

# Translation and Interpretation in Contemporary Jewish Philosophy

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## Abstract

By inquiring into the translatability of Judaism and philosophy, we reawaken an ancient problem that asks after philosophy's relation with religion: *What has Athens to do with Jerusalem?* Translation is a rejuvenated means of wrestling with this irksome question, which seeks to understand how multiple approaches to meaning and being can exist concurrently or whether any interaction forfeits multiplicity for the primacy of one form over all others. The specific issue that linguistic versions of the problem address is whether or not the languages that Judaism and philosophy speak are separate and distinct and if those distinctions are established on deeper, non-linguistic ground. For this reason, translation not only raises the problem of articulatory and context in interlingual translations, it also alludes to an ontological or metaphysical separation that speaks of different, non-shared worlds. Whether or not a translation theory addresses, repairs or upholds the opposition between religion and philosophy is in question, and translation becomes a vehicle for discussing what Jerusalem has to offer Athens and what Athens has for Jerusalem. In this essay, I examine the translation problem as an attempt to repair or re-gloss the relation between Judaism and philosophy by way of Michael Fagenblat's recovery of Emmanuel Levinas' thought in his work, *A Covenant of Creatures: Levinas's Philosophy of Judaism* (2010).

## Translation and Jewish Philosophy

The translation problem in Jewish religion and philosophy is deep-rooted. Translation and interpretation are perennial questions owing to the central role that text and language play in Jewish thought and practice; however, a survey of current work on philosophy and religion would suggest that the problem of religion's relation to philosophy is diverse and expanding rather than being in entrenched decline.<sup>1</sup> Apparently, religion is everywhere (Žižek 2003: 3). I would like to mention four developments in the European philosophical approach to this problem that bear on this essay: (1) After decades of post-secular, post-metaphysical thinking, some atheistic philosophers are returning to religion to revisit the question of universality (the figure of Paul features most prominently);<sup>2</sup> (2) some Jewish philosophers, for whom the Enlightenment project has run its course, have returned to reading Jewish texts and find strong affinities between ancient hermeneutic techniques and poststructuralist philosophy;<sup>3</sup> (3) some of those returnees develop an atheistic nucleus to their readings that express a universalism independent of religious texts or traditions (Levinas 2006: 6);<sup>4</sup> and (4) for some of these thinkers, a return to religion and a return to texts is also a return to Heidegger.<sup>5</sup> These observations inform us that philosophy's anti-religious rhetoric is, to some extent, being rethought. It also points to a return to foundational concepts and traditional reading methods by Jewish thinkers who will not tolerate the segregation of religious thought from religious practice. And, lastly, it tells us that the scholars employing Heidegger as their exegetical day-labourer, feel the need to set these chronic resurrections in an historical framework or hermeneutic. I mention these trends as Fagenblat incorporates these developments in an attempt to transform the relationship between Judaism and philosophy and ultimately unify philosophy and Judaism by way of an atheistic and hermeneutic relation he describes using Levinas' account of ethics.

Levinas' work on the priority of ethics after the failure of religion and reason in 20<sup>th</sup> century Europe has been hugely influential in philosophy and related disciplines and Fagenblat takes Levinas' thought as definitive of a new philosophy of religion. Levinas' role is ambiguous, he is portrayed as both a game-changer and a traditionalist; his thought challenges Western philosophy's obsession with itself (the ego, the subject, the same), and yet that challenge is deeply rooted in the forgotten hermeneutic of Jewish thought. He is essential to Fagenblat's study owing to the primacy of a universal ethic in his thought, and because of his ability to entwine Jewish terminology and, arguably, Jewish interpretative techniques into his philosophical writings. Consequently, Fagenblat's philosophy of religion draws heavily on Levinas' work and argues that Levinas is inspired by Jewish texts and

that those texts contain a universal imperative. This results in an intricate *mélange* of procedures and readings incorporating Near Eastern cosmology, biblical narrative, rabbinic interpretation, medieval negative theology, and postmetaphysical philosophy.

It is a complex thesis that contests Levinas' admission that his work is a phenomenological inquiry independent of religious affiliation (Fagenblat 2010: 1). What Fagenblat wants to teach us is that there is no inherent compromise in utilising Judaism and philosophy, philosophy and Judaism, and what Levinas is providing is "a philosophy of Judaism without *and or between*," meaning without the hard disjunction between the languages of Judaism *and* philosophy (2010: 14). His target is the Enlightenment's portrayal of Judaism as "law devoid of reason," defended by Spinoza and Kant, which indicts and incapacitates Jewish thinking (2010: 3-4). Jewish thought is then considered incapable of challenging the universal propensities of philosophy. Reason and religion are considered to be separate species judged by separate methods. Fagenblat argues that if we accept this severance, then we are disposed to treating religion and reason as distinct entities speaking discrete languages, languages that have their own beliefs, meanings and semantic structures informed by separate histories. Subsequently, those distinct entities require a translation theory to communicate with each other and we assent to the fact that Judaism does not speak philosophy and philosophy does not speak Judaism. Hence, the linguistic issue that surrounds translation theory leads into an account of 'separation' or 'foreignness' and divides Judaism on linguistic and ontological grounds. Fagenblat is right to be dissatisfied with the ghettoising of Judaism in a distinct scheme, where methodological separation supposes that the meaning of Judaism can only be accessed by holistically adopting (non-rational) Jewish belief.<sup>6</sup> The existence of a strong translation theory implies the existence of a strong sense of distinction and is a red flag for Fagenblat.

Fagenblat notes that this long-held division between Judaism and philosophy has been imported into Levinas scholarship and permits his critics to mass on two sides. One group accuses him of being too Jewish, that is, of having no "philosophy," while the other indicts him for being too secular, of having no "Judaism" (2010: 2-9). For Fagenblat, this is an unproductive and error-strewn path that results in the false conception of incongruent systems and languages incapable of communicating with each other except by way of translation. His position is that philosophy and Judaism are not incompatible; therefore, translation, in a radical or fanatical form, is unnecessary. For Fagenblat, Levinas' work, and hence the relationship between philosophy and Judaism, is better understood in terms of interpretation. This suggests that he is accepting that there is a problem to be addressed and repaired,

that there is a non-relation or “broken middle” that prevents Judaism and philosophy from speaking (2010: 6, fn. 5).<sup>7</sup> By pursuing the content of Levinas’ secular concepts, he traces the origins of those concepts back to Jewish ground which is ordered by hermeneutic principles and strong interpretative claims. His claim, “is not that there are isolated Judaic threads in Levinas’ philosophical text but there is an intricate Judaic pattern” (2010: 29). The aim is to achieve some form of shared worldhood by means of attacking the central concern of Levinas’ work: transcendence.

The best way to read the recourse Levinas’ work makes to religion is not in terms of an appeal to the Other as absolutely, dogmatically revealed, as both critics and disciples contend, but in terms of hermeneutical experience: the Other is experienced exegetically. (2010: 18)

Levinas should be read as a hermeneutic commentator producing “philosophical midrash,” which is described as “a process of continuously reconstructing revelation and thus simultaneously deconstructing the idea of its pure givenness and transmission” (2010: 18). That is, the ethical difference in Levinas’ work is not one that articulates a transcendent alterity or miraculous event which intervenes in or conditions experience, rather alterity must be redescribed in a historically muddled form that is learnt primarily through Heidegger’s hermeneutic engagement with philosophy as a self-encounter with its own tradition (2010: 18-19).

Far from positing the Other as given without interpretation, Levinas’ account of ethics and of the commanding voice of the Other is interpretatively saturated. What Levinas calls ethics is the exegetically constructed experience of another human being as it signifies within the horizon of our tradition-infused philosophical imagination. (2010: 18)

In implementing an attack on transcendent, unmediated givens Fagenblat softens the revelatory imagery of the absolute singular Other and insists that any interlocutory exchange between same and other can only take place “by way of Scripture and tradition” (2010: 35). In place of a transcendent or immediate relation stands an exegetical human experience claimed by an authoritative exegetical tradition. What is at the heart of Fagenblat’s critique is the core of translation theories. If a religion claims an unmediated truth in its language or practice that cannot be understood or translated into another subject language, then there are grounds for claiming conceptual and concrete difference.<sup>8</sup> Hence, the

problem, as Fagenblat defines it, is the unmediated core of religious claims that creates a disjunction between religious speakers/practitioners and other language bearers. Because this is how he sketches out the problem, the solution involves denying any access to unmediated givens and re-describing transcendence or revelation as an already mediated exegetical exercise.<sup>9</sup> That is, discontinuity is resolved in the synthetic activity of hermeneutics. If the given is the source of a differential sickness, then it makes some sense to erase all givens and admit epistemic humility in the face of revelatory knowledge and command. If Fagenblat's task is successful, then a translation between languages is possible or in fact no longer required as the unity invoked by the denial of transcendent givens searches out a shared basis for language and human experience; hermeneutical interpretation becomes the unifying tool used to attack the disconnection between philosophy and Judaism (2010: 12, 154).

However, these broad strokes require detail. There is the question of whether or not Fagenblat has successfully diagnosed the problem; there is an element of transcendence and protected knowledge in certain religious claims but whether that completely defines or delimits those claims and associated practices is not clear. In Fagenblat's analysis, the discontinuity between languages describes a failure or the inability to fully translate one language into another. Fault may be found in the obstinate particularity of religious claims, a dogmatic theology or unmediated core, for example, which requires a universal or public language of some kind to repair the errors of particularism. Accordingly, refuge may be sought in Enlightenment thought, which understands universality in terms of the public use of reason. On the other hand, European philosophers and social scientists have disputed the claims of reason for many decades and point an accusatorial finger at the epistemological priority implicit in universal claims. In Fagenblat's case, he appears to deny dogmatic religious claims and deny the priority of reason. However, to describe the estrangement of two languages as a *false* division assumes some understanding of unity that occurs prior to their division. Here Fagenblat draws on European philosophy's hermeneutic and postmetaphysical critique of reason while also making strategic use of rational philosophers when it suits his purposes (Donald Davidson features in his understanding of the translation problem). Consequently, which issue he is tackling is not always clear; he disputes revelation and dogmatic theology as well as the centrality of reason while making use of reason as the language of public communication with Davidson. One gets the sense that he is more influenced by thinkers like Hans-Georg Gadamer, Michel Foucault and Richard Rorty who dispute the idea of metaphysical unities using hermeneutic, historical and pragmatic techniques; however, they do

not feature significantly in his analysis. What is revealed by way of the disparate sources and thinkers put to use, is that the question of relating Judaism and philosophy is not a single problem. Any historically inspired investigation has to weigh up relationships between Judaism, Christianity, mythology, philosophy, language, as well as the self-relations that impinge upon both Judaism and philosophy in their ancient, medieval, modern, and postmodern epochs. Translation problems open a Pandora's box of troubles incorporating much of Western thought and religion. Consequently, the problems that a theory addresses need to be pointed and specific and it is to Fagenblat's credit that he recognises some of the intricate steps involved in transforming these relations. However, that said, he proceeds episodically and moves across vast temporal landscapes by way of key interlocutors: Paul, Maimonides, Heidegger and Levinas as the central voice.

### Midrash, Repetition and Negative Theology

The contention that Judaism and philosophy belong together is played out as a series of repetitions that bear the name "midrash". Levinas' first major work *Totality and Infinity* is described as a "midrash of philosophical interpretations of biblical, rabbinic, and Maimonidean threads" (2010: 96), which introduces a process of secularization of Judaic concepts and narratives. The claim is that Levinas in his philosophy draws on and repeats former Judaic concepts and arguments. In his early work, he employs two accounts of creation: creation from chaos (*ex hylus*) and creation from nothing (*ex nihilo*). The account of creation from chaos, which exists in various *midrashim* and biblical passages, interprets creation as the ordering and control of primal matter (*tohu v'bohu*) and the deep (*tehom*). *Totality and Infinity's* description of the *ilya*, the *there is* of existence, counterpoised to the raising of subjectivity out of anonymous being, is read as an ordering process, a midrashic repetition of the ordering of primal evil. Levinas' use of creation *ex nihilo* is also said to be a repetition of Maimonides' defence of creation *ex nihilo* against the Aristotelian idea of an uncreated world. Both of these theological devices are defended on moral grounds, as primal being picks up the liability for the existence of evil, and creation *ex nihilo* is considered essential for an account of freedom and morality in the world. The idea is to show that Levinas' work could have been inspired by the Jewish tradition, and that the philosophical works are not divorced from Levinas' Judaic readings.

For Fagenblat, it is also important that Judaism is first translated into Christianity via the new perspective on Paul (2010: 12).<sup>10</sup> The new Paul does not seek to deny Torah but to release the oracles (*logia*) in Torah to those open to their message. The universality in Paul's teachings does not exclude

Jewishness but is a translation or an “ex-appropriation” of Jewish teachings in a new human context.

Paul’s position (at least in Romans), like Levinas’s, is that the radically new event that is upon us fulfils the promise of the covenant of Abraham. The *Christusereignis* for Paul, like the *Anderereignis* for Levinas, precipitates those *logia* entrusted to the Jews into an open event to anyone prepared to listen, harnessing their sense without renouncing Jewish law or custom. (2010: 22)

Again, the idea appears to be that Levinas is repeating a process that was instigated by Paul; and that the particularism of the Jewish tradition contains the kernel of a universal language if competently appropriated into common forms. It is here, where the universal is made active by an able interpreter, that Fagenblat pitches his tent. However, if the particularism of Jewish religion can be made into universal truths of some kind, does this not presuppose the universal in the Judaic? What then is at issue? It appears that the mode or “quality” of that particular is a problem. Fagenblat has taken exception to the unmediated status of Jewish claims and does not accept that the unmediated can be adequately transformed into a fully mediated concept. What is required is the destruction of all conceptions of transcendent unmediated truths, and for this he turns to postmetaphysical philosophy. If it can be shown that metaphysical transcendent truths are redundant, then one can arguably claim a unified space in a postmetaphysical account of world and history. This will fit Fagenblat’s hermeneutic account of knowledge as on-going interpretation devoid of transcendent truths. Yet in using Levinas as his primary interlocutor, Fagenblat is obliged to give an account of how Levinas moves from metaphysical themes and language in his earlier work to the postmetaphysical context of his late work.

Fagenblat describes the abandonment metaphysical language in terms of a “turn;” a turned Levinas will speak the unified (or ‘non-divided’) language of postmetaphysical ethics. How he does this is by pursuing a postmetaphysical thought born out of negative theology as found in Moses Maimonides’ late work, *A Guide for the Perplexed* (Fagenblat 2010: 112). Negative theology is based on the denial of a homologous relation between the intellection of God and the intellection of human beings. Despite the highest perfection being the intellection of God’s essence, because of our inherent limitations and God’s intrinsic perfection, anything we know of God amounts to nothing more than meaningless attributes and must be denied; there is no mediation of God via attributes. However, the paradox that Levinas and Fagenblat build on is the

transformation of negative intellection into some form of positive practice. The use of negative theology attacks the elements of religious belief that Fagenblat finds unhelpful: transcendence and unmediated givens. Yet unity, is bought at the cost of introducing a disjunction between God and human being; nothing is known of God. Negative theology is a well-established epistemic limit on God-knowledge. It opens up other sets of questions concerning the relationship between God and human beings. However, the place that Fagenblat wants to take it is to transform the epistemic (metaphysical) relationship into an ethical or pragmatic relationship whereby although we can no longer imitate God by the metaphysical practice of intellectual perfection, we can imitate God by imitating God's "ways:" God's "ethics." (2010: 112-115) This to me is an unconvincing claim. In this postmetaphysical argument, once the transcendent God is absent there is no guarantee of the status of events or the traces of God that we are meant to accept and repeat via simulation. How then can we purport to follow or imitate that of which we have no knowledge? A radicalised version of negative theology, as proposed by Fagenblat, puts all access we have to God to the sword, including texts and narrative; how does one control which elements of God we accept and repeat from the ones we reject and deny? It appears that negative theology destroys the basis of religious virtue ethics by leaving God no virtues or "images" for us to follow (2010: 120).<sup>11</sup> Consequently, negative theology upholds a sharp division between essence of God (the thing-in-itself) and our actions (our response to the dearth of essence): we have no knowledge of God's essence but are asked to follow his ways. If commands and deeds tell us nothing of God's essence or desire, then how do we understand, how do we act? The reasons for following God's ways appear to be lost. As Fagenblat states, because of the impossibility of knowing God or his attributes, the negative theologian can only become "God-like" by becoming "unlike" God and by using this negative relation to overcome one's own essential human characteristics (which perversely means becoming like God!) (2010: 121). It is this version of negative theology that Fagenblat associates with the Levinas of *Otherwise than Being*, where Levinas describes the deposing of the ego through exposing oneself to the other's demands. Fagenblat then endorses this form of "negative anthropology," as an innovation (2010: 122). This is named "ethics" because of the attempt to set it on the footing of an austere practice founded on Maimonides and Levinas' use of the proper name (of God/the other) as a pure designator. The basic thrust is that after denigrating various names of God as descriptions or attributes, it is only the Tetragrammaton (YHWH) that signifies the "thing itself" and that signification is only guaranteed by one person, Moses. No knowledge of God's essence is read into this relation, rather it is a sign without signification, a "designation"

and not a description (2010: 122). Any descriptions that may exist in the text gain their authority not through signalling any true attribute of God's essence, but merely because it instigates a referral to God of the proper name (YHVH). And yet the paradoxical pill we would have to swallow is that that referral is only guaranteed by a text and a tradition that now denies any Godly attributes in that text. It is this theology of the name, devoid of any propositional content, that is said to be "purely pragmatic" (2010: 127);<sup>12</sup> and it is precisely this route from negating metaphysical attributes to accepting an austere asceticism that Levinas is also said to take.

Fagenblat further asserts practice over cognitive forms of belief when supporting Jewish orthopraxy and the social and historical nature of religious narratives (2010: 140-145). A noncognitive principle is explored via an account of *emunah* as faith that is a *trustfulness* rather than a *truthfulness*; loyalty and dependability are the watchwords of a noncognitive faithfulness and link phenomenological hermeneutic ethics to the ancient usage of *emunah* as trust (2010: 146-148). "The decisive character of this type of faith, then, is not the propositions it affirms or denies but the loyalty or faithfulness it displays in action" (2010: 146). For Fagenblat, post-metaphysical philosophy and pre-metaphysical religion belong together in a faithful "action." Levinas' version of ethics is said to exhibit this same trustfulness in the responsibility that the same displays for the other; it is pre-reflective phenomenological practice, that is, living *in* a hermeneutics of trust, that is prior to and makes possible any propositional account of truth.

## The Limits of Hermeneutic Interpretation

If there is confusion in Fagenblat's work, it is not the impossibility of transforming a translation theory into hermeneutic interpretation. Rather, once the hermeneutic question is raised in conjunction with Levinas' thought, it is not explored in sufficient depth to convince us that the hermeneutic repair is faithful to Levinas' philosophy or that it alleviates his "dogmatic" claims. Annette Aronowicz has voiced concerns over Fagenblat's misappropriation of Levinas' work (Aronowicz 2011: 105-114). She strongly disputes Fagenblat's claim that an engagement with the other is accessed through texts and traditions; to say that Levinas' account of saying and immediacy is always mediated by way of tradition is to reposition Levinas in a historicized hermeneutic. This is of course where Fagenblat wants to position him, but Aronowicz states that this is not what Levinas was claiming. Contrary to Fagenblat, Levinas is not 'deducing' alterity from an acculturated interlocutory event, rather he is insisting on the radical insertion of the other into human experience. The absolute other is prior to historical and cultural

forms of interpretation; hence, Fagenblat is wilfully misinterpreting Levinas' thought (2011: 109). Secondly, Aronowicz disagrees with the manner Fagenblat universalises Jewish "logia" by way of Paul. Fagenblat does not give sufficient emphasis to the concrete particularity of Jewish existence (peoplehood and law), which Levinas defends. She argues that Levinas indeed privileges Jewish particularism and that that particularism cannot be universalised; she therefore disputes Fagenblat's central claims (2011: 110-113).

Fagenblat responds to these critiques by restating his aims; his reading of Levinas is an attempt to reconnect Levinas to a Jewish interpretative tradition, which is simultaneously Jewish and open to all, and his use of hermeneutics responds to the charge of dogmatism laid at Levinas by his major philosophical critics.<sup>13</sup> If the absolute nature of ethics is retained, critics suggest that it appeals to a face and a command that are above and beyond the comprehension of reason. Consequently, ethics does not make an appeal to the mind or to experience, it merely states its authority dogmatically. For Fagenblat, if alterity and revelation are not experienced, the fundamental question is, "How does revelation reveal itself?" (Fagenblat 2011: 118). His technique is to encompass the dogmatic elements of Levinas' thought, the question of revelation and the face, within a socialised hermeneutic. Fagenblat asks how would we respond to someone who disputes absolute ethics by stating, "that is not what the face is saying." For Fagenblat, dogmatic ethics cannot respond to this form of question as the call or command of ethics is non-discursive, it demands submission not interrogation. In its stead, Fagenblat places not an unknowable command but rather "*a tradition of revelation*" which understands responsibility hermeneutically as midrashic reasoning (2011: 119). To answer the question regarding the ethical command of the face, Fagenblat suggests that we know how to read or respond to this command because I know how to read *my* tradition. The Other is experienced within the Jewish/Judeo-Christian tradition which gives me the resources and texts to formulate an adequate response (2011: 121).

Hermeneutical reasoning is said to mediate between dogmatism and reductive epistemology. However, once the hermeneutic principle is raised as a restorative formula Fagenblat's argument become questionable. There is a general question regarding what is being attempted in *A Covenant of Creatures*, is this a corrective to various misreadings of Levinas' work, or are we embarking on a philosophy of religion as a whole? As a reading of Levinas, many of Fagenblat's points are apposite and engaging. However, as a reading of religion, we can dispute the method of promoting both a shared world concurrently with a specific background language (Judaism) to inform ethics of its newfound secularism, which claims a universality of some sort. In ceding the transcendent claims to a hermeneutic reading, Fagenblat's

theory says that hermeneutics *means* reading Greek and Christian thought as *midrashim* on Jewish themes. Now, if this is not the intended definition of hermeneutics, and it is only meant to address Levinas' thought, then we would need to account for different traditions and the interpretive techniques of non-Jewish philosophers and non-Jewish traditions. Hence, we need to speak about a wider conception of background language that incorporates concepts not derived from Jewish sources. In brief, how do we treat other philosophers and languages that live within their own historical context that "they themselves are?" Fagenblat does raise this point when he argues that Levinas' secularized ethics "makes an appeal, which contingently first strikes those attuned to that heritage of thinking: those Jews or Christians or atheists for whom that heritage constitutes the substance of their moral intuitions," but the appeal is also transmitted to "whoever becomes susceptible to hearing" (Fagenblat 2010: 174). However, many will not find his presentation of the point convincing. In using Levinas as a test case for attacking the distinction between religion and philosophy, Fagenblat cannot eradicate all problems of translation or interpretation. It is difficult to see Judaism as the only interpretative principle against a wider religious and philosophical heritage, and if the concept of a shared world is to be taken seriously, we may need to rethink the nature of background language or reconsider what theory we are describing as multiple traditions will need to be able to speak to each other.<sup>14</sup>

The fact that a transcendent meaning is denied in post-metaphysical ethics and that nothing is given unmediated suggests that we are looking at a theory of an "endless hermeneutic—or midrash" that goes "all the way down" (Fagenblat 2010: 17). The claim that revelation is always mediated because it is given to human beings, needs to be thrashed out with strong counter-claims, as Aronowicz suggests. For me, the case for hermeneutics needs to be stated more clearly. Fagenblat is not describing a simple meeting of a reader and a text, he is adopting an ontologized hermeneutic from Heidegger and, although he is not mentioned, Gadamer. He intends to prioritise the finite, situatedness of human understanding, which mediates traditions. The critical, reflective consciousness that is the target of Heidegger's phenomenology is to be slave to the tradition, not the philosophical tradition but, in Levinas' case, the religious and the Judaic. In short, interpretation is historicized in some manner. In this historicized world, which forms the basis of all normativity, the universal or common understanding is not guaranteed by a discursive, reflective language called reason, but rather by a form of "openness." This openness is not set as consent or contract, more exactly Levinas' text, "sounds out unheard voices from the textual heritage of his thinking in order to transmit them to *whoever*

*becomes susceptible to hearing*" (2010: 174). What "becoming susceptible" means is ambiguous. Susceptibility is not gained by way of argument or persuasion it is, using Levinas' meditations on the covenantal nature of ethics (2010: 143-150), something we are already in, something fundamental to what a human being is. As mentioned above, we are said to be living in a hermeneutics of trustfulness that makes possible social susceptibility. These social relations are played out as a religious commitment or obligation to others. But, and here is my problem, if the faithful relation is something we are already in, why the need to become susceptible? As the reception of obligations is historical and contingent on interpretation and tradition, and we have no access to the transcendent demand of an ethics "beyond being", then what provides access to the "objectivity" of this obligatory space? We may even question if we have access to what is authoritative in obligation and the hermeneutic interpretation is then open to the critique of relativism or arbitrariness. If we pursued a more radical deconstruction of this hermeneutic interpretation, not only the setting of social normativity becomes problematic, what we mean by "subjectivity" is also highly questionable. It would appear that a thoroughly revised form of subjectivity would be required to supplement a historicised reading of Levinas' ethics. Heidegger's phenomenology can claim that social practice is prior to reflective consciousness, which means that there is no clear way to bracket out normativity from consciousness to arrive at a form of "pure consciousness," and this moment is retained in Fagenblat's work. However, the converse is also true: there is no way to bracket out consciousness from normativity to arrive at a "pure" form of historical interpretation. It is one thing to say we are claimed by social norms or obligations over and above any autonomous contractual agreement, but in an ontologized hermeneutic obligations are historical, equivocal and imprecise. Nevertheless, Fagenblat makes a case for the conceptual priority of ethics, a pure practice of some kind that exemplifies obligation prior to all forms of belief and theory (2010: 141). Fagenblat finds this appealing. It is also something that the Jewish tradition has made use of in its espousal of "doing before hearing," of practical life over theory, and Fagenblat describes the coming together of pure orthopraxis and a certain form of non-theological atheism as a correct prognosis given our current predicament.

Fagenblat's attack on the conceptual idolatry implicit in theology, although it does not eradicate reason altogether, devalues all rational forms of thinking and concept usage and makes them subservient to what he describes as "covenantal faith." Nonetheless, he does recognise the dangers of completely divorcing theology and reason from religious practice and warns of decent into "mindless behaviourism" (2010: 143). His religious

practice must have an account of action, which implies an account of belief.

The central tenet of his argument is a re-description of Levinas' "proximity" of the self and other, the *other-in-the-same*, as a historicised form of covenantal faith. This is said to be both post- and pre-metaphysical. Postmodern non-foundational accounts of ethics are put to work side by side with pre-metaphysical Jewish readings, particularly the idea that trust or faith (*emunah*) has conceptual priority over truth (*emet*). Belief in God is not a question of uttering proposition truth statements, rather the relationship between human beings and God is developed as historical praxis and trust. "The existence of God, the *Sein Gottes*, is sacred history itself, the sacredness of man's relation to a man through which God may pass. God's existence is the story of his revelation in biblical history" (2010: 145).<sup>15</sup>

This is coherent as far as it is a reading of Jewish concepts of trustfulness; however, the historicised relation seems to play into separate sacred histories that awaken the translation problem and the schema-content division that initiated this discussion. Furthermore, Fagenblat's turn does not tackle the problematic side of hermeneutics: the question of authority, the subordination of morality and norms to practical wisdom and its power dynamic.<sup>16</sup> Debates between Hans-Georg Gadamer, Jacques Derrida, Jürgen Habermas, Karl-Otto Apel and Paul Ricoeur have raised serious questions concerning the nature of hermeneutic theory in relation to critical philosophical thinking, and questions regarding the authoritarian nature of Levinas' religious thought have been raised by Simon Critchley and others.<sup>17</sup>

That said, how Fagenblat begins to deal with some of these problems is to depart from an orthodox reading of Levinas and make a claim for a socialised form of language that is both objective and socially interpreted. The covenantal aspect of ethics, the idea that it precedes and constitutes all form of language and relations reads as a gesture more than any fully worked out theory. Obligations are said to be covenantal and not contractual, a disinterestedness loyalty to the other, but what is missing is an explanation of how a largely contentless covenant of the same towards the other informs normative ethics. Covenantal ethics are axiomatic (or transcendental) (Fagenblat: 2010: 153-154) but there is no clear grammar to transform the covenantal obligation into normativity. Fagenblat certainly recognises the need to provide a connection:

Without recovering the capacity for disagreement, error, and deliberation, the primacy accorded to normative social life would leave "ethics" short of the minimal conditions for action, responsibility, and critique and block the passage from faith to belief. (2010: 162)

To fill out the axiomatic nature of covenantal ethics and join covenantal priority to truth, Fagenblat wants to replace a correspondence theory of truth with what he calls “corresponsive truthfulness” (2010: 163). Corresponsive truth is meant to describe an intersubjective or social truthfulness that conditions normativity. But there is a confusing claim that attempts to play the covenant both as a transcendental condition and as a historicised internalisation that we share. It is a simple thing to say that intersubjectivity precedes subjectivity and that the ethical is internalised but is there then a *pre-social* ethical order and is it transcendent or otherwise? As I read Fagenblat, there can be no pre-social space. The conceptual priority is problematic unless we revert to certain transcendental motifs that we have supposedly left behind. Fagenblat would have it that normative moral beliefs are “derived” from a faithful response to the non-experienced other, which is the ground of all intelligibility as such. But is this not the same structure that Levinas’ critics are exposing as dogmatic? Is the hermeneutical interpretation of covenantal faith a strong enough repair?

### **Davidson, Overdetermination and the Interpretation of Alterity**

To further expose the type of social space he is aiming for, Fagenblat draws on Donald Davidson, in particular his work on translation and radical interpretation, to get both obligation and belief off the ground (2010: 163). The association, I think, is useful and helps Fagenblat think through some of the problems of deriving belief from an interpretive principle he is calling covenantal ethics. To judge the use of radical interpretation in the context of European philosophy and contemporary Jewish thought, however, we need to be clear what we mean by translation and what it may mean to interpret alterity. The imposition of an analytic problem onto Levinas’ thought could be enlightening or confounding in that Levinas’ work and Heideggerian phenomenology appear to challenge some of foundations of Anglo-American philosophy with a theory that moves beyond philosophical logic.

Do Davidson’s and Levinas’ theory state the same problem? Davidson’s work on translation theory responds to problems set by Quine that expose an indeterminacy of meaning in radical cases such as your meeting of an alien tribe speaking an alien language. The use of “radical” as an epithet is not one that supports a destruction of the tradition in any deconstructive sense; a radical translation problem occurs where one has no prior knowledge of an alien language or its beliefs. In a case where both speakers experience a shared stimulus there will always be a degree of indeterminacy given that the beliefs, meanings and semantic structures of the alien language are denied

to you from the outset. Any stimulus or experience will have more than one possible meaning. This cashes out as an inability to translate between radically foreign languages, there being no additional information that could help either translator comprehend the other. Davidson argues that this is not how translation works. We do not have two alien languages confronting one another and then ask for a translation by a third language, the language of the interpreter. Rather when we involve ourselves in translation we always begin with knowledge of our own language and the aim is to translate an *unknown* language into one we already *know how to use*. Hence we do not recognise radical non-knowledge as a starting point; the problem we face is interpretive. We interpret languages by way of our own language and beliefs (Davidson 1973: 319). Davidson's paper *On the Very Idea of a Conceptual Scheme* (1973) criticises the radical translation model as it leads to conceptual relativism and a scheme-content division, which allows us to speak of a language or scheme that "organises" or "fits" content. Conceptual relativism says that all observers of an event are not led by the same physical evidence to the same picture of the universe unless their linguistic backgrounds are similar. Davidson argues that it is the failure to translate words or sentences into a subject language that opens the possibility of vastly different conceptual schemes and the possibility of many different non-engaging, non-translatable words. Davidson does not accept a scheme-content division, as the case of organising content or fitting experience may say something about where we derive our natural evidence but does not provide us with a new measure to test our conceptual scheme; it says no more than something is acceptable if it is true. The problem is that something can be held true and still remain untranslatable to an alien language, that is, meaning alone cannot give a translatable truth. Davidson's point, derived in part from his interaction with Quine, is that we cannot know linguistic meaning independently of translating the sentences which are the bearers of truth claims. In radical cases, where we want to understand human speech and actions without any previous knowledge of either, we appear to be asking for beliefs, meaning and truth without previous knowledge of any of the relevant items in a radically foreign language. For Davidson, there is an interrelation between language and truth that cannot be separated out to a scheme-content division.

Davidson's repair of Quine's problem requires an interpretative translation theory, first, to halt the radical failure of translation and, secondly, to overrule any conceptual relativism that emerges from the scheme-content division problem. This interpretative theory involves what he calls a "principle of charity," that speakers are holding their sentences to be true when they are speaking. It allows one portion of a translation problem to be partially overcome. If a fully translated language involves both fully translated

sentences (for example all sentences have meaning) and a definition of truth that verifies those sentences, then in meeting a foreign language we can assume that it is sharing a truth definition similar to mine; now all I have to do is to extract the meaning and belief. The aim is to provide a rational framework to translate alien languages into an interpreter's own language and is based on the defence of a natural truth theory to interpret unknown, alien languages (1973: 319). In short, he accepts the connection between belief and meaning but instead of using the fully translated sentences to define truth, he accepts a basic notion of truth (its structures) and uses this to translate sentences.

For my purposes here, it is pertinent to note that language is challenged by an indeterminacy of meaning and a failure in translation, and in Quine's case, an underdetermination in physical theory based on observable data. Quine's original concern is that given the evidence of all possible observation sentences of physical theories, logic and evidence will be incompatible. This presents a logical incompatibility at the same time as an empirical equivalency, "Theory can still vary though all possible observations be fixed" (Quine 1970: 179). Quine argues, in a 1970 reply to Davidson et al., that this high level underdetermination in physical theory effects indeterminacy in common bodies and common language, that is, in common *meaning*. While translation leads into complex problems regarding meaning and belief, its problematic is one of language and truth as it responds to the empirical and sceptical challenge of radical indeterminacy.

Levinas' translation problem, as it is described in his philosophical works, arises against a different background. He is famously concerned with a moral problem that is beset by ontology and politics, "Everyone will readily agree that it is of the highest importance to know whether we are not duped by morality" (Levinas 1969: 21). Rather than underdetermination and indeterminacy, he is inspired by the totalizing effects of Hegelian logic and Heideggerian ontology which dominate and conceal subjectivity's relation to alterity and its ethical demand. Ontological truth conjoins and synthesises all thought and experience and thereby strangles, not only a certain sense of subjective singularity, but also an original relation called "ethics" which describes a relationship with the other person. Hence, without needing to judge the worth of Levinas' contribution to European philosophy, we can see that his starting point, that is, his problematic, is experienced as an overdetermination of ontological truth.<sup>18</sup>

That overdetermination is described in the following way:

This possibility of conceiving contingency and facticity not as facts presented to intellection but as the act of intellection—this

possibility of demonstrating the transitivity of understanding and a 'signifying intention' with brute facts and data (...attached by Heidegger to the intellection of being in general) constitutes the great novelty of contemporary ontology. Henceforth, the understanding of being implies not just a theoretical attitude, but the whole of human behaviour. The whole man is ontology. His scientific work, his affective life, the satisfaction of his needs and his work, his social life and his death articulate, with a rigor that assigns a determined function for each of these aspects, the understanding of our being, or truth. It is because being in general is inseparable from its disclosedness; it is because there is truth, or, if you like, it is because being is intelligible, that there is humanity. (Levinas 2006: 2)

Heidegger's radicalized hermeneutics of facticity means that meaning and truth are given all at once by means of the contingency of life and are not additional experiences presented to the intellect, but the actual *act* of intellection. This revolutionary description presents an overdetermination of the understanding of being; all life and all acts disclose the truth of being; all human experience is the self-understanding of being.

Levinas does not start with an underdetermined or sceptical framework, his fear is that there is *too much* truth disclosed and ontological understanding penetrating existence in the form of the identity of life with the meaning of being. Levinas feels the lack of any independent measure in this ontological truth claim, it appeals to historical experience and context at the same time as sanctioning of the purpose and meaning of all life. Hence we can understand why Levinas feels the need to describe a space *inaccessible* to being's truth claims; that is, he wishes to inject some "indeterminacy" or "transcendence" into an ontologically overdetermined world-historic horizon. Hence, for me, Levinas and Davidson are not here commensurate. In commencing with the overdeterminacy of the ontological distinction between being and beings, Levinas is *responding* to a post-metaphysical (immanentist) problematic that sees equivalence in being and beings. His philosophy attempts to explore categories that challenge overdeterminacy using phenomenological experiences (sleep, insomnia, the face-to-face encounter) and an account of what is beyond experience (transcendence, alterity, infinity, proximity, obsession). He experiences being-in-the-world as the ontological triumph of immanent philosophies of being; his reply is that there is something *more than* being-in-the-world, something that is informed by a pre-ontological description of alterity. Fagenblat can respond to some of these criticisms when describing the transformation in Levinas' thinking from his early

work to his late work, he would no doubt claim that Levinas of *Otherwise than Being* has accepted the postmetaphysical consensus and the ontologized and hermeneutically overdetermined space that Heidegger left us. However, he would still have to address the incommensurability statements that appear in *Otherwise than Being*, which speak of a *failure* of measure and a *betrayal* of communication between the ontological and pre-ontological worlds (Levinas 1974: 11, 100-101). In fact, the existence of something *pre-ontological* or *pre-social* appears to dispute some of the claims of overdetermination. Incommensurability underwrites the claim that we experience something “untranslatable” in alterity and restores the possibility of incompatibility and indeterminacy to Heidegger’s universe. Fagenblat’s hermeneutic reading of Levinas greatly lessens the tension in Levinas’ work by inscribing a form of immanence to Levinas’ work, which addresses the critique that his work is supported by a dogmatic theology or religion but also misunderstands the overdetermination Levinas finds in ontology.

This brings me back to an earlier point that suggested that a hermeneutical reading of Levinas disturbs both the “objective” and “subjective” elements that are associated in his work. What Fagenblat’s version of hermeneutics appears to be saying bears resemblance to stronger claims in the philosophy of narrative.<sup>19</sup> The endless hermeneutic, which is given as the “true state of affairs” of post-metaphysical intersubjective constitution, cannot accept the philosophical constructs of a metaphysical selfhood. We cannot exist outside of this hermeneutic and must think of hermeneutic interpretation as constitutive of who we are. Hence the division between the structures of the metaphysical or core self and the hermeneutical or narrative self is denied. There is only the narrative-hermeneutical self because the self is constituted by way of the other. In simpler terms, there are no “selves” only “persons” constructed by the historical hermeneutic of whichever tradition you are thrown to. The idea of the self-other relation as one that evades substantive objects called “selves” in favour of processes or non-phenomenal “self-other” relations promotes a non-substantive but hermeneutically driven intersubjectivity. We escape metaphysics, but the self-other does not escape historical hermeneutics. Yet in undermining the givenness of revelation and classical metaphysics, Fagenblat cannot coherently accept the givenness of selfhood or alterity, which creates problems for reading Levinas against phenomenology. At issue is what we understand by experience. Most phenomenologists (as well as many philosophers and cognitive scientists) would accept that selfhood is linked to first-person experience: “me.” The experiences I hold have a quality of “mineness” to them and to have experience is to stand in a form of self-given subjectivity.<sup>20</sup> If we do not have this self-given mineness, then it is not clear that we have any access

to what we understand as “experience.” This description holds true even on approach of the other, for although we experience the other as another consciousness, I do not experience the other as he or she experiences his or herself, I am given to my experiences as “mine” (Zahavi 2007: 197). This gap in comprehension or the otherness of the other person, is constitutive of what it is to be a subject in a fundamental *self*-relation. This would map onto the early Levinas and the metaphysical encounter with the face as described in *Totality and Infinity*; however, Levinas’ post-metaphysical turn of *Otherwise than Being* can no longer accept this description. The self is said to be constituted by the other, but there is no encounter, the self-other constitution is internal to the subject: *the other-in-the-same*. How this pans out is a topic in its own right, but we can see how it creates problems for the post-metaphysical phenomenologist. Assuming the renunciation of givenness, even the givenness of first-personhood, how is the givenness of second-personhood (otherness) or third-personhood (politics) worked out? Second and third-personhood (however we stake them out) may indeed precede the auto-affection of first-person givenness, but experiences cannot depend on the experience of the other presented before the self, for that seems to presuppose first-person experience. That Levinas describes the *other-in-the-same* as constitutive of subjectivity and places this structure in a pre-linguistic, pre-cognitive ‘space’ seems to say to me that there is a fundamental relation or core self-other givenness prior to hermeneutics and the interpretive context that Fagenblat describes: not everything “I am” is a hermeneutic construct, there is something in addition to my hermeneutic interpretation. This would also be true of an experience of the other, not everything “you are” is hermetically derived, there is some alterity in your existence. The gap, or surplus, between the other’s personhood and their alterity, is what many interpreters read as Levinas’ unique contribution to philosophy. The knotty problem is how to understand experience as a “mineness” that is also a “yourness” at its most basic level, the denial of which renounces anything recognisable as experience. This to me suggests that the other is a core experience rather than describing the hermeneutically rich ‘stranger,’ ‘orphan,’ ‘victim,’ etcetera. Again these fundamental questions are not mutually exclusive but need more air to breathe.

## Notes

- 1 For example, Simon Critchley sees the phenomenon of religious return in both politics and the metaphysical foundations of current politics: “Rather than seeing modernity in terms of a process of secularization, I will claim that the history of political forms can best be viewed as a series of *metamorphoses of sacralization*” (Critchley 2012: 10; emphasis in original).

- 2 For examples see Alain Badiou, *Saint Paul: The Foundation of Universalism* (2003); Giorgio Agamben, *The Time That Remains: A Commentary on the Letter to the Romans* (2005); and Critchley (2012).
- 3 For examples see Steven Kepnes, Peter Ochs, and Robert Gibbs, *Reasoning After Revelation: Dialogues In Postmodern Jewish Philosophy* (2000); and Nancy Levene and Peter Ochs, *Textual Reasoning: Jewish Philosophy and Text Study at the End of the Twentieth Century* (2002).
- 4 Tamra Wright's interpretation of Levinas' religious significance is an exemplar, *The Twilight of Jewish Philosophy: Emmanuel Levinas' Ethical Hermeneutics* (1999).
- 5 For examples see Fagenblat's *A Covenant of Creatures* (2010: 73-84); Critchley's *The Faith of the Faithless* (2012: 181-94); and Allen Scult, *Being Jewish/Reading Heidegger: An Ontological Encounter* (2004).
- 6 The holistic reading of belief systems are discussed by Terry F. Godlove Jr., who argues that such models of religious practices accept a distinction between a conceptual scheme and its content offering a methodological shield to religious practice protecting it from propositional truth and rational judgment. However, it also opens up advocates to charges of relativism; belief and coherence being located within a closed conceptual scheme not necessarily shared by all users (1997: 1-7, 64-84).
- 7 Fagenblat is inspired by Gillian Rose's work but is in disagreement with her Hegelian solution to the problem of separate domains. Fagenblat posits hermeneutics as the chosen method of integration.
- 8 For an account of the problem of an untranslatable alterity see Robert Gibbs, *Correlations in Rosenzweig and Levinas*, (1992: 155-75); and Leora F. Batnitzky, "On Reaffirming the Distinction Between Athens and Jerusalem" (2007: 212-231).
- 9 Fagenblat's take on the translation problem and his critique of distinct entities also draws on Donald Davidson's account of conceptual schemes and radical interpretation (Fagenblat 2010: 12).
- 10 Fagenblat draws on David Bolton, Emmanuel Nathan, Michael F. Bird, Lloyd Gaston, John G. Gager, James D. G. Dunn and others.
- 11 Fagenblat supports Herbert Davidson's reading.
- 12 Fagenblat is citing Jean-Luc Marion.
- 13 Fagenblat cites Gillian Rose, Judith Butler, Dominique Janicaud and Alain Badiou (Fagenblat 2011: 117).
- 14 Fagenblat goes some way towards answering this criticism in his conclusion to Chapter 5 of *A Covenant of Creatures* (2010: 163-70).
- 15 Fagenblat is quoting from "Dialogue with Emmanuel Levinas," in Richard A. Cohen (ed.), *Face to Face with Levinas* (1986: 18).
- 16 See Philip Harold's excellent article "Tradition and Its Disavowal: Levinas and Hermeneutics" (2011). Fagenblat does address some of the political implications of Levinas' work and his association with Heidegger in Chapter 6 of *A Covenant of Creatures* (2010), but he does not address the longstanding discussion of ontological hermeneutics as it is picked up by Gadamer and his critics.
- 17 See Hans-Georg Gadamer, *Truth and Method* (1989) and *Philosophical Hermeneutics* (1976); Diane P. Michelfelder and Richard E. Palmer (eds.), *Dialogue and Deconstruction, The Gadamer/Derrida Encounter* (1989); Jürgen Habermas, *On the Logic of the Social Sciences* (1988); Karl-Otto Apel, "Regulative Ideas or Truth-happening? An Attempt to answer the Question of the Conditions of the Possibility of Valid Understanding" (1997); Paul Ricoeur, *Oneself as Another* (1992); and Simon Critchley,

- “Five Problems in Levinas’s View of Politics and the Sketch of a Solution to Them” (2004).
- 18 Taking Levinas’ words seriously that “we cannot leave it [the philosophy of Martin Heidegger] for a philosophy that would be pre-Heideggerian” (Levinas 1978: 4).
- 19 See Charles Taylor, “Self-Interpreting Animals” (1985); Marya Schechtman, “Stories, Lives and Basic Survival: A Refinement and Defense of the Narrative View” (2007).
- 20 See Dan Zahavi on this point, “Self and Other: The Limits of Narrative Understanding” (2007).

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