

# Israel's singularity and ethical universality

## Introduction

Among the numerous subjects dealt with by Levinas in *Difficult Freedom*, one of the most recurrent is the relationship of the Jewish people to the outside world. Most often, this issue is integrated within a framework [fixed by the only, concepts of *particularism* and *universalism*, diversely articulated. For example, as a borderline position, there is Hegel, for whom “The act by which Abraham founded the Jewish people is an act of separation, the breaking of all ties with the surroundings”<sup>1</sup>. In short, a radical particularism.<sup>2</sup> On the opposite side, in a famous booklet dating back to 1913, Stalin set out five constituent criteria for any possible national identity, and, based on that analysis, he logically concluded that the Jews could not claim such an identity.<sup>3</sup> Between these two extreme views, one can conceive of a whole range of intermediary positions. I intend to show here that the pair “particularism/universalism” is too narrow a framework for the issue at stake. A third term should be added, namely the notion of *singularity*, which transcends this pair. This appears, sometimes explicitly, sometimes implicitly, in many Levinas texts, and it is along these lines that I will comment on a page of the Talmudic tractate *Avoda Zara*.

## Particularity and singularity

Discussing the uniqueness of each human subject, Levinas writes:

As a unity in its form and in its content, the oneself is a *singularity*, prior to the distinction between the *particular* and the *universal*.<sup>4</sup>

This means that each human subject is not only unique in that he is set apart from all others by such or such particularity, some sort of “fingerprints” that would make him a “unique being of his kind”, where “kind” means the universal human, mankind.

The subject is not only unique like the Mona Lisa is unique within the kind constituted by all the paintings. The subject, when defined as responsible for the other, a responsibility in which he is irreplaceable, in which he is unique, slips out of the logical pair “particular-universal” which makes sense only when considering elements within sets. For Levinas, the responsible subject is an absolute singularity and no longer an element belonging to a set containing other elements. Likewise, it is by introducing the notion of singularity that the relationship of the Jewish people with the outside world can be understood in its depth. Stressing this point, Levinas writes:

But who, within assimilated Judaism and among the nations, can still imagine that a singularity beyond universality is thinkable? [...] A thought and a *singularity* of which Judaism, as event, history and Passion, is the breach and the actual figure, made manifest well before the distinction between the *particular* and the *universal* makes its appearance in the speculation of logicians.<sup>5</sup>

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<sup>1</sup> *Difficile Liberté* (DL), p. 236 (306). (quoted from Bourgeois).

<sup>2</sup> It is irrelevant for our purpose that in Hegel’s texts this particularism took on different forms, in particular the difference between the Berne and the Frankfurt texts. Thanks to Ari Simhon for this remark.

<sup>3</sup> Without sticking to the details of Stalin’s conception, Islamic authorities frequently use a similar line of reasoning and only grant the Jewish reality the unity/cohesion of a religion.

<sup>4</sup> *Otherwise than Being*, p. 108, (137).

<sup>5</sup> *Beyond the verse*, p. 192 (232).

But let us forget the Jewish people, Judaism and Levinas, for a moment. What do we see? Every people develops and preserves a consciousness of its own particularity and a more or less strong conviction of its own excellence. Sometimes this conviction is exacerbated into pretentiousness to constitute a model for all and, in extreme cases, it becomes the will to spread or even to impose its model everywhere. The different peoples or societies are thus distributed along a continuum ranging from a simple particularism to a conquering universalism. The Swiss people has gone through history withdrawn within itself without being involved in external conflicts. Conversely, Communist Russia planned to impose its social model all over.

Let us now apply these considerations to the Jewish people. This people belongs to the set of all peoples and, as such, has its own particularity and its own destiny of which it has an acute consciousness. Let us briefly describe this destiny. The Jewish people is the only people to permanently perceive itself in continuity with its own ultimate antiquity. Moreover, the Jewish people is the only people most of whose history has taken place in exile, an exile that has progressively become an unparalleled dispersal, namely the Jewish Diaspora.

Therefore the Jewish People belongs to all times and all places, well almost all. This translates into the fact that within the family of all peoples, the Jewish people has its own particularity but paradoxically it consists of having none. The particularity of the Jewish people is to have no particularity. One can speak of Greek theater, of Italian painting, of Russian literature. There is no such thing as Jewish theater, Jewish painting, and even not really Jewish literature. The same applies generally to everything that usually constitutes the culture of a people. The culture of a Jewish individual is always borrowed from the surroundings in which he lives.

Two consequences, at once simultaneous and contradictory, derive from this lack of particularity. On the one hand, the Jew is likely to be easily integrated into the surrounding culture and customs, even possibly to the extent of complete assimilation, until he or she practically forgets about being Jewish. On the other hand, the sense of belonging to a so specific destiny can just as equally impede his integration, all the more so given that Jewish cosmopolitanism can also stir up a backlash of diverse negative reactions.

Consequently, the Jewish people, taken as a whole, is involved in all cultures and all societies, but at the same time is always more or less apart from the surroundings. One can depict this situation by a metaphor. Every people adds its own color to the human universal. The Jewish people collects them altogether and hence, as taught by optics, its own color is white, well a more or less speckled white.

This description however needs to be completed.. As was underlined by the Maharal of Prague, an outstanding Talmudic authority, it belongs *in fine* to the nature of things that a people should live united and independent in their own land.<sup>6</sup> The Jewish people, no more than any other, cannot depart forever from these three criteria of normality. Zionism primarily means nothing else than a return to normalcy, the restoration of a Jewish independent political sovereignty. One can then understand that in Jewish tradition, the return to the land of Israel is called the “gathering of the exiles (*kibuts galuioi*)” or the “end of the subjection to other States (*shibud malkhuioi*)” rather than the “coming to the Promised Land”.

My analysis up to now has only been historical and does not exceed the fixed framework of the particularity/universality pair. It does not refer either to Judaism or to the Torah. In short, I have dealt with the Jewish people as the descendants of Abraham, Isaac and Jacob, who become a people at the time of the Exodus and including afterwards all those who have joined them throughout history. However, we are also the disciples of Moses, the bearers of the Torah, or more accurately the Torah extended by the boundless Talmudic tradition. This is

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<sup>6</sup> *Netsah Israel*, chapter 1.

where the Jewish singularity comes forward, as formally attested by the Bible itself. Concerning the Jewish People who came out of Egypt, King David, as a political leader, states:

And who is like Thy people, like Israel, *the unique nation* in the earth, whom gods went to redeem unto themselves for a people, [...].<sup>7</sup>

On the other hand, after Torah Revelation on Mount Sinai, Balaam, the gentile prophet, says:

For from the top of the rocks I see him, and from the hills I behold him: it is a people that shall dwell alone, *and shall not be reckoned among the nations*.<sup>8</sup>

As the bearer of the Torah, Israel breaks out of the Nations' history. The Jewish people is no longer only a particular people within the family of peoples, even though its particularity consists of having none. Its destiny is *singular*: actually it is not properly the destiny of a people. Indeed the Torah means the moral conscience unfolding to a law which is the hearth and the driving force of the whole social organization. Thus the moral conscience is no more restricted to the individual life. According to the Torah law, the achievement of social justice becomes the main goal of the collective institutions. This means the State for the justice and not the justice to ensure a smooth functioning of the State. Therein lies the singularity of Israel. Let us return to the optical metaphor previously used. With the Torah, it is no more the white colour, unification of all the colours, which characterizes the Jewish life, but something beyond all colors let us say transparency.

In particular one must especially not define the Torah as a religion among others. Levinas continuously stressed on this point. Here is an example:

The word monotheism denotes a set of significations [...] *beyond all theology and all dogmatism*. [...] To follow the Most-High, nothing being above the concern for the fate of "*the widow, the orphan, the stranger, and the poor*"; it is on earth, amongst men, that the spirits adventure unfolds; [...] proximity with all the workers, all the wretched, all the persecuted of the world.<sup>9</sup>

## The Last Judgment

I now turn to the Talmudic text that I would like to comment on and which develops the ideas I just mentioned. Within the setting of an imposing stage, the Talmud expounds its judgment on the Nations' history. We will see that it is globally pessimistic but that, simultaneously, it opens a window on a radical optimism. The starting point is a strange verse from the Biblical book of Isaiah allusively mentioning the prophet's anticipation of the fall of Sennacherib, the emperor of Assyria, an event that no pagan oracle had foreseen:

All the nations gathered together, and the kingdoms assembled; who among them will proclaim this, and announce to us former things?<sup>10</sup>

As usual, when the Talmud quotes a biblical verse, the meaning it attaches to it departs from the literal one. In fact, in our case the literal meaning is of little concern to us. It does not matter much that Isaiah predicted the fall of Sennacherib, unless one associates a meaning to

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<sup>7</sup> II Samuel, 7, 23.

<sup>8</sup> Numbers, 23, 9.

<sup>9</sup> DL, p. 44.

<sup>10</sup> Isaiah, 43, 9.

the prophetic speech beyond the simple forecast, namely an ethical meaning. This is exactly what the Talmud does. Let's play its game. Isaiah does not speak of his personal prophecy but about the Last Judgment to which all Nations are convened. In other words, the Talmud intends to judge History.

Rabbi Simlai expounded: In the future to be [at the Last Judgment], the Holy One, Blessed be He, will bring a Torah scroll and place it in His bosom and declare: "Whoever occupied himself with it (i.e. the Torah) shall come and take his reward".

The judgment of History that we strive for must not be arbitrary. Let's stick with the Talmudic metaphor. The Holy One Himself judges according to Torah law. He is wary of His own intimate conviction. The judgment has to be carried out in compliance with principles, and moreover ones which are the same for all, i.e. universal principles. Let us already keep in mind that the Torah which marks Israel's singularity simultaneously claims to be universal. This calls for an explanation.

How is this possible? Living conditions and levels of development of various nations are infinitely diversified. How then can we apply the same laws to each one? This would be impossible unless the universal principles that we seek to implement contain themselves the very rules that allow them to adapt to each specific situation. But this exactly is what Talmudic study is about: it does not come down to some generalities of Kantian "categorical imperative" type. The Talmudic universality is akin to the universality that one encounters in science, a universality that has a vocation to an infinite ramification.

The hearing begins.

The Roman Empire enters before Him as the first nation to be admitted. Why as the first? Because it is the most prestigious nation. And from where do we know that it is prestigious? For it is written [in the Daniel's book about the fourth beast of his dream]: *It will devour the entire earth and trample and crumble it.*<sup>11</sup> And Rabbi Yohanan said in regard to this verse: "This is a reference to wicked Rome whose influence has spread throughout the entire world."

And from where do we know that the one who is the most prestigious must be admitted first to judgment? This is according to a teaching of Rav Hisda: If the king and the community are awaiting trial, the king enters to be judged first because It is not proper conduct to seat the king outside [...]

From this rich introduction, I will only retain one idea that is important to my topic.

Although Roman Empire must in the end receive a negative judgment, its historical importance is not disputed. This importance is vouched by Daniel's prophecy read according to the interpretation decided by the Talmudists. Rome's major role in world history is unreservedly recognized: "The king must be the first to be judged since waiting his turn in the antechamber would be contrary to his majesty." However this must not interfere with the judgment itself. In other words, as Levinas states:

But must we not accord to man the right to judge, in the name of moral conscience, the history to which one the one hand he belongs, rather than to leave his right to judge to the anonymous history? A freedom with regard to history in the name of morality, justice above culture [...]. Nothing, no event in history, can judge a conscience. This is upheld by the theological language, which measures all the miracle of such a freedom, while stating that God alone can judge.<sup>12</sup>

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<sup>11</sup> Daniel, 7-23.

<sup>12</sup> DL, p. 23 (41).

Now comes the plea of Roma.

The Holy One, Blessed is He, says to the Romans: With what did you involve yourselves? They respond to Him: Master of the Universe, we established many marketplaces, constructed many bathhouses, and amassed much silver and gold. And all these we did only for the sake of the Jews, so that they should be able to involve themselves in Torah study. [Rachi's commentary: The healthy economic environment made it possible for the Jews to easily earn a living and to have access to food and goods, and the bathhouses to enhance their health. All this facilitated Torah study.]

The argumentation presented by Rome is convincing. A good trade organization, increased goods and services, the abundance of gold and silver, attest to the outstanding quality of Rome's economic system. Indeed these accomplishments can serve a noble goal: economic prosperity greatly facilitates Torah study. It is also true that minimal financial security is necessary for the concrete implementation of the lofty ideals that Israel wants to promote. A well known saying claims: *Without flour there is no Torah*. From the standpoint of the "judgment of history" (understood as a judgment based on historical success), the reasoning is sound. But we are at the Last Judgment and it is wrongly, Levinas says, that Hegel equated "the judgment of history" with the rational meaning of the Last Judgment. This is exactly what the text tells us further on:

The Holy One, Blessed be He, tells them: Fools of the world [to think that these accomplishments deserve a reward]! Whatever you have done has been for your own sake! You have established markets to quarter prostitutes in them; bathhouses, to luxuriate yourselves in them; and as to the gold and silver, they are Mine, as it is stated: *Mine is the silver, and Mine the gold, says the Master of Legions. The glory of this latter house shall be greater than that of the former and in this place I will give peace.*<sup>13</sup> Is there among you one who proclaimed "this" [i.e. the Torah that I hold in My arms] as it is stated [in the conclusion of the aforementioned verse in Isaiah]: *who among them proclaimed "this"* and the term "this" refers to the Torah as it is stated in the Pentateuch: *And "this" is the Torah that Moses set before the sons of Israel*<sup>14</sup>

There is a chasm between the "judgment of history (judgment by history)" and the Last Judgment, the ethical judgment. The forces at work in history, even though their outcome might objectively be beneficial are driven by self-interested motives. Here is the proof this outcome appears jointly with the exploitation of human beings, with the search for purely physical pleasures and with the accumulation of capital by a restricted class of wealthy people who have no concern for the destitution of their fellow men. The Talmud recognizes the objectively beneficial effect but does not grant it an ethical value.

[Parenthetically it is worth noting the shift introduced by the Talmud in the meaning of the pronoun "this". According to the literal meaning of the text it refers to Isaiah's prophecy and I pointed out that this prophecy is not of much concern to us. The Talmud replaces the prophecy by the Torah presented to Israel by Moses, a law of justice for all times. This is a typical example of the midrashic method of the Talmud.]

Rome is proud silver and gold. God responds: *Mine are silver and gold etc.* The literal meaning refers to the announcement of the rebuilding of the Temple foreseen by the prophet Haggai in the second year of the reign of Darius. Let us forget the anachronism which does

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<sup>13</sup> Haggai, 2-8,9.

<sup>14</sup> Deuteronomy, 4-44.

not lack some humor and turns the Holy One, Blessed be He, into a banker who would be the true owner of Roman wealth.

Considering the quoted verse, I think the meaning of this metaphor is as follows. Traditionally the use of silver and gold is threefold. They are used as means of hoarding wealth, they are precious metals with esthetic uses, and, as currency, they enable a fair trade replacing the crude approximations of a barter economy.

The prophetic text mentions only the last two uses: the esthetic one, exemplified by the beautification of the Temple, and the economic use whose true goal is the peace in society. These can indeed be qualified as divine uses. The accumulation of capital by the wealthy is left out. God is not a banker and hence he is justified to claim: *Mine are silver and gold*. The last judgment of Rome ends negatively.

The same occurs with each and every nation.

Now the nations make a new attempt to defend themselves.

They say before Him: Master of the Universe, did you offer us the Torah and did we refuse to accept it?

[The Talmud rejects this argument out of hand]

But can they really say this since it is written<sup>15</sup>: *The Lord came from Sinai, having shone before to them from Seir, having appeared from Mount Paran etc.* What did the Lord want with Seir [dwelling of the descendants of Esau], what did He want with Paran [dwelling of the descendants of Ismael]?

Rabbi Yohanan said: This teaches that the Holy One, Blessed be He, brought the Torah around to every nation and tongue and they did not accept it until He came to Israel and they accepted it.

One cannot say better that Torah law claims to be universal: the infinity of sense on which it opens out can be translated into any language and transcends all local particularities. Better yet, Talmudic scholars harbor the conviction that similar attempts were made before or at the same time as Israel's but did not succeed. This is what Levinas expresses in his own way when he speaks of the Jewish people as "the only people to define itself by a doctrine of justice"<sup>16</sup>.

In fact this is what they say before Him: Master of the Universe, Did you tip the mountain over us as if it were an overturned vat and did we nevertheless refuse it, as you did with Israel [whom you coerced to accept the Torah]. Indeed it is written<sup>17</sup>: *they stood at the foot [literally: in the bottom] of the mountain* and Rav Dimi bar Chama said: This teaches that the Holy One, Blessed be He, tipped the mountain over Israel as though it were an overturned vat and He said to them: If you accept the Torah all is well; but if not your burial will be here![...]

Immediately the Holy One, Blessed be He, says to them: "But the seven Noahide laws that you did accept, have you observed them?"

This time, the nations' argument is not completely rejected. One cannot claim that Israel accepted Torah law on a simple idealistic impulse. It would seem that at the beginning, this acceptance was a kind of condition for survival of the Hebrew people so that they would not

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<sup>15</sup> Deuteronomy, 33-2.

<sup>16</sup> DL, p. 218 (282).

<sup>17</sup> Exodus, 19-17.

to vanish from history as all other peoples of ancient times.<sup>18</sup> From this point of view, one can rightly question the degree of Israel's merit. To some extent, Torah acceptance was self interested.

The Talmud does not directly answer the nations' argument. However it does give it an indirect answer by invoking what is called in Jewish tradition "the Noahide legislation" or "the legislation of Noah's sons", a legislation prior to the Torah and considered as binding for all the mankind. [in Talmudic terms: "having been accepted by all the mankind after the Flood"]. The Talmud scholars see in this legislation the moral and legal foundation of all civilized life. It is structured around seven categories and is widely expanded upon in the Talmud and its commentaries. Some non-Jewish jurists have pondered on this legislation and have identified it with the concept of a "natural law" ruling all the mankind. This is in particular the case of two renowned jurists, Hugo Grotius [1583-1645] and especially John Selden [1584-1654], a great admirer of this legislation who based his theory of international law on it.

Now, the Talmud can only conclude that the societies it sees all around are far from adhering to this basic model. This explains its negative judgment on all the national communities it can observe. However, one can wonder whether, since the 18<sup>th</sup> century with the emergence of democratic ideas and the associated ideals of liberty, equality and human rights, the modern societies that refer to them would not benefit from a more favorable "Last Judgment". Let's say that this is at least a moot point.

In any case, the Talmud does not remain with its negative assessment. Here is the continuation of the passage which opens an optimistic perspective.

Rabbi Meir used to say: From where do we know that a Gentile who is occupied in Torah is equal to the High Priest [*Kohen Gadol*]? Indeed the Torah states, regarding the Torah laws<sup>19</sup>: *You shall observe My decrees and My laws which "man" shall carry out and by which he shall live.* It is not stated in this verse "*kohanim, leviim and Ysraelim*". Rather the verse states simply "*man*". We have thus learned that even a Gentile who is occupied in Torah is equal to the High Priest.

The context of this passage indicates that its literal meaning refers to Israel. However the Talmud does not hesitate to depart from it and also applies the verse to the Torah as studied by non-Jews, i.e., at least to Noahide law<sup>20</sup>. Rabbi Meir's teaching implies *ipso facto* that Torah law such as it is accepted by Israel to be the foundation of its own society and the Noahide law are two models of the same nature, differing only in the level of demands. Their relationship is akin to that existing between the mathematics of professional mathematicians and the mathematics that everyone should know. In both cases the content has universal value. However, on the individual level of moral conscience, the difference between Jews and non-Jews vanishes, as well as all ethnic, national or cultural differences. The non-Jew is the equal of the "High Priest", namely of the man in Israel who must observe the maximum number of obligations. The Talmudic pessimism is aimed only at societies as such.

As Levinas repeatedly indicated:

The idea of a chosen people must not be related to as a kind of pride. It is not the consciousness of exceptional rights, but of exceptional duties.<sup>21</sup>

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<sup>18</sup> From another point of view, in the Talmudic Lecture « The Temptation of Temptation », Levinas developed the philosophical meaning of coercion for the acceptance of the Torah.

<sup>19</sup> Leviticus, 18-5.

<sup>20</sup> It can, depending on circumstances, extend beyond to this restricted definition. This question is thoroughly studied in Talmud commentaries.

<sup>21</sup> DL, p. 176, (231).

But on the other hand:

Jewish traditional thought provides the framework in which to think of a universal human society which includes the just people of all nations and all beliefs, with whom it is possible to achieve an ultimate intimacy, the one formulated by the Talmud in reserving participation in the “future world” for all the just people.<sup>22</sup>

However, it is well known that Judaism never demands the adherence of each and every individual to its own rules. In other words, Torah universality differs from other inclusive universalities such as those claimed by Catholicism or by Islam, as well as Hegel’s “concrete universal”. In Levinas’ formulation, Torah universality must be defined as a “universality by radiance” (*universalité de rayonnement*<sup>23</sup>).

## Conclusion

I began by showing that the Jewish people, as a member of the family of all peoples, has the *particularity* of having no particularity or, correlatively, of being prone to gather all particularities within itself. Let’s say that it is a somewhat exceptional particularity but this is still a particularity. This historical situation results at the same time in a distance but also in the possibility of a close proximity between the Jewish people and all its surroundings.

On the other hand, as the bearer of the Torah, Israel has a *singularity* by which it cannot no longer be considered simply as an element within the set of all peoples (nor as a religion among others). But simultaneously and *ipso facto*, Israel is in intimacy with all those who are driven by ethics and social justice. Thus the very notion of Israel goes beyond any ethnic or national characteristic

It seems clear that these two dimensions are linked and that it is indeed the lack of particularity as a people that is the ground for the emergence of Israel’s singularity. Hence, if the return of the Jewish people to its own land means primarily the restoration of a normal life among the family of all peoples, it also has a meaning in keeping with its singularity. Here, I leave the last word to Levinas:

The important point about the State of Israel is not the achievement of an ancient promise, neither the beginning of an age of material security (problematic, alas!), but that it finally gives the opportunity to carry out the social law of Judaism [...]. Finally, the time for the masterpiece comes. It was indeed horrible to be the only people to define itself by a doctrine of justice and to be the only one unable to apply it, the heartbreak and the meaning of the Diaspora. The subordination of the State to its social promises articulates the religious meaning of the resurrection of Israel as, in ancient times, the implementation of justice was justifying the presence on a land.

It is so that the political event is already outstripped. And lastly, it is so that one can distinguish the Jews who are religious from those who are not. The opposition is between those who seek after a State for justice and those who seek justice in order to ensure the survival of the State. [...] Justice as the *raison d’être* or the State – that is religion.<sup>24</sup>

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<sup>22</sup> DL, p. 163 (214).

<sup>23</sup> *Les imprévus de l’histoire*, p. 184.

<sup>24</sup> DL, 218 (283).