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A REVIEW OF ROBERT GIBBS' *WHY ETHICS?*

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In a great many ways, Robert Gibbs' *Why Ethics?* is an extraordinary achievement, one which establishes him as one of the leading contemporary interpreters of the Continental tradition of postmodernism. Gibbs' lucid commentary on many exceedingly dense-prior to reading this book, I would have said "impenetrable"-texts from Derrida, Levinas and Habermas would, in and of itself, be "worth the price of admission." No doubt many readers will be enticed to engage these daunting works as a result of Gibbs' careful guidance through these murky waters. But the rewards of this rich and subtle study do not stop there. Gibbs has also brought these thinkers into dialogue with major figures in American pragmatism, semiotics, and social theory. And this rich mix of Western philosophical traditions both informs and is informed by Gibbs' judicious reading of classical Jewish sources, both biblical and rabbinic. The result is a many-layered conversation in which the voices of religious and philosophical thinkers from widely diverse times and places engage one another in a discourse that ranges from the ethics of personal encounter to hermeneutics, jurisprudence, and communal memory. Gibbs' orchestration of these widely disparate but intersecting themes is nothing

short of masterful as he weaves together the threads of argument and counter- argument, noting points of convergence, displaying the ambiguities within texts, and moving us through a series of tightly related questions. The result is a subtle, complex phenomenology of ethical responsibility interpreted through the prism of semiotic theory.

But the form of this work is every bit as striking as the content. Mimicking the format of a page of Talmud, Gibbs visually displays for his readers the very dialectical quality that moves from primary source ("pretext") to commentary and then back to new sources. In doing so, he dramatically illustrates the role of his own voice as respondent to the texts he has selected, enabling us to follow, but also to challenge, his readings of the tradition to which he both responds and contributes. This responsible posture precisely mirrors the position of the one called to ethical responsibility by the voice of the other, which is at the heart of this ethic of responsibility. Gibbs' voice, then, is subordinated to the texts that elicit it, even as he elucidates an ethic that originates always and invariable in being subordinated to the person who confronts us, communicates her otherness, and so demands from us that we listen, interpret and take responsibility to respond. Therefore, this book performs the responsibility that it explains.

The running subtext throughout this work is the critique of that other tradition of Western philosophical ethics, the one that grounds ethics in the will or reason of self-sustaining autonomous selves. Gibbs forcefully summarizes his difference with this tradition when he writes:

> When ethics is based on a moral agent's free will, moral responsibility is interpreted as being accountable for one's own deliberate decisions. Reasoning concludes in a rational act for which one was responsible. But the ethics developed here focuses on the relations between people in the performances of signifying. The responsible one has switched from a rational being to a speaker and listener, that is, to a person signifying for other people. (228)

Ethics in the Kantian mode is artificial, for it is constructed on the basis of a postulated "pure self" who is not historically situated, not a real person living in a world where she must confront and answer to (and answer for)

other real people. Such an ethic, therefore, is sterile, focused on a calculus of competing rights and duties that devolve upon discrete moral agents. By contrast, the ethic of responsibility that Gibbs propounds is characterized by asymmetry, indeterminacy and the infinite scope of moral responsiveness that cannot be delimited in advance by any rational principle. Ethical responsibility, as Gibbs construes it, is not constructed out of philosophical concepts that arise in the mind of a solitary thinker, but performed in real- life encounters with others who challenge and call forth our responsibility.

This ethic is not fundamentally new, as Gibbs himself would be the first to acknowledge. Its roots extend back at least to Rosenzweig's speech-thinking and it relies heavily on Levinas, as the preponderance of pretexts from his work indicates. I will leave to others the task of assessing Gibbs' reading of these sources. I wish to turn my attention to another dimension of this work, namely Gibbs' effort to enlist classical Jewish sources in the explication of this ethic. In doing so, I will focus particularly on the theological and legal dimensions of Jewish ethics, and the extent to which an ethic of responsibility, as Gibbs construes it, can accommodate them.

Gibbs' most explicit reflections on these matters come in Chapter 13, "Why Translate?", which provides the pivotal transition between Part III, devoted to matters of method, and Part IV, devoted largely to classical Jewish sources on repentance, forgiveness and memory. He writes, "What sort of philosophical book this is must have puzzled almost any reader. Is it simply Jewish theology? Or is it simply philosophy? If it is some sort of Jewish thought, then why should Jewish through become philosophy?" (278). Gibbs goes on to develop a justification for the translation of sources, including classical Judaic texts, from their original context into the idiom of semiotics, pragmatics and Continental phenomenology. The point is not to synthesize these diverse materials in a way that simply subsumes one intellectual tradition within another. Rather, like the encounter between individuals that first gives rise to this ethic, the encounter between textual traditions is designed to hold each open to reinterpretation by the other. The philosophical tradition has something to learn from Judaism and, conversely, Judaism will say something new

when it is speaking to this particular "other." Such translation, or dialogue, Gibbs notes, surely has its risks, though this does not absolve one of the responsibility to attempt the translation. The question at hand, though, is whether this particular exercise in translation is successful; still more, whether any criteria for success in such matters exist.

The classical Jewish tradition, I would argue, understands the source of moral obligation in a way that is strikingly at odds with the theory Gibbs offers. Traditional Jewish ethics is theocentric, and this gives shape and direction to the entire ethical system. Within both biblical and rabbinic sources, our ethical responsibilities derive from our multifaceted relationship with God. Because God created us, because we owe our existence-every minute of our lives-entirely to God, we are not autonomous. What freedom we have, God has given us, together with the obligation to use that freedom in ways that further the purposes for which God created us. God creates us as beings with moral responsibility, which is first of all responsibility to use our lives as God intends. God's will is spelled out and made available to us, classically speaking, in Torah and its detailed system of ethical norms that guide our relation with others. Moreover, classical Jewish ethics understands many of these moral norms as deriving from the fact that we were created "in God's image." This is explicit in the case of the injunction against murder in Genesis 9:6: "Whoever sheds the blood of a man, by man shall his blood be shed, for in the image of God he made man." The limits of acceptable human behavior, in this view, are defined by the ontological fact of our being created in God's image. And this logic applies to all manner of moral behavior.

> You must not say, "Since I have been humiliated, let my fellow man also be humiliated; since I have been cursed, let my neighbor also be cursed." For, as Rabbi Tanhuma pointed out, if you act thus, realize who it is that you are willing to have humiliated-"him whom God made in his image." (Genesis Rabbah 24:7)

Finally, classical Jewish ethics is theocentric in that it calls upon us to maximize the godliness within us, to imitate our creator. As many have noted, this dimension of *imitatio Dei* follows directly from the convergence

of the two previous points-that we owe our very lives to God and that something of God abides within us. Hence, our moral task is to express our gratitude to our creator by honoring the godliness within us and within all others. This moral task, of course, is infinite, for there can be no end to the gratitude we owe God or to the honor we owe to the godliness within ourselves and others.

This classical Jewish theory of ethics does share a few important features with Gibbs' ethic of responsibility. Both reject the Kantian notion that our moral duties derive from our being autonomous, rational beings in favor of the view that moral responsibility arises *in relationship*. Moreover, both see ethical responsibility as infinite, impossible to specify entirely in any fixed system of norms. Levinas alludes to this in his discussion of the "dimension of the infinite" in the encounter with the other, and Rosenzweig explicitly regards Jewish ethics as encompassing an infinite responsibility for the world.

But for classical Jewish theology, this "other" in relationship with whom my ethical responsibility is defined is God, not the human other whose face I encounter. Any infinite responsibility that devolves upon us is infinite only because it derives from our relationship with the Infinite. All this contrasts in a number of ways with Gibbs' postmodern ethic of responsibility. First, on the classical Jewish of ethical responsibility I am responsible as a sole creature, as the individual that God created in this way. This is the case regardless of whether I encounter an "other" or not. Gibbs writes: "my position as responder ... defines the beginning of ethics. ... The self is first of all in relation with other people" (32). But from the perspective of classical Jewish sources, the beginning of ethics, as of wisdom, is "fear of God," respect for the creator and what the creator created. The self is first of all in relation with God; the relationship with the human other is shaped by the primary relationship with God.

The contrast emerges clearly in Gibbs' analysis of the Day of Atonement. The question at hand is why the rabbinic sources insist that atonement for sins committed against another require both the forgiveness of the person we have wronged, and observance of the Day of Atonement itself. On Gibbs' analysis, the Day of Atonement represents the

social dimension of responsibility, insofar as the Day is part of the calendar that marks time for the community (324). But this analysis surely misses the point. The Day of Atonement is necessary because it is God's gift, a day when God's grace overflows and cleanses the community of the sins it committed during the past year. And this explains why God's forgiveness, which is ordinarily regarded as infinite, is here suspended, made contingent upon the prior forgiveness of the offended individual. Because the sin that we commit against another individual is both against that person and against God, God cannot "wipe away" the offense unless we have first been released from guilt by the human whose forgiveness is the key to our moral rehabilitation.

So, too, the "transcendence of the other" that Levinas and Gibbs find in the relationship with the human other is more properly a dimension of the relationship with God. In the Genesis narratives, it is God who speaks-first to Eve and Adam and later to Cain-calling them to responsibility. It is when they see themselves as answerable to an Infinite other that they recognize themselves as moral beings who have transgressed a boundary, misused their freedom or their power. Notice that this call to responsibility can (at least theoretically) be both invisible and inaudible. Because the relationship with God is the ground of moral responsibility, the actual call of the other is not required to generate my responsibility, or even to prompt my awareness of it. That responsibility exists, eternally and infinitely, even if the other who faces me remains silent. From the classical Jewish perspective, moral responsibilities transcend our relationships with others, rather than being generated within them.

But Jewish ethics is not only theocentric; it is closely tied to law. Here too, I think that Gibbs' ethic of responsibility will have trouble accommodating the perspective of the classical Jewish sources. The ethic Gibbs presents is inherently indeterminate and open-ended, since we can only discover our moral responsibilities through the encounter with the other and we cannot know in advance what we will come to know through that encounter. By contrast, Jewish ethics is expressed in large part in halakha and presupposes that there is a fixed set of moral duties that can be known prior to my encounter with the other; indeed, they are

supposed to guide that encounter. The contrast between the two perspectives is most evident in Gibbs' discussion of law in Chapter Nine. Gibbs sees law not as a force for social conformity, but as a means of opening up new opportunities for conflict and disagreement. Citing the Talmudic tradition of legal dispute, Gibbs argues, "The mode of reasoning in Jewish law, therefore, is obliges to preserve opposition, and the study of the texts performs the representative responsibility for each person's varying claims, and even practices" (217-18).

Nevertheless, such a view of law cannot account for the equally forceful tendency within Jewish jurisprudence to issue *takkanot*, "edicts," or to codify the law. The point of law is precisely to stabilize moral interactions and even, I would argue, to stabilize the discourse about those interactions. The seemingly endless Talmudic debates are played out against a backdrop of widespread agreement about legal principles and norms; their goal is to seek agreement in those areas that remain in dispute. But my point here extends beyond the particular style of rabbinic legal discourse. Law, as distinct from ethics, is not about infinite and open-ended responsibility. If it were, legal infractions could never be actionable, because they could not be known in advance. Within Judaism there is the element of infinite moral responsibility, a theocentric ethic, and a body of established and in-the-process-of-being-established standards for communal behavior, a halakha. The relationship between these elements is complex, to be sure, but it is certainly a mistake to collapse the distinction between the two.

There is one final dimension of classical Jewish ethics that I find difficult to square with Gibbs' theory. Jewish ethics is defined and developed within the context of the covenant, which is a quasi-legal relationship between God and the Jewish people past, present and future. The national/ethnic dimension of this covenant expresses itself in many ways, but perhaps most pointedly in the common distinction between Jewish and universal ethics. Universal moral duties, perhaps encapsulated in the Noahide laws, are to be contrasted with the much more extensive moral duties of Jews, which reflect the special role that they as a people have been given in God's plan for the world. Concomitantly, the

obligations that Jews have to others within their community differ significantly from those that Jews have toward non-Jews. Covenant, and the community that it establishes, pervade classical Jewish understandings of both the ground and extent of our moral duties.

There is no hint of covenant in Gibbs' ethic of responsibility. Indeed, the word does not appear in the index. One suspects that this is because, in the last analysis, this ethic owes more to philosophy than to religion; dare I say, it is more comfortable in Athens than in Jerusalem. The responsive, responsible self in Gibbs' book is not bound by special duties to those who are within his own community more than to those outside it. It is not clear whether Gibbs' understanding of moral responsibility could accommodate such distinctions. If it cannot, then covenant, the pivotal concept of the entire system of classical Jewish ethics, remains alien to this philosophical ethic. In its absence, the sources that can be cited and drawn into confrontation with the philosophical tradition will remain fragments, pieces of ethical insight divorced from their moorings in the covenant between God and this particular people. (Needless to say, this challenge is directed as much to Levinas as to Gibbs.)

These reflections on the role of theology, law, and covenant within classical Jewish ethics point to yet another, deeper question. If it is Gibbs' intent to "translate" the Jewish sources into a different intellectual milieu, to have them engage and respond to a Western philosophical discourse, then it is fair to ask how we shall judge the success of such cross-cultural translations. Plainly, it is Gibbs' view that the respondent is always in the process of becoming. Neither the individual nor the tradition is some "fixed entity" that can be known independent of its being engaged and responsive. Importantly, Gibbs' book ends with the provocative citation of Rabbi Tarfon's dictum from Avot that "you are not called to complete the work, nor are you free to evade it" (383). In Gibbs' final words, "The text is always incomplete."

But then it would seem that, there can be in principle no way to distinguish a "good" translation from a "poor" one, no way to determine when we have corrupted or distorted the very signs that come to us from another world and that we wish to confront and learn from. The entire

project of translation would thus seem to undermine itself, for the words we translate as well as the complex discourse that we transport across intellectual boundaries has no meaning apart from that which emerges from the conversation itself. Gibbs' book seems to leave him (and us) with no way to know whether we have forced one tradition to speak in the idiom of another foreign one, and thereby failed to hear it in its own terms. More to the point, it would seem to undermine any critical comments that challenge Gibbs' reading of the Jewish sources, including those I have just offered. In short, in response to Gibbs' own questions about the book ("Is it simply Jewish theology? Or is it simply philosophy?"), I am inclined to ask, "How would we know?" Either there is a way to know, in which case Gibbs needs to tell us what that is, or there is not, in which case the questions themselves are not worth asking.

None of these challenges to Gibbs' work should be taken as diminishing in any way my deep respect for what he has achieved here. Indeed, I offer them with some misgivings, knowing that I have not yet fully absorbed the subtleties of Gibbs' thought; indeed, I may have misread him entirely on some points. This is a book that merits and requires multiple readings. Suffice it to say that I have learned much from his nuanced readings of Jewish texts. He has stimulated me to take Continental phenomenology more seriously and to consider more carefully its relationship to classical Talmudic discourse. Most of all, he has demonstrated in the very form of the book the sort of moral responsibility toward which he wishes to call us, one that forever holds open the vulnerability of the "saying" and the responsibility that one must take for what the other says and does. In offering us that, Gibbs has given us much more than the content of an ethical theory. He has invited me to reconceptualize my relationship to my own words, his words, and those of the tradition we share. For that, I am most grateful.