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Eugene Borowitz

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A RESPONSE TO ROBERT GIBBS' *WHY ETHICS?*

EUGENE B. BOROWITZ

Hebrew Union College

Robert Gibbs. *Why Ethics?: Signs Of Responsibilities*. Princeton: Princeton University Press, 2000. 400 pp.

Let me proceed in a Gibbsian mode even though I doubt that I or anyone besides Bob is up to it. So I begin by asking:

Why Borowitz?

That inquiry arises because the first suggested reading in the book (45) refers to Susan Handelman's open letter to a certain Gene, otherwise unmentioned, who happens to be me, and perhaps our Chair, Moshe Sokol, felt that I would learn a great deal by seeing what Bob and others wanted to address to me. There may, however, be another reason. Having spent decades consorting with many of the people who have been active in the world of American Jewish philosophy and religious thought, I have a somewhat privileged position for praising people and I am here to indulge myself in this power by saying a number of things about Bob on the basis of his new book. He is smart: he asks good questions to which he gives rich answers. He is learned: he knows more than almost any person

is entitled to know and, even more notably, he knows how to learn from what he knows. He is astute: he cites well, subtly choosing what to include and omit. He is determined: he is not prematurely satisfied with an answer and refuses to rest until he has tracked a proper answer down. He is courageous: he dares to ask difficult and new questions and to face the challenges, which are posed by them. He is considerate: he doesn't waste our time, saying what he has to say and then going on. And he is humble: he has a good sense of his own and his discipline's limits. I could, quite sincerely, continue this way but there is something about the postmodern situation that can't abide so much affirmation.

Let me proceed to my task as respondent by first deconstructing Borowitz, an effort that should clarify the narrow basis on which I can hope to make some useful contribution to this session. I say this because I don't think I am in the community to which this book is addressed. As a result, the kinds of questions that I ask, as well as the responses that I offer to certain of his assertions, come from someone who stands outside it. Bob is mostly concerned with the university philosophical world and he addresses it in the terms which it considers cogent, though he does so as a self-conscious, practicing, believing, knowledgeable Jew. My intellectual life is largely concerned with the Jewish community. I work specifically with the people—rabbis, cantors, educators, and others—who translate the teachings of Judaism and the contemporary intellectual world so that it may become the lived wisdom of *amkha*, "Jewish" Jews. I am therefore concerned with the issues that bother *amkha* as well as those of the community of translators who seek to be their worthy teachers.

Having clarified my somewhat eccentric situation and interests, you will, I hope, understand why the primary question that I bring to a new book of Jewish philosophical ethics—or, if you think that minimizes its appeal, a new book of philosophic ethics which has a significant Jewish foundation—is somewhat different from the one Bob has addressed in this volume, though the overlap of our interests is quite clear to me. The *amkha* I know cares about ethics and seeks to live by them, but it has little interest in the abstract theory of ethics. True, the centrality of ethics in Judaism and the fact that there was a modern intellectual system which grounded

it, once empowered the post-ghetto determination of *amkha* to be fully modern and authentically Jewish, in short, to create that reality of a “modern Jew.” I also think it is true to say that for about two decades now *amkha* has become increasingly aware of the collapse of the old rationalistic plausibility-structure of ethics. It now wonders whether reason requires ethics, whether human nature conduces to ethics, whether democratic institutions foster ethics, whether culture nurtures ethics, whether social changes are ephemeral yet eternal verities remain. But one may glimpse its continuing ethical devotion in two ways: by its revulsion at the relativism and self-centeredness which fuels the rampant amorality and immorality that abounds, and by its surprisingly strong continuing commitment to ethical living on both the face-to-face and social levels. *Amkha* somehow seems to insist that treating people well is critical to being a Jew. So its question, and mine, is: “How, in our terribly complex time, with its genius for creating new agonizing ethical problems, can we provide a new plausibility-structure for the felt duty we call Jewish ethics?” Bob clearly shares this agenda, and for this reason I participate in this discussion. But I think as I unfold my sense of this purpose, it will clash with the direction he takes in his new book.

Consider, for example, the first impression of a thoughtful, lay Jewish reader who picks up a book called *Why Ethics?* and discovers that the answer to that question involves 17 more questions, each not only needing investigation, but divided into challenging subsections. To a considerable extent, that makes wonderfully good sense. There is so much mindlessness around us that people’s inability or lack of will to think hard about their moral duty itself leads to much of the unethical or unethically behavior in our world. Surely our minds are a major safeguard and spur to what we consider ethical behavior to be. Yet, I think my community will find Bob’s approach to our shared goal disturbing. Here I am, concerned about my moral duty in the face of another troubling issue and before I get something of an answer to it, Bob wants me to think through the answers to 17 questions and all their sub-themes in order to determine my ethical duty.

This characterization, however, smacks of caricature, surely not an ethical response to an admirable academic endeavor. So let me backtrack. In their fashion, four of the chapters don't challenge me with conundrums; these are the Jewish ones (Chapters 14–17) and they, like the *amkha* I seek to serve, largely concentrate on things I need to do. Besides, as I indicated at the beginning, Gibbs offers marvelous help with the questions. Ethics, in this teaching, is less a teaching that guides or demands that one act and live ethically than an intellectual obstacle course to the good and upright deed. It reminds me of the story about the millipede who was asked how he knew which leg to put ahead of which other leg when he wanted to move forward, but the more he thought about it the less he could move. For my community, this book needs another chapter, fittingly enough an 18th chapter, whose motto would be, *v'chai bahem*, but in Gibbsian style we shall call:

“Why Act?”

Read from my special perch, the book, for all its rich instruction in how to think about ethical issues, doesn't theoretically indicate why I really need to act on the intellectual outcome, preferably with an urgency appropriate to the situation. Gibbs, of course, has provided at least two lines of argument to counter any such charge. One of them is formal. He thinks that the critical problem of ethics in our time is conceptual, a new and better way of thinking about ethics, so that is what he has offered us. That surely clashes with what he said in the conclusion of his *Correlations in Rosenzweig and Levinas* (1992). There he identified the seven significant rubrics of modern Jewish philosophy as he saw them. Here is his second rubric, called “The Primacy of Ethics” (256): “The primary concern is the transformation of praxis, not the cognition of truth. By this I do not mean that the truth is not also a goal, but it is a practical goal. Even theory requires a practical justification.” That sounds like *amkha*'s ethical concern but now, in *Why Ethics?*, a significant shift in Bob's thinking has taken place. Unfortunately, we have to wait until page 380 to hear about it: “Mainly, the task of thinking about ethics, beyond the task of acting

ethically, is a vital task for our world at the end of modernity." He then restates the assertion that we need a new way of thinking about ethics and this, of course, is what the book has previously presented us with. The earlier Gibbs was more praxis-oriented but the later Gibbs has shifted his attention to theory, in the philosopher's hope that once we have a solid intellectual foundation for ethics, a sturdy praxis can in due course be erected on it. That, I believe, is the first, the formal response, Bob could give to the question "Why Act?"

His second answer, the substantive one, is derived from the Levinasian basis of his thought. A phenomenological analysis of the situation of being addressed indicates that the other comes to me with a certain authority and, so to speak, the other's otherness grabs hold of me. This is not a matter of power in the social or political sense but of a necessarily moral weight that, in its overflowing infinitude, allows Levinas to speak of my becoming the "hostage" of the other. Based on that reading of the human situation, Levinas teaches that I am urgently, imperatively required to respond to the other's need.

That being the case, why do we need to add another chapter asking, "Why act?" It seems to me that there are at least two respects in which Bob has reshaped and softened the teaching of Levinas and these create new and troubling questions regarding his thought. The first comes from the specific scope Bob sets for his version of this phenomenological analysis. Unlike Levinas, he describes it as arising in a conversation, specifically one in which seduction and violence are not involved. By this limitation of the situation in which "the face" has its effect on me, it seems to me that Bob has first identified an ethical situation and only then developed its formal phenomenological structure. The circularity of the procedure aside, we now need to know if the ethical mandate that arises in this situation applies only when people address me in this conversational mode. The question is a pressing one because commonly, very many people who speak to me want, in one way or another, to seduce or otherwise coerce me. Isn't there a special urgency about our acting ethically precisely towards those people who, in fact, are our enemies?

Recollect, for a moment, the Torah's telling teaching in this regard. If the *beit din* says you have committed a capital offense and we hang you—"impale" you, as they say these days—we must not let you stay on your gallows after sundown, the reason being that you are created in God's image (cf. Deut. 21:22–23). You may deserve the most severe punishment, but we have a religio-ethical responsibility to you. That case clarifies for me why it is that precisely when the other person doesn't want to converse with me that I must care for the person who doesn't much care for me. Levinas has specifically dealt with this situation in his insistence that the ethical mandate is primal, overflowing and uni-directional. But in Gibbs's version of the origins of duty, we do not hear how the responsibility of the conversational situation transfers fully to the anti-conversational situation.

The second Gibbsian problem arises from the mode in which he now renders the Levinasian ethical thrust. For Bob, what we can speak of philosophically are only "signs of responsibility" and he proceeds to give us his subtle analysis of where these signs may be found. Yet speaking in a practical sense, one wonders how the identification of our responsibilities will these days get us to act on them. Most people I know are overwhelmed by the responsibilities they already have and cannot begin to fulfill them properly. Ask any young parent about the difficulties of meeting their responsibilities to children, partner, career and self. And that leaves out the constant reminders of AIDS in Africa, international and infranational violence, starvation, illiteracy, the greenhouse effect, endangered species, cloning and all those local issues which insistently demand our attention. Need I add that this is a highly selective list if our responsibilities? The simple truth would seem to be that what I need to know is not how I can find additional responsibilities but why or how I should choose to do certain particular acts when there are so many things to do that are, to some extent, my responsibility.

The undiluted Levinas obviates this issue by passionate insistence on the primal, infinite, uni-directional understanding of the reality that seizes me in the presence of "the face." He relentlessly polemicizes against anything that might usurp the primacy of ethics or seek to limit its scope.

He will only admit that the third comes into the human situation so that society must now shoulder some of my individual burden though I must now assume an ethical duty toward the society and work to strengthen its ethical performance. Bob, I think, wants to leave out this quasi-metaphysical, semi-romantic, almost mystical Levinasian pressure on us and speak in terms that are more acceptable to the American philosophical community and that is why we need to have him answer our question, "Why Act?"

Bob admits that Levinas's theory of ethical commandedness is unsatisfactory—this is why he turns to Habermas—but I am concerned with its Jewish, not its philosophical, adequacy. In short, though Levinas claims we find a superior ethical insight in the Jewish tradition, one we can use to correct the faulty Western emphasis on the totalizing mind, in his own ethical thinking Levinas is talking Greek and not Hebrew. In the Jewish tradition, it is reasonably clear to me that you cannot say, "I am the ethical hostage or the captive of the other person." The halakhic rubric is *chayekha kod'min*, your life takes precedence (B. Baba Metzi'a 62a). Yes, there is some argument whether this debate between Ben Petura and Akiba over the situation of the single life-preserving jug of water is *aggadah* or *halakhah*. But there is little or no argument in various aspects of the *halakhah* that you are never halakhically required to lay down your life for somebody and, moreover, that you are not entitled to do so should you choose self-sacrifice. The issue of how much to give to charity, where there is a legal limit to what you can give, is indicative of the primacy of self. It seems to me that Levinas is less persuasive than is *amkha's* basic faith.

Of course, as I indicated in my introduction to these remarks, this difference of opinion may simply be because Bob and I are focusing on differing aspects of the ethical needs of our time. He thinks that the major upheavals of our time require a major theoretical reinterpretation. I and my community, I think, are impelled more by a sense of the immediate, present reality that impels the enduring, simple humaneness of many people, the firefighters and policemen and construction workers and volunteers who day by day, night after night, of their own free will, come and do deeds they know to be their and our common duty. That is so

remarkably impressive ethically, it seems to me, that to understand that simple sense of responsibility, to make its contours plain, to enable the rest of us to share it, is what is required of thinkers. But even if they define their task as essentially theoretical rather than praxis-oriented, surely the theory ought to be such that it not only clarifies our sense of what is truly an ethical impulse but why the result of that ratiocination mandates that we act on it.

So I conclude by inquiring:

Why Gibbs?

To begin with, Bob may be right. All of us are stumbling around in this area; he may indeed have the best approach to the problem of rehabilitating ethics. He is certainly very thoughtful and persuasive, and we will just have to wait and see what kinds of answers become convincing to the thinking community. But even if he is not right, he is a marvelously instructive teacher. After the death of Resh Lakish, Rabbi Yochanan began to ail and his students asked him what was causing this (cf. B. Baba Metzia 84a). He responded that now when he set forth an interpretation of Torah, the students would agree with him. But previously when he did so, Resh Lakish would raise 50 objections to what he had said and in the ensuing argument Torah was increased and life thereby extended. To read Bob is to have a worthy *chaver* in our efforts to try to figure out what ethics, Jewish ethics, is; this is particularly so because of the extraordinary personal example which stands behind this book. This volume pivots on the term "sign" and the phrase "signs of responsibilities." Anyone who took a moment to read the dedication of this work and was as moved by it as I was, knows perfectly well that no one needs to tell Bob about the everyday ethical reality of signs. He is, in the highest Jewish sense of that term, our teacher.