

Politics in Levinas and Derrida: Beyond and Against Liberalism

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Abstract

This essay investigates the conception of politics in the works of Levinas and Derrida to show not only their points of convergence but also (and especially) their differences. We have structured this article into two sections, dedicated respectively to Levinas and to Derrida. In this article, we will reflect on one of the topics that has traditionally been considered to link Levinas and Derrida most strongly, and will seek to show that their critiques of liberal political theory are very different, and are built on the basis of distinct presuppositions. In this way, we will be able to go deeper into Levinas's political theory, and we will establish a reading concerning the relationship between the political theories of Levinas and Derrida that accepts the classical interpretation that sees the Algerian as the heir and continuer of the Lithuanian but confirms that Derrida uses Levinas's critique only as a point of departure. In Derrida's political works, written after *Politics of Friendship*, there is ever more distance between him and the Lithuanian, and the meaning of his critique of liberalism is completely different.

Keywords

Levinas, Derrida, sovereignty, arch-original law, États-vouyou

Ideology (*eidōs plus logos*) and idealism are not innocent, one must recognize their violence. It is through war that idealism too imposed its interpretation of Being, a war for the victory of an idea, of the idea of idea, of the intelligible as *eidōs*, i.e., as visible object.

—Derrida (2011, p. 396)

When one performs a close reading of the work of Levinas and of Derrida, as well as the enormous secondary literature dedicated to these authors, one notes that politics was not, for a long time, a topic emphasized by either one. The “classic” interpretations of the Lithuanian thinker have revolved around his humanism and his affirmation of the primacy of the ethical over ontology. The interpretations of Derrida focused, initially, on his method of deconstruction. Therefore, the reflections on political philosophy of these thinkers have remained somewhat neglected. In the case of Levinas, this lack of attention can be explained because in his works there are hardly any texts dedicated directly to politics, and especially because in some of his writings one can find affirmations that are highly critical of this “art.” In Derrida's work, it is because the debate about post-modernity, post-structuralism, and all the other possible “posts” became, for decades, the axis of the philosophical confrontations between currents, and because his texts of a more specifically political character are later than the others. Nevertheless, a quick glance at the more recent publications highlights the fact that studies on Derridean politics are abundant, and that those dedicated to

the more political dimensions of the Levinasian oeuvre are increasing in number (Evink, 2010, pp. 727-747).

We believe that this phenomenon is principally due to the fact that the reflections on politics performed by both Jewish philosophers connect well with the current-day perception of the need to put liberal politics into question. There are constantly more and more critiques that seek to go beyond, and even against, liberal politics. And to re-read, from this point of view, the objections against politics that were made by Levinas as well as by Derrida, it is clear that their texts will acquire a weight that they may have lacked at the time they were written.

The fundamental question emphasized by readings that take into account the politics of these French thinkers is that liberalism constructs itself as a political theory that adopts the notion of freedom as a starting point, and more specifically, that of individual rights: civil, political, religious, and economic. The notion of the human being on which liberalism is sustained is that of a rational and reasonable subject that is the possessor of rights and who is subjected to obligations because he or she belongs to a political group, normally

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a nation-State.¹ From this viewpoint, politics is seen as a game of “checks and balances” (e.g., between security and freedom, between different freedoms [right to intimacy versus right to information], between different powers, between the public and the private) and pluralism is equally analyzed as a game-debate in which one has to find “reasons that all can accept.”

Nevertheless, for Levinas and Derrida, that vision of the human being as a rational and free subject who can be held responsible for his or her acts is a simple chimera that has produced certain political consequences that are now unacceptable. In opposition to this conception, the two thinkers raise their voices and present a different understanding of politics. In Levinas, this understanding is more receptive to alterity, to the role of an anarchic language and of justice. In the texts of Derrida, following the Levinasian call to bear *différance* in mind, he is more critical of liberalism and the supposedly humanistic and humanitarian vision that this political system seeks to defend. And in this critique, he adopts a posture that is clearly different from that of Levinas, as violence is placed on the plane of arch-originary sovereignty. In both cases, what the authors seek is another kind of politics, a politics that is *yet to come*.

The Levinasian Critique of Politics: Beyond the Refuge-Cities of Liberalism

The philosophy of Levinas arises, in part, from the necessity of giving a philosophical response to the experience of the person who has not died with “his people” (Levinas, 1976a, pp. 188, 285, 1976b, p. 178). In the face of genocide, Levinas holds that a reflection on what it means to be human is unavoidable. This is highly important because, in his view, Western humanism has not known how to be a consistent protection against the barbarism that Europe has lived through (cf. Levinas, 2000, p. 200). With these precedents, the Lithuanian philosopher believes that to correctly understand human beings, one should not give priority to their autonomy, freedom, and power; instead, one must begin by de-centering the subject: “To welcome the Other is to put in question my freedom . . . The welcoming of the Other is *ipso facto*, the consciousness of my own injustice: the shame that freedom feels for itself” (Levinas, 1969, p. 86).

Derrida emphasizes these ideas in his farewell to Levinas (cf. Derrida, 1998, p. 13). These are the central notions of the so-called “humanism of the other,” whose initial steps are taken in *Freedom and Command*. This is a work from 1953, sandwiched between his youthful writings and his first mature work: *Totality and Infinity*. It is, for this reason, a text in which an asymmetric relationship appears between human beings, along with heteronomy and openness to the other (cf. Derrida, 1998, p. 132).

Despite the fact that this work involves a “departure” from the tradition in which he had been schooled, and that it is, in a certain way, a continuation of the debate he began

with Heidegger,² *Freedom and Command* is nonetheless and above all an intense dialogue with Plato, who, in the *Republic*, develops an attempt to escape tyranny—a regime that reduces human beings to slaves—via the establishment of a government that serves its citizens instead of exploiting them. That is to say, the key work in the formulation of Levinas’s humanism is a text that deals head-on with the role of politics. For the Lithuanian philosopher, according to Plato legislation seeks the common good, expresses the unity of the polis and overcomes tyranny through the establishment of a particular set of legislation and a particular kind of government. Plato, therefore, would be offering a political solution to the problem of violence, which consists in the affirmation that the command that acts on a human being has to respect his or her freedom.³

For the Jewish thinker, the solution that Plato provides underlines the agreement that must be established between the one who receives the order and the one who commands, or, more concretely, the fact that the one who commands does so to “perform the will of the one who obeys” (Levinas, 1987, p. 30). In seeing order in this way, the heteronomy that arises is only apparent: The freedom of the one who commands is a rational thought and not a blind force. Therefore, the one who receives the order encounters this rational order in himself or herself. The problem resides, according to Levinas, in the fact that this is merely a freedom of thought, which is insufficient because it cannot prevent tyranny from being imposed on it and silencing it (cf. Levinas, 1987, p. 31). The deep union in human beings between their reason and their animality means that freedom of thought cannot be an adequate barrier against tyranny. Freedom can be annulled down to the last chink of autonomy by means of torture, hunger, thirst, and many other techniques: One can create the soul of a slave (Piola, 2004, pp. 124–125).

Therefore, Plato, says Levinas, takes a further step and asks whether it is possible to construct a sufficient bulwark against tyranny via the establishment of a reasonable external order, which is materialized in institutions and which is set out in writing: the creation of a State. In this way, one no longer trusts in the person who commands, but instead in the law. Freedom, as obedience to the law, has its guarantors in the universality of the maxim and the independent existence of legislation. The establishment of the just State is, from this point of view, the way to overcome the obstacles that threaten the realization of freedom. Levinas, for his part, does not belittle this option, but does not believe that it is the solution.⁴ Political institutions are indispensable for avoiding tyranny, but one must go further. The political either obliges concrete individuals, via violence, to enter into and form part of a universal order, or else it presupposes that these individuals have a prior disposition that is favorable to society and to peace. In addition, the institution that arises from free will can also distance itself from that will (cf. Levinas, 1987, p. 17).

The Lithuanian thinker asks, at this point, “What then can be done?” Force the individual to enter into this order by

using violence?⁵ and “How does one enter into dialogue with someone who refuses to dialogue?” For Levinas, it is necessary to “encounter a dialogue in order to make an entrance into dialogue” (Levinas, 1982a, pp. 217-218; author’s translation),⁶ as “the greatest difficulty for the project to put an end to violence and attain peace via dialogue is to bring into dialogue those adversaries inclined to use violence” (Levinas, 1982a, p. 188; author’s translation). This is where the Levinasian reflection about language becomes embodied and, therefore, his reflection on the central nucleus of the humanism of the other as well. Dialogue, for the Lithuanian thinker, is something broader than the concerted search for truth. In language, there always appears an interlocutor, and his or her appearance is face to face, as language is the relation of the same and the other, a discourse in which the same itself leaves itself (cf. Levinas, 1969, p. 63).⁷ In dialogue, the other confronts the “I” that it can offer a response (cf. Levinas, 2000, pp. 198-199). In this way, violence is not wreaked on the other, as it is not a matter of either assimilating or ignoring him or her. This dialogue between individual people is the condition of the setting down of “a rational law as a condition of freedom” (Levinas, 1987, p. 18).

That the State be a condition of freedom, it is necessary that human beings be brought into it without wreaking violence on them, via a discourse prior to discourse. Despite this, Levinas recognizes that violence is also possible in language, as rhetoric addresses the other obliquely, and corrupts freedom by converting itself into violence and injustice.⁸ In the face of this violent use of language, he holds that “we call this access of face truth” (Levinas, 1969, pp. 93-94; author’s translation). It is precisely at this point that the authentic sense of violence arises, as the most radical violence that can be committed is to ignore the other, to act as though he or she did not exist. Extreme violence arises, therefore, when one does not look at the other frontally, face to face, which permits understanding the other as pure opposition. This, for Levinas, is the meaning of war: the lack of recognition of the freedom of the other, which is “an attempt made by one [of the freedoms] to master the other by surprise, by ambush” (Levinas, 1987, p. 19). When one renounces the treatment of the other as another free being, the option that remains is a calculation of the cost involved in destroying the other, who is seen as an enemy. But this, in the best of cases, is able to establish a peace that is merely political, that is, trade and commerce among those who give primacy to interest (cf. Levinas, 1978, p. 5). War, according to Levinas, makes morality laughable and, thereby, politics as well (cf. Levinas, 1969, p. 21).

For Levinas, the true opposition to this violence is not the use of force, but rather an ethical resistance: In the presence of murder, there arises the command to not be able to be able to kill (Llewelyn, 1999, p. 192). One must understand this correctly, as the “I” *can*, but it cannot *be able* because it finds itself in the presence of a being that is absolute otherness, radical vulnerability and, at the same time, a demand that

cannot be excused from. The appearance of the other is always in the imperative because it is the arising of what is provided with meaning by itself (cf. Levinas, 1969, pp. 211-212).⁹ Therefore, the presence of the other means that I renounce violence to form a society with the other, accepting his or her absolute otherness (Levinas, 1978, p. 76).¹⁰ The other is not the one who opposes the “I” by its resistance, but rather the one who resists by his or her opposition, his or her otherness, his or her being-other (Zaborowski, 2000, pp. 55-56). But this opposition is not hostility, it is not the opposition of a force; it is a pacific opposition, which only turns into violence in the moment in which the “I” ignores that opposition. Thus, from this perspective, the other manifests himself or herself in a relation of non-violence that is essential to language (cf. Levinas, 1969, p. 208).

On the basis of language, according to Levinas, one can maintain the ethical inviolability of the other, as it announces itself in the structure of language (cf. Levinas, 1969, p. 209). And, what is even more important, one can establish the notion of justice (cf. Levinas, 1969, p. 47) because “justice consists in again making possible expression, in which in non-reciprocity the person presents himself as unique. Justice is a right to speak” (Levinas, 1969, p. 298).

At this point, at which he has already developed the central notions of the humanism of the other, Levinas dialogues with Kant: How to avoid heteronomy being converted into the tyranny of the other over me? The key question concerns the relation with a domain of meaning that is prior to and exterior to the “I,” and which imposes itself as an imperative. But this is not an exterior limitation, nor an arbitrary imposition that places boundaries on the autonomy or infinite freedom of the “I,” but rather the recognition of its own condition (cf. Hayat, 1994, p. 16).¹¹ The ethical mandate gives rise to a freedom that can be judged by the other and is only freedom to that degree, as “freedom must justify itself; reduced to itself it is accomplished not in sovereignty but in arbitrariness” (Levinas, 1969, p. 303). That is to say, freedom attains its meaning in relation with the other and not in autonomy. On encountering the other as a being that has meaning of and by itself, that dialogue which is prior to dialogue can be begun, and one can accept “be[ing] led without violence to the order of institutions and coherent discourse” (Levinas, 1987, p. 22). This encounter excludes violence and highlights the fact that freedom is based on a command that is discovered in the face of the other.¹²

In this way, Levinas has transformed the Enlightenment idea of subjectivity and has conceived it as an original relationship with the exterior. This relation, which is hospitality, presents itself as an upheaval, as “what, in action, breaks forth as essential violence is the surplus of being over the thought that claims to contain it. The marvel of the idea of infinity” (Levinas, 1969, p. 27). Ethics is the meaning of subjectivity itself, and therefore is the obligatory condition of politics (cf. Avram, 2001, pp. 261-284). Only the responsibility inherent in freedom can put a stop to violence, because

it can put an end to the belief that the other is the source of violence (Levinas, 1987, p. 46).¹³ To avoid the confrontation, the political solution appeals, as I have noted, to the State. But to fulfill this objective, both politics and the State are insufficient, as in seeking to impose a rational order that adopts the form of impersonal reason, not only does it not take the other into account, but instead oppresses it and demands its assimilation to the I:

Politics abandoned to itself brings with it a tyranny. It deforms the I and the Other that has given rise to it, because it judges them according to universal rules. . . . the violence of the political again mistreats the face, making its uniqueness disappear in a generality. (Derrida, 1998, p. 126, author's translation)

In this context, ethics discovers, on one hand, "a universality that is irreducible to comprehension and integration in a system" (Hayat, 1994, p. 23, author's translation). And on the other hand, the unavoidable responsibility of the "I," as nobody can respond in place of oneself. This presupposes, going a step further, that equality before the law is preceded by the recognition of asymmetry, of the other that demands the responsibility of the I. This responsibility is not responsibility for itself, but rather for and in the presence of the other (Lawrence, 2001, pp. 155-169). The classical idea of responsibility implies the concepts of explanatory justification and of imputation. In contrast, Levinas focuses on asymmetry and original culpability, that is, culpability for being and not for doing. Responsibility is this experience that shows how the subject is substitution and expiation for the other: hostage (cf. Levinas, 1978, p. 232; Levinas, 2000, pp. 261-262).

So, the question that arises on this point is whether a politics is possible in Levinas. Many commentators believe that it is not.¹⁴ Derrida, for his part, states in this regard that for the Lithuanian, the issue is achieving an unconditional accord, and, qua the description of the political event, the interpretation of its future coming remains marked by the conditional, politics becomes relegated: Politics afterward! (cf. Derrida, 1998, p. 105).¹⁵ That is, "the affirmation of oneself is, at the outset, responsibility with respect to all. Politics, and politics no longer" (cf. Derrida, 109; author's translation). Thus, for Derrida, appealing to responsibility qua ethics is also political, but it is a politics that loves the foreigner. A politics that is an opening in which there remains a promise. This presupposes that its possibility continues to be effective, but ethics demands that this effectiveness be effected, because if it is not, the promise betrays the promise by renouncing what it promises. Logically, the question is about the realization of an effective possibility of ethics: Is it already political? And which politics is it? (cf. Derrida, 1998, p. 134). The Algerian, by asking these questions, is thinking of the brief text of Levinas that deals with the relationship between the State of David and that of Caesar, and he holds that in Levinas's posture, there is a dominant tendency that is closer to Caesar than to David.

Therefore, even democracy itself would be imperialist by vocation (Derrida, 1998, p. 106).¹⁶ And he asks equally, this time thinking of the text concerning the cities of refuge (cf. Levinas, 1982b, pp. 209-220), why the ethics of hospitality should be more than and other than a politics of refuge; furthermore, he holds that the Lithuanian does not deal with these questions. This, in Levinas's work ethics prescribes a politics and a legal framework, but the political or legal content remains indeterminate, always to be determined, beyond knowledge, all concepts and any possible intuition (cf. Derrida, 1998, p. 146).

Returning to the texts of Levinas, one sees that he holds that ethics is what prevents tyranny, as it places the other first. But one also perceives that the political solution has a valid dimension that must be taken into account in the struggle against tyranny. Therefore, Levinas always held that for a new order to come about, "institutions and politics will be necessary: indeed, the entire framework of the State" (Levinas, 1993, p. 251).¹⁷ This is, for the Lithuanian, what Hellenic culture has contributed, which is one of the roots of Western civilization, but not the only one. The Levinasian appeal to ethics, to the recognition of the other in his or her absolute otherness, is the philosophical formulation that nourishes itself in the "other" Western tradition: The Bible. The most important thing is that the Jewish thinker provides a philosophical reading of his own religiosity, understood as a welcoming of the other: the widow, the orphan, and the foreigner (cf. Derrida, 1998, p. 155). Thus, it is in his Talmudic texts that he develops his political reflections most carefully. In his text on cities of refuge, for instance, he emphasizes that all liberal cities are simply cities of refuge, places that offer security in the face of the chaos of the non-political:

Our cities . . . provide sanctuary from radical violence, sanctuary we deserve in our innocence. At the same time they perpetuate unwitting oppression—economic, social and political—and in this way allow or encourage their citizens to stand in exile from the truth, in sleep's exile from waking. (Eisenstadt, 2003, p. 476)

That is, in these texts the difference between politics and justice is presented as a force majeure: It "is justice, complete justice which goes beyond the ambiguous situations of the cities of refuge . . . complete . . . because it is a call for absolute vigilance" (Levinas, 1982b, p. 64).

Justice (the Torah, Jerusalem, the State of David) prescribes a politics, but it goes beyond the political. Therefore, Israel cannot be for Levinas a simple city of refuge for the Jews, and the peace that is established there cannot be institutional peace, the peace of the cemetery.¹⁸ Thus, Levinas's philosophy, by locating ethics as a condition of the political, involves going beyond traditional politics, which will permit the future appearance of peace (cf. Levinas, 2000, p. 42).

In these texts one sees, in addition, that hospitality is the fundamental political category that corresponds to an ethics

of responsibility and to an ontology of otherness. So, this opens up two problems: “How is it possible that the other, at the same time that he or she asks for help, enter[s] into dialogue with the I, unblocking words and providing it with the world and language?” (Holts, 2011, p. 68, author’s translation). And second, why does Levinas call the relationship between the “I” and the other “friendship,” keeping in mind that they are radically separated, that between them there is an insuperable asymmetry, and that there is no category under which they can be subsumed?” (Holts, 2011, p. 72, author’s translation). Derrida holds that the coming of the other,

surprises the host—who is not yet a host or inviting power—enough to call into question, to the point of annihilating or rendering indeterminate, all the distinctive signs of a prior identity, beginning with the very border that delineated a legitimate “home” and assured lineage, names and language, families and genealogies the absolute arrivant does not yet have name or identity. It is not an invader or an occupier, nor is it a colonizer, even if it can also become one . . . its place of arrival is also de-identified. (Derrida, 1998, p. 33)

Here is the key to his politics of friendship. That is, Levinas’s ethics will blossom in Derrida, in a future to come, a politics of friendship, but this goes beyond Levinas. If we pay attention to Levinas, we will see that he seems to move with an indecision that affects the relationship of ethics and politics, of promise and fulfillment, of the State of David, and that of Caesar. This is what Derrida will criticize in the thought of the Lithuanian:

It seems obvious that Jerusalem—the actual tangible one—is just as sleepy as any other city. Derrida, writing in 1996, mentions the Landau Commission Report, which led to the legalization of certain forms of torture for the purpose of interrogation. . . . Maybe, as Derrida suggests, the road we should be following now is the road not of hospitality beyond hospitality or complete justice but of simple hospitality, of refuge and forgiveness—maybe too, he also suggests, this is the road of Torah. Kant provides a tentative legal beginning, when he proposes as one of the articles for the peaceful nation that “the rights of men, as citizens of the world” shall be defined by a qualified “universal hospitality.” Levinas goes further when he writes, in another essay, that “one belongs to the messianic order when one has been able to admit others among one’s own”; it is the criterion of humanness.” In citing these passages, Derrida remains aware that the issue is complicated. Hospitality can never be complete . . . But he is, I think, asking whether Levinas’s notion of a higher hospitality is not a grand illusion. (Eisenstadt, 2003, p. 481)

The politics of hospitality with the other seems not to have solidified in any way, and therefore it appears unable to offer a true political response. That is why Dussel concludes that it is necessary to go beyond Levinasian politics:

It is not that the Philosophy of liberation abandons *phenomenology* in order to pass to *liberation*, rather, *phenomenology develops*

dialectically . . . and permits the passage from an ethics to a politics. . . . This is no longer an *inadequate* interpretation of Levinas, but rather the *development* of possibilities that are impossible for Levinas. (Dussel, 2003, p. 119, author’s translation)

In all cases, it is clear that the politics of Levinas remains undetermined, open to the future and without being concretized in any way, all of which makes it very difficult to consider it as being a politics in a strict sense. That is, Levinas’s beyond politics is primarily realized in his critique of liberal politics, of politics based on Western humanism, and seeks to transcend its categories to arrive at an ethics and a politics of alterity, of hospitality, of what erupts into the present and into totality, without becoming either present or totality.

Sovereigns of the Arch-Original Law: The Derridean Critique of the Foreign Policy of the Vouyou.s.a.

From the point of view of the commentators on the work of Levinas, it might seem that Derrida is the one who has continued Levinasian ethics in the form of an authentic “politics of otherness” that was never developed by the Lithuanian author himself.¹⁹ While a quick reading of *Politiques de l’amitié* could be used for the defense of this widely accepted thesis, the posterior publication in 2008 and 2010 of the seminars conducted by Derrida between 2001 and 2003 under the title *La bête et le souverain*, as well as his book *Voyous. Deux essais sur la raison*, published in 2003, permit a reconsideration of this question. Thus, in this section we explain the ideas that Derrida develops in these works. These present a posture that is both personal and differentiated with regard to that of Levinas, with whom he shares his critique of Western philosophy and politics, and from whom he takes his politics of hospitality, but whom he criticizes, as we have seen at the end of the previous section, and from whom he distances himself, as we will discuss in this section.

To show the meaning of that rereading, a point must be clearly understood: “Politics of otherness” in the Levinasian sense is that politics that does not begin with the constitution of a perfectly constituted “I,” on the basis of which the relation with others is constructed, qua other “I’s” that are fully constituted prior to any relation with others. This is, for Levinas, that ethics of otherness is the situation of a subject that does not begin in itself, that never coincides with itself, and which is always encountered as required by the other. Or what amounts the same, a “politics of hospitality,” Derrida begins with this deconstruction of the selfness of the ego. So, the radical distinction that the Sephardic author establishes is not that which distinguishes the “politics of I” from the “politics of otherness.” Derrida’s critique of the liberal ideology of freedom is not primordially that which is based on the sovereign understanding of freedom, traditionally seen as a capacity for decision within a subject that is fully constituted

as such. The critique of the notion of “I” as a being that is “naturally” original and free—which, because it considers itself as such, constructs an entire ideology of its sovereign rights—is a critique that, because of its obviousness, Derrida only developed as a point of departure. Never was it his final objective.

For Derrida, both Carl Schmitt and V. I. Lenin are the first political theorists of the “politics of otherness”²⁰: Schmitt on the basis of the sovereign “decisionism” of Hobbes and Lenin on the basis of the dialectical materialism and negativity in Marx. In both, the other (the enemy in Schmitt, the dominant class in Lenin) is ontologically prior and the efficient cause of the formation of one’s own identity (the identity both of the political community as well as of the economic class and, of course, of the “personality” of the individual). Both for the national-socialist political theorist and for the communist, the freedom that comes into play is not that of an “I” or an original, natural “political community,” which is free and able to decide—the theory proper to both the anarchism of Bakunin as well as of liberal ideology. Rather, it is that arch-originary freedom that needs the identification of the non-I, of the other, always undifferentiated and never actualized, to be able to begin to construct, technically and linguistically, the con-formation of an “itself.” This is the freedom that specifically interests Derrida, as it is in the distinct forms of dealing with it—and not in the already constructed freedom of an originary subject, natural and therefore sovereign—that the nodal point of his criticism of the foreign policy of the United States resides.

Thus, for Derrida, here following Lenin and Schmitt in preference to Levinas, the very fact that it is necessary to postulate this pre-archic freedom as a condition of possibility of the constitution of identity, necessarily implies the impossibility of an originary, “natural” self-positioning of the “oneself,” which is the ultimate reason for the very performativity of every supposed selfness. That is, for Derrida, the non-recusable need to have to postulate this pre-archic freedom implies, obligatorily, an interruption, a technical mediation, not natural but also not deriving from a conscious and already-conformed I. A pre-temporal “spatiament,” which is inevitable in the self-positioning of the “oneself” as “oneself.” This technical mediation is what Derrida understands by Law. Neither nature nor ontology. Law. Ethics and Juridics. And then, prior to and conformational of the identity of a political community. That is, an impure act, mediated, mediator, and mediating of a not yet existing will that can still open itself to otherness and close itself on itself. At any rate, prior to the notion of “subject” and of “I.”

But not a law understood simply as that which emanates from a subject already conformed as self-sufficient and sovereign; for example, the supposed American nation represented in Congress. Rather, the Law as that technical mediation, which is performative and not natural, and which is a mediator and not a product of the identification of the

sovereign subject. The Law as the technique proper to the processes of constitution of identity:

The law marks in this way the *without* in sense or in existence (“insofar as it *is* the without-essence” or insofar as it “*is* the appropriation of the inappropriable.” It thus inscribes the un-inscribable as “the ultimate truth of inscription”), it *excribes*. The law of exscribing, of exscription as “the ultimate truth of inscription.” finds one of its essential determinations. . . . Existence is the appropriation of the inappropriable . . . Another way of saying that “existence,” “*is*,” “Being,” “is quite exactly,” are all names of the impossible and of self-incompatibility. (Derrida, 2000, p. 335)

From this point of view, the Derridean “politics of otherness” is not simply the being-open to the *autre à venir* as the principal differentiating characteristic in regard to a sovereign politics that has already closed on itself and, purely on the basis of itself, but that that decides what to do on the basis of another that is previously and ontologically rejected. Both the one who rejects the other declaring it a political enemy, as well as the one who supposedly welcomes the other in the con-formation of one’s identity, are modalities proper to a “politics of otherness.” The other is not a choice. It cannot be such. It has never been and never will be. The other, *qua* ontologically arch-originary, is not susceptible to being evaded. In this point, Derrida is pristine: “‘Beginning with the enemy’ is not the contrary of ‘beginning with the friend.’ It is, rather, beginning with the contrary without which there is neither friend nor enemy” (Derrida, 2005, p. 176; author’s translation).

Selfness has never existed. It is not ontologically possible. It is simply the surface effect of the forgetting of being *qua* movement of the *différance*. Freedom based on the sovereignty of the free I that decides on the basis of itself has only existed as an ideology. In the final instance, the first violence—which is that which interests Derrida—is not the violence that is exercised by an “I” or a “political community” that understands itself as an originary subject, free and sovereign over all those that are not part of this political community. Rather, the violence that interests Derrida is that violence in which the creation of the very ideology of the free and sovereign subject consists. A violence that is carried out in function of a relation with the other, when neither the “I” nor the “other” exist yet as identity. At base, every political act based on the ideology of sovereign freedom will never be able to an act of liberty, as it will always be ontologically dependent on the prior con-formation with/of the other.

The ideology of sovereign freedom, taken to its ultimate consequences, leads to the myth of Robinson Crusoe and Walden. In both, there exists the myth of a

sovereignty without obstacle and thus without enemy—and therefore, Schmitt would say, without politics—this sovereignty which is absolute because it is pre-political . . . is sovereignty before the nation-state, the sovereignty of the free and

self-determined, self-determining individual . . . of a citizen who is, all alone and immediately . . . the citizen-state. (Derrida, 2011, n.p. in English, p. 47 in French edition)

In this way, liberal ideology and the myth of sovereignty, according to Derrida, are intertwined with Enlightenment political theory as key elements for the legitimization of the capacity for decision apart from the Law. But just as occurred with the discourse of liberal freedom, Derrida's critique of liberal sovereignty is not first directed at the critique of the concept of sovereignty that is proper to an already-conformed political subject who exercises it in virtue of his or her natural and originary positions. The concept of sovereignty that Derrida seeks to problematize is that of a previous, arch-originary sovereignty. A sovereignty that, prior to the constitution of "oneself" as political community, is characterized by excess. Not by asymmetry or difference. Instead, by excess. That which is without measure. The *a-voμoc*. Derrida affirms that,

Walten would be too sovereign still to be sovereign, in a sense, within the limits of the theological-political. And the excess of sovereignty would nullify the meaning of sovereignty. But what does "excess of sovereignty" mean, if sovereignty, in essence and by vocation, by its structure, signals and signifies itself primarily as excess, as normal abuse, surplus and transcendence beyond or in regard to any determinable measure? (Derrida, 2011, n.p. in English, p. 383 in French edition)

It is from this point of view that Derrida comments on the Schmittean definition of the sovereign as "the one who has the right to suspend the law." The arch-originary sovereignty is not that which is able to decide what to do with the other on the basis of the autonomy and indifference that is proper to a subject that is sufficient for itself and which is constructed on the basis of itself. Rather, this sovereignty is that which is able to mediate in the technical mediation that is proper to the con-formation of political subjects in relation to otherness. That is, in the Law. Sovereignty is, then, what permits manipulating the arch-originary relation with the other to be able to con-form both the "oneself" as well as the "other." The sovereign is the one who conforms its "oneself" as proletarian on the basis of the con-formation of the other as bourgeois. The sovereign is the one who con-forms its "oneself" as a community of friends on the basis of the con-formation of the other as *hostis*.

For Derrida, in the currently international political context, this sovereign manipulation of the arch-originary Law is performed via the ideology of Human Rights and the idea of crimes against humanity. Concretely, the arch-originary sovereign currently is the one that exceeds International Law, by which the different political communities constitute themselves in relation to others, to be able to identify the other as one outside of the law, an *État-Voyou* or *Rogue State*. An act which is primordially directed to permit identifying oneself to "oneself" precisely as the sovereign subject with

the capacity for decision. On this point, Derrida speaks clearly and with proper names:

Robert S. Litwak . . . Director of International Studies at the Woodrow Wilson Center. Litwak had belonged to the Clinton team, in the National Security Council, and he has published a book entitled *Rogue States and US Foreign Policy* . . . he defines the rogue State as follows: "A rogue state is whoever the United States says it is." (Derrida, 2003, pp. 138-139, French edition; author's translation)

Thus, for Derrida, the United States is the principal arch-originary sovereign, which in its relation—via law—with the rest of the political communities in formation, exceeds itself on this point with regard to that law—through which all are conformed—a sovereign that believes erroneously that it is able to confer on itself the ability to decide who is a rogue state, a *voyou*. These latter are defined as those who "cause disorder in the street," so that "the rogue is always the other" (Derrida, 2003, p. 96, French edition; author's translation). A principle of disorder, according to Derrida, able to con-form a "virtual State" in which there is a "principle of disorder, not of anarchic chaos but of structured disorder, so to speak, of plotting and conspiracy, of premeditated offensiveness or offenses against public order" (Derrida, 2003, p. 66, English edition).

Thus, from the perspective of liberal ideology and the sovereign subject that decides who is a rogue and who is not on the basis of international law, the rogue states are those that do not comply with human rights. Currently, Iraq, Iran, Afghanistan, and North Korea. So, from Derrida's perspective on freedom and arch-originary sovereignty, the rogue state, the arch-rogue state, so to speak, is precisely that which exceeds and manipulates the law as a technique of mediation with the other to define the other as, precisely, a rogue state. This and nothing else is the primary and principal violence in relation to the other that interests Derrida. Not that of the rogue that transgresses the law, but rather that of the one who manipulates the law to be able to decide about the other, and from the other—given that it is not possible in any other way—to decide about its own self.

This is, then, the principal evil of liberal ideology: To believe that deciding about oneself only affects oneself. Forgetting the *différance*. Anyone who decides about himself or herself has already technically gone beyond the relation with the other to define it qua other, friend or not. In the final analysis, Derrida answers Schmitt by saying that the enemy is not simply prior to "oneself," but rather is prior to both, the other and the "oneself," it is the manipulation of the pattern of measurement with which both end up identifying themselves as such: the Law. This capacity for manipulation is the true arch-originary sovereignty. The other, the sovereignty that consists in deciding on the basis of the law, or of its interpretation, is nothing more than a "giving meaning" to an act that is of itself excessive and prior to any meaning (Derrida, 2003, p. 144, French edition).²¹

At base, for Derrida, “there is nothing except rogue states in potency or in act. The state is rogue” (Derrida, 2003, p. 146, French edition; author’s translation). Whether by liberal sovereignty or by arch-originary sovereignty, the relation with the configuring or already configured otherness is always characterized by a so-called *mal de souveraineté* qua that relationship that is produced “where the rationality of universal human rights encroaches on nation-state sovereignty (humanitarian initiatives, non-governmental organizations, the laborious establishment of an International Criminal Court, and so many other vehicles of international law)” (Derrida, 2003, p. 154, English edition).

In the face of this concept of sovereignty qua mediating capacity in the mediation of the other as a double game of violences, Derrida, as is widely known, proposes a Nietzschean–Blanchotian friendship of the “solitary by the solitary.” A friendship that does not seek to mediate as sovereign in the con-formation of the identity of the other. Not even in the con-formation of its identity as friend. Rather, it appeals to the relation with the other as a promise to be always open to the most indeterminate future (cf. Derrida, 2005, p. 328).

An incommensurability without excess of sovereignty that obligates, in the words of Derrida, to “invent, each time, in a singular individual, its own law and norm, that is a maxim that welcomes each time the event to come” (Derrida, 2003, p. 151, English edition). But he immediately adds that in this incommensurable relation of promise with the other, “there is no responsibility or decision” (Derrida, 2003, p. 208, French edition; author’s translation). And this is precisely the greatest violence of liberal and enlightened ideology, ultimate source of the myth of sovereignty: to suppose that freedom brings with it the responsibility for the other as legitimization for decision on the basis of itself. And here, the politics of Derridean otherness separates itself absolutely and dramatically from Levinasian ethics to draw near, whether it wants to, to the Marxist critique of socialist paternalism.

Applied to the political context, Derrida will develop his concept of *democracy to come*, always *to come*. It is never present and never here. In the face of the autocratic concept (auto-*Kratos*) of democracy maintained by Tocqueville based on the illusory selfness of the *demos*, Derrida will attempt—uselessly, in practical reality—to develop the concept of a democracy that is always attentive to the mutation of the laws themselves in virtue of the necessities of the other and which, even so, would be able to avoid the excess of sovereignty. However, he never states how this could be possible, or even whether it is not. It is not in vain that all deconstruction has always had to do with the impossible.

Thus, in the face of a Tocquevillian democracy in which “the people, he concludes, reign over the American political world like God rules over the universe” (Derrida, 2003, p. 14, English edition), Derrida attempt to develop a concept of democracy that is

différential, it is difference, *renvoi* and spacing . . . the theme of spacing, of the interval or the gap, of the trace as gap, of the becoming-space of time or of the becoming-time of space, plays such an important role as early as *Of Grammatology* and in “La différance.” Democracy is what it is only in the *différance* by which it defers itself and differs from itself. It is what it is only by spacing itself beyond being and even beyond ontological difference; it is (without being) equal and proper to itself qua inadequate and improper, at the same time behind and ahead of the Sameness and Oneness of itself; it is thus interminable in its incompleteness beyond all the limitations in areas as different as the right to life. (Derrida, 2003, p. 38, English edition)

In this way, the Derridean concept of democracy is indissolubly united with that arch-originary freedom that has never been actualized by any decision, and conceived “an opening of indeterminacy and of indecidability in the very concept of democracy, in the interpretation of the democratic” (Derrida, 2003, p. 25, English edition). In this way, despite the fact that Derrida affirms that it is precisely the arch-originary freedom which is “that which spaces and singularizes” (Derrida, 2003, p. 48, English edition) in reality, his concept of freedom as democracy and his concept of friendship of the other *à venir* remain simply in the impossibility of acting if it just does not want to cause violence to the other. Or, in what amounts to the same thing, the very possibility of a nonviolent relationship between the other and the I in their mutual con-formation is only possible insofar as it remains as a simple possibility that is not determined, as, if it is determined, it will be irremediably violent. At the end, the Derridean critique of violence comes to a point where one can only escape from it at the price of not acting, of being always in waiting for the other. An always-waiting and not-acting that prohibits even suicide, as it would be depriving the other of its otherness, which it needs to con-form itself to itself. In one way or another, one cannot escape violence. Nor from the condition of being *voyou*, either. The rest is literature or desperation. The critique of the execrable foreign policy of the United States in Derrida’s books is reduced to nothing. All action is violent toward something, someone, or any becoming in formation. That is why Hägglund thinks that in Derrida’s thought, the relation to a forever undecidable future (the messianic) opens the possibility of a democracy, and this is “a democracy to come” (Hägglund, 2008, pp. 67–69), but we have to add that it never seems to arrive.

Conclusion

Levinas proposed a de-centering of the subject, as it is not defined by its autonomy, freedom, or power; rather, it is defined by heteronomy and an openness to the other. Thus, having reviewed the most general positions that Western politics has offered as a counterweight to the violence of tyranny, he rejects them. All of them are based on an idea of the human being that does not respect alterity and, as a result, makes peace impossible (they define the other as

enemy) and uses the violence of acting as though the other does not exist.

Ethics is defined by Levinas as the capacity to renounce violence to form a society with the other, accepting his or her absolute otherness. From here, Levinas takes another step, as the I not only respects the other, but is constituted as an I thanks to the recognition of the alterity of the other, the one who has priority. The problem, then, is how to reach the point where this primacy of the other becomes converted into politics. Derrida, taking the ideas of the Lithuanian as his own, holds that the ethics of alterity becomes a politics of hospitality, but this politics is one that remains undefined.

On the basis of these reflections, Derrida goes further in his criticism of liberal politics, which he accuses of being an ideology. His politics of otherness follows the line of Schmitt and Lenin, and he focuses on the con-formation of the difference, on pre-archic freedom as a condition of possibility of the constitution of an identity that presupposes a pre-temporal “spacing” which is a technical mediation: the Law. In this way, Derrida’s politics of otherness is not simply a being open to the future, to the other that is coming; rather, it is a politics that shows that the other is not a choice, because it cannot be evaded. Original violence is not, therefore, the violence that the I—constituted as originary subject, free and sovereign—wreaks on the other, but rather it is that of the creation of the ideology of the free and sovereign subject. It is that of a sovereignty characterized by excess, permitting the manipulation of the arch-originary relation with the other, and capacitating one to con-form the “oneself” as well as the other. Liberal ideology forgets the *différence* and believes that decisions about oneself only affect oneself. In the face of this, the relation with the other that does not conform it, remains open and does not adopt, in contrast to what happens with Levinas, either a responsibility or an action. And this is why the politics of Derrida culminate in the concept of a democracy to come, always to come, in which no action is possible.

Despite the clear distinction between the directions of their critiques of politics (concretely, liberal politics), in the end, Levinas and Derrida arrive at a situation in which politics is relegated, in which passivity and alterity have such an importance, such an an-archic priority over the “I,” the community (whatever meaning this word may have) and politics that action is postponed, or even simply made impossible. Both authors offer relevant critiques of Western philosophy as well as humanism and liberal politics. Both remain in a state of waiting for a future that for Levinas will be the result of the ethical action of an I that is vulnerable and torn apart by the other, which, on initiating its action, has done so thinking of a tomorrow and a world without himself or herself. In Derrida, however, it will be a waiting without any possibility of action, because there is no option for overcoming violence. Seen in this way, the politics of Derrida is more impossible and more “politics afterwards” than the politics of the future of Levinas. That is to say, a politics of

tomorrow, if there is a tomorrow, and if tomorrow there exists a politics.

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Notes

1. This is a position shared by the classical liberalism of Locke and the neo-liberalism of Rawls. From the anthropological and ontological viewpoint, there are no differences among these types of liberalism. Therefore, the critiques of Levinas and Derrida apply to all types of liberalism.
2. Hemming holds that Heidegger has an ethics that is able to open the subject to otherness; nevertheless, he claims, in Levinas this openness is not possible (cf. Hemming, 2005, pp. 45-65).
3. This is one of the problems that liberal contractualist theories have sought to address.
4. As Jandin emphasizes, Levinas seeks to think “in another way” from the political (cf. Jandin, 1993, pp. 155-176).
5. The State can become, for Levinas, a source of oppression of the I (see. Levinas, 1987, p. 102).
6. If this is not achieved, there is a collapse into absolute violence (cf. Llewelyn, 1999, p. 194).
7. For more information, cf. Rosmari (2001, pp. 7-14).
8. Derrida also underlines the violence of language (cf. Derrida, 1977, p. 130).
9. Some of these ideas are developed in Bernasconi and Wood (1998) and Peperzak (1993).
10. Derrida, interpreting Levinas, will say that “the other is meta-physical. . . . The presence of the other, privileged heteronomy, does not make freedom difficult, it invests it” (Derrida, 1998, p. 27; author’s translation). All these ideas are developed further in Smith (1983).
11. This is hospitality (cf. Derrida, 1998, pp. 37-49).
12. Levinas believes that freedom is not the most primordial aspect of the human being (cf. Levinas, 1968, pp. 107-108).
13. Thus, responsibility is prior to and at the same time interior to every political structure (cf. Dussel, 2003, p. 113).
14. Mongin holds that in the thought of Levinas, politics and the political situation that surrounded him were always very present; however, he did not develop a philosophy of politics, nor did he study politics carefully, because he focused on ethics (cf. Mongin, 1984, pp. 284, 303). Dussel synthesizes these postures in casting doubt on the positive and liberating meaning of Levinas’s work (cf. Dussel, 2003, p. 115). However, Eisenstadt claims that those who accuse Levinas of not being interested in politics, do not pay sufficient attention to his Talmudic writings (cf. Eisenstadt, 2003, p. 474).

15. This is a clear reference to “Politique après” (Levinas, 1982b, p. 226).
16. It refers to “L’État de Cesar et l’État de David,” in Levinas (1982b, pp. 51-70). Dussel wonders in this regard: “Is the *State of David* or *Davidic State* a Jewish political state? Is it a simple political state like any other? Is it an exceptional messianic state that is beyond any state? Is it a state in opposition to any historical institution of the State? or is it its full realization?” (Dussel, 2003, p. 118; author’s translation). For the Latin American thinker, the Lithuanian does not distinguish sufficiently between religious Judaism and the Jewish state, as “by definition a *Messianic state* is impossible” (p. 121). And, therefore, in contrast to Derrida, Dussel believes that Levinas inclines himself toward the State of David by approaching a position that is “quasi Zionist” (p. 123).
17. But he adds that it is necessary to arrive at a “State that reaches beyond the State.”
18. Eisenstadt compares, as does Derrida, the thought of Levinas and of Kant concerning the transgressive aspect of politics (cf. Eisenstadt, 2003, p. 479).
19. See Critchley (1991, pp. 162-189, 1992). Bennington (2000).
20. “Lenin came to substitute the classic concept of the political . . . with the revolutionary war of parties. The latter assumes, certainly, in its Clausewitzian form, the friend/enemy distinction, but it becomes radicalizes by carrying hostility to its absolute limit” (Derrida, 2005, pp. 147-148).
21. Among these legitimizing discourses of the arch-originary sovereignty, Derrida makes reference to Litwak’s discourse, which justifies a supposed right to sovereignty in function of the vital interests of a supposed nation: “By *vital interests*, he meant ‘ensuring uninhibited access to key markets, energy supplies, and strategic resources’” (Derrida, 2003, p. 104, English edition).

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