

THE BODY AS PROFFER, AN INVOLUNTARY ‘HERE I AM!’

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“Am I my brother’s keeper?”

“It is my body and I can do what I want with it!”

The latter remark betrays the same mindset exemplified in Cain’s rhetorical question, namely that one has no responsibility to anybody but oneself, and this is nobody’s business but my own. Emmanuel Levinas contests the legitimacy of both remarks insofar as he calls into question the presumed fact that one’s body is primarily one’s own before it is there as an offering to the Other. My responsibility to, for and in place of the Other, i.e. as substitute for the Other, extends as far as ‘my’ own body. In other words, perhaps ‘my’ body is not ‘mine’ at all or, if it is, only in a derivative sense. By calling into question the proprietorship of the body, Levinas – despite his silence, as much as is possible, on such issues – has much to offer applied ethics, particularly concerning the moral worth of actions like abortion, but also surrogacy, self-enhancement, prostitution, pornography, exhibitionism, stem-cell research etc. The objective of this article is not to pronounce a judgment concerning the moral worth of any of these issues in particular—though space will be dedicated to abortion as a case study—but to show how Levinas calls into question the proprietorship of the body in a way that will trouble traditional conclusions drawn in applied and normative ethics according to existentialist-based and/or libertarian rights-based models.

The greater part of this study will creatively reevaluate some seminal themes in Levinas scholarship relevant to this conversation, while the latter part will push traditional interpretations as well as offer criticisms of certain applications of Levinas’ thought by secondary authors, particularly Lisa Guenther in *The Gift of the Other: Levinas and the Politics of Reproduction*.

MY BODY AS OFFERING TO THE OTHER

Levinas bluntly states, “To recognize the Other is to give.”¹ One’s responsibility to the Other is manifest first and foremost in giving, i.e. offering. That which is offered, however, is not a commodity that may exchange hands an indefinite number of times. The first offering is not a possession at all, not one that can be offered without thereby also offering *oneself*. To “recognize” (i.e. to respond to or face my responsibility before) the Other is not to give out of one’s resources and possessions, but to offer one’s very power of possession and self-possession as such, to sacrifice nothing other than oneself, one’s own person or one’s own body.

To offer oneself, then, is to expose oneself, to make oneself visible for another, because, according to Levinas’ line of thought, this is one of the first implications of what it means to be a body. Not to be visible, to use one of Levinas’ favorite analogies, is to be like Gyges. The Ring of Gyges allowed him to be amongst Others without being incarnate before them. As invisible, which is to say, bodiless, Gyges did not offer himself and his power over to Others, but he instead withheld all alms. Disincarnate, like the Cartesian cogito, one does not have to pronounce, “Here I am!” It is not the case that invisibility allows one to retain one’s subjectivity while others would be there as bodily, as *res extensa*, there for the taking, but according to Levinas invisibility, i.e. a state of being disembodied, would rather consist in a refusal of subjectivity. It would be a refusal not of the subjectivity of the Other, but of one’s own. Per Levinas, I am only a subject in corporeity. If one without a body is one who does not pronounce “Here I am!”, then the incorporeal or disembodied one does not just retain the possibility of remaining silent, but rather has no choice but to remain silent. *One without a body is also without voice, without discourse, incapable of any Saying.*² The mute one is unable to reveal herself and offer herself to the Other. Admittedly, to have a body is also to fall into the realm of the Said, but all that is Said follows only from a Saying. *The incorporeal is thus impotent and mute*, incapable of a Saying, even of the originary pronouncement, “Here I am!” The one who cannot imbibe in Saying, i.e. the bodiless one, is not a subject because this one is necessarily mute. The original offering, then, is one’s own body as a primordial Saying: Here I am! “To recognize the Other is to give” means that “to give response to the Other is, first and foremost, to be incarnate,” to offer one’s body, to offer *oneself* as body. But, do I recognize the Other because I am incarnate, or am I incarnate because the Other is first in my proximity? Am I first capable of recognizing the Other because as incarnate I am a subject capable of recognition, even self-recognition, or am I first a subject capable of (self-)recognition because I am always *already* inhabited by the Other? In short, are incarnation and recognition of the Other voluntary? In light of these questions, Levinas’ assertions are unequivocal. He speaks of “... incarnation, as being-in-one’s-skin, having-the-other-in-one’s-skin.”³ Nobody can inhabit me or get under my skin because I would already be flesh and bones with a skin under which one might subsequently find one’s way, but the Other is always *already* under my skin as the very condition of the skin under which she would be, namely, as the very condition of ‘my’ skin. Clearly, nobody is in the position to incarnate oneself. I would like to argue that nobody is in this ‘position’ because one only acquires a position once embodied. To be a body is but to be in a position over and against other bodies. Only bodies can have positions. The disincarnate or invisible is spaceless and bodiless, i.e. without position, a transcendental nowhere that Levinas resolutely denies. For him, one’s body is an offering, an offering to and before Others, a proffering. Yet, one never voluntarily extended this offering. One only has being at all *as* incarnate and therefore only *as* proffering. One does not so much give *from out of* one’s abundance, but rather one simply *is* offering, the offering that is but one’s body. To say that one’s body is an offering before the Other is not at all to speak metaphorically. Levinas was, as it were, a great literalist.⁴ One has no choice but to offer oneself because that is precisely what one literally *is*, namely, proffer of self, before one has even come to oneself. To revoke this offering would be to revoke my body and subjectivity — suicide — just as murder is but the refusal to offer response to the Other’s proffer, their body, which always demands my acknowledgment, i.e. that I respond to its existence. Even to ignore the Other, i.e. murder, is a form of response. Before the body of another, I am not in a position not to respond. Murder is hence, according to Levinas, not merely, and not primarily, an empirical act. Fundamentally, it is not the destruction of the Other’s already existent body, but the prescinding of their incarnation, i.e. the attempt to avoid having to give response to the Other. I am not recognized on account of my body, but I am embodied only because the Other has first acknowledged me *here*. To refuse — or to attempt to refuse, though such refusal is itself a response — to acknowledge the Other

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is to deny their body and so to preclude their subjectivity in advance—preemptive murder!

Refusal to recognize the Other, to forbid their incarnation, is not just *impossible*—insofar as murder or ignoring the Other is itself an act and, hence, a response to their presence—but ethically it is also *impermissible*. If, as stated, the Other and their corporeality is the condition of myself and my own, then to murder the Other is also to murder my own conditions as a self. Who would not admit that one who takes the life of another person has herself become less than personal? To murder is, then, in the Kantian sense, as it were, a self-contradictory action, negating the very conditions of one's own personal agency. At any rate, as Levinas never tires of stating, the structure of subjectivity is substitution, one-for-the-other. I only am as one with a body, i.e. as embodied, insofar as the Other is first under my skin—the very condition of my flesh and blood—thus I am there not of my own volition, but due to and for the Other. I carry the Other in me; they are my burden to bear, a responsibility which I ought not, because I *cannot*, alleviate from myself. I am responsible for the Other. Only I can substitute for the Other. I exist only insofar as I am one-for-the-other or substitutable. Levinas helpfully writes, "... (T)he psyche of the subject is the one-for-the-other, the one having to give to the other, and thus the one having hands for giving. Human subjectivity is of flesh and blood." He further writes, "It is here a question of being torn out of oneself in a giving that implies a body, because to give to the ultimate degree is to give bread taken from one's own mouth."⁶ 'My' body, therefore, never was a self-enclosed atomic unit, protected and insulated from contact and exposure to Others and other bodies through its own rights and desires; but 'my' body is originally something from which I have always already been torn, a tear constitutive of, rather than destructive of, 'my' body. This tear is but my prior exposure to the Other and their body. Consequently, the psyche of the subject, i.e. the subjectivity of the subject, does not have as one of its autonomous powers the *possibility* of substituting itself one-for-the-other, but it simply and literally *is* nothing else than substitution for the Other, a being torn from its would-be atomism and rights centered around its own nucleus. One may not *possibly* give to the Other, but one must, i.e. one *ought*. There is here, so to speak, no space between description and prescription, between 'must' and 'ought.' To give, again, is to offer oneself, one's own body and one's own self, in place of the Other; for, one only has 'place' or 'position' at all insofar as they are inhabited by the Other. This could be interpreted as saying that to be a self at all is already to cohabit.

'My' body is fundamentally not for *myself*, but for the *Other*. I would now like to draw out further ramifications from what has thus far been glossed on Levinas, namely, that my body is the very inscription of my responsibility for the Other.

MY BODY: OBSESSION AND RESPONSIBILITY

Levinas cryptically writes, "Ethics slips into me before freedom."⁷ From the viewpoint of the Kantian, Enlightenment tradition, this statement is counter-intuitive. For Kant, one can only speak of moral responsibility if one can say that one is the author of one's decisions, i.e. if one is free. More precisely, one is only morally praiseworthy or reprehensible on the assumption of autonomy. One, according to Kant, is only responsible as sovereign master of one's acts. As autonomous, in its existentialist extremes (e.g. Beauvoir and Sartre), one is only responsible as *a se*, *per se* and *ad se*, as self-positing, through oneself and for oneself. In opposition to this current,⁸ Levinas suggests that one's body is not for the sovereign, self-legislating ego, *l'être-pour-soi*, but grounded in a kind of heteronomy, the grave imperative of the Other. My body, per Levinas, has a heteronomous origin, and is thus the inscription of my responsibility for the Other. Responsibility ante-dates the autonomous assumption of this involuntarily inscribed responsibility. "Responsibility prior to any free commitment ... would be responsibility for the freedom of the others. The irremissible guilt with regard to the neighbor is like a Nessus tunic my skin would be."⁹ Per Levinas, responsibility clings to me before I can assume it because the Other inhabits me, because I am "obsessed" by the Other before I can assume my indelibly inscribed responsibility for the Other. Obsession is one of Levinas' technical terms for a certain manifestation of the other-in-the-same, just as substitution is his term for the one-for-the-other. Obsession marks one of the conditions of the body, the body as the condition of subjectivity and "subjectivity as *the other in the same*, as an inspiration, is the putting into question of all affirmation for-oneseff."¹⁰ Obsession, the other in the same, heteronomously

inscribes responsibility by disrupting a (mythical) sovereign autonomy. From Levinas, then, one should learn that ‘my’ body equals responsibility inscribed. I *am* responsibility for the Other, a responsibility more inviolable than my own body itself. My subjectivity is not the autonomy of an ego that could choose to answer for the Other, but a heteronomously inscribed obligation to have to offer response, not only *before* but also *for* the Other. Here is subjectivity not as being-for-itself, but as being-for-the Other.

“Obsession crosses consciousness against the current and is inscribed in it as *foreign* [étrangère], to signify a heteronomy, a disequilibrium, a delirium...”¹¹ Autonomy—which amounts to complete economization—is the totalizing rule of the same for the sake of the same. Heteronomy, however, is an intoxication that nevertheless sobers one up for grave responsibility in opposition to what Levinas regards as the care-free play of the autonomous despot. Levinas asserts:

In contrast with ... a freedom without responsibility, a freedom of *pure play*, we are here distinguishing a responsibility that rests upon no engagement and whose inscription in being is made *without our choice*. ... Here there is no “human commerce,” nor a simple swapping of responsibilities!¹²

My responsibility is inviolable, taking precedence over my own projects, my own wants and the erection of my goals precisely because, in contrast to the positing of my own ends, it is something I did not choose or assume, but is already inscribed in my own body. The Other lives off my body; I am the host of the Other who inhabits me. Projecting my own ends, the exercise of autonomous play, is weightless. It is play without the burden of the Other, play that does not have to give response to the Other—arbitrariness! This play is frivolous because disengaged. If responsibility were not already inscribed within my body, synonymous with my very being, then it would be something I could assume or reject at my leisure, what Levinas acutely terms “the commerce and swapping of responsibilities,” as if this economization of responsibility were not already to turn one’s back on the Other and to shirk one’s responsibility, i.e. one’s very being. I do not first autonomously and sovereignly decide to let myself be affected and concerned by the Other, but the Other traumatizes me, traumatizes my body before ‘I’ am.

For Levinas, ‘I’ only am in the pronouncement of “Here I am!” which is synonymous with my very incarnation, the very pronouncement of incarnation, incarnation as pronouncement and utterance, i.e. as Saying. As Levinas contends, “The word *I* means *here I am*, answering for everything and for everyone.”¹³ Everyone demands my responsibility and eventually all Others, through the presence of the third (*le tiers*) in each and every Other, will demand equal rights from me. They are all able to demand equal rights without me, in a reciprocal manner, being in a position to demand my equality in turn because they *all*, though equal amongst themselves, take precedence over me.¹⁴ “The equality of all is borne by my inequality, the surplus of my duties over my rights.”¹⁵ My rights stem from autonomy, the sovereignty of free play, the economy of my body and my desires. Duties, i.e. my obligation and responsibility before Others, stem from the asymmetry of my relation before the Others who take precedence over me, inclusive of my own body. Responsibility is written in my body by a foreign source. My responsibility is weighed down by having to carry the Other, having to bear her guilt and her body in my own and as my own.

MY BODY AS DEPOSED: SUBSTITUTION/SIGNIFICATION

The ‘I’ only is insofar as it has a position, i.e. is embodied. One is only embodied insofar as one is first inhabited, even obsessed, by another. Ironically, one only comes to have a position or a body, then, insofar as one is de-positioned or deposited by another, i.e. insofar as one finds oneself ‘torn’ from their body. From another angle, one is only really an autonomous and free subject if first deposited from the tyrannical state of sovereign autonomy by heteronomy. The thesis might then be ventured that one only is *at all* as deposited and deposited, as torn flesh, as an eviscerated or broken body. Depositing and deposition are not Levinas’ terms, yet the following quote should provide a good recap of his process of embodiment (which is the same as the process of ensoulment or subjectification):

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The subject called incarnate does not result from a materialization, an entry into space and into relations of contact and money which would have been realized by a consciousness, that is, a self-consciousness, forewarned against every attack and first non-spatial. It is because subjectivity is sensibility—an exposure to others, the-one-for-the-other, that is, signification—and because matter is the very locus of the for-the-other...that a subject is of flesh and blood.¹⁶

Spacing, i.e. finding a space or position, is materialization and materialization is incarnation. This process is not enacted by the one incarnated, but she who is incarnated only first appears *post factum*. The subject that *will* be there does not have the faculty of sensibility, but sensibility precedes the agent, passion/passivity precedes agency/activity. One is not already there in order subsequently to be exposed *to* Others but one is exposure itself—the nudity of the body. Levinas understands this exposure, as explicated above, as one-for-the-other. One-for-the-other is substitution; substitution is signification. Signification is not a centrifugal action, originating from the intentionality of a subject who would then seek a mode of expression in order to convey said intention. Signification rather occurs in a centripetal movement. The Other “gets under my skin” or is “placed in me”¹⁷ with the result that the inner space of subjectivity might be hollowed out or eviscerated, and my body thereby incarnated. In Levinas’ words, “The subject is not *in itself*, at home with itself...” “Its bending back upon itself is a turning inside out”—a veritable evisceration indeed—“its being ‘turned to another’ is this being turned inside out.”¹⁸ Because the Other comes from without—a teaching that is a scandal to Socratic recollection—the subject, consciousness or the interior domain opens up through an inside-out movement, through a disembowel. The signification inscribed in the body, pronounced in “Here I am!”, heteronomously starts as exteriority, as sensibility or susception. “Susception” is Levinas’ term for being seized prior to all possibility of assumption, and prior to the positing of my own projects and desires.¹⁹

Signification is not an autonomous project, but springs from the patience, trauma, suffering or sensibility that is susception. My unassumable responsibility²⁰ takes the form of substitution. I am not there for myself but for Others. Signification is not an autonomous project but the expression of suffering under the accusation²¹ of the Other who demands response. One must respond, must speak, must give signs of their readiness to substitute for the Other. “It is I! Here I am!” Of substitution, Levinas offers the following:

Substitution, at the limit of being, ends up in saying, in the giving of signs, giving a sign of this giving of signs, expressing oneself. ... But this saying remains, in its activity, a passivity, more passive than all passivity, for it is a sacrifice without reserve... non-voluntary—the sacrifice of a hostage designated who has not chosen himself to be hostage, but possibly elected by the Good, in an involuntary election not assumed by the elected one.²²

Saying, the giving of signs, in short, signification, is the responsiveness of one placed in the accusative position, of one placed in the position of having to give response. Signification is the responsiveness of the ‘me’ (accusative) as opposed to the ‘I’ (nominative), the first response to unassumable responsibility. I did not choose the accusative position for myself; I was elected. The one who elected me holds me hostage. As hostage, I am a host for the Other who traumatizes me, who calls me into question and demands a response, a giving of signs. The giving of signs, however, is the giving of myself, of my own person and body. This giving of signs, of my flesh and blood, of my very entrails, is synonymous with my incarnation. “Such a signification is only possible as an incarnation. The animation, the very pneuma of the psyche, alterity in identity, is the identity of a body exposed to the other, becoming ‘for the other,’ the possibility of giving.”²³ We return to the point that only an embodied one can give, i.e. offer signs or speak. Only an embodied one can offer herself, can take from her own mouth, and signify. “To give, to-be-for-another, despite oneself, but in interrupting the for-oneself, is to take the bread out of one’s own mouth, to nourish the hunger of another with one’s own fasting.”²⁴ Giving to the Other means self-denial. I can only offer what I deny myself, even if—or rather *especially* if—it is my own power that I deny, the *sacrifice* of autonomy. As host of the Other, I offer my body as hostage, as substitute for the Other.²⁵ To recognize ‘my’ body as offering for the Other, as host and/or hostage, here the incarnation is approached not merely as materialization, but also as maternalization; *materia* becomes *mater*.

INTIMACY AND DISTANCE: FEMININE ALTERITY, MASCULINE RESPONSIBILITY

Not every Other, despite the equality of all Others, is the same; not every form of alterity is alike. Levinas distinguishes the alterity of the interlocutor, i.e. masculine alterity, from feminine alterity. The interlocutor traverses the distance of space rather than remaining silent in spaceless intimacy. The masculine interrogator penetrates to the core, rather than residing within the skin of the hymen, in order to call me into question through discourse and intercourse. Feminine alterity, however, is more intimate to me than I am to myself, the Other in the Same. Levinas compares this to “maternity, gestation of the other in the same. ... Maternity, which is bearing par excellence, bears even responsibility for the persecuting by the persecutor.”²⁶ The feminine Other welcomes the persecutor. She is welcoming par excellence, never xenophobic but bearing of the Other.²⁷ Feminine alterity, however, as already mentioned, does not exhaust all types of alterity. Levinas criticizes Martin Buber for only recognizing feminine alterity to the exclusion of the interlocutor who calls from afar or, rather, from on High. “The I-Thou in which Buber sees the category of interhuman relationship is the relation not with the interlocutor but with feminine alterity.”²⁸ The Thou of Buber, what Levinas deems feminine alterity, remains much too close to demand awe and respect, much too familiar to be able to accuse me.²⁹ As Colin Davis rightly asserts, “Levinas rejects Buber’s I-Thou relationship because it implies too much familiarity with the Other...”³⁰ The critical question must then be raised: Is the feminine Other other enough to obligate me, to demand responsibility? If the feminine does not speak across a distance, then is it a silent, mute face? Yet, the mute face would not be a face at all; for, the face is only audible though invisible,³¹ the face *is* expression. The face *speaks*. How strictly then must one adhere to the traditional description of Levinas’ ethics? As Colin Davis surmises, “Levinas offers an ethics without rules, imperatives, maxims or clear objectives other than a passionate moral conviction that the Other should be heard.”³² What obligation, if any, does the familiar, mute, feminine Other demand, the one who can perhaps be *felt* as a beating within the same, but not exactly *heard*?

Lisa Guenther adequately poses the problematic of the feminine Other for Levinas’ ethics in stating, “For Levinas, the feminine welcome is not yet ethics; for the feminine Other does not face me directly and command me to respond. The feminine Other gives me the *ability* to possess while the absolute Other gives me the ability to respond—*responsibility*—by calling my possession into question.”³³ The feminine, as it were, first draws the distance and separation requisite for the masculine Other who calls from a distance by drawing the boundary of the interior habitat, of the home, dwelling or abode, first outlining the ‘mineness’ of ‘my’ body and ‘my’ possession. To repeat, “the feminine Other gives me the *ability* to possess” and this includes, first and foremost, the possession that is my own body. Accordingly, the feminine Other, while anterior to ethics proper, is nevertheless the pre-condition of ethics, a proto-ethics, if you will. Guenther herself concludes in a similar fashion, “The feminine welcome already articulates ethics as a response that underlies virile mastery and troubles it in advance: a response that makes questionable the very mastery that it also makes possible.”³⁴ By drawing the boundaries of possession, of inside and outside, which “give me the ability to respond,” the feminine already “underlies” and “troubles” the properly ethical sphere. Feminine alterity perhaps offers a response in advance of the properly ethical call that ‘always already’ troubles the very mastery and possession that it makes possible.

A CRITICAL QUESTION: ABORTION AND THE FEMININE BODY

The analysis of incarnation was intended, in the sense offered by Guenther, to “trouble,” even subvert, any prescriptive ethics based on the dictum, pronounced or implicit, “My body, my right.” Let the ensuing discussion of abortion then be taken as a provocative but, more importantly, telling case study.³⁵ If pregnancy can adequately be described as the beating of the Other in the Same, then, it must be asked, is it the Other who speaks and commands, i.e. the properly ethical Other, or feminine alterity, the familiar/familial Other before whom, perhaps, I may not be asymmetrically responsible? At any rate, an issue like abortion should not be centered around the question of a person’s inalienable rights (nor around the pseudo-scientific question about when hu-

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man life begins), but rather around the question of the proprietorship of the body. As Claire Katz adroitly notes, The abortion debate frequently centers on who has more pressing rights—the woman/mother or the fetus.³⁶ Once the argument reaches this point, neither side recognizes that the two lives are bound together. On one side, the woman is treated merely as a vessel—an incubator. On the other, the fetus is typically viewed as a disposable lump of tissue.³⁷

Levinas avoids this false dilemma, which consists in a juxtaposition of rights, by posing the question of both maternity and abortion on grounds other than that of rights. The question of rights, and particularly of equal rights, is not a properly ethical question, but a *political* question, a question concerning the weighing and equal distribution of the rights of all—all of whose rights, of course, given the more original *ethical* relation, always take precedence over my own. On the one hand, the ethical relation is one of immeasurable, non-reciprocal and asymmetrical duty and responsibility, prior to the question of the equality of the one before me with the third party who is not present before me, or rather only present before me as the Other *in* the Other before me, the third in the second, the He in the You or illeity. Politics, on the other hand, is a question of rights and their distribution; it deals with the economy of rights. There are only rights, for Levinas, because there is a prior ethical duty and responsibility before the Other; there can only be political relations, for Levinas, on the basis of that prior, more original and unconditional ethical relation, and not vice versa. At any rate, the abortion question is, at least originally, i.e. as an ethical rather than political question, not about a weighing of rights (nor, again, a scientific question about when life begins) but it revolves around the proprietorship of the body. Whose body is it anyway? ...the body of the inhabited one or the one who inhabits? ...the body of the incarnated one or the Other who incarnates me? ...the body of the possessed or the one that possesses? Unfortunately, these questions too, like the rights-based discussion which asks who has more rights, the mother/carrier or the child/fetus, admittedly frames the debate in terms of a false dichotomy. It is not the case that it is either the mother's/carrier's body or it is the child's/fetus' body, but what is so troubling is that it is not even both/and, a relation which can usually be managed through some application of dialectics, but rather the utterly non-dialectical relation of neither/nor. There are not two pre-given, independent and self-sufficient bodies, the mother's/carrier's and the baby's/fetus', which are competing for a finite resource, namely, a *shared* body. This would be to view the relation between mother/carrier and baby/fetus in terms of competition, i.e. war, or the management of resources, i.e. economics. Instead, it might be suggested that insofar as each body acts as the condition of the other body precisely by making asymmetrical demands upon the Other, the 'competition' is not over something which could be shared any more than it could be fought over. In other words, as Jean Jacques Rousseau declared, in criticism of Thomas Hobbes, war can only occur where there are pre-given commodities and pre-established party lines, but, as Lisa Guenther has rightly pointed out, the intimate relation of feminine alterity—and how could pregnancy not be an exemplar for such intimate relation?—is the very *pre*-condition of possession or commodity. The question then is really not the dichotomous one of whose body it is—the mother's/carrier's or the baby's/fetus'—but it is rather a question about the nature of the bodies involved in the relation or, more precisely, about the nature of the relation itself. In other words, is the unborn faceless, i.e. is the unborn mute because far too intimate to have to *speak* from a distance, or does the unborn speak a proto-ethical word? Is the *relation* masculine or feminine, proximate or remote and, most importantly, personal or impersonal? To frame it in Buber's terms, is it an I-Thou or I-It relation?

Problematically, however, in Levinas the difference between the intimacy of the I-Thou relation and the distance of the I-It relation is, surprisingly, hardly relational at all—as it is in Buber—and rather quite categorial, lest nature, Heidegger's Being and the elemental *il y a* could also have a face rather than necessarily indicating impersonal and anonymous neuters as Levinas suggests. In Buber, contrary to Levinas, even that lacking a voice in the empirical sense can become a Thou, e.g. even the painting before me or the icon on the wall. Yet, in Levinas it seems that only the one who speaks, i.e. one who falls under the category or genus *homo sapiens*—and never the bread and the wine or the Mona Lisa—can have a face because the face and the face alone is what speaks and these mere objects, per Levinas, are obviously without a voice. In this sense Levinas surprisingly *categorizes* speakers from non-speakers, persons from things and subjects from objects rather than differentiating between personal and impersonal *relation*.³⁸ One must nevertheless push Levinas to the brink here. Does

otherness demand asymmetrical obligation because it inhabits and manifests my body, i.e. incarnates me, or does otherness demand asymmetrical obligation only when and if 'it' speaks to me? Can 'it', e.g. that which is not yet a 'person' but only, for example, the impersonal fetus, incarnate me without literally speaking? Can it not place me under accusation and into the accusative position all the same? Even if inaudible, is not alterity's beating in me, the beating of the Other in the Same, enough to offer the sign, "It is I! See/Feel/Hear and respond to me here!"? If, as Levinas suggests, one without a body is also without a voice, without discourse, incapable of any Saying, then one with a body, e.g. the body's/fetus' beating, might yet count as a Saying, albeit a voiceless and merely bodily signification, an offering of signs: "Here I am! *Feel* me here!" Is this beating enough to make an ethical demand on the Same, commanding one's asymmetrical responsibility? Is this beating not already a Saying? Remember that this proclamation—"Here I am!"—is synonymous with the very incarnation of the body, and remember as well that only the disincarnate is mute. Does it follow then that the incarnate is necessarily signifying, i.e. significant?

Lisa Guenther also agrees that the question of abortion must be approached not through a weighing of rights – even though she will argue for a pro-choice position on a political basis—but through an analysis of the proprietorship of the body. In a passage eerily similar to Katz's above, she writes,

In pregnancy, the body no longer coincides neatly with itself; it slips out of joint, exceeding its own boundaries even while splitting apart its identity or self-sameness. This disruption is not the same as alienation; the body that bears the Other is still itself, still "me" but no longer exclusively "mine," released from being my property but also prevented from becoming the property of an Other.³⁹

The pregnant body, the maternal body, is not a mere vessel, like Newton's empty and barren receptacle of homogenous space; the relation of the mother to her unborn child "is not a relation of containment but of inspiration by an Other."⁴⁰ The pregnant body does not insinuate a both/and relation, but this body, "no longer coinciding neatly with itself," is *neither* the mother's/carrier's *nor* the baby's/fetus'. Now, Guenther, despite the Levinassian trope of bodily disruption as inspiration, wishes to conclude—in an arguably very un-Levinassian way, as she will later readily admit—for the woman's *political right* to choose. She proclaims, "I suggest the possibility of a certain *ethical* [emphasis added] responsibility for the prenatal Other that does not preclude the vital necessity of women's *political* [emphasis added] right to safe and accessible abortions."⁴¹ Yet, her stance, as shall be seen, is not so much, as may appear to be the case from this quote, that the ethical and political domains can be separated, but, to the contrary, that the political *must* apparently condition the ethical by completing it rather than letting the ethical, as Levinas would insist, remain as the condition and the urgency of the political, a pre-condition never to be sublated by the ensuing political sphere. (If somehow, as Guenther will eventually suggest, the political can condition the ethical, then maybe she does in fact want to reduce the abortion debate to a weighing of rights after all, because the question of rights and the equality of rights play no role in the ethical relation proper, which is consigned to the question of duty beyond measure, moral obligation with absolute weight.) The argument is that Guenther, rather than arguing, as seems to be suggested by her quote here, for an ethical responsibility that does not preclude a political right to choose, turns out instead to be arguing inversely that a woman's political right to choose hopefully does not preclude ethical responsibility. This inversion is subtle, but her entire argument, I suggest, is hinged upon it.

"What if we grounded women's reproductive freedom not on the assumption of an autonomous subject who owns her body and therefore has a right to choose"—Guenther wonders in complete agreement with the concerns of this article, and in opposition to any rights-based ethic, be it existentialist or libertarian in nature—"but rather on the ethical sensibility of an always-already embodied self whose very exposure to the Other calls for justice and equality, and *therefore* for women's right to choose?"⁴² The dubious aspect lies in the latter half of her statement, namely her use of the word 'equality,' which seems to suggest a *political* rather than ethical sensibility that would, contra Levinassian ethics, apparently be symmetrical and reciprocal. Does not the Other—be it the feminine Other who first endows me with 'my' body or the masculine Other who strips me bare of my possessions, including 'my' body—strip me of my simple "right to choose," even if such were politically

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permissible? Although Guenther is here, or so she states, still speaking of an “ethical sensibility”—which, in Levinas, clearly takes precedence over, and lies at the origin of, any political responsibility—she nevertheless wants to smuggle in elements that only first appear at that later level in which one must take account of the third, the other Other, namely, the political, even if it is a politics formulated on the basis of a prior ethical sensibility.⁴³ The cry for justice, the cry for the equality of all, does have an ethical root, but in the case of the intimate, dare one say, feminine relation between mother/carrier and child/fetus, what legitimate concern is it as of yet to the third, to the other Others, who cannot penetrate this intimacy?⁴⁴ In any event, just a few sentences after this quote about the right to choose based in justice and equality, Guenther explicitly states her use of the political already at the level of ethical sensibility, writing, “The aim is to provide an account of embodied selves whose ethical responsibility is excessive and anarchic”—the asymmetrical relation characteristic of the ethical—“but also *mediated* [emphasis added] by the political demand for justice and equality.”⁴⁵ She here seems to concede correctly that equality enters the scene only with the political and that it is not yet present at the level of the ethical proper. That there must be a “mediation” to the political from the ethical, however, while possible and permissible, is far from necessary. Were such a mediation required, then it would seem to endanger the asymmetrical and non-reciprocal relation characteristic of the ethical sphere by concluding that, after all, this relation must of course actually be made symmetrical and reciprocal by means of the political,⁴⁶ a political position that would even take account of *my own* rights and equality before others, which never occurs at the ethical level for Levinas. Admittedly, the political *can* supervene upon the ethical, duties *can* be supplemented with a call to justice for all—and it may even be beneficial that this be so—but it *must* not. As will be seen, Gunther herself recognizes that Levinas himself would not take this path.

Gunther, needing to depart from Levinas *stricto sensu* in order to find justification for her position, appeals to Drucilla Cornell, who argues that “in light of women’s unique capacity to conceive, gestate, and give birth, the law needs to guarantee the publicly funded access to abortion on demand”—so a quite strong version of pro-choice—“as one of the basic conditions of women’s equal chance at the project of personhood.”⁴⁷ Setting aside the peculiar rhetoric of the “*project* of personhood,” which sounds decidedly like the existentialist and über-autonomous position Levinas repeatedly decries, one also encounters here an appeal to equality, i.e. “equal chance,” which, to repeat, plays no role at all at the ethical level proper but only first at the political level with the entry of the concerns of the third party. The question, however, still remains as to why one *must* make an appeal to the political domain in the first place. It is not that Levinas leaves no space for the political; he certainly does. The issue is not whether certain things might be handled differently on the political level than at the level of the ethical. That is indisputably true as well. The question, again, is why one *must* complement the ethical with the political or, rather, *mediate* the ethical through the political?⁴⁸ In other words, what precludes the possibility of concluding that pro-choice may very well be the best option politically, and hence also legally, but all the same that abortion still may be wrong *ethically* insofar as the Other, albeit the feminine Other or the ‘fetus’, perhaps demands my unconditional responsibility? If responsibility must first be politically conditioned and mediated, then it is *de facto* rendered conditional rather than remaining unconditional. Levinas does not erect politically conditioned responsibility, but unconditioned responsibility, *pre-political responsibility*, hence why the ethical must precede the political without any possible reciprocity and mediation on behalf of the political. Just as the Said can never encapsulate Saying, so too can the political never fully inscribe the more anarchical ethical relation. If one would demand that the *disjunction* between the ethical and the political be effaced through some sort of mediation or conjunction between the two—rather than a mere “accompaniment” of the ethical by means of the political—then has one not also effaced the ethical as such by mediating and making reciprocal a relation that by its very nature resists all mediation, symmetry and reciprocity? Arguably, the mediation of the ethical into the political would actually be nothing other than a subsuming of the ethical by the political, as if the political were the truth of ethical in a Hegelian manner—a nullifying sublation indeed! Levinas, however, despite what Cornell (and Guenther) might suggest, says that ethics, not politics, is first philosophy. The political finds its condition in the ethical, the ethical does not find its condition in the political and is thus prior to the political. The face-to-face of the ethical first renders the political’s consideration of the third party and its demand for equality possible and not vice versa; for, the third is always the third *in* or the thirdness *of* the Other with whom I have an ethical relation. Were this other Other, i.e. the third, actually present before

me, then my relation to her would be ethical; I would relate to her in the second-person, and not as a third.

Guenther wants to conclude, in a maneuver that has been alluded to for a few paragraphs now, “that the maternal responsibility that Levinas describes may only arise under conditions”—namely, *political* conditions—“when women are granted the political space to imagine themselves otherwise, as mothers or not as mothers.”⁴⁹ Here we see the inversion between the political and the ethical finally stated explicitly. Guenther, contra Levinas, of whom she would think herself a proponent, arguably makes the political the condition of ethical responsibility, symmetry and equality the condition of asymmetrical responsibility, in this case, ‘maternal responsibility.’⁵⁰ For Levinas, at any rate, ethical obligations always condition good political judgment and political conditions are not the *sine qua non* of ethics. Now, Guenther very well may be correct and Levinas wrong. Maybe political situations are the pre-condition of ethical judgments such that a better politics would make for better people while better people would not necessarily lead to a better politics, but even then her argument does not amend Levinas so much as depart from him, even if rightfully so. As mentioned earlier, however, she does seem at least somewhat aware of this incompatibility between herself and Levinas. She writes, “Given this intertwining of ethical responsibility and political justice”—which, in Levinas, remain more or less independent of one another rather than being “intertwined”—“I believe there are resources within Levinas’s work for a feminist defense of women’s reproductive choice, *even if Levinas did not and probably would not propose such a defense himself* [emphasis added].”⁵¹ She knows and admits that Levinas would most assuredly disagree with her concerning the issue of abortion. Of note, however, is that she was only able to depart from Levinas’ likely conclusion on this issue not by drawing upon other resources in Levinas, but by turning to a third party: Drucilla Cornell. Let Guenther’s Cornelian, rather than Levinassian, conclusion be stated once more in her own words: “My argument turns on the claim that an ethics of responsibility requires (and does not merely tolerate) a politics of social justice and equality for all, even for myself.”⁵² She does not suggest, as does Levinas, that politics and the call for equality and justice for all follows upon or accompanies the ethical. She argues instead that it must, that it is “required” that the political becomes, as it were, the mediation of that which escapes all mediation, the very truth of the ethical. Moreover, even if it were “required” that the political ensue upon the ethical, then, to repeat, nothing would yet preclude the possible conclusion that pro-choice is the correct *political* option but not necessarily the correct *ethical* choice, unless, of course, one thinks—as Guenther seems to—that the political in fact determines and conditions the ethical rather than vice versa. This, however, is a relativizing and conditioning of an absolute and unconditional relation.

This essay, while critical of the restrictions Levinas places upon what can and cannot count as a face, while critical of Levinas for not truly regarding it as a relational rather than categorial phenomenon, does find itself well within the spirit of Levinas in holding a real separation between the domain of the ethical and the domain of the political, refusing to believe that the political could either condition the ethical or that it could subsequently inscribe those prior ethical relations. Just as the Said can never inscribe and mediate the Saying, so politics can never mediate the ethical relation into a totalizing distribution of rights. The consequence of this position, however, is that it leads to the peculiar conclusion that one might be able to justify pro-choice politically but deny it ethically.



This essay has suggested that the body qua body is already a Saying. Recall that, for Levinas, only the incorporeal is mute and no person, no consciousness, no subjectivity and, despite its invisibility, no face is incorporeal, i.e. bodiless. The body of the Other does not obligate me because it has its share amongst the equal rights of humanity—for, the Other is (despite some possible lapses in Levinas’ own thought in this regard) beyond all categories, even that of human nature as such—but it obliges me because it speaks the word “Here I am! See/Feel/Hear me here!” It obliges me because it speaks, because it is a Saying, because it is audible and tactile even if not yet visible, because it might be argued that even the intimate and feminine Other which beats in the Same is not faceless and hence not without a voice. This, according to this author, *seems* to be the *ethical* conclusion to be drawn from an application of Levinas’ admittedly non-prescriptive ethics, though this author would also

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like to refrain from any definitive judgment on the issue, at least before the *publicum*. This author does definitively find, however, that pro-choice is the most prudent *political* option—and prudence rather than morality is the real virtue of politics—because at this level it is a question of the competition of rights and resources. To restate the paradoxical conclusion, then, the feminist and political activist should not budge an inch, but fight for complete reproductive rights and complete autonomy of choice. Ethically, however, this same feminist and this same activist should find herself “troubled” by that “underlying” ethical relation—for, given that none of us can give due justice to the claims of *all* Others in the world, particularly when their interests often conflict, who among us then can actually live without an untroubled conscience?! All the same, the task of this study was only to navigate a certain underrepresented possibility that troubles the libertarian and/or existentialist rights-based ethicist, and not definitively to formulate a prescriptive ethic from a reading of Levinas; for, *that* would be the most un-Levinassian of all.

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NOTES

1. Levinas. *Totality and Infinity: An Essay on Exteriority*, Trans. Alphonso Lingis (Pittsburgh: Duquesne University Press, 1969), 75. Hereafter referred to as *TI*.
2. The themes of Saying and Said will recur throughout this article. On the one hand the Said is the system of signifiers and their semantic content. Saying, on the other hand, refers to the fact *that* one speaks, *that* one makes the gesture to speak, irrespective of *what* is Said. Accordingly the significance of this gesture, of the Saying, *that* one makes any significations for the Other at all, is not representable by what is Said. A simple smile to another person can mean much, much more than what a smile typically represents, namely, happiness, friendliness and the like. In short, the Said can never encapsulate Saying; Saying always escapes proper representation.
3. Levinas. *Otherwise Than Being or Beyond Essence*, Trans. Alphonso Lingis (Pittsburgh: Duquesne University Press, 1998), 115. Hereafter referred to as *OTB*.
4. Levinas lauds the literal interpretation of texts. For example, when speaking of Genesis 2:7, he exclaims of a certain rendering of it that “it is also the literal meaning—and, for all that, also the most profound one.” See Levinas, *The Levinas Reader*, Ed. Sean Hand (Oxford: Basil Blackwell Ltd., 1989), 231.
5. One could use this to criticize the *personal* responsibility of those involved in the various Occupy Movements—however justified their claim for *social* justice is—insofar as they demand that somebody else, somebody other than themselves, offer bread from their mouths, even if it is the mouths of the rich and decadent, rather than giving from their own mouths, rather than combating poverty with alms from their own pocket. I use this example because the Occupy Movement is wonderfully diverse, attracting not just the poverty-stricken but the 99% also includes a massive middle-class, even the upper middle-class, of which a great many could still afford to give from their own pocket and still have bread to give.
6. Levinas. *God, Death and Time*, Trans. Bettina Bergo (Stanford: Stanford University Press, 2000), 188. Hereafter referred to as *GDT*.
7. Levinas, *GDT*, 176.
8. Of this context, Séan Hand writes, “In speaking, for example, of labour pains (OB 51) as well as the patience of corporeality, Levinas may well be offering an absolute contrast to contemporary developments in French feminism.” See Séan Hand, *Emmanuel Levinas* (Routledge: New York, 2008), 54. French feminism’s conceptual apparatus, through Simone de Beauvoir, is existentialism (as well as psycho-analysis).
9. Levinas, *OTB*, 109.
10. Levinas, *OTB*, 111.
11. Levinas, *GDT*, 173.
12. Levinas, *GDT*, 174-175.
13. Levinas, *OTB*, 114.
14. Since Levinas says responsibility is asymmetrical—the Other before me always takes precedence over myself and my rights—the Other who is not present before me, the third or the other Other, must also be present in the Other before me. It is only by virtue of the third, the Other in the You and eventually the ‘illeity’ of God, that the equality of all is based. Equality, at any rate, is not what is characteristic of the ethical relation, but it only appears with the entry of the third party who would demand that their ‘rights’ are just as valid as those of the one before me. Only with this entry of the third does one find the transition from ethics to politics, from goodness to justice. Ethics demands unconditional responsibility, while politics demands the equality of all—myself excluded. I am excluded, for Levinas, because the prior non-reciprocal, asymmetrical relation is not nullified by the political relation that is founded upon it. I only become an equal amongst others insofar as I am an Other for Others, but my equality, at any rate, is never born of myself and it is never my concern, that is to say, mine to defend and affirm.
15. Levinas, *OTB*, 159.
16. Levinas, *OTB*, 77.
17. Levinas writes, “This ‘placed in me’ is a scandal in the Socratic world!” (Levinas, *GDT*, 217). The Socratic world is but the history of Western philosophy.
18. Levinas, *OTB*, 49.
19. The extreme autonomy of existentialism—to the point of self-positing—and the self-founding and self-possessing statements to which it leads in those like Simon de Beauvoir—to paraphrase: “It is our bellies, our lives, our right to decide.”—are at least implicitly criticized by the following remark by Levinas. “For Sartre, one ends up by having chosen everything right up to one’s birth. There, extreme vulnerability, being-seized or ‘susception’ [*susception*] is taken up again by a project...” (Levinas, *GDT*, 158-159)
20. Responsibility is unassumable because consciousness always comes too late. One cannot prepare for responsibility, because the advent of the Other is unforeseen or sudden. Levinas describes, “...(S)uddenness, the *beating of the Other in the Same...*” (2000, *GDT*, 139). This is the patience of non-agency, passivity rather than activity. Active patience awaits the Other, anticipates her arrival. Here the Other is *already* there, having arrived suddenly and unforeseen before one even had

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the chance to await her arrival and prepare for her stay.

21. Adriaan Theodoor Peperzak has commented, "In awakening to self-consciousness, a human subject discovers itself to be not 'an Ego' in the sense of modern philosophy, but the 'me' of '*me voici*'..." (Adriaan Theodoor Peperzak, *Beyond: The Philosophy of Emmanuel Levinas* (Evanston: Northwestern University Press, 1997), 108) As accused, one is originally a 'me' in the accusative case and not the nominative 'I.' "Here I am!" or "*Me voici!*" is rather "See *me* here!" One might add that, given the invisibility of the face, the imperative is rather "*Hear me here!* Lend me your ear!" One is, shall it be said, a pair of ears before one is a set of eyes and, in this sense, everyone is born blind.

22. Levinas, *OTB*, 15.

23. Levinas, *OTB*, 69.

24. Levinas, *OTB*, 56.

25. Peperzak writes, with obvious ramifications concerning the abortion debate, "To be a substitute is not to coincide with another ego, as if I could replace another as being-in-the-world; rather it is to carry the Other—as Other—in me, a kind of maternity..." (Peperzak, *Beyond*, 109).

26. Levinas, *OTB*, 75.

27. Lisa Guenther suggests, "The host is welcomed by the guest into his own home. For he can only be a host *for* the Other by receiving this capacity for generosity *from* the Other... To welcome is not so much to open oneself up, as one opens a door or a window, but to *be opened* in response to the Other" (Lisa Guenther, *The Gift of the Other: Levinas and the Politics of Reproduction* (Albany: State University of New York Press, 2006), 68).

28. Levinas, *TI*, 155.

29. Let it be noted, as Levinas is also quick to point out, that the feminine is not necessarily to be associated with females and the masculine not necessarily with males.

30. Colin Davis, *Levinas: An Introduction*. (Indiana: University of Notre Dame Press, 1996), 99.

31. As one commentator has written, "...[T]he face announces the corporeal absence (*leibhaftige Abwesenheit*) of the other" (Bernhard Waldenfels, "Levinas and the face of the other," in *The Cambridge Companion to Levinas*, 63-81, Eds. Simon Critchley et al (Cambridge: Cambridge University Press, 2002), 63). That only the incarnate can signify, i.e. are not mute, and that only the face, which is invisible, speaks is not incompatible. The 'corporeal absence' announced in the face indicates that one is not subsumed or totalized by their corporeal appearance, much in the same way that Saying is never subsumed or totalized by what is Said. The face of the body is its invisible character, the invisibility of the body's visibility.

32. Davis, *Levinas*, 144.

33. Guenther, *Gift*, 57.

34. Guenther, *Gift*, 73.

35. The remainder of this essay will analyze abortion as the case study par excellence, elucidatory of how Levinas' ethics, despite not being prescriptive in aim, can nevertheless bear real import in the realm of applied ethics. In particular, the remainder of this essay will ask whether Levinas' account of maternity as the Other in the Same troubles the pro-choice position in the abortion debate, at least when it is grounded upon the premise of rights based upon the notion that one is sole proprietor of one's own body. Let Claire Katz sound the first warning note, however, when she reiterates that "Levinas' use of maternity is not prescriptive, but descriptive" (Claire Katz, *Levinas, Judaism, and the Feminine: The Silent Footsteps of Rebecca* (Bloomington: Indiana University Press, 2003), 143). It is certainly correct that when Levinas speaks of maternity, femininity, Woman and the like he is not necessarily speaking prescriptively but nor is he, in fact, even speaking descriptively, at least in the empirical sense. He is neither saying, as already mentioned in a prior footnote, that females really are as he describes them nor that females ought to correspond to his image of them. Yet, even if he is not descriptive in an empirical sense, he is descriptive in a phenomenological sense and, accordingly, the descriptions of women, femininity and maternity are also not mere fabrications, merely concocted fictions. While it would be misleading to read what Levinas has to say on maternity crudely, i.e. as if it he were making normative claims about the 'nature' of maternity and the feminine, it is equally inappropriate merely to dismiss his accounts of maternity and the feminine as if they had no bearing in reality and, therefore, no relevance at all for prescriptive ethics. His account of maternity is not at all a pure metaphor but nor is it a *crude* literalism, i.e. a fundamentalism. It is neither sheer imagery nor a norm for women to meet. Rather, to take what Levinas says seriously is to read it otherwise than according to either of these false dichotomies.

36. Of course, for Katz to refer to 'it' as 'the fetus' here is perhaps just as question-begging as the pro-lifer's refusal to call 'her' or 'the baby' a fetus. This study does not find that this is a question that can be answered by science, but it is a relational question. Do I relate to 'it' as faceless or as a 'her' with a face, as personal or impersonal?

37. Katz, *Levinas*, 142.

38. Obviously, Levinas is not oblivious, as he recognizes that more than the audible voice can signify. There are, for example, hand signals, nods of the head, drooped shoulders and the like. This even follows from the thesis that one only has a voice, that one can only engage in Saying or the offering of signs at all if one is incarnate, i.e. has a body. In fact, to be bodily is already to offer the first sign, "Here I am. It is I." In other words, bodily, rather than audible, significations are not something the body has the power to express, but the body literally *is* nothing but expression, the body *is* Saying. To have a body is to

speaking, while to be disincarnate and invisible like a Cartesian ego, like Gyges with the ring or Wagner's Alberich when he dons the Tarnhelm, is to be mute. What Levinas rejects, however, is that my cat has a face, i.e. that my cat has the *kind* of body, the right *category* or *genus* of body that is capable of signification. For Levinas, it matters not at all that I might relate to my cat as personal rather than faceless. The cat is, for him, *de facto* faceless, irrespective of my relation to Alcibiades.

39. Guenther, *Gift*, 101.

40. Guenther, *Gift*, 106.

41. Guenther, *Gift*, 142.

42. Guenther, *Gift*, 142-143.

43. Obviously, the political is already *temporally* operative at the level of ethics insofar as the third is always given in any ethical relation to the second person. To call the political a 'later' level is thus to speak in terms of a hierarchy of experience and not the temporal order of experience.

44. Of course the possible birth of a child is always of concern to more than the potential mother. This is not to be disputed. The point is simply that it becomes their concern and their problem only *post factum*, i.e. after the birth of the child. Presumably, most would find it odd for a mother to make the choice for or against abortion based neither on how it will affect her own life nor on how it will affect the child's, but rather on what the ramifications will be for everybody else. If *that* is the deciding factor, if one chooses to abort because it will be inconvenient for the child's grandfather or for her neighbors who pay school taxes, then something seems intuitively amiss that no amount of philosophical justification could hope to assuage; for, surely nobody wants to be in the business of legislating who can and cannot procreate given that it certainly affects us all as taxpayers when the poor decide to have more children than they can support. To suggest that one *might* have an *ethical* obligation to carry a pregnancy to term is quite a different thing than legislating who does and does not even have the right to be impregnated at all, which could be implicated by extension if decisions to abort could be made on the basis of the interests of third parties.

45. Guenther, *Gift*, 143.

46. As Katz might interject here, "Deliberation and choice belong to a domain of reason, which for Levinas arises only with the moment of the third party" (Katz, *Levinas*, 180, note 13)

47. Guenther, *Gift*, 144.

48. Katz notes that "as Levinas tells us, the political always accompanies the ethical" (Katz, *Levinas*, 143). This 'accompaniment,' however, does nothing to invert the relation between the ethical and the political such that the political, qua accompaniment, would acquire an independence and autonomy from the ethical. It is still, if one wishes to remain Levinassian, always the ethical that precedes and conditions the political by giving it its urgency and not vice versa.

49. Guenther, *Gift*, 146.

50. By stating that the ethical responsibility Levinas describes may arise under political conditions in which pro-choice is a live and non-stigmatized option, Guenther raises the possibility—and may even herself be suggesting—that in this perfectly just State which supports reproductive freedom would-be mothers—having at their disposal all the means necessary to raise a child, even as single mothers—would always choose against abortion or, at least, would have every reason to do so. Minimally, one could say that in such a utopian State that the choice for abortion could only be made for reasons of self-interest. It seems, at least, that in this mythical society there *ought not* be abortion, because the reasons that might render it a just choice have been removed. Yet, even this reading still labors under the implication that political situations are the condition for good ethical reasoning rather than ethics standing as the indispensable pre-condition of a just politics.

51. Guenther, *Gift*, 147-148.

52. Guenther, *Gift*, 148.