2006, p. 6-13) explains that this flawed 'assumption' has placed moral theorists in the difficult position of trying to explain how observed moral behavior, up to the point of self-sacrifice, are possible when the subject is defined by self-interest. Although it is the subject's capacity for rational thought that enables her to determine that establishing a social contract is in her best interest, de Waal wonders how genuine moral behavior is possible when it's at odds with the subject's inherently egotistical nature.[16]

The merits of Hobbes' social contract theory, his motivations behind the unrelenting language of the *Leviathan*[17], and the logical strengths of his arguments[18] are not relevant in the confines of my discussion; what is pertinent is how the Hobbesian presupposition has shaped the way the nature of subjectivity is understood, not only within the popular imagination but also in moral philosophy.

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metaphysical claim that what is good is what is natural. Hobbes is claiming that what human beings call good, or value above all else, is derived from their natural state. The moral consequences of this natural principle are only realized as subjects establish ways to achieve this ultimate end.

[16] See also de Waal (2009).

[17] Midgley (2010, pp. 13-14) highlights the social conditions in the 17th century that motivated Hobbes to stress the importance of self-interest in the *Leviathan*. See also Skinner (2004) for a focus on the historical context that informed the *Leviathan*. See also Newey (2014) and Tuck (1993 and 2002).

[18] For more see Hampton (1986). She provides an in depth examination of the logic of Hobbes' systematic arguments for his social contract theory. For more on Hobbes' conceptions of natural law and natural right see Zagorin (2009).

If we conceive of the nature of subjectivity as fundamentally self-interested and self-sufficient, it's not clear why the demands of others should be able to make such an authoritative claim, and why the subject should be concerned with their well-being beyond her self-interest. If we approach our philosophical inquiry into moral obligation from this vantage point it, appears to present quite a problem. More than that, it makes understanding acts of pure generosity or altruism[19], and accounting for them philosophically, almost impossible.[20] The idea that a subject defined by self-interest and self-preservation could sacrifice her life for another appears contradictory. With this in mind, it seems that a conception of subjectivity that recognises our fundamentally social nature makes a lot more sense.

3.4 The 'Family Resemblances' in Korsgaard, Darwall and Levinas

Korsgaard, Darwall[21] and Levinas realize the implications of Midgley and de Waal's identification and critique of the Hobbesian presupposition in their philosophical systems[22] and framework, as all three approach the problem of

[19] I define pure generosity or altruism as an act of self-sacrifice performed solely for the good of another person and not for any known or calculated benefit that the performer thinks they may receive in return for the act. An act of pure altruism, or as Levinas prefers pure generosity, is asymmetrical, and does not involve reciprocal exchange.

[20] I expand on this point, raised in the introduction to the thesis and mentioned in the final pages of chapter one, later in the chapter.

[21] To be clear Darwall is not a critic of Hobbes' moral philosophy. In fact, Darwall (2013, pp. 48-49) sees Hobbes as an ally insofar as he reads Hobbes' formulation of the golden rule as highlighting "moral obligation's second-personal character." My claim is that Darwall is critical of the Hobbesian presupposition insofar as he argues that morality begins in the second-person standpoint and not with the needs and desires of an atomistic subject. For more on Darwall's reading of Hobbes see Darwall (2000, pp. 313-347), Darwall (2013) and Darwall (1995, pp. 53-79).

[22] Like Midgley and de Waal, Korsgaard and Darwall utilize the emphasis Darwin and Smith place on human beings as fundamentally social creatures with sympathy for others being one of their strong social instincts as a means of highlighting egoism's untenable approach to intersubjectivity. Perhaps by employing the accounts of Darwin and Smith in these arguments, each are trying to correct the misappropriation of the thought of both men in the justification of the Hobbesian presupposition. As I mentioned earlier in the chapter, within the popular imagination, both Darwin and Smith are regularly associated with the understanding of the subject as primarily egoistical, with Darwin's complex analyses being reduced the catch phrase - 'survival of the fittest' - and Smith to his discussions of self-interest in *The Wealth of Nations,* leaving his views on sympathy in *The Theory of Moral Sentiments* largely untouched. For Korsgaard's discussion of Darwin and

moral obligation by recognizing the subject as fundamentally interdependent with others. At first glance, it may appear like Levinas's phenomenological picture has nothing in common with the systematic neo-Kantian[23] Rawls infused accounts argued for by Korsgaard and Darwall, however, a closer inspection illuminates significant parallels, which engender a richer understanding of the problem of moral obligation. Although Levinas is working in a different philosophical tradition to both Korsgaard and Darwall, the similarities between their and his understanding of moral obligation as a response to the demand of the human other are quite prevalent despite the differences in method and style.

All three philosophers capture the anxiety induced by the authority the human other appears to have over the subject in the context of moral obligation. As I outlined in the introduction to the thesis, the anxiety surrounding moral obligation is engendered by the prescriptive nature of the other's demands. Levinas (1969, p. 21) encapsulates this well in the opening line of *Totality and Infinity* when he says: "Everyone will readily agree that it is of the highest importance to know whether we are not duped by morality." It's what justifies these moral claims, or the authority they have over us, that must be understood if we're to determine if we've been, to use Levinas's phrase, 'duped by morality.' Korsgaard (1996, pp. 9-10, 13) makes this point when she says:

"When we seek a philosophical foundation for morality we are not looking, merely for an explanation of moral practices. We are asking what *justifies*

Smith see Korsgaard (2010) and for Midgley's discussion of Darwin, see Midgley (2010, pp. 15-17, 24-30, 45-46, 55-58, 65-68). For Darwall's discussion of Smith see Darwall (2006, pp. 43-47, 101 and 178-180) and for de Waal's discussion of Darwin see de Waal (2006, pp. 8, 14-17) and for his discussion of Smith see de Waal (2006 pp. 15, 31).

[23] For scholarship on the connection between Levinas and Kant see Ainley (2001), Atterton (1999), Chalier (2002b), Llewellyn (2000), Hansel (1999), Basterra (2015), Römer (2019b) and Smith (2017).

the claims that morality makes on us… We want to know what, if anything, *we* really ought to do."

Darwall undertakes his search for the source of moral obligation, or normativity, with a similar view in mind. Of the authority these moral claims have over us, he writes:

"When someone attempts to give another a second-personal reason, she purports to stand in a relevant authority relation to her addressee. I shall say that her address *presupposes* this authority." (Darwall 2006, p. 4)

In other words, in order for subjects to make moral claims on one another, the authority they have to make these claims must be presupposed, yet it's the legitimacy of this presupposition that is questioned when we examine the problem of moral obligation. Instead of questioning the legitimacy of the other's moral authority from the third person perspective, which is quite common in moral philosophy, all three come at it from a different perspective.

Akin to Levinas, the phenomenological elements of Korsgaard and Darwall's projects emphasize the immediacy of the problem of moral obligation for the subject in lived experience, rather than in abstract, third-personal terms. Both ground their analyses of the problem of moral obligation in the everyday experience of the subject from the first and second-person perspectives. Korsgaard's claim that the subject exists within the public domain of shared linguistic consciousness with others demonstrates that like Levinas she contends that to be a subject is to be a subject in question.[24] Put another way, she maintains that the problem of moral obligation begins from the first-person perspective of a

[24] Peter Fristedt (2011, p. 536) notes this when he says that for Korsgaard: "the position of the acting and thinking subject has the structure of a question." Fristedt argues that Korsgaard's "Kantian ethics is based on an essentially hermeneutic conception of the subject" and he compares her position with Hans-Georg Gadamer's "philosophical hermeneutics" to make his case.

subject already called into question. Similarly, Darwall's focus on the second-person perspective as the starting point for his account of the source of morality situates the human other at the advent of moral obligation, much like Levinas does.[25] In light of the similitude of their approaches, I contrast Levinas's account with Darwall and Korsgaard's, rather than others identified with the analytic tradition, as they appear to provide a middle position between overtly egoistic accounts and the apparent extremities of Levinas's picture.

Both Darwall and Korsgaard seem to recognize the importance of others without giving up the primacy of rationality, autonomy, and reciprocity within their systems, and resorting to the other-constituting asymmetry of the Levinasian position. In other words, by defining the nature of subjectivity in terms of the capacities for reason and autonomous choice, and by arguing for the essential symmetry of intersubjective relations, Korsgaard and Darwall avoid the charges of moral idealism and impractically that Levinas is often criticized for. Furthermore, their accounts can accommodate an understanding of ethics as the settling of competing moral claims in a more obvious and traditional way. Korsgaard's solution maintains that the subject cannot help but respond to the call of the other, yet this response is always derived from the subject's self-constitution, as an exercise of her rational and autonomous will. Similarly, for Darwall (2009, p. 59), the moral authority manifest in intersubjective relations is second-personal "all the way down", nevertheless, the conditions of this authority are essentially reciprocal, and it's something that is ultimately granted according to the autonomous and rational will of the subject. Nevertheless, I argue that examining Korsgaard and Darwall's solutions to the problem of moral obligation through

[25] Crowell (2015, p. 564) observes the 'affinities' between Darwall and Levinas's positions in terms of ethics being a second-personal address.

Levinas's account reveals their inability to escape the Hobbesian presupposition and, therefore, offer this middle position.[26] To make this point, I'll engage first with Korsgaard's solution and then Darwall's.

3.5 Korsgaard

In *The Sources of Normativity*, Korsgaard (1996) frames her approach to the problem of moral obligation within the historical context of moral philosophy's search for the foundation of morality. Her contextualization of the problem highlights the interplay between moral obligation, foundationalism, and the nature of subjectivity. As I touched on in the introduction to the thesis and discussed at the end of the previous chapter, throughout the history of moral philosophy, features of human nature have been employed to provide a regress stopping justification for moral propositions, and this founding principle, feature, or condition makes a claim about what kind of beings we are. Since the Enlightenment, appealing to the subject's capacity for reason and autonomy has been the most prevalent means of founding moral obligation in human nature. In other words, as these features define what kind of beings we are, they have come to form the basis of moral obligation. (Korsgaard 1996, pp. 1-48)

According to Korsgaard (1996, p. 98), a human being constitutes their subjectivity through the process of normative self-governance, consisting of autonomous choice[27] and rational action.[28] Using practical reason, the subject

[26] Zhao (2020, pp. 257-261, 264-265) refers to the potential Levinas's reconceptualization of subjectivity and, consequently, ethics has for moral theories in the analytic tradition that criticise and modify, yet still hang onto the old enlightenment understanding of the subject. Nevertheless, his analysis doesn't realise the full potential Levinas has for this field and for the reconfiguration of subjectivity and in turn ethics more generally.

[27] Houser (2020, p. 140) provides a Levinasian critique of the "Kantian primacy of freedom", with reference to Korsgaard's expression of it. Employing Levinas's understanding of free will, Houser (2020, pp. 145-149, 150) makes some similar criticisms of Korsgaard's position to the ones made here, yet with a different approach and emphasis. Houser's focus is not a Levinasian critique of

reflectively chooses laws and principles to regulate her actions. In freely choosing laws and principles to guide her actions, the subject forms a practical identity. Korsgaard (1996, p. 100) writes:

"This means that the principle or law by which you determine your actions is one that you regard as being expressive of *yourself.* To identify with such a principle or way of choosing is to be, in St Paul's famous phrase, a law to yourself."

These principles generate the subject's reasons to act and, therefore, these reasons stem from her practical identity. (Korsgaard 1996, p. 101) Korsgaard (1996, p. 101) defines a practical identity as "a description under which you value yourself, a description under which you find your life to be worth living and your actions to be worth undertaking."

A subject's practical identity is formed in relation to other people, yet it is ultimately her autonomous will that generates the laws she chooses to follow. Korsgaard (1996, p. 101) explains:

"You are a human being, a woman or a man, an adherent of a certain religion, a member of an ethnic group, a member of a certain profession, someone's lover or friend, and so on. And all of these identities give rise to reasons and obligations. Your reasons express your identity, your nature; your obligations spring from what that identity forbids."

Kantian subjectivity, defined by its autonomy, but on Levinas's conception of free will and how it differs from and exposes the problematic nature of the Kantian idea. Moreover, as Houser's engagement with Korsgaard's position is brief and restricted to *The Sources of Normativity*, he only gestures towards its underlying and subconscious dependence on the relation to the human other.

[28] Korsgaard is often identified, in the analytic literature, as adherent of constitutivism, as she locates the foundation of moral obligation in the constitution of the human subject. See Enoch (2006). This has obvious affinities with my constitutive reading of Levinas's project.

In other words, through the enactment of her autonomous will the subject chooses the principles or laws that constitute and reinforce her practical identity.[29] The obligations that arise from the subject's practical identity are binding, as violating them leads to a loss of identity, or as Korsgaard (1996, p. 102) says:

"That is, it is to no longer be able to think of yourself under the description under which you value yourself and find your life to be worth living and your actions to be worth undertaking. It is to be for all practical purposes dead or worse than dead."

What makes these obligations moral is that they entail a valuing of the other's humanity.

Korsgaard (1996, p. 121) claims that underlying the subject's practical identity is their 'moral identity.' She writes: "our identity as moral beings – as people who value themselves as human beings – stands behind our more particular practical identities." She explains that in order to form a practical identity the subject must first value herself as a human being.[30] In order for the subject to value her humanity, she must value humanity itself, which entails valuing the humanity of others. (Korsgaard 1996, pp. 122-124) Korsgaard (1996, p. 136) argues that valuing her own humanity commits the subject to valuing the humanity of others, by virtue of the public nature of reasons.

The subject's capacity for self-reflection, together with the conception of reasons as inherently public, make up the fundamental tenets of Korsgaard's solution to the problem of moral obligation. I claim that both these tenets taken together rely on a prior asymmetrical relation between subject and transcendent human other and, therefore, in some sense Levinas's ethical relation operates

[29] For a critique of the somewhat paradoxical nature of Korsgaard's thesis of self-constitution see Seeman (2016).
[30] For criticism of Korsgaard on this point see Baehr (2003) and Skorupski (1998).

subconsciously at the basis of Korsgaard's answer to the normative question. She does not recognise this underlying asymmetry grounding her account, which causes her to slip back into the Hobbesian presupposition.

It is through self-reflection that the subject is able to engage in the process of 'reflective endorsement' and form her practical identity, however, Korsgaard's form of self-constitution is dependent on a prior relation unrecognized, but embedded in her account. In *Self-Constitution* (2009) and in 'Reflections on the Evolution of Morality' (2010), Korsgaard highlights the interconnection between the birth of self-consciousness and the beginnings of moral obligation. She notes that human beings develop their distinct form of self-consciousness, using their perceptions as information upon which to make reflective decisions, when they observe the manifestation of the mental attitudes of other people. (Korsgaard 2010, pp. 18-19)

Without the distance established by others, the subject's emotions are understood simply as the way the world is affecting her at that moment. Korsgaard (2010, p. 22) explains, in the later essay:

"*I* am not angry: I am simply the victim of an outrage, and that's a plain fact about the world. That is the teleological view of the world at work in me: the situation confronting me is one I perceive as to-be-defeated, or something like that."

Only when observing someone else in a similar state does a human being become aware of her own anger as such. Korsgaard (2010, pp. 22-23) continues:

"There is a distancing use of mental attitude language: was he in danger? well, he *believed* that he was; well, he was certainly *frightened*. A gap between the way the world seems to me and the way it seems to you appears to me at first as a

distortion in the way it seems to you; so I conclude that something about *you* must be distorting the way it seems to you."

By observing the manifestation of the human other's mental attitudes expressed through their behaviour, the subject is able to understand herself as someone whose attitudes and inclinations affect the way she sees the world, and she is able to attain a reflective distance from them. In this way, a human being becomes aware of herself as the subject of her attitudes.

With an awareness of herself as a subject, she recognises that the way she conceptualises, evaluates, and responds to the world are functions of the type of mind she has, and with that recognition emerges a consciousness of the ways in which she does those things. For Korsgaard (2009, pp.115-116), this is a new form of self-consciousness. She asserts that once the subject is aware that her beliefs, desires, and fears give her incentive to act in a certain way, she is able to decide if she should act on these incentives. In *Self-Constitution*, Korsgaard (2009, p. 116) explains:

"It is only when we become self-conscious, when we look inward, that we are faced with normative problems, and must decide what is worth doing for the sake of what. It is reason, not mere intelligence, which puts us in the realm of the normative."

Korsgaard maintains that reason and the autonomous will are born in this reflective space where, freed from her instincts, the subject is able to question if her incentives give her reasons to act. However, what Korsgaard attributes to reason is actually the consequence of an underlying relation to the other.

She claims that it's reason that puts the subject in the realm of the normative, yet she seems to overlook how it is the relation to the human other that

opens up the reflective space that engenders the capacity for reason and autonomous choice. Her description recalls Levinas's distinction between the subject as in-itself or the ego in enjoyment and fully formed subjectivity, which highlights the essential asymmetry between subject and other underlying her theory of normativity. As I explained in chapter one, disrupting the I immersed in enjoyment, the transcendent human other opens up a gap between the I and the world, revealing the latter as something that does not simply exist for the I. This opening up of the world to the subject is essentially asymmetrical, as it is not a collaborative project between subject and other.[31]

Korsgaard's argument for moral obligation turns on defining subjectivity as self-consciousness, as self-consciousness is the birth of the normative. Noting this, Crowell (2007, p. 315) explains, quoting Korsgaard: "Self-consciousness thus gives rise to the normative, and the normative, 'obligation… makes us human'".[32] It is the relation to the transcendent human other that makes the subject human, in that it is the other who enables the subject's capacity for conceptualization and evaluation. The subject's response to the world through these capacities are functions of the type of mind she has, yet what Levinas's analysis emphasizes, and Korsgaard overlooks, is that these are functions the subject has not simply of her own accord, but by virtue of her relation to the other.

Although Korsgaard's account of the birth of self-consciousness begins with the gap opened up by the relation to the human other, she almost immediately relegates this other-constituting moment to the sidelines, overshadowing its significance with her story of how reflective self-consciousness

[31] Of course, it may become collaborative after this founding asymmetrical moment through continuous discourse.
[32] Crowell (2007, pp. 315–333) criticises Korsgaard's account, specifically her conception of self-consciousness, through his reading of Heidegger's ontology of care. See also Okrent (1999).

generates the normative. By relegating the other to the periphery, she appears to acknowledge the importance of others in the formation of subjectivity, only to immediately forget it by returning her focus to the subject as the locus of moral obligation. It is this privileging of the act of reason over the relation it is derived from that obscures her view of the underlying asymmetrical relation within her account, and leads to its slippage back into the Hobbesian presupposition. Admittedly, on its own the role of the human other in the advent of reflective self-conscious is not enough to support the claim that Korsgaard's account relies on a prior asymmetrical relation with the other. To fully apprehend this point, we have to look to her conception of reasons as inherently shared.[33]

Korsgaard (1996, pp. 135-136) argues that a consequence of the subject's 'deep social nature' is that reasons are "inherently sharable", and the sharing of reasons forces the subject to value the humanity of others if she values her own. Korsgaard notes that it's this acknowledgment of linguistic space as essentially shared that the Hobbesian understanding of subjectivity misses.[34] She highlights the shortcomings of this understanding by recognising the significance of intersubjective relations in the development and operation of the subject's consciousness.

Korsgaard (1996, p. 132) explains that in order to justify moral obligation, a Hobbesian account must demonstrate that self-interest provides the subject with reasons to fulfil these obligations. She notes that the Hobbesian position assumes

[33] As I mentioned in fn.1 of the previous chapter, it is not uncommon for traditional accounts of self-constituting subjectivity to recognise the vital role of intersubjectivity in the subject's achievement of reflective self-consciousness. What Korsgaard seems to miss is that the transcendent human other's role in this process suggests that the subject is fundamentally other-constituted as opposed to self-constituting. This comes to the fore in the following discussion of reasons as inherently shared.

[34] Here Korsgaard is referring directly to Hobbes' social contract theory and not to what I refer to as the Hobbesian presupposition, nevertheless, her argument applies to both.

that "we each act on our own private reasons, and we need some special reason, like… contract, for taking the reasons of others into account." (Korsgaard 1996, p. 134) For example, I have a private reason to hold onto and protect my private property. My neighbour may also have such a reason. It is in my interest to take into account her reason and not attempt to steal or vandalise her property, in order to serve my own and protect my property rights. Our private reasons become public through the institution of this social contract. Korsgaard (1996, p. 135) observes that the Hobbesian account is put in the awkward position of having to construct public reasons out of distinct sets of private ones. She claims that arguments that aim to bridge this gap, to move from private to public reasons, are flawed as they fail to realise that reasons are "inherently public."

By conceiving of reasons and meaning as fundamentally relational, she comes closer to recognising the asymmetrical relation as what founds the space of reasons.[35] Drawing on Wittgenstein's private language argument, Korsgaard (1996, p. 137) argues that the concept of private reasons, "is inconsistent with the normativity of meaning." She explains that a reason is not a mental entity, but a relation between a 'legislator' who gives the law and a 'citizen' who obeys. This relation can exist between two elements of reflective consciousness, the thinking self and the acting self, or between the self and others. Korsgaard (1996, p. 138) writes:

"To talk about values and meanings is not to talk about entities, either mental or Platonic, but to talk in a shorthand way about relations we have with ourselves and one another. The normative demands of meaning and reason are not

[35] Houser (2019, p. 587) argues that Levinas's thought enables us to understand that reasons are essentially expressions of our responsibility for the human other and that they're derived from our responsibility for others.

demands that are made on us by objects, but are demands that we make on ourselves and each other".

She points out that as reason and meaning are fundamentally relational, subjects intrude into each other's consciousness. The idea is that it is almost impossible for a subject to hear the words of a language they know as "mere noise." (Korsgaard 1996, pp. 139-140) Korsgaard (1996, p. 140) explains:

"If I call out your name, I make you stop in your tracks… Now you cannot proceed as you did before. Oh, you can proceed, all right, but not just as you did before. For now if you walk on, you will be ignoring me and slighting me… By calling out your name, I have obligated you."

The other's call gives the subject a reason to respond and provide a reason in return. She continues: "We all know that reasons must be met with reasons, and that is why we are always exchanging them." (Korsgaard 1996, p. 140) In this way, language forces human beings not only to think together, but also to reason practically together.

For Korsgaard, the public nature of reasons means that the subject does not need an additional reason to take the reasons of others into account: their reasons are already a factor in the subject's decision-making. By participating in the inherently shared space of linguistic consciousness, the subject has no option but to acknowledge the value the humanity of others has for them.[36] Korsgaard (1996, p. 143) explains:

"In hearing your words as *words*, I acknowledge that you are *someone.* In acknowledging that I can hear them, I acknowledge that I am *someone.* If I listen to the argument at all, I have already admitted that each of us is *someone.*"

[36] For criticism of this point see O'Hagan (2004, p. 58) and Skidmore (2002, pp. 135-140). See also Darwall (2006, pp. 234-235).

On this point, we can hear echoes of what I discussed in the previous chapter - Levinas's description of the transcendent human other's incontestable moral value.[37]

Korsgaard's conception of the shared space of reasons echoes Levinas's understanding of the human other's incontestable moral value, insofar as the former's idea of the subject's moral identity is derived from the unavoidable recognition of the other's humanity, via the shared space of reasons. To reiterate points raised in chapter two, within this space, the transcendent human other makes demands of the subject, calling her actions into question and, consequently, the subject must respond as, by virtue of her nature, these claims cannot be meaningless to her. On Korsgaard's account, to claim that the other's demands are meaningless and deny her moral worth in this sense would entail the subject's devaluation of her own humanity. In order for a subject to value anything, and in turn construct a practical identity she must first value her own humanity as an end in itself. If she does not value her own humanity, the subject lacks reasons to do anything and, thus, rejects practical normativity or the practice of valuing altogether. (Korsgaard 1996, pp. 161-164) As this is precisely what makes the subject human, according to Korsgaard's position, such a person would be denying her defining aspect and cease to function as a subject.

In light of this, it would seem that perhaps her view is closer to Levinas's than I have indicated, in that the subject's practical identity is founded on a fundamental moral identity, which is derived from valuing the humanity of others as an end in itself. As I explained in chapter one, for Levinas, the other person's persistent disruption within the subject's consciousness comprises the subject's

[37] Barber (2020, p. 34) makes a similar point.

ability to constitute her identity. (Levinas 1998a, p. 102) He argues that the subject can only form an identity, and become 'me', by virtue of the relation to the other. (Levinas 1998a, pp. 13-14) While Korsgaard's conception of moral identity points to an underlying asymmetrical relation within her solution to the problem of moral obligation, it is ultimately unrecognised and undermined by Korsgaard's return to the subject as the definitive authority and source of moral value.

Korsgaard's solution slips back into the Hobbesian presupposition in two ways: the value of the other's humanity is ultimately dependent on the subject's valuing of her own humanity and maintenance of her practical identity, and the demands of the other do not have authority over the subject independent of her will to grant it. To address the first point, by overlooking the initial other-constituting moment of the formation of subjectivity, to focus on the subject's capacity for reason, Korsgaard appears to frame the other's value merely in terms of the subject's practical identity. In other words, the value of the other's humanity is derived from the subject's valuing of her own humanity. To reiterate Korsgaard's (1996, p. 92) view, for a subject to form a practical identity and give herself reasons for action, she must value her own humanity and this entails valuing humanity itself, which by default includes others.

Korsgaard frames the subject's obligations to others around the maintaining of her practical identity. If the subject fails to live up to the moral obligations that spring from her practical identity, she experiences a loss of self, even to the point that she may no longer find her life worth living. (Korsgaard 1996, p. 102) Korsgaard frames this loss not as an effect of the other's need or suffering, but solely in terms of the subject's need to maintain a coherent sense of self. Of course, her point is that our relations to others are of such fundamental

importance to our practical identity that our failure to uphold obligations to them can result in a loss of identity so profound that "an agent could just as well be dead." (Korsgaard 1996, p. 102) What I mean is that by framing the subject's moral obligations in the interest of maintaining a coherent practical identity, and not in regard to a concern for the human other's needs, moral obligation becomes more about the interests of the self than that of the other person. [38]

It is not so much the other's demands that give the subject reasons to act, but how rejecting or adhering to these demands will affect the interests of the subject. In this way the other person, after making an uncredited yet defining role in the subject's constitution, is relegated by Korsgaard to the sidelines.[39] This is the slightly strange feature of her account; she starts off with a conception of subjectivity defined by its relations to others only to abandon it by concentrating on the interests of the subject. The other becomes, as Gibbard (1999, p. 141) puts it, "a bit of an afterthought."[40]

To be clear, my concern with Korsgaard's framing of her solution to the problem of moral obligation is not that it results in a lack of concern for the needs of the other, but that it slips back into the Hobbesian presupposition by approaching moral obligation, and ultimately defining it in terms of the needs and

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[38] Both van Hooft (2014 pp. 156-158) and Larmore (2008, p. 115) (who van Hooft cites on this problem) make similar points with different emphasis. In fact, van Hooft mentions Levinas, favourably in this same book chapter, although not in reference to Korsgaard. For more on van Hooft's thoughts on Levinas see van Hooft (2006, pp. 99-106). Van Hooft reads Levinas as a kind of virtue ethicist, and in doing so appears to interpret the interplay between the roles of the subject and the transcendent human other in the subject's fundamental constitution as symmetrical. Ultimately, van Hooft (2014, p. 161) understands virtue as a "self-project."

[39] Nagel (1996, pp. 205-206) makes a similar point about the egoism in Korsgaard's account in his reply to her lectures, although he seems to take this as a consequence of her starting from the first person perspective. Her reply to this criticism seems to unintentionally corroborate my point that only a Levinasian lens can highlight these problems with traditional solutions to the problem of moral obligation, and avoid slipping back into the Hobbesian presupposition. For more see Korsgaard (1996, pp. 242-251).

[40] Gibbard (1999) takes issue with Korsgaard's moral proceduralism. For him, there has to be something substantive within a moral theory. He writes: "Accepting any coherent view of the sources of normativity requires finding some things credible and others not." (Gibbard 1999, p. 164) See also FitzPatrick (2005) for a critique of Korsgaard's constructivist approach.

interests of the subject. To use Korsgaard's (1996, p. 102) example of the 'good soldier', the part of her identity that obligates her to follow orders can be overpowered by the part of her identity that views herself as "a good human being" who "doesn't massacre the innocent." This latter part of her practical identity is centred on a concern for the needs of the other. Nevertheless, as the other's value is derived from the subject's valuing of herself and her identity as someone "who doesn't massacre the innocent", it is difficult to see how the other has value independent of the subject's interest in maintaining her own practical identity. This question is exacerbated by the issue wartime and self-sacrifice pose for Korsgaard's account, which I elaborate on later in the chapter. That the other appears to have no value independent of the subject's self-valuing within Korsgaard's picture is given further weight in that the other's demands seem to have no authority independent of the subject's will to grant it.

The demands of the human other give the subject laws to act in accordance with, yet on Korsgaard's (1996, pp. 150-151) account it is ultimately the subject who is a 'law unto herself.' In other words, the other is a law to the subject in that the acknowledgement of the other's humanity provides the subject with reasons to act according to her demands. The issue is that the authority of the other's demand as a law to act ultimately lies with the will of the subject. According to Korsgaard (1996, p. 164), what makes a good idea a requirement is it being "made law by someone in a position to command us." For her, this legislator is not the human other, but the subject as self-legislator. She writes: "The thinking self has the power to command the acting self, and it is only its command that can make action obligatory." (Korsgaard 1996, p. 165) In light of this, the other appears to

only have legitimate moral authority over the subject insofar as she, the subject, is willing to grant it.

I suspect that there is a fear of granting, or even acknowledging the underlying moral authority the transcendent human other has over the subject apart from the subject's endorsement of it, as it may appear to put the subject in a subservient posture in relation to the other. Putting the subject, especially a subject conceived of out of the tradition of the Enlightenment, in such a position, where they appear to be at the mercy of the other's demands, seems at the very least risky and at the most dangerous.[41] I suggest that this only appears risky on the basis of an understanding of subjectivity as defined by the capacity for reason and autonomy. Nevertheless, it is Korsgaard's unwillingness to recognise the human other's underlying authority that leads her back to the kind of individualistic 'solipsism' she attributes to the Hobbesian position. She writes:

"That is to say, the necessity of acting in the light of reflection makes us authorities over ourselves. And in so far as we have authority over ourselves, we can make laws for ourselves, and those laws will be normative… Autonomy is the source of obligation." (Korsgaard 1996, p. 165)

If the reasons of others do not have authority apart from what is granted by the autonomous will of the subject, the human other has no real moral authority over the subject. Smith (2012, p. 37) sums this up well when he says:

[41] Levinas (1969, pp. 42-44) recognises this fear as a persistent problem in Western philosophy. This is exemplified through his claims that philosophy has continued to favour the subject's capacity for reason and autonomous action over its relation with the transcendent human other, as the latter poses such a challenge to the subject's autonomy and sense of control over their own identity and experience. The challenge the human other poses to the subject's sense of freedom and power over their experience of the world leads the subject to favour the capacities that provide them with this sense of power over the transcendent other that challenges them. This tendency is quite understandable, and one philosophers, especially those influenced by the Enlightenment, are not immune from. At times, even Levinasian scholars are prone to this fear. See Critchley (2015, pp. 88, 90).

"if the authority of moral obligation depends on my reflective endorsement of it – then the account leaves out ways in which we might justifiably be obligated by others who see things differently."[42]

The problem is that on Korsgaard's account it seems that it's only the demands made by the other that the subject chooses to endorse that are morally binding. For example, a white supremacist would choose not to endorse any demands made on him by non-whites, as he does not recognise their humanity as akin to his own. (He would categorise their demands as 'mere noise.') Thus, on Korsgaard's account, he's not morally obligated by the claims of non-whites. Moreover, it seems that adhering to any demands made by non-whites would in fact violate one of his fundamental practical identities.

It appears that if the demands of the other have no moral authority in and of themselves, apart from the subject's extension of the valuation of her own humanity to others, then there is nothing wrong with the white supremacist's position according to Korsgaard's view. The claims of non-whites for equal rights, or not to be harmed may be intelligible to the white supremacist as words; they simply have no normative force for him.[43]

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[42] Smith (2012) makes a similar point to myself, although with different emphasis in his comparative analysis of Korsgaard and Levinas's accounts. He claims that in Korsgaard's view, only the subject has the authority to give obligations to herself, and this leads her to what Smith calls "moral solipsism." (Smith 2012, p. 26) He argues that Korsgaard's account of the public nature of reasons cannot save her from this solipsism, as the fact that reasons are shared does not answer the real question of moral obligation, which is if the reasons given by the other person have the authority to make them moral obligations for the subject. (Smith 2012, p. 36) I would argue that Korsgaard does answer this question. On her account, the other's reasons do have authority over the subject by virtue of the subject's recognition of the other's humanity, however, it is ultimately the subject that grants this authority via her reflective endorsement, and, therefore, the other has no real authority apart from what the subject is willing to grant. Smith claims that Levinas's framework establishes the second-personal moral authority of these obligations, yet Smith's account is limited, as he does not recognise the way this authority manifests as an initially generous response on the part of the subject directing her action.

[43] Perhaps Korsgaard would reply that the white supremacist is engaging in a form of self-deception and is not acting as a coherent agent, yet it is hard to see why the white supremacist should value the humanity of the non-white when, on Korsgaard's view, this moral value does not seem to exist independent of his reflective endorsement or of his recognition of non-whites as

Korsgaard does admit that it is not simply the subject's reflective endorsement that makes an action right, but the public nature of the reflective standpoint. She explains: "So if reflective endorsement made an action right, there would be a sense in which every action was right… There is no normativity if you can't be wrong." (Korsgaard 1996, p. 161) In other words, the subject does not determine right or wrong on her own, independent of the valuation of others. (Korsgaard 1996, p. 161) Korsgaard reiterates this point quite forcefully during her discussion of J.L Mackie's queer moral entities. She argues against Mackie that such entities do exist.[44] She writes: "For it is the most familiar fact of human life that the world contains entities that can tell us what to do and make us do it. They are people…" (Korsgaard 1996, p. 166) In light of this, her conception of subjectivity as defined by reason and the autonomous will creates a tension between her understanding of the subject as self-legislating and the normativity engendered by the recognition of the other's humanity. This tension manifests in the way she seems to recognise our relations with others as the source of normativity, before undermining it with her conception of the subject as the ultimate moral legislator. Nonetheless, this is another aspect of Korsgaard's system that seems to point to the underlying ethical relation at the basis of her account.[45]

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having a shared humanity with him. Geuss (1996) makes a similar point in his overall critique of Korsgaard's position. In Korsgaard's (1996, p. 250) response, she seems to say that on her account the white supremacist is "either ignoring the claims of morality altogether, or deliberately subordinating morality's claims to the claims of this practical identity" and if so is "evil". I think the issue is not that the white supremacist thinks this identity matters more than being human, it is that the non-white is not really human according to his process of reflection. In this context, Korsgaard appears to imply that the claims of morality have authority apart from the subject's autonomous will. See also Gibbard's (1999, pp. 149, 163) Caligula and bereaved Kwakiutl chief examples. The case of the white supremacist also appears to be a problem for Darwall's account, and I elaborate on this in the following section.

[44] Shaw makes a similar argument, which I outlined in the previous chapter.

[45] In a very recent paper, Barber (2020, p. 30) approaches *The Sources of Normativity* through a Levinasian lens, identifying the similarities and differences in Levinas and Korsgaard's accounts

Put another way, in acknowledging the significance of the human other in the advent, and continued experience, of consciousness, Korsgaard almost avoids the pitfalls of the Hobbesian presupposition, however, the continued privileging of reason and autonomy in the constitution of the subject blinds her to the implications of the other's role in the development of subjectivity, and to the way other's constant intrusion into the subject's consciousness imbues the other with moral authority independent of the subject's conscious choice to grant it. At first glance, Darwall's solution to problem of moral obligation appears to avoid Korsgaard's slippage back into the Hobbesian presupposition, as he begins with the humans other's authority to make demands.[46] Nonetheless, examining his account through a Levinasian lens reveals that this is not the case.

3.6 Darwall

Darwall's solution to the problem of moral obligation is located firmly in the second-person standpoint as, according to him, the authority or special imperative force of moral obligation is established through this standpoint. He describes this standpoint as the perspective from which an agent makes a demand of, or

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to ultimately expose the deficiencies in the latter's and improve upon it. The focus of Barber's argument is the different sources of normativity marked by two. His main claim is that unlike Levinas, Korsgaard's position fails to take into account the full spectrum of moral experience beyond the reflective sphere. (Barber 2020, pp. 37-40) Like myself, Barber criticises Korsgaard's valuing of others for being parasitic on self-valuing, and the tension between her argument for the public nature of reasons and her "autonomy-based" position. (Barber 2020, pp. 44-47) However, due to a slightly different reading of this argument, Barber (2020, pp. 46-48) stops short of acknowledging that what Levinas identifies as the founding source of normativity underlines Korsgaard's view. Instead, he simply claims that if Korsgaard incorporated this founding source into her position, "she would have been able to overcome better the individualism to which autonomy-based ethics are prone and to protect reflective endorsement from the indifferent serenity to which it might be predisposed." (Barber 2020, p. 50) Although he notes the vulnerability of Korsgaard's view to idealism, he doesn't mention the problematic role the subject's ultimate moral authority plays in this context. (Barber 2020, p. 42)

[46] For Korsgaard's criticism of Darwall see Korsgaard (2007). Consistent with her solution to the problem of moral obligation, she argues that we must begin with the first-person deliberative stance (or "the voice of the second person within") to get to the second-personal. For Darwall's response see Darwall (2007, pp. 54-60).

responds to the demand of another.[47] From this standpoint, such demands or addresses make a claim on the autonomous will of "free and rational agents", providing reasons to direct their actions. Moral obligations arise from these second-personal reasons for action. (Darwall 2006, pp. 3-9)

Darwall (2006, p. 5) claims that three presuppositions are built into the second-person demand: shared second-personal authority, competence and responsibility. He says:

"To enter intelligibly into the second-person stance and make claims on and demands of one another at all, I argue, you and I must presuppose that we share a common second-personal authority, competence, and responsibility simply as free and rational agents."

Responsibility is defined, in this context, in terms of accountability. (Darwall 2006, pp. 68-69) I am morally responsible when I am held accountable for my actions by another,[48] within the second-person standpoint, and by the moral community derived from this standpoint. (Darwall 2006, p. 35)[49] From the second-person standpoint, each subject, the 'addresser' and 'addressee', possess equal moral standing by virtue of their being rational and autonomous members of the moral community. (Darwall 2006, p. 138) The equal moral standing of both addresser and addressee means that they possess equal authority to make claims on one another, or to give each other reasons. Darwall (2006, p. 8) explains:

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[47] For Darwall, the second-person standpoint is a version of the first-person standpoint in the singular or the plural, as it is a part of the I-you-we structure. What is excluded from this standpoint is the third-person perspective or agent neutral position, where others are thought of objectively.

[48] Watson (2007, pp. 41-44) questions if making a demand of another necessitates the capacity to hold them accountable or morally responsible.

[49] Gilbert questions Darwall's move from the second-person standpoint to the moral community. See Gilbert 2008, p. 180. For further discussion of problems with Darwall's understanding of the moral community see Miller (2018).

"A second-personal reason is one whose validity depends on presupposed authority and accountability relations between persons and, therefore, on the possibility of the reason's being addressed person-to-person."

What distinguishes a second-personal reason from other practical reasons is that it is grounded within the authority relations that pertain between the addresser and addressee.

A second-personal reason is only valid as such if the command that generates it comes from an addressor who stands in "a relevant authority relation" to the addressee. (Darwall 2006, p. 4) Darwall (2006, p. 4) explains:

"By this, I just mean that her having the authority is a necessary condition of the validity of the reason she purports to address and is thus a normative felicity condition of successfully giving her addressee the reason."

In other words, the authority of the command is presupposed in that the addressor purports to possess the relevant authority within the relation. (Darwall 2006, p. 4) By identifying the second-personal standpoint as the source of moral obligation, Darwall (2006, pp. 301, 313) claims that this standpoint is the underlying form of relationality that grounds normative moral theory, specifically contractualism. Reading Darwall's solution to the problem of moral obligation through my interpretation of Levinas's framework highlights three significant problems with his account that ultimately lead to it slipping back into the Hobbesian presupposition. The first of these is his framing of the problem in terms of holding others accountable.

Darwall frames the demands issued from the second-person standpoint in terms of two components, reactive attitudes and claim right, and this focuses his approach to the problem of moral obligation on holding others accountable.

(Darwall 2006, p. 66) Adopting the notion from P.F Strawson,[50] Darwall explains that reactive attitudes implicitly address our demands for certain behavior from the human other. (Darwall 2006, p. 67) Darwall (2006, p. 68) writes:

"The question of whether, and how, to hold others responsible is one that arises within human relationships (that is, relatings) in which we are disposed, through reactive attitudes, to presume an authority to hold others to expectations that we take to define those relations."

Reactive attitudes by definition are about responding to the other's conduct, and the other-addressing reactive attitudes that he discusses at some length are indignation, resentment, and forgiveness, and to a lesser extent gratitude, love, and hurt feelings. (Darwall 2006, p. 66- 70)

Darwall is utilizing the attitudes Strawson employs, yet seems to spend more time addressing indignation and resentment. These reactive attitudes explicitly entail holding the other responsible for some action and, thus, appear to fit better with his framing of moral obligation as holding others accountable. Of reactive attitudes, he writes:

"They invariably involve "an expectation of, and demand for" certain conduct from one another. Reactive attitudes invariably concern what someone can be held to, so they invariably presuppose the authority to hold someone responsible and make demands of him." (Darwall 2006, p. 17)

His favored example, following Hume, is demanding the other "remove his foot from on top of yours." (Darwall 2006, p. 5) The idea is that you feel indignation towards the human other by blaming her for wrongful conduct,

[50] For an account that puts Levinas in conversation with Strawson see Morgan (2020).

"treading on your foot", and in turn hold her accountable for that conduct. (Darwall 2006, pp. 67-68)

In the case of resentment, the subject not only resents the other for treading on her foot, but for the other's failure to recognize the demand to remove that foot. Darwall (2006, p. 68) explains:

"If you resent someone's treading on your foot or, even more, his rejecting your request or demand that he stop doing so, you feel as if he has violated a valid claim or demand and as if some claim-exacting or responsibility-seeking response by you, or on your behalf, is justified."

Put another way, the subject is resentful not simply because the other has wronged her, but because the other has violated her authority in the relation. (Darwall 2006, p. 68) The only self-addressed reactive attitude that Darwall discusses at a similar length to indignation and resentment is guilt.

His analysis of guilt is performed in contrast with shame, and in doing so he places the emphasis of his discussion on the subject's freedom, and not on guilt being a consequence of being held accountable by the other. He explains that to feel guilt, in contrast with shame, is "to feel oneself authoritatively addressed as free." (Darwall 2006, p. 71) Of course, Darwall acknowledges guilt as a consequence of being held responsible for one's actions by the human other; my point is that even in this instance, he still seems to frame his approach to this reactive attitude in terms of the subject's autonomy and authority, rather than highlighting her being held accountable by the other.

Furthermore, Darwall claims that what differentiates guilt from shame in this way is that the subject must freely choose to accept the authority of the other to hold them accountable and, therefore, the subject appears to grant the

legitimacy of the other's authority by holding herself responsible. (Darwall 2006, p. 71) Darwall (2006, p. 72) explains: "One feels that one should and could have done what one didn't do and, therefore, feels appropriately blamed for that reason." For the subject to feel guilt she must, to use Korsgaard phrase, 'endorse' the other's holding her accountable. Thus, we get the impression that the ultimate authority, again, lies with the subject and it is the subject, and not the other, that is really holding the subject responsible. (Darwall 2006, p. 74) In other words, it seems that on Darwall's view, much like Korsgaard's, it is the subject who holds herself morally responsible, and she answers primarily to herself rather than to the other. This framing of the problem of moral obligation in terms of holding the other accountable is further exacerbated by the function of claim right within the second-person standpoint, as Darwall discusses it as defending the rights of the subject against others.

To have a claim right is to have a certain standing within the intersubjective relation that enables the subject to resist, protest, or use other methods if their right is violated. (Darwall 2006, p. 19) Darwall (2006, p. 18) explains:

"if you have a right, then you have a standing to make a special demand against people who might step on your feet—you have the authority to resist, claim compensation, and so on."

For him, the notion of rights and moral obligation are connected through his understanding of the authority to make demands of others. In doing so, the subject recognizes the mutual authority of the transcendent human other in the second-person standpoint. Darwall (2006, p. 27) acknowledges that "moral obligations are thus to others", yet the framing of his approach in terms of what

the subject is owed, or can demand of others, can make the reader lose sight of the concern for the other. This is emphasized further in his discussion of warranted blame, which follows this statement that moral obligations are to others. (Darwall 2006, p. 28)

It may be the case that members of the moral community hold each other responsible through blame and other reactive attitudes, however, by approaching moral obligation this way, Darwall's account is primarily concerned with what we can hold the other responsible for, and not what our responsibilities are to the other.[51] To be sure, he is addressing the responsibilities of every member of the moral community; my point is that by framing the discussion this way, Darwall follows the prevalent tendency in moral philosophy to approach the problem of moral obligation through a concept of subjectivity that has to defend its rights and freedom against that of the other, rather than in terms of responding to the other's need. His framing of the problem of obligation in terms of the needs of the subject spills over into the content of his solution.

A shared second-personal authority and competence are fundamental presuppositions of Darwall's account, nevertheless, his privileging of the subject's

[51] Barber (2008) makes this point with a different emphasis. In fact, Barber and I identify the same problems that come to light when viewing Darwall's account from a Levinasian lens, nevertheless, we emphasize different aspects of these problems or draw different insights from them. For example, Barber (2008, pp. 633-634) notes that Darwall and Levinas have opposing starting points, yet does not elaborate on how this is evident in Darwall's discussion of reactive attitudes beyond his depiction of indignation and resentment, or how this is indicative of a wider prejudice in moral philosophy. Similarly, Barber (2008, pp. 634-638) highlights how Darwall's utilization of Pufendorf's point reveals that Darwall's primary concern is protecting the autonomy of the subject from the other's demand, yet Barber does not address how the assumption that the subject can easily take up the perspective of another is deeply problematic. Likewise, he recognizes that Darwall's account, at its basis, seems to assume asymmetrical responsibility, but Barber focuses more on how acknowledging this fixes inconsistencies in Darwall's solution, or prevents it from devolving into a process of "mean-spirited reciprocity", rather than on how this underlying asymmetry encourages the adoption of a Levinasian approach to revolutionize how subjectivity and intersubjectivity are thought in moral philosophy. (Barber 2008, p. 639) Finally, Barber criticizes Darwall's negative attitude towards care, yet does not recognize the detrimental implications this attitude has for 'non-rational' and 'non-autonomous' individuals on Darwall's account. For Barber (2008, p. 642), Darwall's desire to extend moral obligation to this group simply speaks to the underlying Levinasian asymmetry at the basis of his thesis.

autonomy and capacity for reason,[52] much like Korsgaard's, appears to undercut the authority of the other within the second-person standpoint. It is the presupposition of second-personal authority within Darwall's (2006, p. 20) framework that ties the central components of reactive attitudes and rights together.

Built into this presupposition are two elements, what Darwall refers to as Fichte's point and Pufendorf's point. Following Johann Gottlieb Fichte's analysis of the second-person address, Darwall (2006, p. 21) describes the former point as follows:

"that any second-person claim or "summons" *(Aufforderung)* presupposes a common competence, authority and, therefore, responsibility as free and rational, a mutual second-personality that addresser and addressee share that is appropriately recognized reciprocally."

According to Darwall (2006, p. 21) these are the terms of the second-person standpoint that commits both addressor and addressee to acknowledge each other as "self-originating sources of valid claims", a formulation he borrows from Rawls.

What is important for Darwall (2006, p. 20) here, and what he takes from Fichte, is that the "pure second-personal address always presumes to direct an agent's will through the agent's own self-determining choice." In other words, what is crucial is that the addressee freely chooses to accept the other's authority within the relation, and in turn to freely allow these second-personal reasons to determine her, the addressee's, will. Darwall's concern on this point is not with

[52] Houser (2019, p. 610) makes a similar point, with different emphasis, when he notes that from a Levinasian perspective Darwall's approach to the second-personal standpoint is 'misoriented', as reason and not the other person remains as "its normative anchor."

the demand in question, but with what the addressee chooses to accept as a free and rational agent.

In order for a free and rational agent to hold another accountable, that other must meet the authority requirement as well as that of competency, which takes us to Purfendorf's point. Darwall (2006, p. 23) explains: *"Purfendorf's Point* was that genuine obligations can result only from an address that presupposes an addressee's second personal competence." To satisfy the competency component, both addressor and addressee must possess the capacity to freely determine their actions and, consequently, themselves in light of second-personal reasons. For the addressor to genuinely obligate the addressee, holding her responsible, the addressor must assume that the addressee can hold herself responsible, by virtue of her own reasoning. To hold herself responsible, the addressee must have the capacity to evaluate herself from the second-person standpoint, and as Darwall (2006, p. 23) explains: "make and acknowledge demands of herself from that point of view." To put it another way, both parties must have the capacity to take up the perspective of the other within the relation and evaluate the demand from that other's perspective.

I explore the problems with this element of Darwall's picture in a moment what I want to examine first is the presupposition of authority. The crucial step here is that the addressee must freely choose to accept, and internalize, the demand of the addressor as her own self-determining second-personal reason to act. Darwall's (2006, p. 24) primary contention is that reasons offered in the second-person demand are only considered valid if the authority of the addressor making the demand is presupposed, and affirmed, by the one being addressed. It seems that if the subject addressed is unwilling to recognize, and in turn

legitimize, the authority of the other making the claim then that other lacks the authority to make their demand.[53] If that is the case, then the other only has real authority in the relation if the subject of the address is prepared to grant it.[54] Despite this, Darwall also appears to maintain that the addressor has authority apart from the addressee's willingness to grant it, and this is exemplified in his discussion of reactive attitudes.

The presumption of the other's authority, and its being undercut by Darwall's privileging of the subject's autonomy, is highlighted by his use of Gandhi, Dr. Martin Luther King Jr. and Nelson Mandela as examples of agents who held others to account, and expressed reactive attitudes without these devolving into acts of revenge or retaliation. What makes these individuals admirable, according to Darwall, is their peaceful fight for recognition against those who violently denied their admittance into the moral community. He explains:

"Gandhi, King, and, we could add, Mandela certainly addressed demands, expressed attitudes that addressed demands, and explicitly and implicitly held others accountable for respecting them. But they did these in ways that enhanced

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[53] Smith (2012, p. 90) makes a similar point, but argues for it in a different way. According to him, the big problem with Darwall's account is "the ambiguity between presupposed and legitimate authority." In other words, Smith wants to know what legitimizes the authority of the addressor that is presupposed in the second person standpoint. Smith (2012, pp. 90, 94) claims Darwall's conception of the second-person standpoint is "parasitic on the first-person stance", as he returns to the subject, or the first-person stance of the addressee, to act as the ultimate guarantor of the addressor's authority to make demands. Where Smith's critique goes wrong is that it appears not to address an extra step in Darwall's argument. Smith (2012, p. 94) claims "the only way to evaluate the reasonableness" of the addressor's demand is for the addressee to "situate it in the terrain of competing facts about who he", the addressee, "is that *already* make a claim on him." Darwall argues that the addressee takes up the perspective of the addressor to determine the reasonableness of the demand, however, I claim that assuming the addressee can do this easily and effectively is extremely problematic. Inevitably, this process can lead the subject back to her own preconceived ideas and prejudices. Nevertheless, the basic criticism is the same: moral authority, on Darwall's account, ultimately lies with the subject in the first-person perspective.

[54] For additional criticism of Darwall on this point from a different perspective see Wallace (2007, p. 35).

(or made more visible) their own dignity and that respected that of their addressees precisely because they rejected retaliation." (Darwall 2006, p. 83)

Darwall briefly mentions these cases and does not analyze their relevance to his account any further and, thus, seems to overlook the problems that they appear to pose to his position.

He acknowledges that all three men made demands to be recognized as equal and free persons, and held others accountable for not respecting them as such, however, what he doesn't point out is that it was not merely their demands to be respected as free and equal persons that were being denied, it was also their authority to make such demands of the people they were addressing. For example, Dr. King was not only fighting for black Americans to be acknowledged as free and equal individuals by white America, he was fighting for their admittance into a moral community that did not recognize their authority to make such demands. The whole point of racial segregation is to keep the black community separated from the white community, which entails their separation from the moral community conceived of on these dominant white terms.[55]

With this in mind, it is difficult to see how, on Darwall's account, King was able to stand in the correct authority relation to the whites he was appealing to when they, by definition of his claim, did not recognize the authority he had to make it.[56] Obviously, at some point various members of the white community came to acknowledge, and in turn grant his authority within the second-person address, however, it is not clear how they were eventually able to do so unless we assume that Dr. King had the authority to make these demands independent of the

[55] Even the ludicrous and disingenuous cry of "separate but equal" that white nationalists hide behind entails that the white and black moral communities must remain separate.
[56] Paletta (2013, p. 18) gestures towards this problem when he says that Darwall's formal conception of equality "glosses" over the differences among people."

free choice of the 'moral' (white) community. Perhaps Darwall could respond that the white communities' initial failure to recognize the legitimacy of Dr. King's demand was unreasonable, and they eventually rectified this by taking up his perspective in the second-person standpoint.[57] This response is problematic for two reasons.

On Darwall's structure of the second-person standpoint, it is not clear how Dr. King was able to gain entry into the white 'moral' community in order for them to recognize his authority to make demands of them. As I mentioned in my explication of Darwall's account, the subject to which the demand is addressed must accept the authority the addressor has in relation to her for the second-personal reason to exist as such. It seems that ultimately, the addressee must only accept the authority of the demand if she decides to accept the authority of the other person addressing her, and this appears to undercut Darwall's (2006, p. 21) assertion that within the second-person standpoint both individuals are "self originating sources of valid claims."

It is hard to see how the 'moral' (white) community was able to view Dr. King as the "self-originating source" of a valid claim without already admitting him into the moral community. If we grant that Dr. King was already a member of the moral community, even if it took a while for the white portion of the community to realize that the moral community could not be segregated, there is

[57] Or perhaps Darwall would say that the initial dismissal of Dr. King's demands by the white community shows that, at least initially, the white community were not engaging in an authentic or pure second-personal address. But surely Darwall would have to assume something vaguely substantive apart from or in addition to the second-person address to back this response. For more on this as a possible response, see his discussion of slavery. (Darwall 2006, pp. 263-268)

still the problem of members of the white community taking up Dr. King's perspective to determine the reasonableness of his demand.[58]

It seems that on Darwall's account, Dr. King's authority to make his demands, and the demands themselves were only legitimatized by the free choice of individual whites that examined these demands by taking up his perspective in the second-person standpoint. Of this vital element of the second-person standpoint, Darwall (2006, p. 24) explains:

"When, however, we address second personal reasons, the existence of the reason itself depends upon whether its addressees can reasonably accept the authority relation from which it ostensibly flows."

The idea is that if a white American took up the perspective of Dr. King, or another member of the black community, and examined the demand for equal treatment and respect from their position then of course they would deem the claim as reasonable and grant it. Darwall (2006, p. 320) continues:

"Their reciprocal address commits them both also to a constraint of reasonableness of any demands they address; they must be able to expect their addressees to accept, or not reasonably to reject, their demands as free and rational persons, in light of their interest as independent, mutually accountable (second-personally competent) agents. It commits them both to imposing no demands on others that they would not also be prepared to impose upon themselves from a common standpoint they share as free and rational."

[58] To be sure, Darwall conceives of the moral community as an ideal, akin to Kant's 'Kingdom of Ends', nevertheless, my criticism is still applicable when taking into account Darwall's (2010, p. 62, fn. 20) claim that the authority to grant the legitimacy of the addressor's demand ultimately lies with the addressee. Additionally, it has to be acknowledged that the rational subjects who make up this ideal inhabit concrete human existence and regularly provide (or at least attempt to provide) a rational justification for their deeply held beliefs and biases.

This element of Darwall's picture assumes that the white American is capable of easily taking up the position of the black American. Considering the vast differences in the experiences of white and black lives generated by the brutal and systemic inequalities suffered by the latter, it is doubtful the white American, no matter how imaginative, sympathetic, or empathetic could truly appreciate all the complexities of the black perspective. Even if we grant that one could, what Dr. King was demanding on behalf of the black community was recognition as equal and free subjects, yet this is what was being denied as black Americans were viewed by the white population as inferior, to varying degrees.

With this in mind, if a white American with this view was to take on the perspective of a member of the black community, she would likely conceive of herself as not entirely equal and free (at least not in the white sense) and, therefore, not really in need of equal treatment. On this reasoning, the white American would deem her demand and, consequently Dr. King's, unreasonable and deny its legitimacy. As Darwall does not appear to see this problem when he invokes Dr. King as an exemplar of the moral community, he seems to hold a presumption about Dr. King's authority to make demands for recognition and respect over and above the legitimizing free choice of the white community to which Dr. King was appealing. I suggest that Darwall's presumption can be attributed to his taking for granted the Levinasian ethical relation operating subconsciously at the basis of the second-person address.

Much like Korsgaard, Darwall appears to presuppose Levinas's asymmetrical relation as an unconscious aspect within his account, yet as this underlying asymmetry goes unacknowledged, Darwall's solution to the problem of moral obligation slips back into the Hobbesian presupposition. His privileging

of the subject's autonomy and capacity for reason leads to this oversight. If Darwall recognized the Levinasian asymmetrical relation operating at the basis of his second-personal account, he would see the problematic nature of framing his discussion of moral obligation in terms of holding the other accountable, and recognize the flaws in his account that are exposed by his citing the experiences of Dr. King, Gandhi and Mandela. If Darwall were to acknowledge the asymmetry at the basis of the second-person standpoint, through the presumption of the other's authority to make demands on the subject, he would be able to see the problematic nature of assuming members of the moral community have the capacity to genuinely and unproblematically take up the perspective of other members in moral community with radically different racial, cultural, and social backgrounds.

By recognizing the essential asymmetry of the relation with the transcendent human other, Levinas's account appreciates that the perspective of the other can never be appropriated. Of course, as I explained at the end of the previous chapter, attempts can and must be made, however, Levinas forces us acknowledge that these attempts have no hope of making any meaningful progress in the recognition of moral claims, without the acknowledgement and appreciation of the other's singularity and inherent moral worth, apart from what's granted by the subject of the demand.

Similarly, Darwall's praise of Dr. King, Gandhi and Mandela as those who demanded respect of their oppressors while treating those oppressors with respect, by not responding to the continued violent denial of their demands with violent retaliation, highlights the asymmetrical ethical response of these men, which Darwall seems to miss. Put another way, the actions of Dr. King, Mandela and

Gandhi exemplify a concern for the other apart from an expectation of reciprocity, or even recognition. Barber (2008, p. 637) sums this point up well when he says:

"Darwall presents a view of reciprocity that one could say is already under the sway of the asymmetrical responsibility for the other that Levinas believes can leave its mark on relationships and institutions formed in the wake of the Third and generally characterizable as reciprocal."[59]

In light of this, it could be said that perhaps Darwall and Levinas are examining the problem of moral obligation at different levels.

It could be argued that Levinas and Darwall are talking past each other and, therefore, my Levinasian critique of the latter misses its mark. It could be said that Levinas is talking about a primordial pre-reflective relation, whereas Darwall is dealing with conscious reflective subjects who are providing each other with reasons to act. With this in mind, we could say, to use Levinas's distinction, that Darwall is discussing the problem of moral obligation at the level of the political, whereas Levinas is providing a phenomenological analysis of ethics as what grounds this.[60] Darwall's (2006, p. 301) claim that he is developing the second-person standpoint as a means to ground or provide the foundation for "a contractualist normative moral theory" seems to rule out this possibility.[61]

For him, the basis of moral obligation is the 'content' and 'form' of the second-personal address and, therefore, he, like Levinas, is trying to locate

[59] Barber seems to miss how Darwall's use of Dr. King, Gandhi and Mandela as examples poses even bigger problems for his, Darwall's, account.

[60] Barber (2008, p. 643) gestures towards this idea as a potential means for reconciling Darwall and Levinas's positions. Similarly, the aim of Crowell's (2020, p. 4) recent paper is not to use Levinas's phenomenology to challenge Darwall's account, but to demonstrate that the former makes entering the second-person standpoint and our sensitivity to the normative force of reasons possible. For Crowell, (2020, p. 9) Levinas's account provides the "phenomenological ground" of the moral theory that Darwall describes. Fagenblat (2020b, pp. 60-61) makes a similar point with his claim that Levinas provides the "ground" for "moral answerability" that Darwall's account fails to.

[61] For a "value-oriented" foundation of contractualism that acknowledges the significance of the second-personal, yet opposes Darwall's position see Paletta (2013).

something fundamental that specific normative theories are derived from. (Darwall 2006, p. 301) Darwall defines a contractualist understanding of morality as fundamentally concerned with how we relate to one another. Thus, if Darwall (2006, pp. 35-36) is providing a ground for contractualist normative theory, he is purporting to make, with the second-person standpoint, a claim about the fundamental way individuals relate to one another. In light of this, we can see that the operation of an underlying asymmetry at the basis of Darwall's second-person account does not signal that he and Levinas are talking past each other, but that Darwall overlooks how an essential asymmetry subsists as the foundation of all intersubjective interactions. We can observe his continuing to operate, subconsciously, under this presumption in his view's handling of society's most vulnerable members. This aspect of his account highlights both the dangers of the fixation on symmetry within his system, and its unrecognized reliance on an underlying asymmetrical ethical relation.

Reciprocity, or defining moral obligation as an essentially symmetrical relation, is the fundamental tenet of Darwall's account and another source of its problems. This is evident in his brief mention of the most vulnerable in our society - very small children, the severely mentally ill, and intellectually disabled. (Darwall 2006, pp. 87-88) According to him, these individuals cannot meet the authority and competency requirements of the second-person standpoint, as they do not have the mental capacities to provide the addressee with second personal reasons to act, nor can they take up the second-person perspective of other subjects. On these grounds, they are excluded from the moral community. This, of course, does not give members of the moral community the right to treat these specific non-members any way they please, nevertheless, as non-rational, non-

autonomous human beings, they cannot make demands of others from the second-person standpoint.

As such, they pose a problem for Darwall's account in that he wants them to be treated morally, without admitting them into the moral community.[62] This isn't a form of cruelty on his part, but a consequence of the significance he places on reciprocity, reason, and autonomy. As these vulnerable individuals "lack the requisite freedom to intelligibly be held accountable", it seems that the only way they can incur moral treatment, on Darwall's account, is by appealing to the sympathies of the members of the moral community. (Darwall 2006, pp. 47, 87) This means that any moral obligation the moral community deems it has towards these non-rational individuals is determined through the objective third-person perspective. (Darwall 2006, p. 87)

He admits that his solution to the problem of moral obligation is not intended to deal with the question posed by those who do not meet the authority and competency requirements of the second-person standpoint. Darwall (2006, p. 29) explains:

"In any case, what I seek to show in this book is that the second-personal competence that makes us subject to moral obligation also gives us an authority to make claims and demands of one another as members of the moral community. Whether the scope or content of moral obligation extends farther is a question I do not here consider."

As his account is not intended to address such human beings, he is somewhat vague on how the moral community should deal with them.

[62] For more on the problems non-rational and non-autonomous humans raise for moral philosophy see Kittay & Carlson (2010). For criticism of the traditional requirements associated with moral personhood see Kittay (2005).

Earlier on in his discussion, he claims that his framework can accommodate moral obligations to those who lack second-personal competence, as members of the moral community can act as 'trustees' or advocates who have the authority to make moral demands on behalf of these non-rational, non-autonomous humans. (Darwall 2006, p. 29) Darwall (2006, p. 29) writes:

"although I am bound to insist that moral obligation, like the concept of a right, cannot be understood independently of authoritative demands, the thought that moral obligations can be owed to beings who lack second-personal competence might be able to be elaborated in terms of trustees' (for example, the moral community's) authority to demand certain treatment on their behalf (perhaps also to claim certain rights, compensation, and so on, for them)."

Later on in the text, he refers specifically to individuals with Alzheimer's or Down's syndrome as those who lack second-personal competence, and suggests a 'two tracks' approach to their treatment.

He characterizes this 'two tracks' approach as one generally used for the moral education of older children. The idea is that older children are often treated as if they have full second-personal moral competency as a means of developing this competency. We treat them in this way while still acknowledging that they have not yet achieved full second-personal competency and, thus, we do not hold them accountable in the same way as fully competent adult members of the moral community. Of those with Alzheimer's and Down's syndrome, Darwall (2006, p. 88) writes, somewhat vaguely:

"Here we may work along two tracks as well, perhaps a fully, at least putatively, second-personal track in relatively limited areas along with continuous negotiation about the limits."

As the moral competency of these individuals cannot be developed in the same way as older children, he seems to suggest that we humor them by pretending that they have such competency. This may seem like a reasonable starting point, but it does leave some concerns.

As the equal dignity of persons is derived from their capacity to take up a position within the second-person standpoint, it appears that non-rational individuals are not accorded dignity, at least not equal dignity, within Darwall's system. He explains:

"According to morality as equal accountability, to be a person just is to have the competence and standing to address demands as persons to other persons, and to be addressed by them, within a community of mutually accountable equals. This second-personal competence gives all persons an equal dignity, irrespectively of their merit. We therefore respect another as a person when we accord him this standing in our relations to him." (Darwall 2006, p. 126)

Put another way, the equal dignity of persons' stems from mutual accountability and, therefore, if an individual does not have the mental capacities to be held accountable for her actions, she does not have equal dignity. On Darwall's account, these non-rational humans are not even considered persons, and I may be making things a little confusing by referring to them as individuals.

As these humans are not accorded equal dignity with members of the moral community, their only way of appealing to the moral community for ethical treatment is through sympathy, however, for Darwall this is problematic. He claims that appealing to sympathy, instead of making moral demands from the second-person standpoint, opens the subject up to the possibility of domination. Darwall (2006, p. 47) writes:

"Given the vagaries of human life, we often cannot expect others to care for us in this way. Moreover, attempting to gain others' favor can expose us to risks of subservience. By "servile and fawning attention," we may put ourselves at others' mercy and be vulnerable to their condescension if not domination."

For him reciprocal, exchange is a more dignified approach as it entails mutual respect, and he seems to want to open up this avenue to non-rational humans.

Conceivably, the moral community could hold each other accountable for the treatment of these vulnerable individuals from the third-person perspective, nevertheless, he appears to want to found our moral obligations to them within the second-person standpoint. This seems to undercut his prior statement that his account does not intend to deal with non-rational, non-autonomous humans. Darwall (2006, pp. 302) writes:

"Many of us believe that we have moral obligations to nonrational humans and other animals and, indeed, to the natural environment… If, however, we take moral responsibility to be part of what moral obligation involves in such cases, then we must hold that we are accountable to one another (as members of the moral community) in these cases as well (that is, by virtue of principles' form). I am inclined strongly to think that the content of moral obligations does have this wider scope. But I know of no promising way of vindicating these thoughts that does not build upon or extend from accountability in the central second-personal case."

Darwall's strong inclinations on this point, and his admission of it as something missing within his account, reveal the limitations of moral frameworks that found moral obligation on a symmetrical form of relationality.

His insistence on the symmetrical nature of moral obligation entails his privileging of the subject's capacities for reason and autonomous choice, as these are the criteria that assure mutual accountability. In this way, moral obligation is restricted to those with second-personal competence and thus, fails to take into account the needs and rights of those outside this group from their own perspective. Although these non-rational humans can be accorded the sympathetic "treatment and management" of the moral community, I suggest that what is undesirable about this, for Darwall (2006, p. 69), is that it does not seem to enable the needs and desires of non-rational humans to be met, at least to some extent, on their own terms. Instead, their needs and desires are approached solely from the abstract perspective of the moral community.

His explicit desire to expand his moral system to include non-rational humans points to a broader moral intuition that includes all human beings, rational and 'non-rational' in the moral community. Although he believes that the way to fulfill this moral intuition is through the extension of his own account, it looks as though its fundamental aspects are responsible for narrowing the scope of moral obligation. This restricts his account's capacity to demonstrate how an extending of moral obligation to non-rational humans can arise out of the second-person standpoint, without moving straight to an appeal to sympathy within the third-person standpoint. This inability to extend moral obligation to those lacking second-personal competence indicates that the resources to do so lie beyond the reciprocal accountability of the second-personal standpoint. The tension between Darwall's inclination to derive our moral obligations to non-rational humans from the second-person standpoint, and his system's inability to do so again points to the unrecognized underlying asymmetry within his account of moral obligation.

Recognition of this underlying asymmetry would prevent Darwall's solution to the problem of moral obligation from slipping back into the Hobbesian presupposition.

It is this fixation on symmetry that steers Darwall to frame the problem of moral obligation in terms of holding of others accountable, instead of responding to the other's need. For him, relationality is essentially reciprocity, and he makes this point by quoting Martin Buber's *I and Thou* at the beginning of chapter three of *The Second-Person Standpoint*. (Darwall 2006, p. 39)[63] By founding moral obligation on an essentially symmetrical relation between subject and other, Darwall frames his approach in terms of holding the other accountable, and risks determining moral obligation by the securing of the subject's interests. Barber (2008, p. 639) articulates this point well when he says:

"In such a situation, where parties appear bent upon preserving their autonomy and protecting themselves against, unwarranted, coercive intrusions by others, there is danger that reciprocity can end up being something I demand of you rather than something that I feel summoned by you to enter into."[64]

Darwall (2006, p. 47) maintains that the "operative motive" for reciprocal exchange "is self-interest" and although he acknowledges that this form of cooperation is not possible without "a presupposed second-personal normative infrastructure", he seems to reduce moral obligation to this self-motivated exchange. Consequently, it is his framing of moral obligation in terms of safeguarding the subject's interests that generates his ultimate denial of the

[63] For more on Levinas, Buber and reciprocity see Meindl, León & Zahavi (2020). See also Young (1997).

[64] It's worth noting that Barber (2008, p. 635) claims there is no content to the ethical relation beyond "that whatever specific act one undertakes ought to be undertaken out of responsibility to and for the other." Responsibility is doing a lot of prescriptive work here, and it relies on our preconceived ideas about what moral responsibility should entail for its content.

legitimacy of the other's authority within the relation, and excludes the most vulnerable from the moral community. Acknowledging the essential asymmetry grounding the possibility of reciprocity would enable Darwall to follow through on his inclination to widen the scope of the second-person standpoint to provide the basis for moral obligations towards non-rational humans.

It is not that reciprocity and autonomy are not important elements of any moral framework; the point is that they cannot be its founding aspects, and it's Levinas's intervention into the problem of moral obligation that engenders this realization. Contrasting his conception of the intersubjective relation with Martin Buber's symmetrical notion, Levinas explains:

"According to my analysis, on the other hand, in the relation to the Face, it is asymmetry that is affirmed: at the outset I hardly care what the other is with respect to me, that is his own business; for me, he is above all the one I am responsible for." (Levinas 1998b, p. 105)[65]

At risk of repeating myself, it is only through recognition of the underlying asymmetrical relation with the human other as the defining aspect of subjectivity, which makes reason, autonomous choice and reciprocity possible, that Korsgaard and Darwall could overcome the Hobbesian presupposition.

In both cases, the inability to admit to a conception of subjectivity defined by an asymmetrical relation with the other causes a slippage back into the Hobbesian presupposition. The subconscious sway of this presupposition prevents Darwall from simultaneously remaining in the space of the other's demands, causing his return to the interests of the subject, and blinds him to the Levinasian insight that his account presupposes. Similarly, the influence of the Hobbesian

[65] See also Levinas (1986b, p. 349).

presupposition inhibits Korsgaard from recognizing the defining moment of other-constitution at the basis of her account. Her inability to accept a notion of subjectivity defined by the other forces her return to the powers of the subject, constituted by reason and the autonomous will. In light of this, it appears that the appreciation of our 'deep social nature', or approaching moral obligation from within the second-personal address is not enough to overcome the Hobbesian presupposition; the only solution is the adoption of Levinas's approach.[66] His understanding of the nature of subjectivity circumvents the problems encountered by the Hobbesian presupposition – it acknowledges our 'deep social nature', and more than that is able to account for acts of pure generosity.

3.7 The Puzzle of 'Pure Generosity'

Returning to this concept raised in the introduction to the thesis and the opening sections of this chapter, by acts of pure generosity I refer to actions that are performed to benefit others, and entail a cost to the individual performing them. In *Does Altruism Exist,* evolutionary biologist David Sloan Wilson (2015, p. 3)[67] defines altruism, with a slightly Levinasian echo. He writes:

"Altruism is a concern for the welfare of others as an end in itself. Improving the welfare of others often requires a cost in terms of time, energy, and risk. Even the simple act of opening a door for someone requires a tiny

[66] Daniel Smith (2017, pp. 149-150) makes a similar point briefly and with different emphasis. Smith (2017, p. 150) claims that according to Levinas the only way to avoid the "repeated fall" back into egoism, made by those critical of egoism, is to reconceive of subjectivity as substitution, yet Smith's argument is restricted to a comparison between Levinas and Kant as his overall aim is to disprove the thesis that there is a 'Christian turn' in Levinas's later thought. (Smith 2017, p. 151)

[67] Wilson employs evolutionary theory as a navigational tool in addressing the question of the existence of forms of pure altruism. He claims altruism is an important question for the field, as it appears difficult to comprehend as a product of natural selection. (Wilson 2015, p. 4) See also Dugatkin (2006, pp. 62-63).

expenditure of time and energy. At the opposite extreme, saving a life often requires a substantial risk to one's own."

Social contract and conditioning can account for no or low risk altruism, and higher risk altruism among blood relatives can be explained in terms of self-interest,[68] yet it is when these acts, or what Levinas refers to as pure generosity, are performed to benefit complete strangers, and pose a significant risk to the life of the one performing them, that making sense of them as a phenomenon becomes more difficult.[69] To provide some context for the types of acts I'm referring to, I'll provide an example from World War II.

War is often thought of as a time when the moral veneer of society is stripped back and we reveal our true brutal nature. The niceties of morality are suspended at such a time. In *Survival in Auschwitz*, Primo Levi describes an act of pure generosity that he witnessed in his last weeks in the camp.[70] Lakmaker, a seventeen-year-old boy in the bunk under Levi's, who was suffering from typhus, scarlet fever and a cardiac condition, began crying and shouting in the middle of the night. Levi's (1996, pp. 166-167) description is worth quoting at length:

"Charles lit the lamp… and we were able to ascertain the gravity of the incident. The boy's bed and the floor were filthy. The smell in the small area was rapidly becoming insupportable. We had but a minimum supply of water and neither blankets nor straw mattresses to spare. And the poor wretch, suffering

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[68] In *The Selfish Gene*, Dawkins (2016, pp. 114-115) argues that such acts are examples of self-interest or "gene selfishness." On his account, altruistic acts are performed in order to preserve the subject's genes.

[69] Nagel (1970, p. 79) makes this point in *The Possibility of Altruism* when he says: "Even if the required social behaviour does not include serious self-sacrifice, it will almost certainly include cases in which no obviously self-interested motive is present, and in which some inconvenience or at least no benefit to the agent is likely to result. A defence of altruism in terms of self interest is therefore unlikely to be successful."

[70] It is worth noting that elsewhere Levi (1998, p. 108) describes existence in the camps as "a Hobbesian life, a continuous war of everyone against everyone."

from typhus, formed a terrible source of infection, while he could certainly not be left all night to groan and shiver in the cold in the middle of the filth.

Charles climbed down from his bed and dressed in silence. While I held the lamp, he cut all the dirty patches from the straw mattresses and the blankets with a knife. He lifted Lakmaker from the ground with the tenderness of a mother, cleaned him as best as possible with straw taken from the mattress and lifted him into the remade bed in the only position in which the unfortunate fellow could lie. He scraped the floor with a scrap of tinplate, diluted a little chloramine and finally spread disinfectant over everything, including himself. I judged his self-sacrifice by the tiredness which I would have to have overcome in myself to do what he had done."

What is so striking about this example is not that Charles risked his life, when rescue was in all likelihood only a few weeks away, and for someone that was probably going to die anyway, it is the way Charles responds to Lakmaker with such tenderness and care.[71] Furthermore, Charles performs this action not when he's at his best, but at a time where morality had apparently been suspended, and he is being tortured and dehumanized by the Nazi's.

Levi's response to Charles' actions is also quite telling. Instead of accosting him for doing something so foolish, as to act against his own self-interest, Levi admires his action, and considers what it would have taken for him to do the same thing. With the response of both men in mind, it seems that the real challenge is not to try to reconcile these actions with the Hobbesian presupposition, but to understand how the subject can be both savagely egotistical and genuinely ethical.

[71] Gaita (2004, pp. xv-xxi) makes a similar point with different emphasis and in a different context when citing this same example.

In arguing for what seems to be the inverse of the Hobbesian presupposition, it could be said that Levinas is simply choosing to focus on the nicer side of human nature, and in making the opposite assumption he is ignoring the instances of violence and indifference that occur everyday in the name of self-interest and self-preservation. Addressing this, in what appears to the only comparative paper exclusively on Levinas and Hobbes,[72] Cheryl L. Hughes says (2005, p. 153):

"Levinas's claims regarding human intimacy and infinite responsibility for the Other must still be reconciled with the real experiences of conflict, competition, violence and mistrust that concern Hobbes. Perhaps Hobbes is simply being realistic…" [73]

Due to his focus on the subject's asymmetrical responsibility for the human other, the two components of Levinas's framework that attend to self-interest and to these instances of "conflict, competition, violence and mistrust" are often overlooked. As I explained in chapters one and two, his descriptions of enjoyment along with the 'murder argument' demonstrate the important role egoism plays in his framework. Levinas's (1969, p. 198) picture accounts for the competition and violence Hobbes' description of human nature is famous for with the 'wish to kill' as the secondary moment to the initial response to the transcendent human other. To revisit what I explained in the previous chapter, although the initial moment of the ethical relation is defined by a response of pure

[72] Although she focuses on Levinas and early modern philosophy, Römer (2019a) does provide quite an extensive analysis of the relationship between Levinas's thought and Hobbes'. For shorter comparisons and mentions see Doukhan (2012), Morgan (2016), Shaw (2019), Coe (2019), Mensch (2016), and Alford (2004).

[73] Sober &Wilson (1998, p. 2) make a similar point, in a different academic context. They write: "If someone says that human beings are by nature selfish, people frequently regard this pronouncement as proceeding from a clear-eyed realism; however, if someone says that human beings are by nature benevolent, people often smile indulgently, thinking that the assertion reflects a propensity to view the world through rose-colored glasses." See also Axelrod (2006) and Batson (1991).

generosity that the other's affect arouses, in secondary moments the subject resents the power the other has over her and can seek to destroy it. (Levinas 1969, p. 198) As the transcendent human other is the only being that can question the subject's sovereignty and power she exercises over her field of experience, the subject has motive to ignore or objectify the other person, refusing to give anything she possesses. She may even violently brutalize and/or kill the other as a means of denying this moral authority. Furthermore, Levinas's concern with the state of moral obligation at times of war demonstrates that he does not ignore human conflict by focusing on intersubjective encounters when they are most ideal.

Levinas (1969, p. 21) discusses the threat war poses to morality in the preface to *Totality and Infinity.* He writes:

"The state of war suspends morality; it divests the eternal institutions and obligations of their eternity and rescinds ad interim the unconditional imperatives… War is not only one of the ordeals – the greatest - of which morality lives; it renders morality derisory."

In other words, war aims to suspend morality by divesting all obligations and imperatives of their apparent givenness, in an effort to obtain victory by any means. In order to win, all forms of practical reason are reoriented in the service of military and political success. (Levinas 1969, p. 21) Levinas (1969, p. 21) explains that the violence this reorientation of practical reason inflicts on the subject "does not consist so much in injuring or annihilating persons as interrupting their continuity, making them play roles in which they no longer recognize themselves, making them betray not only commitments but their own substance, making them carry out actions that will destroy every possibility for

action." At first glance, it may appear that he is making a sort of Hobbesian assertion that in times of war morality becomes irrelevant. However, the point Levinas makes is that it is only possible for morality to have endured in the face of war because the nature of subjectivity is defined by the ethical. To understand what he means it is helpful to return to Korsgaard's understanding of the subject.

The threat war poses to morality and the subject's practical identity highlights the inability of Korsgaard's solution to the problem of moral obligation to account for acts of pure generosity. To revisit what I explained earlier in the chapter, for her, the subject exercises her humanity through practical reason with the formation of her practical identity. Korsgaard claims that the subject's reasons to act stem from her practical identity, however, as Levinas points out, the suspension of conventional morality during wartime puts practical reason purely in the service of military goals, and the subject's practical identity is called into question.

His descriptions of the effects of war reveal the inadequacies of founding moral obligation on practical reason. Rosato (2015, p. 434) sums his point up well when she says: "the experience of war in fact confronts teleological and deontological ethical theories by challenging the primacy and legitimacy of practical reason."[74] As war calls into question the legitimacy of the subject's practical identity, the reasons that guide her actions during times of peace are questioned, and may be deemed irrelevant.

[74] Rosato (2015) makes similar points about Levinas's analysis of war, although with different aims. The primary goal of Rosato's argument is to bring together Levinas's discussions of scepticism in the opening of *Totality and Infinity* and near the close of *Otherwise Than Being*. She claims that the "unique type of linguistic skepticism" in the latter text counters what war suggests: that the meaning of persons are derived from the totality of being, and the meaning of human actions are only understood within the totalising discourse of history. (Rosato 2015, pp. 431-432, 435) In other words, for Rosato (2015, pp. 441-442, 444-445) scepticism identified with the Saying becomes the answer to the moral sceptic of the earlier work, who challenges moral theory founded on practical reason.

During wartime, the subject's practical identity and conception of humanity can be challenged and splintered to the point that they become unrecognizable in their former context. This is what Levinas means when he claims that the horror of war reveals the conception of the modern subject as a fundamentally autonomous and rational individual to be an illusion. He describes war as an "ontological event that takes form in this black light", reducing all human beings to indistinguishable cogs in an all-consuming war machine. (Levinas 1969, p. 21) During such an event, he says: "Individuals are reduced to being bearers of forces that command them unbeknown to themselves." (Levinas 1969, p. 21)

On Korsgaard's account, if the subject's practical identity is fractured to the point that she no longer recognizes herself, it appears the only sense of self she has left is her underlying moral identity. Nevertheless, as Korsgaard claims that our moral obligations to others are derived from our valuing of our own lives, it's not clear how acts of self-sacrifice or pure generosity during wartime are possible. Put another way, it is not clear how the subject's moral identity can remain intact, according to Korsgaard, if the subject's practical identity is fractured in such a way that she no longer values her humanity or views her life as she did before. Levinas's own experience during WWII may help us understand this point.

During WWII, Levinas experienced acts of extreme violence and pure generosity. While he was being stripped of his humanity, suffering the violence and indignity of a prisoner of war, Maurice Blanchot and others risked their lives to hide Levinas's wife and daughter at a monastery, saving them from the death the rest of Levinas's family suffered at the hands of the Nazis. (Levinas 1990b,

pp. 152-153, Hammerschlag 2010, pp. 652-653) This experience does not seem possible according to Korsgaard's ethical system.

Perhaps she would argue that in extreme cases like these certain practical identities enable acts of pure generosity. In Blanchot's case, perhaps possession of 'being a good friend' as one of his practical identities left him no choice but to risk his life to save Levinas's wife and child. In other cases of Jews in WWII who were saved by those who were strangers to them, perhaps Korsgaard would argue that these individuals were operating according to the practical identities of a 'hero', or of 'a good Christian', or as one that cannot turn away from the suffering of others. However, the breakdown of practical identities as a consequence of wartime makes this possibility highly questionable. Moreover, if for arguments sake these practical identities remained intact during the horrors of war, that they are derived from the subject's valuing of her own life seems at odds with the act of risking, or sacrificing that life for another. Put another way, if we return to Levi's example, it seems contradictory that a being whose concern for others is parasitic on the valuing of their own life would disregard that life when faced with the need of the other. The phenomenon of acts of pure generosity during wartime also raises a problem for Darwall's account.

The essential symmetry of the second-person standpoint renders acts of pure generosity almost inconceivable according to Darwall's solution to the problem of moral obligation. By definition, such acts are performed at a cost to the subject without an expected benefit in return. As Darwall (2006, p. 47) conceives of the relation between the subject and others as fundamentally reciprocal, and defines moral obligation as reciprocal accountability, it is difficult to see how self-sacrifice or pure generosity is possible on his founding structure.

If moral obligation is understood in terms of securing the subject's interests through reciprocal exchange, acts of self-sacrifice can only be conceived of as an anomaly, a consequence of irrational action motivated by self-delusion, reckless impulse or extreme sympathy, and not as the action of a rational subject fulfilling and acting in accordance with her moral obligation.

Nevertheless, perhaps Darwall would argue that acts of self-sacrifice or pure generosity are performed with an eye towards theoretical reciprocity. For example, if I attempt to save a drowning child, my motivation may be the hope that someone would do the same for me, or for my child, if one of us were in similar life threatening situation. This theoretical reciprocity is something the subject might expect in civilized society where moral norms are intact, yet not in wartime where such conventions have broken down and the social contract is in tatters. With this in mind, it is not clear how peace could be re-established after wartime, beyond the complete annihilation of one side of the conflict, if this form of action is to be derived from the second-person standpoint. This point brings to mind a criticism of Hobbes' account that is also applicable to Darwall's.

Hobbes' depiction of the state of nature does not appear to take into consideration the subjects in the state of nature who would have to take the risk of initiating the social contract, or re-establish it if it disintegrated. The peril these initiating subjects would have to endure, without the guarantee of reciprocity, isn't really possible on this account. Hughes (2005, p. 153) describes this well when she says:

"How could Hobbes's self-interested, rational calculators in a natural condition of diffidence even come together in the mutual trust required to make a covenant? Given Hobbes's description of human nature, if the implicit social

contract were ever dissolved, how could it be re-established? Someone would have to take the risk of acting first, the risk of sacrifice for another."[75]

Although Darwall's account starts within the second-person stance and not with atomistic egoists, the criticism still applies - who would be willing to make a selfless move in a moment of crisis, like wartime, when reciprocity cannot be expected much less guaranteed? In light of this, Levinas's conceptions of intersubjectivity as founded on a fundamental asymmetry, without the expectation of reciprocity, and subjectivity defined by the ethical, provide a model that can accommodate the initial self-sacrifice it would take to reinstate peace in a way that Darwall's system cannot.

Levinas (1969, p. 22) maintains that even in times of war, when the institutions and laws that are designed to ensure the reciprocity of social order are suspended, human beings remain morally responsible, and this is only possible if what engenders moral obligation precedes war, escaping its totalizing grasp. In other words, acts of self-sacrifice or pure generosity are only possible if moral obligation is founded on that which precedes the subject's capacity to choose to harm the other.

As a Jew who survived the horrors of WWII, Levinas was more aware than most of the extreme violence human beings are capable of in the name of self-interest and self-preservation, however, his personal history also made him a witness to the fact that people continued to perform acts of pure generosity when

[75] Hughes (2005, pp. 145-146) makes Levinas's implicit criticisms of Hobbes' explicit by comparing their opposing conceptions of the basis of "human relations." To be clear, Hughes is not comparing what I have termed the Hobbesian presupposition with Levinas's understanding of what founds subjectivity and intersubjectivity, she is juxtaposing Levinas's thought with Hobbes' moral theory. Nevertheless, our aims are the same in that we each purport to show that Levinas provides a superior picture of subjectivity and "human relations" by taking into account the violence of egoism, along with self-sacrifice. Like myself, Hughes highlights the importance of egoism in Levinas's phenomenological framework, however, she does not articulate precisely how the initial moment of the ethical relation is one of pure generosity. She appears, like many others in the scholarship, to simply take it for granted. (Hughes 2005, pp. 149-150, 153)

all social order was suspended. Levinas's own experience, along with other reports of self-sacrifice during wartime, demonstrates his claim that these actions would be inconceivable to inherently egotistical, self-constituting individuals. Put another way, the fact that acts of pure generosity occur at such moments in human history reveal the Hobbesian presupposition, and moral theories that unsuspectingly slip back into it, as being able to account for the consequences of only one aspect of subjectivity.

3.8 Conclusion

To sum up, what I have tried to argue in this chapter is that it is Levinas's conception of the subject as constituted and defined by the ethical relation which enables him to circumvent the problems that arise for solutions to the problem of moral obligation that inadvertently slip back into the Hobbesian presupposition. Through the criticisms raised by Levinas, Midgley, and others, I tried to demonstrate how the Hobbesian presupposition has materialized, and has come to dominate our understanding of the modern subject. The influence of the Enlightenment's privileging of reason and autonomy, along with the popularized biological reductionism of Neo-Darwinism, have not only shaped the Hobbesian presupposition, but have contributed to its permeation within the popular imagination. The rise of neoliberal ideology, and its ability to infect all aspects of modern life and, consequently, the modern psyche, has promoted and developed the Hobbesian presupposition, sustaining it as a foundational idea in our current cultural moment.

At first glance, it seems as if the implications of the criticisms made by Midgley and others are realized in the philosophical positions of Korsgaard and

Darwall, without these resorting to the asymmetry and other-constituting subjectivity of Levinas's phenomenology. However, by reading their arguments through a Levinasian lens, I found that both of these 'middle positions' slip back into the Hobbesian presupposition on three points. Firstly, they frame their solution to the problem of moral obligation in light of the concerns and interests of the subject. In Korsgaard's case, the valuing of the other's humanity is parasitic on the subject's valuing of her own humanity. By framing the subject's moral obligation in terms of maintaining a coherent practical identity, and not the needs of the other, the focus becomes the interests of the subject and not how one ought to treat the other.

Similarly, Darwall's discussion of reactive attitudes frames his solution to the problem of moral obligation in terms of holding the other accountable, and protecting the subject's interests and rights. This is exacerbated by the incontestable role reciprocity plays in his account. Non-rational and non-autonomous humans are excluded from the moral community and denied equal dignity with its members, as they cannot participate in the reciprocal requirements of the authority and competency conditions. They are administered moral "treatment and management" by the members of the moral community, out of the sympathy accorded from the third-person perspective, yet, for Darwall, this is undesirable as it can lead to their domination. Thus, Darwall's solution appears to exclude the most vulnerable other from the basis of ethics, in order to safeguard the subject's concerns.

Secondly, both Korsgaard and Darwall cannot escape the Hobbesian presupposition, as they do not accord the other moral authority independent of the subject's autonomous will to grant it. On Korsgaard's account, despite her

admission that there is no normativity without the valuation of the others, the subject as self-legislator is the ultimate authority behind moral obligation. Likewise, for Darwall, the subject must freely choose to accept the other's authority, and in turn the legitimacy of the second-personal reasons generated by their demand. His use of Dr. King as an example highlights the problems with this, as it is not clear how Dr. King's authority in the second-person standpoint was legitimized by the members of the 'moral' (white) community, when this was the very thing he was demanding for the black community.

Furthermore, the idea that members of the white community were able to unproblematically take up the perspective of a member of the black community in order to discover their demand for equal treatment and respect as reasonable requires a hubris and disregard for the singularity of the other that is at the very least a hindrance to moral progress, and at most quite dangerous. The idea that a person from a privileged and dominant group is able to naively, and immediately, take up the perspective of a person from an oppressed minority, a minority that they have a history of oppressing, is exceedingly dangerous as it appears to perpetuate structural oppression and implicit bias.

Thirdly, Darwall's use of Dr. King as an example, along with his strong inclination to include non-rational, non-autonomous humans in his moral picture, points to an underlying asymmetrical relation operating at the basis of the second-personal address. That Dr. King and his fellow activists were capable of making demands for respect and equality, and held their oppressors accountable without resorting to the violence they were victim to, highlights this underlying asymmetrical response to the other. Darwall's irrational desire to extend a philosophical system founded on reason, autonomy, and reciprocity to those that

lack the former and, therefore, cannot participate in the later, attests to this subconscious asymmetry. Korsgaard's account also appears to take for granted this unrecognized underlying asymmetrical relation between subject and other. It manifests in her description of the relation with the other as that which gives rise to self-consciousness and, consequently, the normative, and in her discussion of reasons as inherently public. However, she backs away from the implications of these claims, to focus on self-constitution and self-legislation.

I then tried to demonstrate, through a comparison with Korsgaard and Darwall's positions, that only Levinas's conceptions of subjectivity and moral obligation accounts for acts of self-sacrifice or pure generosity. The significance Levinas places on egoism and his focus on the state of morality at times of war shows that he's not doing moral philosophy through 'rose-coloured glasses.' Instead, his understanding of the subject tracks better with our observations of human behavior, as it is comprised of a subjectivity that is capable of extreme violence towards the transcendent human other, and pure generosity. As Korsgaard's concern for the other is parasitic on the subject's valuing of her own humanity and practical identity, it is not clear that self-sacrifice is possible if the subject's conceptions of these fracture. Darwall's insistence on reciprocity makes the acts of self-sacrifice at times of societal breakdown, when theoretical payback is almost certainty out of the question, inconceivable. I found that approaching the problem of moral obligation through a Levinasian lens exposes the deficiencies of these positions.

Furthermore, this Levinasian lens highlights how the presuppositions of subjectivity defined by reason and autonomous choice, and moral obligation characterized by reciprocity, have become entrenched within moral discourse,

hindering the possibility of finding a fresh solution to the problem of moral obligation. As Levinas's account overcomes the Hobbesian presupposition through its notion of the subject as defined by the ethical relation, his framework offers the only way forward to a meaningful solution. His is the only way forward, as he enables us to rethink subjectivity and moral obligation. It is through this rethinking that Levinas's framework can be practically applied in the current moral and political climate. Expanding on my criticism of Darwall's claim that the subject can quite easily take up the perspective of the other in the second-person standpoint, I test the practical applicability of Levinas's phenomenology of subjectivity and moral obligation in the following chapter, in the neo-liberal context of workplace oppression.

Chapter 4

A Levinasian Intervention in the Neoliberal Workplace

4.1 Introduction

To reiterate what I outlined in the introduction to the thesis and in chapter two, Levinas's thought is often criticized for being of no practical use in political debates. It's deemed idealistic or described as moral perfectionism that has no tangible bearing on current political dilemmas.[1] Even some who value his insight into the problem of moral obligation question, to varying degrees, its translation into the political sphere.[2]

The main problem for both groups is how we can move from the asymmetrical form of relationality that characterizes the ethical relation, to the symmetry that is required at the political level. Put another way, many commentators question if the transition from the asymmetry of the ethical to the symmetry of the political can be made successfully, if the asymmetry that defines the former is corrupted through every attempt.[3] Perhaps the move is simply impossible.[4]

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[1] As I mentioned in the introduction and in chapter two, Rorty's comments that Levinas's philosophy is useless for concrete ethical inquiry is often cited in this context. For comparisons of Rorty's and Levinas's thought see Jordaan (2006) and Barber (2006). See also Gillian Roses's (1991) criticisms of Levinas.

[2] See Bergo (1999), Critchley (1999), Critchley (2004), Caygill (2002), Drichel (2012) and Chanter (2001b and 2007). For more on the intersection of the political and ethical in Levinas's thought see (Peperzak) 1997, Stauffer (2009), Fagan (2009), Atterton (1992), Eisenstadt (2012), Drabinski (2013), Caygill (2002), Critchley (2004), Morgan (2016) and Bernasconi (1999). Bernasconi provides an excellent interpretation of the third party, although he risks bringing the ethical and the political into a symmetrical relationship, by again denying the priority of the ethical relation in Levinas's framework. Bernasconi (1999, pp. 80-81) is right to say that the ethical does not have "chronological priority" over the third party in the context of a sequential narrative, yet he goes too far when he suggests that the third questions the ethical relation in the same way that the face disrupts the political or questions the subject.

[3] See Horowitz (2006, pp. 29-34, 37-39). For more on Levinas and politics see the essays in Hansel (2009) and the essays in Horowitz & Horowitz (2006).

[4] Both Roberts-Cady (2009, p. 240) and Manderson (2006, pp. 15, 194-196) claim that Levinas cannot maintain the asymmetry of the ethical relation as the origin of justice, alongside the symmetry required by justice at the political level. See Smith (2019) for an opposing view. Smith identifies Roberts-Cady and Manderson in this context.

I contend that this concern is the wrong one. It's not a question of the legitimacy of the transition from the ethical to the political, but if the political itself has legitimacy without the ethical. In other words, it's the asymmetry of the ethical relation that reveals the limitations of the political.[5] The aim of this chapter is to test my claim and, consequently, the weight of the assertion that Levinas's thought cannot make a practical contribution to political discourse. I do this by applying his framework to a current problem within the political sphere - the harmful effects of neoliberal ideology on low paid workers.

Neoliberalism as a dominant ideology and pervasive phenomenon is widely discussed within the current political and social climate. In her most recent work, Elizabeth Anderson examines the negative impact neoliberal ideology is having within the workplace, in an effort to identify and combat the systematic inequalities that are harmful to the wellbeing of the most vulnerable. I engage with Anderson's account to test the practical applicability of Levinas's thought. I do this by showing how his reconceptualization of subjectivity and intersubjectivity, through the asymmetry of the ethical, enables us to establish moral norms that prioritize the basic wellbeing of workers over productivity, combating workplace oppression.

This test case has three stages. Firstly, I contextualise my analysis by providing a very brief mapping of the debate in Levinasian scholarship surrounding the relevance of Levinas's thought in the political sphere,[6] and

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[5] Morgan (2016, pp. xiv, 15-16, 126-136) and Shaw (2008, pp. 98-127, 158-163) make a vaguely similar claim when they say that the ethical relation is a kind of standard by which we can evaluate social and political institutions and practices. Neither appears to look at a specific case within the political sphere in any extensive detail and both seem to overplay Levinas's endorsement of liberalism.

[6] Comments made by Levinas in interviews on the Israeli-Palestinian conflict and non-Western culture are often used in critiques of his political thought. See Critchley (2004, pp. 175-176), and Caygill (2002, pp. 159-198). See also Butler (2012, pp. 38-68). For a more sympathetic

definition of neoliberalism as it is understood in the current political climate. This mapping and definition will be quite brief, as the aim of the chapter is to test the practical applicability of the asymmetry of the ethical relation, and show how it reveals the limitations of the political.

With this in mind, I don't have the space to delve into the vast and comprehensive literature on the relationship between the political and the ethical in Levinas's framework, or that concerning neoliberalism and its various critiques. Through this contextualisation, I establish the link between neoliberalism and the Hobbesian presupposition, and how Anderson fits into the wider landscape of contemporary criticisms of the former.

Secondly, I reconstruct Anderson's critique of neoliberalism, confined to the negative consequences it has within the workplace, and outline the suggestions she offers to combat these. Highlighting the way Anderson's position is motivated and informed by the founding assumptions of liberalism enables me to show that it is only through a radical rethinking of these assumptions, as they pertain to subjectivity and intersubjectivity, that these negative consequences can be challenged. In light of this, Anderson's suggestion that workers must be granted a 'voice' in the workplace to overcome unfair treatment and arbitrary domination can only be realised by applying a Levinasian framework, rather than a classic liberal one. My engagement with Anderson reveals how the fundamental assumptions of liberalism collapse to reveal the underlying asymmetry that conditions intersubjective relations.

Thirdly, I demonstrate how Levinas's conceptions of discourse, teaching, and passivity can be applied to Anderson's suggestion to provide an outcome

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interpretation of Levinas's remarks see Shaw (2008, pp. 26-27) and Morgan (2016, pp. 266-347). See also Eisenstadt (2012) and Eisenstadt and Katz (2016).

where the dominant party in unequal power relations is able to sincerely listen to the oppressed.

The goal of this test case is to show that if Levinas's framework is applied in this context with apparently successful results, it can be implemented in other situations where unequal power relations between differing groups has generated systems of oppression, with the hope of initiating open and genuine dialogue between the two groups, enabling those in power to truly listen to the oppressed.

To be clear, I'm not offering a Levinasian critique of neoliberalism or liberalism per se;[7] I'm providing a Levinasian critique of the basic conceptions of subjectivity and intersubjectivity that are assumed by both liberalism and neoliberalism[8], in spite of their differences. My analysis reveals that liberalism is unable to solve the problems created by neoliberalism precisely because it maintains the same basic notions of subjectivity and intersubjectivity. Alternatively, Levinas is able to provide a possible remedy to these problems because he conceives of subjectivity as defined by the radically asymmetrical relation with the transcendent human other.

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[7] My aim is not to determine if Levinas's framework is compatible with liberalism. Although, as I argue that the former offers radically different conceptions of subjectivity and intersubjectivity, I have misgivings about the extent to which the two are compatible, despite the support Levinas at times provides for liberal democracies. There is extensive debate about the degree to which Levinas favours liberalism in the scholarship. For examples of those who read support for liberal democracy in his works and thought more generally, see Morgan (2007, pp. 286-287 and 2016, pp. 126-136), Shaw (2008, pp. 98-127), Jordaan (2006, pp. 203-206), NR Brown (2015, pp. 169-170), Alford (2004, p. 168), Stauffer (2009), Burggraeve (1981) and Simmons (1999, pp. 98-100). Caygill (2002) and Critchley (2004) appear to say, at times, that Levinas favors a liberal state, by virtue of his views on the State of Israel and French republicanism. For examples of those who argue that there is much more distance between Levinas's work and liberalism than the first group will admit see Herzog (2002), Nelson (2012), Cauchi (2015), and Tahmasebi (2010). Llewelyn (1995b, pp. 132-133) observes Levinas's opposition to the traditional liberal conception of the subject. For a nuanced account of Levinas's changing relation to liberalism see Bernasconi (2008).

[8] Utilizing section II of *Totality and Infinity* and the concept of the dwelling, Guenther (2018) provides a Levinasian critique of the neoliberal subject as the "homeowner citizen" who inhabits the gated community.

4.2 Levinas and the Political: A Brief Description of the 'Third Party'

Discussion of the political in Levinas's framework revolves around the third party. (Levinas 1969, p. 213) The idea is a complex one, yet it is generally recognised as the point where the ethical and political intersect in his framework. With the third party, the subject is confronted by her responsibility to a multitude of others and not simply with the singular other of the ethical relation. Levinas (1969, p. 213) writes:

"The third party looks at me in the eyes of the Other – language is justice. It is not that there would be the face, and then the being it manifests or expresses would concern himself with justice; the epiphany of the face qua face opens humanity."

It's important to note that the subject doesn't come into contact with the third party after the encounter with the human other. Levinas (1998a, p. 159) is careful to specify that the third party is always already there in the eyes of the singular other in the ethical relation. Because the third party, or the subject's responsibilities for all others, is experienced within the ethical relation with the singular other, the subject cannot escape these responsibilities in favour of the singular other. This means that the subject is responsible for everyone all at once. Levinas (1969, p. 212) explains:

"Everything that takes place here "between us" concerns everyone, the face that looks at it places itself in the full light of the public order, even if I draw back from it to seek with the interlocutor the complicity of a private relation…"

It is by virtue of the third party that symmetry and equality come into the ethical. It is through recognition of the third party in the ethical relation that the

subject comes to see that the other serves the third party and acknowledges the subject's self mastery. Levinas (1998a, p. 158) writes:

"The relationship with the third party is an incessant correction of the asymmetry of proximity in which the face is looked at… I am approached as an other by the others, that is, "for myself."

In other words, it is through the conception of the third party that the other, the subject, and others have equal standing with one another. (Levinas 1969, p. 213) Levinas (1969, p. 300) explains:

"In the measure that the face of the Other relates us with the third party, the metaphysical relation of the I with the Other moves in the form of the We, aspires to a State, institutions, laws, which are the source of universality."

In other words, it's the third party that makes possible collective institutions like the State and the laws that govern them.

As the subject experiences the third party through proximity with the singular other in the ethical relation, the political is often read as being derived from, or even as a betrayal of the ethical. Put another way, the intersection of the ethical and the political is often understood and discussed as the transition from the former to the latter. Returning to the comparison I made in chapter two, it is helpful to understand this reading in the context of the Saying and the Said. The ethical is identified with the Saying, or affect of the transcendent human other experienced as a disruption, before the subject's attempt to articulate it in the register of the Said. On the other hand, the political coincides with the Said where institutions and laws are established to manage the infinite responsibilities to innumerable others in the pursuit of justice.

The problem here is quite similar to the claim discussed in chapter two that the ethical relation cannot generate a normative ethics. Put simply, the concern is that the ethical is compromised in the move from the affect of the other to the political. Justice becomes an impossible ideal in the political sphere that is almost by definition unethical through its continued betrayal of the singular human other. If this is the case, it's hard to see how Levinas's conception of the ethical relation can make a practical contribution to political discourse, as the latter is always a betrayal, or at the very least an impure derivation of the former.

Unfortunately, I don't have the space here to delve into this debate beyond the point that is relevant to this test case, which turns on the question of meaning and, consequently, language. As I argued in chapter two, although the expression of the transcendent human other cannot be captured in its original or pure form in the Said, it is through the persistent attempts to reach an understanding with the other that the ethical relation is enacted at an empirical level. With this in mind, the political sphere can be understood, not as the place where the ethical is continually betrayed, but where recognition of the ethical is needed as a constant reminder of the humility and persistence required for disagreeing parties to reach any form of mutual understanding. I expand on this point by demonstrating how the asymmetry of the ethical exposes the limitations the political[9], operating solely on the basis of symmetrical relationality. Before I demonstrate this claim, I need

[9] Annabel Herzog (2002, p. 218) makes a similar point when she says that: "the legitimacy of politics should not consist in its relation to its participants, but… in its responsibility for its *interruption*, its *holes*, its *absentees*." However, the primary focus of her argument hinges on a reading of the poor and hungry in Levinas's writings as referring to the literal poor and hungry, and not as formal structures or metaphors that point to the transcendent singularity of the human other or the other in need. (Herzog 2002, pp. 210-211, 219, 221) I interpret Levinas as saying something slightly less literal. By referring to the other as the poor and hungry, Levinas is focused on the human other in need, at her most vulnerable, and this can mean the literal poor and hungry, but also anyone in the context of their vulnerabilities and need. For further discussion see Morgan (2016, pp. 105-138).

to provide a brief definition of neoliberalism to contextualize Anderson's place in the critical landscape, and my own intervention.

4.3 Neoliberalism and its Opponents

Most scholars refer to neoliberalism as a phenomenon or series of practices as it, along with the varied and wide reaching effects it has on the political and social spheres, is too complex to be defined as simply ideology. The general narrative is that although neoliberalism has been gaining traction since the late 1930s, its position as the dominant ideology was only cemented in late 1970s and early 80s, with the decline of Keyesian economics and rise of the economic policies of Reagan and Thatcher. (Anderson 2018, pp. 209-210, Wilson 2017, pp. 27, 35)[10] In his well-known study of neoliberalism, David Harvey (2005, p. 2) provides this definition:

"Neoliberalism is in the first instance a theory of political economic practices that proposes that human wellbeing can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free market, and free trade. The role of the state is to create and preserve an institutional framework appropriate to such practices."[11]

In a more recent analysis of neoliberalism, Wendy Brown[12] explains how the wider proposal of this specific set of political and economic practices, as it pertains to the subject's well being, is a form of normative reason. Brown (2015, pp. 9-10) defines neoliberalism as:

[10] See also Whyte (2018).
[11] See also Harvey (2018).
[12] See also Brown (2006) and (2019).

"Rather, as a normative order of reason developed over three decades into a widely and deeply disseminated governing rationality, neoliberalism transmogrifies every human domain and endeavor, along with humans themselves, according to a specific image of the economic."

What both Harvey and Brown's definitions highlight is how neoliberalism, as a political and economic ideology, pervades all aspects of human life to the point that its economic principles of private property, the free market, and economic liberalization have, consciously and subconsciously, come to regulate human behavior in various ways outside the economic sphere. In his review and criticism of contemporary critiques of neoliberalism, Terry Flew (2012) [13] makes two helpful observations that highlight Anderson's contribution to the literature.

The first observation Flew (2012, p. 45) makes is that a consequence of neoliberalism being defined in the literature, and within wider public discourse, as a phenomenon, rather than a reified concept, is that the term is fluid enough to be associated with a variety of different phenomenon and employed to explain it in many differing contexts. Consequently, understanding precisely what neoliberalism is and how it affects people in their daily lives, in a direct and concrete sense, can be lost in broad ideological critiques. This is why Anderson's analysis makes such an important contribution to the literature. In her study, she is able to provide clarity that other, more wide reaching criticisms of neoliberalism cannot, by limiting it to one specific and largely visible problem that is generated by the rise neoliberal ideology. Flew's second observation helps to locate Anderson's work in the scholarship.

[13] See also Flew (2014).

By identifying the most influential critiques of neoliberalism and placing them in two different camps, Flew helps to locate Anderson's work as one that approaches the phenomenon with a set of classic liberal assumptions. In the first camp, he tags Harvey as well as others, like Christian Fuchs[14] and Jan Aart Scholte[15], as offering a critique of neoliberalism in more or less Marxist terms, whereas he identifies scholars like Brown, along with Jodi Dean[16] and Toby Miller[17], as applying a more complex framework through "a synthesis of neo-Marxist critiques of political economy with the later work of Michel Foucault on governmentality and liberal political rationality." (Flew 2012, p. 46)[18] I would associate a recent study by Julie Wilson with this second group, although the extent to which these theorists can be placed in such simplified categories is, of course, questionable.

Despite its drawbacks, categorizing scholars in this way allows me to identify, albeit roughly, the field of criticism in the limited confines of this chapter in order to broadly locate Anderson within it. She is not engaging with Foucault's fascinating and undeniably prescient analysis of the early phases of neoliberalism and how it differs from classical liberalism, and she's not offering a Marxist or neo-Marxist critique of the negative consequences of neoliberal ideology in the workplace. However, Anderson does approach her criticism of neoliberalism and its negative effects through a lens similar to Wilson and Brown, in that it is characterized by the founding assumptions of classical liberalism. Of particular

[14] See Fuch (2008, 2011 and 2019).
[15] See Scholte (2005a and 2005b).
[16] See Dean (2008, 2009 and 2016).
[17] See Miller (2007, 2010a and 2010b).
[18] In "Reflections on the Philosophy of Hitlerism" Levinas (1990a) identifies the connection between the liberal and Marxist conceptions of subjectivity, and in doing so explains why the latter ultimately succumbs to the same problems as the former. A renewed interest in this paper, which was originally published in 1934, highlights the specific political dangers of our time. See Fagenblat (2019), Critchley (2015, pp. 36-37), and Giannopoulos (2019, pp. 227-230).

interest to me is the connection between the liberal and neoliberal conceptions of subjectivity, and the Hobbesian presupposition.

There seems to be a dialectical relation of support between neoliberalism and the Hobbesian presupposition. What I mean is that neoliberalism appears, at least in part, to have been born out of and to some extent sustained by the Hobbesian presupposition and its hold on the popular imagination. However, it also seems like the pervasive nature of neoliberal ideology has contributed to the hold this understanding of subjectivity has. As I explained in chapter three, Midgley makes this connection, albeit subtly, when she says that the form of biological reductionism associated with Neo-Darwinism has been co-opted by individualist ideologies to justify the free market. Midgley's (2010, p. 40) claim that Dawkin's use of the word selfish "was an expression of the zeitgeist and a stimulus to its further development" in 1976, when the *The Selfish Gene* was published, can be tied to the rising dominance of neoliberalism in society. Likewise, as I mentioned in fn14 in the previous chapter, Gauthier's (1979, p. 547) assertion that Hobbes' moral theory succeeds because it supports the logic of the free market corroborates this connection. The emphasis on self-interest and competition has been taken to new levels with the neoliberal notion of economic man.

Neoliberal ideology has taken the assumption that the subject is defined by egoism and moulded it into the concept of *homo oeconomicus* or economic man. As a concept, economic man is a consequence of the logic of the free market being applied to every area of human life. Aspects of everyday existence that were once considered outside the realm of economic thinking, like public education, social services and familial life, are now by and large approached with the logic of

the free market. For example, education is considered solely in terms of maximizing job prospects. The benefits of social services are sold to the public by way of the positive effects they will have on economic growth. One's success in finding a romantic partner is often seen in terms of how well they can construct their online profile or personal brand. A person that fails to master this will be perpetually swiped past.

This idea of the subject being defined, not simply by egoism, but by their market value, is a consequence of the neoliberal understanding of the subject as human capital. Brown (2015, p.10) sums up this phenomenon well when she says:

"today's *homo oeconomicus* is an intensely constructed and governed bit of human capital tasked with improving and leveraging its competitive positioning and with enhancing its (monetary and nonmonetary) portfolio value across all of its endeavors and venues."

Free market thinking has come to pervade the popular imagination to the point that the subject has come to understand itself and others, at least to some degree, consciously or subconsciously, according to their market value. To be measured as a success within this current climate is determined by how good someone is at increasing this market value.

Understanding subjects as human capital, or as individual brands, pits people against each other, forcing them to compete for their place in the market. Relying on the Hobbesian presupposition to justify this logic, neoliberalism claims that this pervasive state of competition, at least in the context of the subject, is completely natural. If the human subject is defined by its egoism and, therefore, its natural way of relating to others is by competing with them to ensure

its own self-interest, conceiving of this competition in the context of the free market seems like the next logical step. Wilson (2017, p. 4) explains that:

"More specifically, neoliberalism asks us to be constantly calculating potential gains, losses, and risks, to be thinking about how this or that decision might or might not give us a competitive edge over the rest of the field."

Wilson (2017, p. 3) claims that being in this constant state of competition with one another turns us into "self-enclosed individuals." The idea is that as competition opposes subjects to one another, they have to close themselves off and perceive everyone else as a threat to their own individual success and wellbeing. Anderson makes similar claims in her critique.

Despite the important differences in their analyses and perspectives, I take Anderson to be representative of a group of critiques of neoliberalism that include Wilson and Brown. The method and approach of all three thinkers is the same to the extent that they offer a critique of neoliberalism, exposing its underlying operations and assumptions, not to provide a clear alternative, but to give the reader the tools to identify the problems so that alternatives can begin to be imagined and constructed. They start this process by providing suggestions for strategies to overcome the harms generated by neoliberalism.[19] Unlike Brown and Wilson, who approach the phenomenon from the perspective of cultural studies and critical theory, Anderson comes at it through a philosophical lens, yet what these three approaches have in common, beyond employing the methodology of

[19] Of her aims, Brown (2015, p. 28) explains: "It is, in the classic sense of the word, a critique — an effort to comprehend the constitutive elements and dynamics of our condition. It does not elaborate alternatives to the order it illuminates and only occasionally identifies possible strategies for resisting the developments it charts. However, the predicaments and powers it illuminates might contribute to the development of such alternatives and strategies, which are themselves vital to any future for democracy." Wilson (2017, p. 15) describes her goal along similar lines. She writes: "The work of critique goes beyond pointing out what's wrong and seeks to unravel the socially constructed conjuncture in which these problems emerge and get negotiated. For only then can we step outside of the competitive, oppositional consciousness of neoliberal culture and begin to imagine a radically different future built on equality and shared security."

critique, is their retaining of classic liberal assumptions. None are arguing for a return to classical liberalism, rather the founding assumptions of liberalism are implicit in what they highlight as the harmful effects of neoliberalism, and in what they identify as possible ways forward.

What is characteristic of this classic liberal thinking is the assumptions it makes about the nature of subjectivity and consequently, intersubjectivity. For example, a significant aspect of Wilson's critique is her distinction between the individualism of classic liberalism and the self-enclosed individualism[20] of neoliberalism. For her, distinguishing the individualism of neoliberal ideology from the individualism of the Enlightenment is important, as she is able to criticise the harmful of effects of individualism defined by competition, without dispensing with what she identifies as its "more positive concepts like personal agency, autonomy, and self-determination."[21] (Wilson 2017, p. 3) She points to our sociality and necessary interdependence as the way forward, and for her this emphasis on interconnection distinguishes this positive form of individualism from the harmful self-enclosed form associated with neoliberalism. (Wilson 2017, p. 5)

Much like Korsgaard and Darwall, Wilson's (2017, pp. 221-227) appeal to our social nature does not let go of reason and autonomy as the defining aspects of

[20] She takes this term from feminist theorist AnaLouise Keating (2012), who uses it to distinguish this neoliberal understanding of individualism from the more traditional conception that is characterised by autonomy, personal agency and self-determination. (Wilson 2017, p. 3)

[21] To be clear, Wilson is not advocating a classic liberal notion of the atomistic individual. Her emphasis is on how the individual is fundamentally part of a collective. She understands the significance of the subject's capacity to reason in terms of common reason: reasoning together with others as a part of a collective. (Wilson 2017, p.222) One of the means she advocates for in moving beyond neoliberalism is "radical democracy." She prefers this form of democracy, which she associates with Brown's notion of "bare democracy", over liberal democracy explaining: "While the latter is based on formal and abstract rights guaranteed by the state, radical democracy insists that people should directly make the decisions that impact their lives, security, and well-being. Radical democracy is a practice of collective governing: it is about us hashing out, together in communities, what matters, and working in common to build a world based on these new sensibilities." (Wilson 2017, p.225)

subjectivity, and equality or symmetry as the founding assumption characterising intersubjectivity. She claims that the way to overcome neoliberalism is for individuals to reason together as a part of a collective. In this way, they can govern their lives, not in competition, but in common with one another. This collective governing will lead to what she terms "radical equality". She writes:

"In this context, the kind of self-enclosed individualism that empowers and underwrites the biopolitics of disposability melts away, as we realize the interconnectedness of our lives and just how amazing it feels to live and work in common. For when we act in common, even when we fail, we affirm our capacities for freedom, political intervention, social interconnection, and collective social doing." (Wilson 2017, p. 226)

Similarly, Brown's critique focuses on how neoliberalism affects and constructs the individual, and her suggestions for moving beyond the phenomenon focuses on collective action.

Brown argues that neoliberalism's transformation of the subject into a bit of human capital forecloses the possibility of liberal democracy. It economises its founding principles to the point that they lose their original meaning. Brown (2015, p. 41) explains:

"When such economization configures the state as the manager of a firm and the subject as a unit of entrepreneurial and self-investing capital, the effect is not simply to narrow the functions of state and citizen or to enlarge the sphere of economically defined freedom at the expense of common investment in public life and public goods. Rather, it is to transpose the meaning and practice of democratic concerns with equality, freedom, and sovereignty from a political to an economic register."

These founding assumptions of the subject defined by her liberty and intersubjectivity by equality are displaced and corrupted by neoliberalism, in that rights are economized, and equality ceases to be our presumed natural relation to one another. Brown explains that human capitals do not have standing as Kantian individuals – as ends in themselves and as intrinsically valuable – as they are only instrumentally valuable in accordance with their market value. (Brown 2015, pp. 37-38)

Unlike Anderson, Brown critiques neoliberalism as a whole 'governing rationality', rather than focusing on one particular problem it has generated. Nonetheless, she does spend the final chapter of the text discussing the threats neoliberalism poses to public university education and the liberal arts.[22] She articulates the importance of these institutions and area of study in the language of classical liberalism. She writes:

"While the remarkable postwar extension of liberal arts education to the many did not generate true educational equality let alone social equality, this extension importantly articulated equality as an ideal. It also articulated the value of an American public educated for the individual and collective capacity for self-governance… This ideal never ceased to be a classically liberal one, but it was a liberalism of profound egalitarian commitments, rich humanism, and a strong ethos of the public good." (Brown 2015, pp. 186-187)

For Brown (2015, p. 200), one of the primary goods of a liberal arts education is that it develops the kinds of subjects that a healthy democratic society requires.

[22] Strhan (2012, p. 95) notes that Levinas's view of ethical subjectivity "interrupts a dominant thread of neoliberal educational discourse: the idea of education as the site where individuals with measurable skills, ready to enter waged work, are produced."

According to her, the way forward in the fight against the destructive powers of neoliberalism lies in 'bare democracy.'[23] This term specifies nothing more than that the people rule, or are self-governing. (Brown 2015, pp. 202-203) As the founding assumptions of liberalism are embedded in her understanding of democracy as a good, her critique does not question these founding assumptions. What Brown (2015, pp. 203-204), like Wilson, wants to preserve is democracy, and their valuing of this political form is derived from their definition of the subject as defined by its autonomy and capacity to reason, and understanding of intersubjectivity as essentially egalitarian.

Anderson's project in relying on the same classic liberal thinking has similar aims to Brown and Wilson's critiques, and offers comparable suggestions, yet she focuses on the very specific problem of workplace dominance. In doing so, her critique is firmly rooted in what is a concrete and everyday occurrence for many, and her suggestions for a way forward are far more tangible. In this way, her study is in the best position to help us see how the destructive forces of neoliberalism directly affect our lives, and to provide a context in which we can test the practical applicability of Levinas's framework.

4.4 Anderson's Liberal Critique of Neoliberalism

In her most recent works, *Private Government* (2017) and 'The Great Reversal' (2018), Anderson claims that neoliberal ideology has appropriated the founding

[23] To be clear, Brown's critique cannot be reduced to a cry to save and rehabilitate liberal democracy. She doesn't shy away from the problems that have plagued this form of democracy, and does not provide a specific program for how a re-envisioned form of liberal democracy might be constructed out of the practices and policies of neoliberalism in order to combat them. She writes: "Never did the demos really rule in liberal democracies, nor could it in large nation-states. But the presumption that it should rule placed modest constraints on powerful, would-be usurpers of its ghostly throne, helped to leash legislation aimed at benefiting the few, rather than the many, and episodically incited political action from below oriented toward the "common concerns of ordinary lives."" (Brown 2015, pp. 200-208)

principles of classic liberalism to justify the domination and oppression of workers.[24] According to her, this is problematic for two reasons. Firstly, it wrongly equates the ideology of classic liberalism with neoliberalism,[25] when in reality the practices of the latter are in direct contradiction with the former. (Anderson 2017, pp. 57-58, 205) Secondly, by employing the fundamental tenets of liberalism, neoliberalism obscures the way in which it has harmful effects on subjects in the workplace, by leaving them without the means to understand and articulate how this form of oppression functions. (Anderson 2017, pp. 210-212)

Anderson (2017, pp. 6-7, 41) claims that by disentangling the principles of classic liberalism from neoliberal ideology, she provides the tools that enable the discussion of workers' oppression under these conditions. She is right to the extent that revealing the incompatibilities between classic liberalism and neoliberal ideology can help workers to see that they are being exploited, and that they are not responsible for their own oppression, nevertheless, her analysis also reveals that the fundamental assumptions of liberalism are inadequate. This comes to light in her depiction of low paid workers effectively participating in negotiations with higher management and capital owners, calling them to account. I'll briefly outline Anderson's argument as presented in *Private Government* before returning to this point.

Anderson (2017, pp. 4, 16) claims that early liberal thinkers, like Locke and Smith, were motivated by the founding assumptions of classic liberalism to envision a market driven by exchange between free and equal persons. These founding assumptions are of course subjectivity defined as naturally free and

[24] It is worth noting that in *Private Government,* Anderson does not mention neoliberalism by name. It is only in the later text, 'The Great Reversal', that she refers to neoliberalism as a term explicitly.
[25] See also Whyte (2019). Whyte argues that neoliberalism reappropriated human rights discourse for use as its own underlying moral language.

rational, and intersubjectivity defined by equality. Anderson (2017, pp. 17-18, 41) describes how these same ideals are now used to support the workplace practices of a neoliberal ideology when they are in fact incompatible with the current economic, industrial and social conditions that define these workplaces. She explains that low-tax, free trade libertarian views only made sense when applied to the economic and environmental conditions of the 18th and 19th centuries. Nevertheless, they are applied in our current context, even though those that originally espoused them couldn't have imagined the radical economic, technological, and environmental changes that have taken place over the last 200 years. (Anderson 2017, pp. 27, 33)

According to Anderson, the use of liberal free market ideology in our current context creates a public discourse that claims workers are free when their employers in fact dominate them.[26] Of the use of Smith's writings in this way, Anderson (2017, p. 41) says:

"They have been redeployed since the grave decline of organized labor movements, but now as blinders on our actual institutional landscape of work. We need different instruments to discern the normatively relevant features of our current institutions of workplace governance. In particular, we need to revive the concept of *private government.*"

She explains that in the limited and "impoverished vocabulary of contemporary public discourse, and to a considerable extent in contemporary political philosophy, *government* is often treated as synonymous with the state." (Anderson 2017, p. 41) This idea of the state is generally opposed to the private sphere, which is seen as free and not impinging on personal freedoms. Anderson

[26] Soon (2019, p. 5) questions Anderson on this point. See also Ann Hughes' (2017, pp. 75-88) criticism of Anderson's history of the birth of classic liberalism.

notes (2017, p. 42) that: "The modern *state* is merely one form of government among others." Public discourse tells workers they are free and equal unless subject to domination by the state. (Anderson 2017, pp. 41-42) This coupled with the idea that they are free to enter into employment and free to exit it whenever they like gives the impression that workers don't need to be on the lookout for domination and oppressive practices within the workplace. (Anderson 2017, pp. 55-56) She defines private government as follows:

"A government is private with respect to a subject if it can issue orders, backed by sanctions, to that subject in some domain of that subject's life, and that subject has no say in how that government operates and no standing to demand that their interests be taken into account, other than perhaps in narrowly defined circumstances, in the decisions that government makes. Private government is government that has arbitrary, unaccountable power over those it governs." (Anderson 2017, p. 45)

Anderson describes how this arbitrary and unaccountable power is exercised over workers in and outside the workplace, exacerbating the growing inequality generated by wage disparity.

Through her analysis of current workplace conditions, she demonstrates how private government has put individuals back in the unequal social and economic relations that the concept of the free market was envisioned to overcome. She identifies this, in the later paper, as "the great reversal" of neoliberalism. According to Anderson, Smith and others conceived of the free market as an egalitarian system. Anderson (2017, p. 3) explains: "By *egalitarian,* I refer to an ideal of social relations. To be an egalitarian is to commend and promote a society in which its members interact as equals." The idea was that

freeing up the markets would liberate people from the domination they experienced under the feudal system, where those in the higher positions had greater "authority, esteem and standing", which enabled them to "exercise arbitrary and unaccountable power over their inferiors." (Anderson 2017, p. 3)

According to Anderson (2017, p. 4), the free market in its original conception was egalitarian, in that by freeing up the economic monopolies of the higher ups, it enabled "the parties to exchange interact on terms of equal authority, esteem, and standing." She claims that the monumental changes in the modes of industrial production, and the inconsistences of classic liberalism, have led to a point where a non-regulated market can no longer be conceived of as egalitarian. In 'The Great Reversal', she explains that since the 1970s, although productivity has steadily risen, the labour share of income has declined over time. Anderson (2018, pp. 203-204) credits this to the changing of economic policies over the last few decades to favour the interest of capital owners over the interests of workers, a consequence of the rise of neoliberal ideology.

Growing wage disparity between capital owners and workers is one of the many ways unequal social and economic relations have increased, however, oppression in the workplace is another contributing factor. A significant example of this, employed by Anderson in her critique, is the mistreatment of low wage temporary workers at Amazon's 'fulfillment centers.' She explains:

"In 2011, at its Allentown, Pennsylvania, warehouse, Amazon allowed the indoor heat index to rise to 102 degrees. When employees asked to open the loading doors to let air circulate— a common practice at other warehouses— Amazon refused, claiming this would lead to employee theft. Instead, it parked ambulances outside, waiting for employees to collapse from heat stroke. When

they did, they would be given demerits for missing work, and fired if they accumulated too many. Amazon didn't care, because regional unemployment was high, and they had hundreds of applicants to replace the fallen workers." (Anderson 2017, p. 129)[27]

The final two replies to Anderson's lectures in *Private Government* reveal how those in higher economic and social positions appear incapable of appreciating how this kind of oppression affects the low paid worker. That both replies make the assumption that they can easily take up the perspective of the other - the low paid worker in this case - show how the fundamental assumptions of liberalism collapse to reveal the asymmetrical relation with the other as that which conditions them. Before I elaborate on this claim, I want to examine the extent to which Anderson's critique is motivated by these liberal assumptions.

Anderson's reply to political philosopher Niko Kolodny highlights how the founding assumptions of classic liberalism motivate, and are the perspective through which she articulates her critique of neoliberalism. Kolodny (2017, pp. 101-107) suggests that being subject to the authority of the manager is no different than being subject to the constraints of production itself. In other words, he claims that the self-employed person who puts off going to the bathroom so she can submit her weekly column before the editorial deadline is for all intents and purposes in a similar position to the factory worker who is told she cannot use the bathroom, as it would slow down the production line.

Anderson (2017, p. 128) points out that the significant difference between these cases is autonomy. She writes:

[27] See Soper (2015). I return to the problematic nature of Amazon's 'fulfillment centers' later in the chapter.

"Exercising autonomy— directing oneself in tasks, no matter how exacting and relentless they are— is no ordinary good. It is a basic human need… It is not merely "unpleasant" to be denied a rest break when one needs it. When some authority denies it (as opposed to when some natural constraint prevents it), the restriction demeans one's agency."

For Anderson, what makes this form of oppression in the workplace wrong is that it violates what is fundamental to subjectivity and, therefore, it is dehumanizing. Put another way, it is because the subject is defined by her autonomy that Anderson views these specific workplace practices as harmful. She continues by describing how the treatment of Amazon employees demonstrates the importance of equal social relations, in terms of standing and esteem.

What makes the physically unmanageable and damaging conditions Amazon forces upon its warehouse employees wrong is not the physical danger of the work itself, but the way in which this danger is unnecessarily inflicted on these employees. Anderson (2017, p. 129) explains:

"The issue is inequality: Amazon treats workers' vital interests as of no account, in comparison with its own and its customers' relatively trifling interests. Its sickening working conditions, unlike the firefighters', are gratuitously imposed. This inequality inflicts an expressive injury on the workers, over and above the material injury of illness."

Implicit in this argument is Anderson's understanding of the nature of intersubjectivity as defined by symmetry or equality.

What makes these conditions at Amazon inhumane is that they dehumanize the worker by explicitly claiming that their health and wellbeing is of little or no importance when compared with others, like the consumer. Looking

beyond the PR shroud of ‘customer is king’, the wellbeing of low paid workers is judged to be relatively unimportant when compared to those in the higher ranks, and to the capital owners at Amazon, who use their customers as an excuse for this despicable treatment. (Anderson 2017, pp. 129-130) Anderson’s suggestions for possible solutions to this problem of workplace oppression do not question the founding assumptions of liberalism that characterize her critique, yet like Kolodny’s, Tyler Cowan’s response to her examples of particularly humiliating and dangerous working conditions suggests that these assumptions must be questioned in order for solutions to be effectively realized.

4.5 Problems with Anderson’s Critique

Tyler Cowan’s (2017) response to Anderson’s examples of the horrific conditions suffered by low paid workers shows how people in privileged working conditions are blinded by their own perspective, to the point that they think the circumstances of low paid workers are somehow a choice. Although claiming to be sympathetic to some of the conditions Anderson outlines, Cowan, an economist and small business owner, appears relatively indifferent. These conditions include employees being forced to wear adult diapers or soil themselves, as they are not permitted to use the bathroom. They are also prohibited from speaking casually to each other during the workday. They are held back at work to have their belongings inspected and are not compensated for this lost time. They are subject to drug screenings without cause. As challenging these conditions can get them fired, penalized or forced to cope with even more dehumanizing circumstances, workers remain silent. (Anderson 2017, p. xix, 55)

Before she replies to Cowen, Anderson describes how people are blinded to these dehumanizing conditions through the continued use of liberal principles to justify them. Anderson (Anderson 2017, pp. 57-58) writes:

"People continue to deploy the same justification of market society— that it would secure the personal independence of workers from arbitrary authority— long after it failed to deliver on its original aspiration. The result is a kind of political hemiagnosia: like those patients who cannot perceive one- half of their bodies, a large class of libertarian- leaning thinkers and politicians, with considerable public following, cannot perceive half of the economy: they cannot perceive the half that takes place *beyond* the market, *after* the employment contract is accepted."

Cowen (2017, p. 109) makes her point when he responds to Anderson's lectures with the following: "As an individual who chose an academic job to maximize some dimensions of my personal freedom, I sympathize with parts of this portrait." His statement that he is sympathetic to the plight of the low paid worker because he values his own autonomy implies that every low paid worker had the option to take up a profession with an unusual degree of autonomy, like an academic job.

He goes on to say that workers' having an active role in workplace governance is undesirable, as it appears to have a slightly negative effect on productivity. (Cowen 2017, p. 116) He makes this claim as if it's a given that when juxtaposed with the wellbeing of employees, specifically those defined by their low market value, productivity is always more important. This mindset is a consequence of the internalization of neoliberal ideology. In response to Cowen, Anderson (2017, p. 134) says:

"As an economist, he also has a professional bias against taking qualitative information, such as workers' narratives and articulated complaints, seriously. He could start by reading Barbara Ehrenreich's reporting on what it is like to work as a low-wage worker in a restaurant, elder care facility, and in retail. Half of all U.S. workers make less than $29,000 annually."

Anderson's response recognizes Cowen's inability to appreciate the reality of a low paid worker's life, yet she seems to miss how this inability is connected to the fundamental assumptions of liberalism.[28]

Anderson outlines some suggestions for possible ways forward to counteract this oppression within the workplace, however, with Cowen's response in mind it is difficult to see how her most significant suggestion can be realized. Anderson (2017, p. 133) explains:

"I discuss four ways to promote the freedom and equality of workers: exit, rule of law constraints on employers, constitutional rights, and voice. I argue that the first three alone are not sufficient— workers need *some* voice within the workplace to protect against employer abuses of power, and, more generally, to empower them to assert their standing, respectability, and autonomy interests in the workplace."[29]

For her, the point of workers having an institutionalized voice in the workplace is "to ensure that their interests are heard, that they are respected, and that they have some share of autonomy in workplace decisions." (Anderson 2017,

[28] Moullin (2018, pp. 387-388) also questions, albeit briefly, the 'discontinuity' between "pre-industrial liberalism" and "post-industrial neo liberalism" that Anderson argues for.
[29] Ellerman (2018) argues that Anderson's critique doesn't go far enough. Utilizing the "inalienable rights argument", he claims the practice of workers 'renting' themselves out to employers is inherently problematic.

pp. 143-144) What Cowen's response highlights is that maybe this is not enough.[30]

What I mean is that even if workers are granted a forum within the workplace where their interests are heard, it doesn't automatically follow that the people they are addressing, those who make the decisions from a position of far higher standing, will have the capacity to appreciate what they are saying, and implement new workplace conditions under which their, the low paid workers, interests and wellbeing are taken into account and given priority. Put another way, the economic and social position of upper management and capital owners is far removed from that of the low paid worker, and the effect this has on the way they experience the world in an everyday concrete sense makes the circumstances such that those in power may hear what these people are saying, but approaching it from such a vastly different perspective, they could not genuinely appreciate the experience that is being related to them. What causes this problem is that those in higher economic and social positions either dismiss the experiences of the low paid workers[31] or, like Cowen, approach it as if they have the capacity to put themselves into the figurative shoes of someone who experiences the world in such a markedly different way. This goes back to the argument I made against Darwall's notion of empathy in the previous chapter.

It is problematic and quite hubristic to assume that the subject can easily and accurately take up the perspective of the transcendent human other who experiences the world in a vastly different way. Thinking that she can often

[30] For further criticism of Anderson's strategies from a different perspective see Ferretti (2018, pp. 280-281).

[31] Neoliberalism's use of classic liberal ideology sustains the narrative that those in low paying jobs are entirely responsible for their low market value, generally through laziness or some other 'moral' failure. If an individual's low market value is a consequence of poor character or 'immoral' decision- making, they are easily dismissed.

engenders dangerous outcomes for those who find themselves as the oppressed party in unequal power relations. What makes this issue interesting is that it is conceiving of subjectivity as self-constituting - defined by autonomy and rationality - and intersubjectivity as defined by equality that gets us into this predicament. If I am self-constituting, defined by my autonomy and rationality, of course I can easily reason my way into the other's perspective and understand their experience from within it. However, as I argued in the previous chapter, this way of thinking can reduce the other's unique experience to the limited imagination of the subject, and have them interpret the other's experience entirely through their, the subject's, own subjectivity. This can result in the other's experience not be genuinely listened to, as the empathetic act has merely been a return to the subject. Anderson's admission that the American ideal upheld by the classic liberalism of the 18/19th century, 'failed in its own terms' sheds light on this point.

According to Anderson (2017, p. 132) the classic liberal ideal of a free society of equals as it pertained to the workplace in the 18th and 19th centuries "failed in its own terms, due to its dependence on patriarchal appropriation of women's labor and racist appropriation of Native American lands." Women were excluded from fully freed labor as their husbands retained dominance over it. Anderson explains:

"This was a contradiction inherent in the free labor ideal, as the independence of men depended on their command over their wives' labor. Hidden in the ostensible universalism and hyperindividualism of the ideal was a presumption of male governance over their wives'— and children's— labor." (Anderson 2017, p. 32)

I suggest that it took such a long time after the advent of classic liberalism for women to achieve equality in this context, (and it's still arguable to what extent women can be seen to have equal standing with men in the workplace) due to the fact that those who were in a position to grant it did not genuinely listen to this demand for equality. We can assume that those in the dominant position believed it was either not worth granting, or that it was unnecessary.

In order to make such a determination, many white male liberals in the 18th and 19th centuries, and beyond, sympathetic to the feminist cause, would have performed the empathetic act. Many would have concluded from this process that as a woman they would rather be taken care of then treated equally, or that they, if a woman, would have the good sense to realize that women do not have the capacity to manage their labor in the market, as their place was in the home.[32] Simply put, those in the dominant position did not accord equal and free standing to others with a vastly different experience of the world. They, at least in part, justified this by deciding what was best for the other through the appropriation of their perspective.[33] Liberalism succumbs to this contradiction in part because of the hubris entailed in the empathetic act.

Through this empathetic act, symmetry collapses, as it reveals that the transcendent human other cannot be fully understood through the perspective of the subject, and must be recognised through its otherness. This is where the

[32] For more on the denial of equal rights to women by the early liberals and founders of the American Enlightenment, see Botting (2014), Schochet (2007), Waldron (2007), Brennan and Pateman (2007), Kukla (2007), and Adams and Adams (2007, pp. 108-113).

[33] Of course, unsympathetic white male early liberals would not have bothered to imagine the plight of white women and racial minorities from the others' perspective. They would have simply dismissed it. As these groups were not accorded equal standing with white men, the early white male liberals maintained a form of asymmetrical relationality with these inferior others, where the rights of the white male subject were favoured at the expense of the other. That equality was not extended to these groups is the inconsistency in the liberal project that Anderson is pointing to. Nevertheless, my claim is that once this inconsistency was 'rectified' and these others were given equal standing (at least in theory), the thinking that the singular perspective of the human other can be easily taken up perpetuates the prior inequality.

underlying asymmetry of intersubjectivity reveals itself, and exposes the limitation of the political. Levinas reminds us that the symmetry of the political is necessary, but is limited and risks perpetuating inequality, if it does not recognise the asymmetry that underlies it, making it possible. In light of this, the political cannot even hope to achieve equal social relations without recognition of this asymmetry principle, and it is through this principle that Levinas reconceptualizes communication. This new approach to communication is vital if low paid workers are to have a 'voice' in the workplace. I'll outline the crux of this approach before elaborating on and applying its specific elements - teaching and listening - to an example of current workplace oppression.

4.6 Levinas's Reconceptualization of Communication

Levinas's reconceptualization of communication turns on an idea of discourse characterised by teaching and listening, and not reciprocal exchange. Levinas (1969, p. 298) writes: "In political life, taken unrebuked, humanity is understood from its works – a humanity of interchangeable men, of reciprocal relations." For Levinas, it is these reciprocal relations, where individuals become interchangeable and are defined by their market value that makes exploitation possible. He continues: "Justice consists in again making possible expression, in which in non-reciprocity the person presents himself as unique. Justice is a right to speak." (Levinas 1969, p. 298) Exploitation of the worker can only be overcome if that worker is given the right to speak, yet this is inconsequential if those in power cannot listen.

The subject, accepting from the outset that her interactions with the transcendent human other are defined not by the degree of sameness between

them, but by how the other transcends her understanding and directs her to respond with openness, enables the subject to genuinely listen to the other person. Anderson is right to maintain that subjects have a claim to dignity, autonomy and equal standing, and that these are vital human goods. Where she goes wrong is that her account overlooks how the subject's claim to these is derived from a prior asymmetrical relation with the transcendent human other. Levinas (1998a, p. 159) explains: "The equality of all is borne by my inequality, the surplus of my duties over my rights. The forgetting of self moves justice." Communication that recognizes this underlying 'inequality' adheres to this novel understanding of discourse, as it is not simply a return to the subject.

This conception of discourse differs from the model of communication that merely reaffirms the subject's own perspective. As the human other exceeds any preconceived ideas the subject may have of her, the other is in a position of height or what Levinas (1969, p. 297) calls the "divinity of exteriority". In light of this, he characterizes this discourse as one "with God and not with equals". Levinas is critical of communication understood as beginning with a free subject, reducing it to the ego's identification with its own consciousness. He describes this reduction of communication as an auto-affection of certainty, as the subject using communication as a means of maintaining her power and freedom, reassuring her sense of control over her world. (Levinas 1998a, p. 119) Levinas (1998a, p. 119) writes: "To communicate is indeed to open oneself, but the openness is not complete if it is on the watch for recognition."

For communication to enact this form of discourse, it must be approached out of responsibility for the other, and not out of the need to be recognised and validated by her. With this in mind, Levinas (1998a, p. 120) defines it as an

inherent risk, "as a dangerous life." Discourse understood in this way lays the foundation for a shared world. Levinas (1969, p. 76) explains: "To speak is to make the world common, to create commonplaces." In conversation with the other person, the subject is no longer at home with herself - it is not about what is given to her, but what she gives to the other. (Levinas 1969, p. 76)

According to this conception of discourse, the subject not only goes into the encounter without an expectation of what the other should say, she enters the dialogue without a predetermined response. Approaching conversation without preconceived notions of what the other person's response will or should be opens the subject up to listening to what the other has to say, rather than merely hearing her own predetermined responses parroted back to her. In being open to the other's unforeseeable response, the subject is in a position to respond in a new and unexpected way that can confront entrenched modes of oppressive thinking. Levinas says: "Obligation calls for a unique response not inscribed in universal thought, the unforeseeable response of the chosen one." (Levinas 1998a, p. 145) With this reconceptualization of communication, Levinas does not simply challenge liberal assumptions, he provides a means to overcome them.

Applying this to the workplace, if the capital owner or boss goes into the meeting with the low paid worker, without having determined what their employee will or should say and, consequently, without a predetermined response of her own, she is more likely to fulfil her moral obligation in response to the other.[34] In contrast, we can imagine a capital owner or boss within Tyson Foods

[34] An objection could be raised that my argument assumes the subject is always the one in power and the other is always the oppressed party, when in fact the other to the oppressed worker's subject is the capital owner, and Levinas (2001b, p. 169) even goes as far as to say that the subject is responsible for the crimes of the other. Nonetheless, Levinas's discussion of moral obligation is framed in terms of the other's need. This is why he depicts the other as the orphan, the widow and the stranger. (Levinas 1969, pp. 75, 77-78) The response to the human other is discussed in terms

who goes into a meeting with a group of employees[35] from a chicken processing plant who are requesting regular bathroom breaks of reasonable lengths, with a predetermined set of ideas she has formed by performing the empathetic act, and putting herself in the shoes of the plant worker. Perhaps she imagines that if she were one of these low paid workers, she would understand the importance of productivity and the difficulty of organising floaters to step into positions along the assembly line during bathroom breaks. With this idea in mind, she knows she would simply eat or drink less to avoid going to the bathroom, or wear a diaper, rather than jeopardise the productivity of the Tyson plant and in turn her job.

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of the other's need, destitution and their suffering. (Levinas 1998a, pp. 91, 93) The subject is not simply hostage to the other, but hostage to their suffering. (Levinas 1998a, p. 128) The subject's response is described as giving the food from one's own mouth and giving the clothes off one's back, all of which point to the subject responding to the other's most basic needs. (Levinas 1998a, p. 74, see also Levinas 2001b, p. 52) In *Time and the Other* Levinas writes: "The Other is… the weak, the poor, 'the widow and the orphan', whereas I am the rich and the powerful." (Levinas 1987d, p. 83) With this in mind, applying Levinas's framework to the problem of workplace oppression where the subject is the party in power and the other is the oppressed does not seem unwarranted. As I said earlier, Herzog (2002, p. 210) makes a similar point with her claim that Levinas's other "is [a] destitution and [a] hunger." Although, our readings of Levinas's conception of the window/orphan/stranger differ, she maintains that Levinas's starting point is the other conceived of as weak, vulnerable and poor. (Herzog 2002, p. 207) More recently, Perpich (2020, p. 238) looks at how vulnerability is employed in Levinas's earlier works, through the figure of the other in need as 'widow' and 'orphan.' Perpich (2020, pp. 235, 239-241) asks the pertinent question: "Why think every Other is a vulnerable other?" Nevertheless, as she moves on to discuss how vulnerability operates in the later works as a means of describing how subjectivity is structured and affected by the human other, she appears to leave this question unanswered. Of Levinas's use of the 'orphan' and the 'widow' as metaphors to convey vulnerability, Perpich (2020, p. 237) writes: "The figures of the widow and the orphan point to, but cannot reach, this lived experience of poverty, but what is equally unreachable, if you will, is the manner in which the lived experience of loss and lack of a place in the social order becomes a unique demand on me." For a novel reading of the interplay between Levinas's conceptions of the height and vulnerability of the transcendent human other see Lewis & Stern (2020).

[35] Applying Levinas's framework in this context works for encounters between one employee and a boss/manager and a group of employees confronting a boss/manager, although the latter scenario obviously contains added complexities. As I mentioned earlier in the chapter, Levinas does make a distinction between encounters between the subject and a singular other, and the subject and a collective of others, with the introduction of the third party, but as the third party is always there in the encounter with the singular other, it does not change how Levinas's principles of open discourse, teaching and passivity/listening operate in this context of workplace oppression. The complexities of listening to the demands of multiple others are obviously distinct from being confronted with one singular other, however, when a group of others confront a boss/manager with one singular demand, even though their individual experiences are distinct, they can still be listened and attended to as a group, as long as the unique singularity of each worker is recognised. Looking more broadly, for discussion of the tension between the singular and communal other in Levinas, specifically in the context of identity politics see Drichel (2012, pp. 23-31), Bernasconi (2001, p. 289) and Perpich (2010).

A boss who enters an encounter with a group of low paid plant workers with this predetermined idea is less likely to sincerely listen to the experiences related to her of the indignities suffered by being forced to urinate on your person or wear adult diapers, and the harms of infections and dehydration. With the idea of what she would do in this situation already in place, the experiences of the workers become irrelevant. On the other hand, if this same boss goes into the meeting with Tyler plant employees without a preconceived idea about what she thinks these employees should say, and what her response will be based on these hubristic assumptions, it opens up the space for her to listen to the experiences of these employees, and listen to them as they are being related to her on their own terms. In other words, opening up the space to listen enables the possibility of thinking beyond the entrenched neoliberal ideology that prioritises productivity over the wellbeing of the worker. It also implies openness to questioning.

Levinas characterises discourse as a "dialogue based on questioning", rather than a reaffirmation of the subject's cognition. (Levinas 1998a, pp. 25-26) If discourse is approached as questioning, it enables the subject to challenge the underlying assumptions she enters the encounter with. Put another way, if the subject goes into conversation with the other person open to being questioned and, therefore, challenged, she may have her fundamental assumptions changed, rather than simply leaving the encounter with all her preconceived notions intact. For example, by listening to the experiences of the plant workers, a person in upper management at Tyler Foods may come to understand that she truly had no idea what is was like to attempt to go ten to twelve hours without using the bathroom, to be a grown woman afraid of asking another adult if she can use the toilet, or to suffer the discomfort and indignity of wearing an adult diaper. Similarly, a

manager who approaches a meeting with a single plant worker about the indignities and health issues caused by being denied bathroom breaks with this recognition of otherness will be unable to easily dismiss these concerns. Applying Levinas's communications framework with his conceptions of teaching and listening to the current issue at Amazon's 'fulfilment centres' demonstrates how his thought can initiate a reimagining of oppressive workplace models.

4.7 A Levinasian Challenge to Oppressive Workplace Models

We can apply Levinas's asymmetrical model of intersubjectivity to the current problems within Amazon's 'fulfillment centers' as a means creating a space for listening to the workers' 'voice.'[36] As I mentioned earlier in the chapter, Anderson uses the treatment of low paid workers at Amazon as a prime example of workplace oppression. Since the publication of *Private Government* (2017), many Amazon employees from around the world have joined together to seemingly enact Anderson's suggestion. Despite Amazon's persistent discouragement[37] and threats,[38] many employees from different 'fulfillment centers' are unionizing, and it seems their 'voice' is being listened to, to some degree at least, by some in the media.[39] In the U.S., investigations into workplace conditions and the negative publicity Amazon received from the incidents reported on by *The Morning Call* has lead to the company raising its minimum wage to $15 per hour, yet they have

[36] Much of the literature that puts Levinas's thought in the context of business ethics picks up on how Levinas's reconceptualization of subjectivity can provide an antidote to the egoism that dominates business practices. However, this is done without saying much about how specific elements of Levinas's phenomenological framework could be applied in a corporate setting to initiate a new direction in business ethics. For an idea of what I mean see Andrade (2019), Desmond (2007), Lim (2007), Staricco (2016), Lewis & Farnsworth (2007), Knights (2006), Soares (2008), Roberts (2005), Karamali (2007), Tajalli & Segal (2019), Bevan & Corvellec (2007), Aasland (2007), Mansell (2008). For an entire book on Levinas and business ethics see Rhodes (2020).
[37] See Wingfield (2016).
[38] See Sainato (2018).
[39] See Jaeger (2018).

cut bonuses and some benefits.[40] However, their business model, which places productivity over the basic wellbeing of workers, has not changed.

This model endangers the physical and mental health of the majority of low paid employees. To achieve their desired level of productivity, Amazon practices a form of what psychologists call 'abusive supervision'[41] to create a constant sense of anxiety among staff. The fear is intended to motivate workers to maintain an unrealistically high level of productivity. Amazon uses algorithms to determine how many items should be moved, stored, packed, and picked within the hour. In line with this, the performance of workers is timed electronically to the second. If they stop moving, even for a moment to catch their breath, maybe stretch their limbs, they are questioned and threatened with penalization. Penalization is received through the allocation of TOT, or time off task points. If an employee accumulates too many points, they are fired.[42] Fear of accruing TOT points stops employees using the bathroom, compromises their safety and causes them to work injured.[43] Responding to recent complaints from workers at the 'fulfillment center' in Shakopee, Minnesota in the U.S., about the medical and safety issues generated by the 'abusive supervision' of management, Amazon said that it "did not recognise" the allegations.[44]

This demonstrates that being granted a 'voice' in the workplace is not enough. Those in positions of power must listen to that voice in order to rethink the Amazon model that places productivity over the basic wellbeing of workers. We can try to reimagine this workplace model through Levinas's conception of teaching and passivity/listening.

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[40] See Long (2018).
[41] See Burin (2019).
[42] See Soper (2015).
[43] See Burin (2019).
[44] See Sainato (2019).

Acknowledging the underlying asymmetry at the heart of intersubjectivity, and approaching the transcendent human other as other, subverts the traditional privileging of the speaking subject over listening in the interest of being taught. Levinas (1969, p. 51) writes:

"To approach the Other in conversation is to welcome his expression, in which at each instant he overflows the idea a thought would carry away from it. It is therefore to *receive* from the Other beyond the capacity of the I, which means exactly: to have the idea of infinity. But this also means: to be taught."

In being open to the expression of the transcendent human other, the subject not only recognises that the other exceeds every possible conception the subject may have of her, but allows the other to teach her. Levinas (1969, p. 51) continues: "Teaching is not reducible to maieutics; it comes from the exterior and brings me more than I contain." This teaching takes the subject away from her self, from the mastery she exercises over her field of experience and her closed off perspective on the world. Levinas (1969, p. 51) explains that the other "opens other perspectives" as it takes the subject to meaning that is independent of her initiative and power.[45]

The meaning of the dialogue in this context is derived from the other relating their experience and not from the perspective of the subject. Moral education received from the transcendent human other enables the subject to develop her initial pre-cognitive response or orientation to the other into conscious actions in moral decision making.[46] For Levinas, being taught by the other is tied

[45] For more on Levinas's conception of teaching see Hansel (2012).
[46] See also Strhan (2012, pp. 20-24). Strhan notes that teaching in this context is a description of the conditions of consciousness and subjectivity, rather than teaching in a traditional developmental sense. While Strhan is right to highlight Levinas's conception of being taught as a part of the constitution of subjectivity, it is not restricted to this facet of the ethical relation and can be enacted through discourse in everyday experience. See also Katz (2013).

to the passivity of the subject when affected by the demand of the other.[47] Implicated in this passivity is the importance of listening over speaking.

Levinas does not use the term listening or to listen as part of his description of the subject's response to the other, yet I claim that it's embedded within his notions of passivity and teaching. Levinas (1969, pp. 91, 96) maintains that it is not the subject, but the other who speaks. This implies that it is the subject who listens. Lisbeth Lipari (2012, p. 229) sums this point up well when she says:

"For Levinas, the revelation of the face is speech, and the self's responsibility to respond to the face of the other is infinite, unlimited. And yet quietly embedded in this assertion of responsibility – the ability to respond – lies the prior action of listening." [48]

By maintaining the initial passive response to the other, the subject does not immediately act, absorbing the demands of the other and reinterpreting them to suit her desires, but leaves a space for discourse, "holding open its openness, without excuses, evasions or alibis, delivering itself without saying anything said." (Levinas 1998a, p. 143) By exercising this passivity, the subject allows the other to speak. Lipari (2012, p. 237) continues:

"The listening, in contrast to the heard, is an enactment of responsibility made manifest through a posture of receptivity, a passivity of receiving the other… without assimilation or appropriation… In the listening, I create a space to

[47] This notion of teaching, in the context of the human other as master or teacher, appears to be largely absent from *Otherwise Than Being,* possibly because of its alignment with *Totality and Infinity's* narrative structure. Nevertheless, the general idea persists in Levinas's conception of discourse as presented in the later work.

[48] Lipari belongs to an area of communication ethics that has emerged over the last twenty or so years which employs aspects of Levinas's framework. Other notable contributions in this area include: Lipari (2004), Pinchevski (2005), Arnett (2008, 2004 and 2017), Murray (2003) and Gehrke (2010).

receive you… In contrast, the heard, like the said, pertains to propositional content, and it arises from taking your words and making them mine."[49] While I don't adhere to the hard distinction Lipari makes between listening and hearing, the general idea still applies.

When the subject takes the other's words and makes them her own with the hubris of the symmetry principle, she fails to listen to the other. She simply takes what she perceives and reappropriates it to fit her own perspective and preconceived notions. As Levinas (1998a, pp. 47, 50) intimates, the real risk for the subject lies in maintaining that initial passivity of her response and embracing the listening stance it entails. This creates a space for the other, or collective of others, to relate their experiences and have them received on their own terms. Here this passivity is not the absence of activity, but activity that is informed by the experience and need of the other, rather than the subject's own self-obsession. (Levinas 1998a, pp. 56, 115) Active agency can only be considered ethical in this context when it is the consequence of this radical passivity that listens to and,

[49] While I agree with Lipari's (2012, pp. 236-237) utilization of Levinas's framework to expand on her conception of listening up to a point, I don't adhere to the strict distinction she maintains between listening and hearing. I have chosen to use the term listening as it implies hearing, yet refers to an attention to the other's expression that the term hearing lacks. However, I don't see the negative connotations in the reception and perception of hearing that Lipari does. In fact, in a footnote she acknowledges that Levinas "tends to employ "entrendre" ("to hear") far more often than he employs écouter ("to listen")." (Lipari 2012, p. 243) She claims that this corroborates a focal point of her argument, what she interprets as Levinas's neglect of listening and privileging of speech, whereas I see it more as speaking to the lack of a hard distinction between the two terms. (Lipari 2012, p. 243) As I see it, the attention that écouter entails invokes the 'Here I am' of the subject's response, yet the receptivity of entrendre highlights the radical passivity of the subject affected by the other.
Lipari claims that although listening is embedded in Levinas's understanding of the subject's response to the other, he neglects it by focusing on the other's speech. Lipari's claim is undermined by the fact that the development of her own understanding of listening depends on the way listening is embedded in Levinas's notions of passivity and teaching. (See Lipari 2012, pp. 235-241) The focus on the other's speech or expression necessarily entails the passivity of the listening subject, and in this way Levinas doesn't neglect this aspect of the ethical relation to the extent that Lipari thinks he does. Put another way, as Levinas can only approach the ethical relation from the perspective of the subject so as not to represent the other, the expression of the other, although the focal point, can only be articulated through the subject's passive response, which necessitates this passive act of listening. I use this seemingly contradictory phrase 'passive act' to highlight how the radical passivity of the subject affected by the other doesn't adhere to passive/active dichotomy. (Levinas 1998a, pp. 115, 121)

therefore, is constructed by the experience of the other. This is a fundamental requirement of being taught by the other, which can be applied to transform the inhumane model of operation at Amazon's 'fulfilment centres.'

What is exemplified by the inhumane working conditions of the Amazon 'fulfilment centre' is that unless those in positions of power listen and allow themselves to be taught by the other, there is no hope of achieving equal social relations. By tightening their grip on their current business model, Amazon refuses to recognise the voice of the other, the low paid worker, and merely offers appeasements with gestures like the slight increase in wage that is still below the median paid to the average warehouse worker in the U.S. These gestures, which seem to be a way for Amazon to save its reputation and justify its appalling working conditions, are employed as a means for the company to retain their current model that favours productivity over the basic well-being of workers. Listening to the demands of their low paid workers would necessitate a rethinking of their existing model.

Through teaching in the Levinasian sense, the model can be reimagined. Low paid workers and those in higher positions can work together to create a new model for the operation of 'fulfilment centres' that makes the health and overall wellbeing of workers a priority. It is the other that teaches management how to reimagine workplace conditions by relating their own experiences. Those in positions of power at Amazon do not have the experiential knowledge to reimagine the workplace, nor do they seem to think, at this point, that it is in their interest to do so. Further damage to their reputation and a backlash that results in a majority choosing to opt out of their marketplace may change this.

In fitting with my Levinasian critique of the effects of neoliberal ideology, Amazon's motivation should be ethical and not economic. Nevertheless, the experiences of warehouse workers must be listened to on their own terms instead of being reappropriated by those in positions of power to fit in with the existing workplace model. With this in mind, it is only through recognition of the underlying asymmetry that defines intersubjectivity that the current model of operation at Amazon warehouses can be questioned. Recognising this founding asymmetry and opening up to the demand of the transcendent human other that leads to teaching encourages the formation of new models that do not thrive on workplace oppression.

As a moral philosopher and someone lacking an MBA or experience in the mechanics of distribution warehouses, it is not my job to come up with a new model for the operation of Amazon's 'fulfillment centers.' It would also be unethical, according to my own argument, for me to attempt to do so without working directly with warehouse employees from at least one of these centers. My aim, in fitting with my role, is to provide practical, yet new insight into a current and pressing political and social problem.

My application of a Levinasian framework to this particular instance of workplace oppression may seem impractical to those who think, due to the entrenchment of our collective perspective in neoliberal thinking, that the basic wellbeing of workers in these low paid positions should be compromised to some degree for the sake of 'productivity', and that such compromise while unfortunate is a necessary and unchangeable evil of our current system. Such attitudes, rather than being pragmatic or realistic, are evidence that new insight into issues of workplace oppression are desperately needed. When as a society we think it's not

merely okay, but necessary for a company to ignore the basic needs and wellbeing of its workers for the sake of expediential growth, to ensure its competitiveness and durability in the market, something has gone terribly wrong. When as a society we can only think for the oppressed in terms of a job that harms and demeans or no job at all, it is glaringly obvious that our basic assumptions need to be rethought. I highly doubt that those who had the ingenuity and imagination to transform an online bookstore into a diversified global marketplace where you can buy almost anything are intellectually and creatively incapable of engaging and being taught by their employees to come up with a new operational model for the 'fulfillment centers' that rethinks its notion of productivity, taking into account the basic physical and mental wellbeing of its low paid workers.

4.8 Conclusion

To sum up the ground covered in this chapter, I tested the practical application of Levinas's framework - in the context of workplace oppression - in an attempt to demonstrate that it is not the legitimacy of the transition from the ethical to the political that should be the pressing concern within the scholarship, but how the ethical reveals the limitations of the political. Instead of being understood as merely an abstract means of striving towards one's own 'private perfection'[50], my analysis aimed to show how Levinas's thought has practical applicability to a current and pressing political and social issue. His reconceptualization of both subjectivity and intersubjectivity through the asymmetry principle challenges the supremacy of the Hobbesian presupposition and its neoliberal extension, *homo oeconomicus*. Furthermore, it has shown how recognition of the underlying

[50] I'm referring to Rorty's (1998, p. 96) remarks that Levinas's thought "may be useful to some of us in our individual quests for private perfection", but not "when we take up our public responsibilities" in the political arena.

asymmetry of intersubjectivity can generate the rethinking of the standing between subject and other, such that the powerful subject listens to the 'voice' of the other, challenging the balance of power between them, moving towards the realization of equal social relations.

Through my engagement with Anderson's dynamic and ruminative critique of the harmful consequences neoliberal ideology has on low paid workers, I found that criticism of these consequences driven by classic liberal thinking is unable to move us towards such a realization. By taking us back to the fundamental principles of classic liberalism, and the context in which they were conceived, Anderson successfully disentangles the ideology of liberalism from that of neoliberalism. Nevertheless, what her lectures - along with the replies to these and her responses - unsuspectingly do is expose how the fundamental assumptions of liberalism are unable to combat the oppression generated by the instantiation of neoliberal ideology. It is the liberal privileging of the subject's reason and autonomy, the assumption that symmetry defines intersubjective relations and the empathetic act this entails that exposes liberalism's inadequacies.

The underlying asymmetry that defines intersubjectivity reveals the hubris embedded in the empathetic act and, therefore, the collapse of the symmetry principle that is characteristic of liberalism's understanding of intersubjectivity is engendered by this underlying asymmetry. Put another way, by applying Levinas's concept of radical asymmetry in this context, I found that the liberal conceptions of subjectivity, as defined by autonomy, and intersubjectivity characterized by equality, are alone unable to challenge existing power relations that perpetuate the human other's oppression.

To be clear, I am not saying that because autonomy does not define the nature of subjectivity that it is not a significant aspect of it. My argument does not undercut Anderson's claim that being able to exercise one's own autonomy to determine when basic human needs like going to the bathroom are enacted is a basic good. It does not contest that equal social relations in terms of standing and esteem are a vital human good. My argument with Anderson's position is that equal social relations cannot be achieved unless the underlying asymmetry that defines intersubjectivity is recognized. In other words, this founding asymmetry must be acknowledged and embraced by those in power as they enter into dialogue with the oppressed other.

Recognizing the otherness or singularity of the transcendent human other enables the subject to genuinely listen to what that other has to say, instead of entering into communication that appropriates the other's perspective, and merely reiterates the subject's preconceived notions, returning her to herself.[51] Through the application of Levinas's communication model, with the notions of discourse, teaching, and listening through passivity, I attempted to demonstrate how the oppressed can teach the subject, in order to reimagine the workplace in a way that makes the basic wellbeing of the low paid worker a priority. The application of these concepts opens up the space to question existing power relations, which renders those in power susceptible to the experiences related by the oppressed other.

Reimagining the world from the asymmetry principle is another project. My goal was to outline, in general terms, how these Levinasian notions point to a

[51] Dudiak (2001, pp. 403-412) makes a similar claim in his comprehensive study of Levinas's conception of discourse. However, Dudiak's focus is not workplace relations or structural inequalities, but the more general goal of 'peace' between those who hold competing value systems and rationalities.

new way forward. They do so by opening up the possibility of those in the dominant position within the workplace listening to the 'voice' of the oppressed group. My hope is that the results of this test show that Levinas's framework can be practically applied to other instances of systemic and institutional oppression. The conclusion to the thesis suggests possible avenues for future research, where this Levinasian model can be applied to challenge the oppression of the transcendent human other in the context of gender.[52]

[52] It is worth noting that Coe (2019, p. 743) ends her recent essay on Levinas and feminism with the claim that Levinas's reconceptualization of subjectivity "helps to reject the misogynistic and patriarchal repercussions" of the traditional understanding of the subject.

Conclusion

Moral Obligation Beyond the Hobbesian Presupposition: Levinas as an Advocate for #MeToo

Beyond the Hobbesian Presupposition

With my discussion drawing to a close, I hope the reader can now appreciate not only the pervasive nature of the Hobbesian presupposition, but also how it has come to shape our approach to moral obligation in Western thought, within moral philosophy and in wider moral discourse. In light of this, I hope I have convinced the reader to reject solutions to the problem of moral obligation that begin with the Hobbesian presupposition, or slip back into it, in favour of a Levinasian stance. If the reader is still reluctant to adopt this approach, I hope my analyses has alerted them to the degree to which the Hobbesian presupposition influences the lens through which we view moral discourse, and has encouraged them to rethink the validity of it as our most accurate picture of subjectivity. Despite the Hobbesian presupposition's apparent alignment with 'common sense', my discussion of acts of self-sacrifice during wartime reveal our inability to reconcile these actions with a subject defined by egoism and with intersubjectivity characterised by reciprocity. In light of this, we can see that the Levinasian notions of subjectivity and intersubjectivity track better with our observations of human behaviour in that they account for both egoism and self-sacrifice.

As I described in the introduction to the thesis, COVID-19 has drawn our attention to the subject's propensity for egotistical action, however, it has also revealed our capacity for pure generosity. Healthcare workers around the world who are working overtime - often without adequate PPE and other equipment and self-isolating from their families - are receiving home cooked meals from

anonymous members of their community, and are greeted with standing ovations from their neighbours when they leave for or return from work.[1] To lift spirits, Italians in lockdown sung to each other from their balconies, a man in Britain set up 'driveway bingo' to cheer up his neighbours, while tens of thousands of patients hospitalised in Spain have received 'Get Well Soon' letters from complete strangers.[2] Out of concern for the mental health of his renters, a man in Brooklyn New York cancelled a whole month's rent for hundreds of his tenants, chef José Andrés turned restaurants and even baseball fields around the U.S. into community kitchens to provide free meals, and NBA players and team owners donated hundreds of thousands of dollars to pay the wages of low paid stadium employees.[3] All over Australia, people are looking out for their elderly and vulnerable neighbours, offering to do grocery shopping and walk dogs, as well as providing care packages with home cooked meals and toilet paper.

These examples signal something more than a description of subjects as deeply interdependent, they point to a subjectivity that by definition is willing to give to the other immediately, during uncertain times, and without the expectation of something in return. Nevertheless, my largely uncritical view of Levinas's solution to the problem of moral obligation may give the reader pause and reason to remain sceptical of his reconceptualizations of both subjectivity and intersubjectivity. It is with this possible response in mind that I turn to the idea of critique.

[1] See Booth, Adam & Rolfe (2020) and Hinchliffe (2020).
[2] See Kearney (2020), Molloy (2020) and Keeley (2020).
[3] See Haag (2020), Saltzstein (2020) and Deb (2020).

Illuminations Through Critique

In these final pages, with the aim of threading together the key points of my discussion and the focus of new research, I want to talk about criticism. Lamenting what he perceives as the lack of criticism in Levinasian scholarship, Critchley (2004, p. 173) claims, "our relation to a major thinker has to be critical." The general idea, which I agree with, is that scholarship becomes stagnant and frankly boring, tending towards "discipleship and scholasticism", if it limits itself to "exegesis", "commentary" and "comparison", ignoring critique. (Critchley 2004, p. 173)

As the fundamental aim of my project has been to utilize Levinas's conceptions of subjectivity and intersubjectivity to jolt moral philosophy and the wider collective consciousness out the grips of the Hobbesian presupposition, and galvanize a change in how we approach moral obligation, the time and spatial constraints of the thesis have prevented me from engaging more critically with Levinas's thought. In other words, since the primary goal of my thesis is to provide a Levinasian critique of how subjectivity and in turn ethics is approached in moral philosophy and in wider public discourse, I could not engage with criticisms of Levinas in any great detail. Although the prominent critiques of Levinas's position are not strong enough to discount his challenge to the Hobbesian presupposition, they are able to deepen our understanding of Levinas's thought and help identify its vulnerabilities. Again, due to the constraints of the thesis I cannot elaborate on this point beyond these few general remarks.

Unfortunately, as I alluded to in the introduction to the thesis, a lot of the criticism of Levinas's philosophy is based on misunderstandings of his phenomenology, particularly key concepts, like asymmetry, otherness, Infinity,

and how they operate. Nevertheless, there are a few prominent critiques that are worth noting. Following Chung-Hsiung (Raymond) Lai's list that he presents to Richard A. Cohen (2010, pp. 181-196) in an interview, the six major critiques of Levinas's work are the ones offered by Derrida, Lyotard, Ricoeur, Irigaray, Zizek, and Badiou. I have addressed the criticisms made by Derrida, (fn.20 chapter one) Lyotard (fn.49 chapter two) and Irigaray (fn.18 and fn.21 chapter one), and while they raise important questions for Levinas's reconceptualizations of subjectivity and ethics, they don't undermine it as a legitimate challenge to the Hobbesian presupposition. Turning to the objections raised by Zizek, Ricoeur and Badiou, we can see that all three are to some extent motivated by an apparent adherence to the Hobbesian presupposition.

What seems to drive Badiou's polemic against Levinas's solution to the problem of moral obligation is Badiou's insistence that ethical experience is essentially an identification of sameness. For him, "the other always resembles me too much for the hypothesis of an originary exposure to his alterity to be *necessarily* true." (Badiou 2001, p. 22) It's this refusal to conceive of the basis of intersubjectivity in any other way that generates Badiou's misreadings of Levinas's key concepts. Alterity can only mean difference, and transcendence can only point to God and mysticism, if one cannot think of intersubjectivity as defined by anything but the resemblance of the other to the subject. This reminds us of the dangers of Korsgaard and Darwall's solutions to the problem of moral obligation in that when the other's humanity or moral authority is parasitic on the subject, moral philosophy defines its task in terms of the interests and needs of the subject, making the other an afterthought. This exemplifies why accounts that

posit a self-constituting subject, defined by reason and an autonomous will, cannot help but slip back into the Hobbesian presupposition.

Recalling my engagement with Darwall, Ricoeur's reaction to Levinas's thought seems to be dictated by a concern for reciprocity. Ricoeur's (1992, pp. 189-190) apparent inability to think intersubjectivity based on anything but reciprocity leads him to read Levinas's descriptions of the subject's experience of the transcendence of the human other as pure hyperbole. Put another way, intersubjectivity defined by a symmetrical relation dominates Ricoeur's (1992, p. 338) perception to the point that an asymmetrical form of relationality between subject and other reads as "paroxysm." Consequently, talk of "absolute otherness" is only hyperbolic, "the systematic practice of *excess* in philosophical argumentation", and not reflective of actual intersubjective experience. (Ricoeur 1992, p. 337) Furthermore, this fixation on reciprocity seems to narrow Ricoeur's reading of the descriptions of the for-the-other as hostage and persecuted, to the point that he can only interpret this language as reason to secure the rights of the subject against the threat of the transcendent human other. (Ricoeur 1992, p. 339) As I argued in my discussion of Darwall's position, this securing of the subject's rights on the basis of reciprocity risks excluding the most vulnerable from ethics. It seems that instead of challenging Ricoeur's internalization of the Hobbesian presupposition, Levinas's reconceptualization of intersubjectivity appears to have fortified Ricoeur's attachment to it. Again, this clinging to the Hobbesian presupposition brings to mind how both Korsgaard and Darwall appear to be moving towards recognition of the transcendent human other as the source of normativity or ultimate moral legislator only to 'chicken out' and return to the comforts of the Hobbesian presupposition. Zizek takes a different tack to Ricoeur

and Badiou in his criticism of Levinas's account in that he reads the Hobbesian presupposition into the Levinasian subject.

Zizek (2005, p. 155) claims that the asymmetry of the ethical relation eventuates in the 'privileging' of the subject through the subject's assuming of "responsibility for all others." Colouring Levinasian subjectivity with Hobbesian egoism, Zizek reads Levinas's phenomenological approach - coupled with Levinas's insistence that the perspective of the other ('what it is like' for them) cannot not be appropriated by description or representation on the part of the subject - as form of self-obsession. Zizek (2005, p. 155) writes: "Self-questioning is always by definition the obverse of self-privileging; there is always something false about respect for others which is based on questioning of one's own right to exist." What Zizek seems to miss is that 'respect for others' in Levinas's framework is not 'based' on the subject's 'self-questioning', but on the transcendent human other's questioning of the subject. Before the subject can question her right to exist, the other has already questioned that right.

To return to my initial point, on Zizek's reading the nature of subjectivity can only be defined as Hobbesian, as a subject that does not question her 'place in the sun' ignores the questioning of the vulnerable, poor and oppressed, and the subject that does question her place is apparently 'self-obsessed.' In other words, this perception of the subject that even dares to question her sovereignty as 'self-privileging' is indicative of the how insipid the Hobbesian presupposition is in the collective Western psyche. Furthermore, it seems that reading a self-constituting subject into *Totality and Infinity*, along with an interpretation of the terms of the ethical relation as mutually constituting, is perhaps done as a way of responding to these kinds of criticisms.

What I mean is that it's possible that the existing scholarship misses the full potential that Levinas's thought has for the problem of moral obligation by placating these objections, through a kind of watering down of Levinas's conceptions of subjectivity and intersubjectivity. By taking the perceived extremity of a radically asymmetrical intersubjective relation and an other-constituted subject out of Levinas's picture, Bernasconi and Perpich are able to defend Levinas against these common objections that seem unable to think subjectivity and intersubjectivity beyond the Hobbesian presupposition. As Bernasconi and Perpich have such a big influence on the existing scholarship, they have made Levinas, or at least the Levinas of *Totality and Infinity,* appear more reasonable.

Put another way, as most critics of Levinas appear to limit their engagement to *Totality and Infinity*, underplaying the asymmetry and the affect of otherness in this work could be viewed as a strategy to deflate the types of challenges to Levinas's solution to the problem of moral obligation raised by critics like Badiou, Ricoeur and Zizek. In contrast with this, I've demonstrated, through a close reading of section II of this first major work, that the key to realizing the full potential of Levinas's thought in the context of moral obligation is not to 'water down' the radical nature of these Levinasian concepts, but to embrace them.

In line with this, Perpich's non-prescriptive or thinner interpretation of the ethical relation can be seen as another way of making Levinas's ethics more palatable, as the merely descriptive status of the transcendent human other's incontestable moral value is easier to justify. Nevertheless, my analysis has shown that the prescriptive or thicker interpretation of the ethical relation fits with the

intricacies of Levinas's phenomenology, which depicts the production of sense in the relation as originating with the transcendent human other. In this way, my reading does justice to Levinas's descriptions of the subject's initial response to that other's need as one of pure generosity. Of course, this idea seems indefensibly idealistic in a climate dominated by neoliberal ideology.

Strangely, Zizek's critique exhibits the tendency of the neoliberal mindset that is unable to imagine a subject that is not characterized by the Hobbesian presupposition. To revisit my engagement with Anderson, classic liberalism's inability to combat this mindset and provide meaningful solutions to the harmful consequences it produces in the workplace stems from the two ideologies essentially sharing the same conceptions of subjectivity and intersubjectivity. To reiterate, the collapse of the symmetry principle through the 'empathetic act' reveals that ultimately the transcendent human other can only be recognised through her otherness. With this in mind, Levinas's conceptions of subjectivity and intersubjectivity provide the only means to overcome the influence of the Hobbesian presupposition, and combat the damaging practices it produces and perpetuates through neoliberal ideology. Freed from the limits of these liberal assumptions and their hubris, Levinas's reconceptualization of communication opens up the space to question existing power relations, providing a way forward in the dismantling of systemic and institutional oppression. As I shift focus to avenues for new research that employ this communication model, I want to take a quick look at one more critique.

Of all the challenges to Levinas's ethics, Sonia Sikka's (2001) perhaps warrants our attention most, as it is motivated by a concern for those that have been cast as other, rather than a fixation on the supremacy of the subject.

Following de Beauvoir and Irigaray's discerning objections, Sikka's reading reminds us that Levinas's own sexist and Eurocentric thinking is the biggest threat to his philosophical project.[4] Going against his own fundamental claims that the singularity of the human other, their otherness, transcends the subject's cognitive capacities and therefore, cannot be described, Levinas employs sexist interpretations of the feminine that trade on harmful stereotypes, which have perpetuated the oppression of women, facilitating and encouraging attitudes that enact violence.

Expanding on Irigaray and de Beauvoir's criticisms, Sikka (2001, p. 97) claims that excluding the feminine from the ethical relation in both the dwelling and the erotic relationship undermines Levinas's solution to the problem of moral obligation '*in toto'*, insofar as it is founded on an asymmetrical relation with "radical alterity." Her primary claim is that symmetry or the recognition of similarity between the subject and the transcendent human other must occur before dissimilarities can be taken into account and respected. In other words, the subject must acknowledge that the other is a subject like him, and "constitute her alterity on the basis of this recognition." (Sikka 2001, p. 105)[5] Sikka (2001, pp. 109-110) writes:

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[4] Eisenstadt (2012) examines Levinas's deliberate Eurocentric comments, and if and/or how they might undermine his whole philosophical project. She defends Levinas against the latter, without denying his Eurocentrism.

[5] In this respect, her criticism is similar to the point made by Derrida (1978) in "Violence and Metaphysics." As I explained in chapter one (fn.20), he claims that the asymmetry of the ethical relation must depend on a prior symmetry that enables the subject to recognize the human other as another "ego" that can "speak", "understand" and then "command me." (Derrida 1978, pp. 125-126) The constitutive role the other plays in the formation of subjectivity accounts for why being confronted with the otherness of the other is not an act of violence, and how these separate terms of the ethical relation can engage in dialogue, without this undermining the fundamental aspect of the relation being that of exposure to otherness. See also Large's (2015, pp. 74-77, 122 and 2019, p. 753) discussion of Blanchot's objection. Large makes a similar point to myself, although it rests on his misreading of the dwelling and substitution that I discussed in fn. 22 of chapter one. (Large 2011, pp. 243-254)

"an ethics that deliberately refrains from imagining the Other as another like oneself, might contribute to a failure to recognize and respect that Other, and precisely in his or her very difference from oneself. Can the other really speak to you, for herself, against your anticipations and expectations, if you do not first come to meet her with the presupposition that you two are at some level alike in your being?"

The idea is that Levinas fails to recognize that women are subjects like him because he is too focused on their otherness, and in being blinded by this focus he depicts the feminine as other to him and, consequently, unwittingly excludes women from ethics. Sikka has a point insofar as Levinas's depictions of the feminine are derived from and depend on female stereotypes, however, she mistakenly reads otherness as difference, which undermines her primary claim.

To reiterate, what Levinas means by the 'otherness' of the transcendent human other is their singularity and not their difference from the subject. To conceive of otherness as difference would be to place it in opposition with the subject and put the other and the subject on equal terms, denying the asymmetry of the relation. Sikka reads Levinas's ethics of alterity as "indifferent to difference"[6] because she misinterprets the other's singularity as difference.[7] She observes that the stereotypical descriptions of women's otherness depict "ironically, never the other, but only oneself, only the other painted in the image of oneself", yet this is a consequence of them being a depiction of difference based on the subject and not the recognition of singularity that transcends the subject's cognition. (Sikka 2001, p. 110)

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[6] Visker (2014, pp. 15-18) makes a similar point, albeit less effectively. For more discussion of this criticism and how it connects to the relationship between Levinas and identity politics see Maldonado-Torres (2012), Bernasconi (2001) Perpich, (2010), and Drichel (2012).

[7] Perpich (2010) makes a similar point in response to Sikka's argument, yet she does this in the broader context of identity politics.

For Sikka, the recognition of similarity before difference is the answer to this female exclusion, however, the persistence of these historical stereotypes shows us that the immediate failure to see the similarities of women with men and the tendency to view these similarities as a lesser version or of lesser quality means that the genuine recognition of similarities can only occur once the singularity of the other has been acknowledged and engaged with according to Levinas's communication model. Recognition without the acknowledgement of otherness, and listening through discourse, will only result in the choice to reduce otherness to mere difference from oneself, essentially transcribing the other in opposition to oneself. The consequence of Sikka's misinterpretation of otherness or alterity as difference, coupled with the lack of attention to Levinas's reimagining of traditional communication, is that she misses how his fundamental thesis can further feminist causes or contribute to the eradication of women's oppression.[8]

Sikka's critique is helpful as it directs our attention to Levinas's own enactment of what he criticizes the whole history of Western philosophy for. This failing doesn't undermine his fundamental claims, but reinforces them. His own depictions of the feminine other and comments on cultural practices that he perceives as foreign show the dangers of assuming knowledge about the other, rather than engaging with that other. (Sikka 2001, p. 114) These dangers are also prevalent in the West's depictions of women, and traditional modes of representing and understanding women's experiences. It is precisely these modes

[8] Sikka (2001, p. 116) does concede that if the "basis" of Levinas's ethics is asymmetrical responsibility for the other then he is right. She claims that if this is the center of his thought then her claim that his "indifference to difference" undermines his whole project, can "only touch the margins", and "define" the "limits" of his thought. What her criticism does is define not the limits of Levinas's solution to the problem of moral obligation, but the limits of Levinas the man, being unable to overcome attitudes inherited as a white Jewish Eurocentric man born at the beginning of the 20th century.

and depictions that are questioned and challenged by what is referred to as the #MeToo movement.

#MeToo: A Direction for Further Research

Beginning in October 2017, the global movement known as #MeToo has altered the collective discourse and thinking on sexual harassment and abuse. The deluge of responses to actress Alyssa Milano's call for women to share their experiences of sexual harassment and assault on Twitter under #MeToo, in the aftermath of the Weinstein allegations going public, has evolved far beyond Twitter enacting cultural change. Summing up the depth of this cultural shift, Catharine A. MacKinnon (2018) explains that #MeToo has accomplished "what the law could not" by "eroding the two biggest barriers to ending sexual harassment in law and in life: the disbelief and trivializing dehumanization of its victims."[9] Finally, perpetrators of sexual harassment and assault are being held to account in an unprecedented way. Moreover, the sheer number of participants sharing these largely horrific experiences has directly challenged traditional stereotypes that characterised sexual assault. As Fileborn and Loney-Howes (2019, p. 2) explain:

"#MeToo reaffirmed publicly just how widespread sexual assault and harassment actually are; that most victim-survivors know the offender; and, significantly, that these experiences are *routine* and *normalized*…"

Nevertheless, backlash against the movement poses a serious threat to its survival and ability to effect further change.

The counter-cry that #MeToo has 'gone too far' is fuelled by objections that the movement is 'mass hysteria' and a 'witch hunt' and charges that it equates

[9] See MacKinnon (2018).

serious crimes like rape with harmless flirtations and 'bad sex.' In particular, the movement's handling of instances involving the actor Aziz Ansari and writer Junot Díaz have been employed as examples of this having 'gone too far', producing damaging outcomes for 'innocent men.'[10] Instead of listening to women with the aim of altering behaviour to promote safe and inclusive environments for all, many men, (and some women) have chosen to respond with obstinacy, taking a defensive stance. While condemning acts of violent rape, they lament the apparent limitations the movement poses to behaviour in the workplace and other public spaces, ruling out 'harmless' compliments, flirtations and touching. It appears that many are far more concerned with defending their own behaviour or that of other men they deem to be innocent, distinguishing it from the actions of 'monsters' like Weinstein, rather than taking a critical and reflective approach, engaging with women and male victim-survivors in an effort to alter their attitudes and the attitudes of those like them, attitudes that excuse and perpetuate sexual harassment and violence.[11]

The comments of high-profile men like Alec Baldwin,[12] William Shatner[13] and Liam Neeson exemplify this defensive response. Worth examining in some detail is Neeson's characterisation, during an interview on The Late Late Show on RTE, of alleged sexual harassment carried out by actor Dustin Hoffman as "childhood stuff", which included "touching some of the girls' breasts" while working on film and theatre productions.[14] Sympathetic to the movement and quick to claim that he has not done "similar things", Neeson appears to compare this "childhood stuff" with the "chilling" treatment of female labourers on farms

[10] For more see Salter (2019, pp. 322-327) and Flanagan (2018).
[11] For more see Flood (2019, pp. 287-294) and Tolentino (2018).
[12] See Itzkoff (2018) Desta (2018) and Rose (2018).
[13] See Desta (2018).
[14] See Livsey (2018).

and ranches. The idea seems to be that this "childhood stuff" is nothing in comparison. What is significant about Neeson's comments is how they appear to miss the point. Focusing on defending men who *he* sees as being unjustly targeted by a "witch hunt" and on distinguishing behaviour *he* deems harmless from "real" abuse, his comments show that he just—for the lack of a better phrase—doesn't get it. What I mean is that he seems unable to understand what the #MeToo movement is about beyond individual acts of harassment and abuse, and this inability, which he seems to share with large portions of the male population (and some portions of the female population), has culminated in an apparent impasse between the movement and those who either dismiss it or claim that it has gone too far.

This impasse highlights a communication breakdown between advocates of the movement and those who dismiss it or claim that it has gone too far, and if efforts are not made to rectify this, #MeToo will be unable to progress, and the positive change it has effected risks being lost in the backlash. The limitations of Twitter as a medium of communication in general, and the seeming inability of most in the conventional media to facilitate nuanced discourse about a phenomenon as complex as sexual abuse, hinder #MeToo's growth beyond a hashtag that enables the sharing of experiences to sustained progress in abolishing the systemic attitudes and practices that produce and perpetuate sexual harassment and assault. That is to say, the deeply engrained attitudes and practices that produce and perpetuate the acts of sexual harassment and violence exposed under #MeToo obscure the larger context in which these acts occur. Furthermore, these deeply engrained attitudes and practices seem to prevent those who have not experienced sexual harassment and abuse from appreciating the seriousness of

these acts and the extent of the harm suffered by victim-survivors. In short, there is something flawed in the communicative process employed in #MeToo discourse. This is where Levinas can help.

For the reasons I outlined above, Levinas is not often thought of as a feminist ally, nevertheless, his reconceptualization of communication through discourse offers us a means of overcoming this current impasse in the discussion of #MeToo. The current communicative process employed in this context inhibits progress because it is based on the traditional model associated with the Hobbesian presupposition. As I explained in the previous chapter, this model merely reaffirms the subject's own perspective as it is based on the idea that the subject can easily and unproblematically take up the perspective of the other, and form an understanding of her experience from their perspective.

This traditional model risks perpetuating the inequalities highlighted by #MeToo when a subject who belongs to a dominant group (e.g. older white man) applies it in his engagements with the other who belongs to an oppressed group (e.g. victim-survivor of sexual abuse). In the context of the movement, choosing to acknowledge the singularity of victim-survivors and being taught by their experiences will enable those in positions of power to question their most deeply engrained attitudes and practices as they pertain to sexual harassment and violence. In other words, men can be freed from their defensive stance and able to rethink their preconceived notions about sexual harassment and violence, by recognizing their own fundamental inability to fully take up another's perspective, and thereby genuinely listening to and being taught by victim-survivors, embracing the critical reflection engendered by this encounter.

As Fileborn and Phillips (2019, p. 105) point out, how we "understand or make sense" of sexual violence depends on the language available to us. When discursive practices are produced and reinforced by those in power, their capacity for meaningful engagement with victim-survivors is vital, in order for the latter to shape the language we use to think and discuss sexual harassment and assault. With the insight offered by the victim-survivors through Levinasian discourse, those who have gained power from the systemic practices and attitudes that produce and perpetuate these harmful and violent acts can work together with victim-survivors to create a better world for all.

This is a very brief outline of the impact the Levinasian communication model could have in the context of #MeToo, and I hope that despite the brevity the reader can see its potential. The lack of philosophical scholarship in this area makes this insight an important avenue for future research. My hope is that this Levinasian intervention into the problem of moral obligation, through his reconceptualizations of subjectivity and intersubjectivity, can inspire not only a rethinking of our approach to this stagnant debate in moral philosophy and wider moral discourse, but effect positive change in the #MeToo impasse and in other cases of systemic and structural oppression.

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