

## *Review Essay*\*

# Covenant, History, and the Holocaust: Revisiting Emil Fackenheim's Jewish Philosophy

Daniel Rynhold  
*Yeshiva University*

In the twentieth century, historical circumstance in the form of the Holocaust led to theodicy's returning to the forefront of the philosophical agenda, particularly in Jewish thought. As a result, post-Holocaust theology is almost always an element of introductory courses on modern and contemporary Jewish philosophy, if not introductory courses on modern Judaism simpliciter. Many working in the field of Jewish philosophy, therefore, probably first encounter Emil Fackenheim (1916–2003), and the infamous turn of phrase that ensured his immortality in the realm of Jewish thought, early on in their studies. Fackenheim was one of the most influential post-Holocaust philosophical voices in what soon became a cacophony. This German-born philosopher's (and ordained Reform rabbi's) concept of the 614th commandment—not to grant Hitler a posthumous victory (in his own words “the only statement of mine that ever became famous”<sup>1</sup>)—has captured the imagination of many a student and often made a lasting impression. Yet it seems that one of the concerns at the forefront of this new expansive monograph on Fackenheim's philosophy is that for the majority, this constitutes both their first and last exposure to his thought, leaving them with an extremely contracted view of his conceptual

\* Michael L. Morgan, *Fackenheim's Jewish Philosophy: An Introduction* (Toronto: University of Toronto Press, 2013). 416 pp. \$85.00 hb. \$34.95 pb. Page references to Morgan's book appear in parentheses in the text.

<sup>1</sup> Emil Fackenheim, *To Mend the World: Foundations of Post-Holocaust Jewish Thought* (Bloomington, IN: Indiana University Press, 1994) 10.

palate. The result, noted in the book's introduction, is that Fackenheim has never really been considered a Jewish philosopher worthy of mention in the same breath as Hermann Cohen, Franz Rosenzweig, or even latterly Emmanuel Levinas and Joseph Soloveitchik. In this volume, a case is presented for including him on that list.

No one is better placed to engage in this reassessment than Fackenheim's former student, and subsequent colleague and friend, Michael Morgan, who has a track record of expanding the reach of thinkers whose influence is limited in one way or another. His *Discovering Levinas* successfully introduced a thinker already hugely influential in continental Europe to those philosophers of a more analytic bent that dominate the Anglo-American academy. In arguing that there is far more to Fackenheim than a single clever sound bite, Morgan follows a similar methodological path to that trodden in his work on Levinas, taking Fackenheim beyond the confines of Jewish philosophy—and even beyond his obvious and acknowledged Kantian and Hegelian influences—by bringing him into dialogue with contemporary thinkers such as Stanley Cavell, Alasdair MacIntyre, Thomas Nagel, and Charles Taylor.<sup>2</sup> Morgan introduces Fackenheim into the more general philosophical conversation concerning a “meaningful human life, its character and possibility” (6), and he follows an avowedly conceptual path, stating outright that he is not engaging in intellectual history, making the book especially welcome to philosophers.

The book is not intended to give a systematic account of Fackenheim's thought—system was an unintended “victim” of the Holocaust for Fackenheim, who speaks of our being left with “the systematic labor of thought.”<sup>3</sup> Instead, Morgan focuses on specific themes, building on a set of three lectures he delivered in 2010 as a visiting professor at the University of Toronto, the institution at which Fackenheim himself completed his doctorate and spent most of his academic career as professor of philosophy from 1948–1984. Chapters based on the material from Morgan's original three lectures—on revelation, freedom and selfhood, and the nature of philosophy—are supplemented by chapters on subjects including historicism, midrash, messianism, and Zionism, as well as chapters on Fackenheim's ongoing relationships with Kant and Hegel.<sup>4</sup> Morgan cleverly constructs each chapter by discussing how Fackenheim understood each topic prior to the Holocaust, and then using the Holocaust as a “rupture”—much as Fackenheim did—he goes on to address how Fackenheim's views on each topic developed in response. Fackenheim's at times single-minded focus on the Holocaust is cast by some as a courageous confrontation that others would rather avoid; then there are those

<sup>2</sup> It is a little surprising that he never actually engaged with any of these thinkers. As Morgan points out, he simply never read most of them, though he may have read Gadamer and Ricoeur by the early 1980's (352 n. 2).

<sup>3</sup> Fackenheim, *To Mend the World*, 5.

<sup>4</sup> While the book generally makes Fackenheim's thought accessible without sacrificing rigor, the Hegel chapter in particular is likely to be a challenge for those without a prior philosophical background.

who see him as “a good philosopher who made a wrong turn.”<sup>5</sup> Morgan skillfully negotiates his way between these two extremes through a structuring device that manages to highlight why Fackenheim is much more than a Holocaust thinker without denying the centrality of the Holocaust to every facet of his thought, making the Holocaust a central component of the book without actually devoting a single chapter to it. In fact, Morgan sees the central discovery of twentieth-century thought—that human beings are always inescapably embedded in their historical contexts, and that as a result all truth is historically situated—as the theme that actually runs through all of Fackenheim’s work. And yet, in seeming opposition to such historicism, Fackenheim is simultaneously committed to a robust notion of transcendence, which bespeaks a sphere beyond the reach of history and human partiality. Indeed, what was most striking in reading this book was the way in which this problem of transcending finitude appears to animate all of Fackenheim’s work; as Morgan notes, “The question of whether philosophical and religious thought must be thoroughly historical or whether there is a priori thought is one of the central problems on which all of his work pivots” (186). The Holocaust then enters the arena as motivating the shift from the thought that there could be some form of “philosophical transcendence to the conviction that no concepts or principles or claims are unqualifiedly immune from historical modification and possibly even refutation” (187). Our focus here will be on Fackenheim’s struggle with these issues in the context of the topics of Morgan’s original lectures, in the hope that it will contribute to the discussion of his place in the Jewish philosophical pantheon.<sup>6</sup>

## ■ Revelation and Covenantal Theology

Morgan begins with a discussion of one of the things he sees as a key part of Fackenheim’s legacy—revelation, the paradigm of transcendence. Morgan shows that in his early thought, in the face of both positivist and cultural critiques, Fackenheim was an antinaturalist who insisted on the reality of revelation as the necessary transcendent grounding for Judaism, necessary for vitiating supersessionist claims and, more importantly, for guaranteeing “the meaningfulness of Jewish life, of human existence, and of history” (15).

<sup>5</sup> Kenneth Seeskin, “Emil Fackenheim,” in *Interpreters of Judaism in the Late Twentieth Century* (ed. Steven T. Katz; Washington, DC: B’nai B’rith Books, 1993) 42. Morgan notes, though disagrees with, those according to whom Fackenheim was engaged in rhetoric or literature rather than philosophy from the late 1960’s onward (247).

<sup>6</sup> The centrality of the interplay between transcendence and historicism in Fackenheim’s thought also features prominently in *Fackenheim: Philosopher, Theologian, Jew* (ed. Sharon Portnoff, James A. Diamond, and Martin D. Yaffe; Leiden: Brill, 2008), one of two strong and relatively recent collections of essays on Fackenheim’s work, the other being *The Philosopher as Witness: Fackenheim and Responses to the Holocaust* (ed. Michael L. Morgan and Benjamin Pollock; Albany, NY: SUNY Press, 2008).

It is well known that Fackenheim's view of revelation developed in line with that of the Jewish existentialists Martin Buber and Franz Rosenzweig, with the influence of the latter particularly prominent. Thus, Fackenheim echoes Rosenzweig's understanding of revelation as divine love, a love that confirms our value and thus rescues us from nihilism, from the "tragic element" (14) in human existence. This revelation, which he describes as "the pristine moment of divine presence" (21), is a spontaneous act of God that cannot be demanded. It is a moment that does not itself deliver a specific content—that requires the human response—but is experienced as a "singling out" (16) that places the burden of realizing redemption on the shoulders of humanity. This "singling out," at the same time, guarantees in quasi-Kantian fashion that the redemptive vision can be realized. Revelation therefore "obligates and enables" (18), by at once burdening humanity, yet in so doing affirming its value as having been deemed worthy of the task of redeeming the world. In a well-crafted phrase, Morgan speaks of this view of revelation as one that "combines secular self-reliance with religious purpose" (75), an idea that runs through many of Fackenheim's analyses, not least that of Zionism, which he similarly characterizes (some, including Morgan, might say romanticizes) as the "paradigmatic combination of secular action and religious purpose" (180).

What is of particular note here is the covenantal element of the discussion. Morgan describes how the relationship enabled by the pristine moment of divine encounter and actualized in the human response is "the covenant . . . made both with the individual and with the community" (18), a covenant that makes our historical existence meaningful through the guarantee of ultimate redemption. Because Fackenheim is not generally categorized as a covenantal thinker, in terms of broadening his relevance in Jewish philosophy it is significant to note that on the basis of Morgan's discussion, he would fit squarely into the tradition of covenantal theology. Indeed, Morgan characterizes Fackenheim's biggest gripe against Hegel and the left-wing Hegelians who followed as being that they "do not and perhaps *cannot* appreciate what the covenant means for Jewish existence" (151 [italics in original]). Thus, Morgan quotes Fackenheim's contention that "traditional Judaism is not the mechanical observance of a system of laws. It is the living covenant between God and Israel" (38), which shows him using the term a full quarter of a century before David Hartman's *A Living Covenant* (footnoted by Morgan), even if Fackenheim's account is ultimately closer in spirit to that of his fellow Reform covenantal thinker Eugene Borowitz. Fackenheim, it seems, was the first covenantal theologian.<sup>7</sup>

<sup>7</sup> The parallels between these figures are somewhat less surprising given that they were part of a group of Jewish thinkers who emerged in the US in the late 1950's and 1960's. See Michael Morgan, *Beyond Auschwitz* (Oxford: Oxford University Press, 2001) chapter 3. The use of the term "group" here is not only figurative. All of them participated in meetings convened by Hartman and Irving Greenberg in the late 1960's. See Simon Cooper, *Contemporary Covenantal Thought: Interpretations of Covenant in the Thought of David Hartman and Eugene Borowitz* (Boston: Academic Studies Press, 2012) 47–58. Elie Wiesel also mentions one of these meetings in his foreword to *Fackenheim*:

The ongoing possibility of a renewed human-divine encounter is, early in Fackenheim's career, understood to make faith and the covenant irrefutable. But for Fackenheim, the Holocaust renders everything vulnerable to history: "nothing in Jewish faith, in the covenantal content of the Jewish life lived in response to revelation . . . is immune to modification and even rejection" (21–22). Nonetheless, when Morgan asks whether the Holocaust therefore threatens Fackenheim's conception of revelation, his answer is that "clearly . . . Fackenheim does not think so" (23). Fackenheim does seem to allow for certain changes post-Holocaust, most notably the recognition that revelation is no longer a solution to the problems of tragic existence—post-Holocaust, "the claim that revelation solves problems in the human condition that can otherwise not be solved requires modification" (24)—but the concept of what revelation is seems to remain static.

What, then, is the modification wrought by the Holocaust? One might have thought that it is found in Fackenheim's move from a form of covenantal optimism to a more pessimistic approach whereby "religion is not a resolution of a tension or struggle; it is acknowledging and living with that struggle" (90). And we do find such a shift in his treatment of Zionism, for example. According to Morgan, in Fackenheim's earlier work, Zionism is linked to messianism, understood as "a *permanent, absolute* guarantee that history would be redeemed" (178 [italics in original]). But this is later transformed such that there are "no permanent, unconditional guarantees about the world's redemption; all we can hope for are temporary guarantees—some confidence and some hope" (178). Even philosophy itself suffers a similar fate—post-Holocaust, Fackenheim's "reverence for philosophy and a fidelity to it . . . remained but without the same confidence" (81).

Placing all of this within the context of our newly minted discovery of Fackenheim as covenantal theologian, one might say that prior to the Holocaust, the idea that the covenant rescues us from the tragic element in human existence reflects the sort of covenantal optimism that we find in the early work of the aforementioned David Hartman, for whom "the covenant . . . cannot be characterized by an acceptance of defeat in which our rational and ethical senses are violated."<sup>8</sup> Post-Holocaust, however, Fackenheim comes instead to understand revelation in terms that resonate with Soloveitchik's more dialectical understanding of Judaism, a dialectic that "unlike the Hegelian, is irreconcilable."<sup>9</sup> We come to occupy what Fackenheim might characterize in Hegelian terms as a "fragmented middle" (145). Indeed, in direct parallel to Fackenheim, for Soloveitchik, the covenant, as manifest

---

*Philosopher, Theologian, Jew*, and in the first edition of *God's Presence in History*, Fackenheim acknowledges the group as the forum in which he first delivered the paper on which the book was based. See Emil Fackenheim, *God's Presence in History: Jewish Affirmations and Philosophical Reflections* (New York: New York University Press, 1970) v.

<sup>8</sup> David Hartman, *A Living Covenant* (New York: The Free Press, 1985) 14.

<sup>9</sup> Joseph B. Soloveitchik, "Majesty and Humility," *Tradition* 17.2 (1978) 25–37, at 25. Again, Eugene Borowitz's covenantal theology contains similar, if somewhat less pronounced, dialectical elements. See Cooper, *Contemporary Covenantal Thought*, 212–17.

for him in halakhah, plays the identical role of not reconciling tragic tensions but rather allowing for their expression: “The Halacha . . . did not discover the synthesis, since the latter does not exist. It did, however, find a way to enable man to respond to both calls.”<sup>10</sup>

It is here, though, that difficult questions arise. Morgan writes that the attraction of the midrashic framework for Fackenheim in his *pre*-Holocaust thought was precisely that it “reflects the contradictions and tensions of [human] existence without seeking to resolve them” (221). Thus the non-resolution of these issues seems to have been part of his thought all along. Presumably, therefore, the Holocaust must do more than take Fackenheim from a harmonistic to a dialectical account of human, and indeed Jewish, existence since the dialectical account of human existence was in place before the Holocaust impacted his thought. There must be some further change caused by the Holocaust that is missing from our account so far.

In seeking what the missing element might be, however, we come up against a barrier. Looking at midrash, where we discovered that even prior to the Holocaust Fackenheim understood matters dialectically, Morgan notes that post-Holocaust there is “a good deal of continuity in the status Fackenheim accords to midrash” (238); what has changed is its “content and its substance” (238). Applied to revelation, this would seem again to indicate that the *concept* of revelation remains the same. What changes is the manner in which we interpret its content. Yet, this does not strike one as a radical post-Holocaust adjustment for either revelation or midrash. The malleability of the interpretation of revelation’s content certainly predates the Holocaust for a thinker with the existentialist view of revelation that Fackenheim accepts, and such interpretive malleability is also the very essence of midrash. That was what made the midrashic framework so attractive to Fackenheim in the first place. New midrashim are constantly being created, such that even to reject, for example, classic midrashic responses to suffering, as Fackenheim does, seems entirely continuous with the method of midrash, especially since one could easily argue for an anti-theodic strand within the Jewish tradition tracing as far back as the biblical book of Job. With midrash, being unable to use the old midrashic tropes is, so to speak, perfectly midrashic. Midrash has often involved probing the outer limits of interpretation, and those limits will always further extend in changing times and contexts. At this point, therefore, it remains legitimate to ask whether the Holocaust really changed Fackenheim’s view of revelation—or for that matter midrash—in a way that would take him beyond a Soloveitchik-style dialectic.

When discussing the post-Holocaust changes to Fackenheim’s account of revelation, the reason Morgan cites for the covenant’s inability to resolve the contradictions in human existence today is that there is no such unified concept. As Morgan notes, there is “no *one* condition that needs to be confronted, no *single* set of problems requiring solutions” (24 [italics in original]). What the Holocaust

<sup>10</sup> Soloveitchik, “Majesty and Humility,” 26.

has therefore done is blow open the very idea of “the human condition,” rendering the notion more pluralistic. While this has significance, as we will see, it does not seem to affect our question regarding revelation at this point. It simply gives us a reason *why* revelation cannot solve the contradictions in human existence without taking us beyond that conclusion. More important, maybe, is the second change that Morgan notes—the move to discussing revelation as a “root experience,” which shifts the focus from the divine to the human covenantal partner (though Morgan notes that in reality Fackenheim does not exclusively confine himself to the human response in his subsequent work). Thus “what is foundational or most relevant in revelation is the human response to it and not the fact that it involves a divine presence” (24–25).

This, it seems, might provide a route to a more significant departure from his earlier account of revelation. For it might be that what distinguishes Fackenheim from Soloveitchik is the eschatological turn that Soloveitchik takes in his discussion, a turn that cannot be revealed by focusing purely on the post-holocaust human response to revelation. Thus, despite Soloveitchik’s dialectical understanding of Judaism, in which “the third Hegelian stage, that of reconciliation, is missing,” he still goes on to state that the finality of the dialectic is “*almost* absolute. Only God knows how to reconcile; we do not. Complete reconciliation is an eschatological vision.”<sup>11</sup> It might be, therefore, that while their shared dialectical understanding of Judaism in the human realm does not appear to require the rupture that is the Holocaust, in a post-Holocaust reality, Fackenheim is no longer willing to raise the subject of eschatological reconciliation that we find in Soloveitchik. Indeed, he speaks of a commanding but specifically not a *redeeming* voice heard by religious Jews after the Holocaust,<sup>12</sup> though one must wonder, once redemption is removed from the picture in this manner, what one is to make of that element of the 614th commandment according to which it is “forbidden . . . to despair of the world as the place which is to become the kingdom of God.”<sup>13</sup> Even the “mad midrash” that Fackenheim mentioned, albeit only once, speaks of a “passionate clinging to a mad reality—to the realization . . . that the time for the messiah is past—and yet [*one should*] cling to hope all the same” (244 [italics added]). So at best, the move to analyzing the human response to revelation, rather than the divine component, leads to Fackenheim’s being far less confident of making categorical eschatological assertions in a post-Holocaust world. But it does not remove redemptive ideas altogether. The language of “mending” rather than “redeeming” is significant here, with the former seeming to indicate something more fragmentary than the latter

<sup>11</sup> Soloveitchik, “Majesty and Humility,” 25–26 [italics added].

<sup>12</sup> Emil Fackenheim, *The Jewish Return into History* (New York: Schocken, 1978) 31.

<sup>13</sup> *Ibid.*, 24.

for Fackenheim. Redemption is too “final,” indicating something too complete for Fackenheim post-Holocaust; at least “mending” can be done piecemeal. In truth, though, since many maintain redemptive language even for piecemeal human redemptive acts, this might merely reflect a rhetorical preference of Fackenheim’s.<sup>14</sup>

Despite much back and forth, then, it seems as if revelation is not really changed by the Holocaust. Ultimately Fackenheim’s conception of what revelation is remains constant, for “no matter what happens the relationship can be reconfirmed or redirected” (20). Its transcendence, and the fact that revelation is always taken to be an open possibility, cannot be refuted in an absolute sense by any historical event. Presumably though, a historical event cannot refute the possibility of *any* subsequent personal encounter. How could an event rule out such a possibility, unless the event is the death of the person you wish to encounter?—and we know that Fackenheim has little time for the “death of God” theology of some of his contemporaries. Thus, we are left even post-Holocaust with a form of “transcendence” that does remain beyond the historical breach.

In fact, if anything, the Holocaust provides a further argument *for* transcendent revelation. When Fackenheim speaks of the commanding voice emerging out of the embers of the Holocaust, a major element of this is his view that secularists experience an obligation to remain Jewish and resist Hitler, a behavior for which they cannot give a natural justification. It is only the commanding voice, for Fackenheim, that can justify the commitment to remain Jewish following the radical rupture that the Holocaust embodies. While the believer can happily refer here to divine command, the commitment of secularists can also only be understood in transcendent terms regardless of what they may insist—though as Morgan notes, Fackenheim fails to give much of an argument for this particular branch of his antinaturalism. Nonetheless, Fackenheim maintains that in the face of the Holocaust, only a justification based in revelation can suffice for secular Jewish identity. The Holocaust, therefore, reinforces the need for transcendent revelation.

Morgan notes in his final chapter on Fackenheim’s legacy that “revelation becomes the vocabulary for the way that moral and religious responsibilities arise in interpersonal relationships insofar as they express the responsibilities and expectations of the divine-human relationship” (300). While this sentence needs further elucidation, Morgan is noting that like Levinas, Fackenheim sees revelation supervening in some fashion on interpersonal relationships, but Morgan seems to imply (and if he does, then he does so correctly in my view) that Fackenheim needs also to maintain a more robust “ontological” notion of God if revelation is to be fit for purpose—or at least the purpose Fackenheim has assigned to it. If revelation is required as the absolute grounding for our obligations, it cannot simply be an emergent property of those obligations as they appear in interpersonal relations. Quite what it is, however, becomes rather difficult to determine from

<sup>14</sup> We will later return, however, to the question of whether such rhetorical choices are quite so “mere.”

the quotation above, though ultimately it seems as if it has to remain rooted in an appeal to some type of genuine transcendence. But in that case, all that changes with respect to revelation seems to be how confidently Fackenheim is willing to commit to the redemptive promises of the covenant. In reality, though, it is not clear how much we have moved on from the idea of the inability of revelation finally to solve the problems of the meaning of human existence and its tragic nature, which as noted earlier was something of which Fackenheim was already aware prior to the Holocaust, at least according to Morgan's discussion of midrash. When you are beginning with an existentialist understanding of revelation, none of this is surprising. If the specific content of revelation was always a function of the human input to the encounter, then it is difficult to see how one could ever think of revelation as a guarantee of some absolute eschatological redemption. It seems as if all we could ever have had is piecemeal redemptive human acts.

The point that keeps recurring, then, at least to this reader, is that Fackenheim turns out to be as much a covenantal thinker as a post-Holocaust one, and likely the most philosophically sophisticated proponent of covenantal theology. Morgan's clear and methodical presentation establishes that Fackenheim models the possibility of maintaining a covenantal theology in a post-Holocaust world without absolute eschatological guarantees. If that is so, then Morgan possibly succeeds in showing that Fackenheim's work indeed contributes to a broader area of conversation, and, one might argue, presents an important alternative within it. That, however, is not the only interesting discovery. For piecing together some of the different strands of Morgan's presentation has revealed that as the discussion progressed, and the Holocaust forced its way to the fore in his rhetoric, the philosophical role it played in moving the discussion on from where it was prior to the Holocaust was actually relatively limited. Broadening Fackenheim's significance, therefore, has brought the precise nature of the role the Holocaust plays in his thought under the spotlight.

### ■ The Ethics of Selfhood

Morgan turns in chapter 2 to Fackenheim's views on the nature of selfhood. Reflecting classic Heideggerian notions of "thrownness" Fackenheim argues that we are inevitably always embedded in contexts that are not of our choosing, though this leads Fackenheim to anti-Heideggerian ideas including our being subject to an unchosen revelation that is beyond history and imposed upon us against our will. Nonetheless, within those contexts, we still remain free to create ourselves. The self constantly finds itself subject simultaneously to "fate and freedom" (40), a view that Fackenheim initially describes as existentialist, though he later prefers the term "hermeneutical," which possibly comes with slightly less "baggage," and might reflect the late move to reading Gadamer that Morgan notes. The key question in the context of Morgan's method is once again how we respond when the Holocaust becomes a part of that baggage. The suggestion is that for certain elements of the past that we as selves constantly reinterpret and shape, the

Holocaust creates a radical discontinuity that makes it “impossible to understand that element any longer as it once had been understood” (46). One example given is that of martyrdom; post-Holocaust, “can Jewish death, even out of an allegiance to God, be acceptable?” (46). Once we come to see how the Holocaust questions the possibility of appropriating certain elements from the past, there is similarly reason to “rethink the ground and the character of the freedom that is a central feature of selfhood” (50), and this rethinking turns out to yield a significant shift.

How is this so? We mentioned above that post-Holocaust Fackenheim comes to recognize that there is no such thing as “the human condition,” or human nature. That this realization comes about post-Holocaust is a result of two of the Holocaust’s most extreme characters—the Nazi perpetrators and their most disturbing “creation,” the *Muselmänner*, those victims who have been so dehumanized as to effectively be the living dead. The point, Morgan explains, is that the *Muselmänner* remain human despite having had the supposedly essential capacities of freedom and autonomy forcibly removed. Slightly more controversially, since the radical evil of the Nazis cannot be explained through ordinary social scientific categories for Fackenheim, the ordinary notion of selfhood cannot include them. What is key for Fackenheim, however, is that despite this, our notion of selfhood has to be expanded to include both. We must include the Nazis in order to be able to hold them morally accountable for their actions. Even without the normal features of agency being present, we can and must condemn these individuals and apportion moral blame. We must, moreover, as a matter of ethical urgency, include the *Muselmänner* despite their being deprived of the ordinary features of selfhood. Thus, post-Holocaust we must broaden the notion of selfhood to take in the extremes regardless of the presence or absence of apparently significant elements of agency.

What Morgan wishes to argue here on Fackenheim’s behalf is that our notion of selfhood is not therefore a matter of metaphysical descriptions connected to freedom and agency, but is rather an ethical matter. When it comes to accounting for the nature of the self, ethics becomes first philosophy, as Levinas may have put it. This would be a further topic of philosophical moment to which Fackenheim’s contribution might be considered significant. But again, it is worth analyzing the role that the Holocaust has to play in this discussion, for Morgan concedes that one could think that nothing has changed formally regarding Fackenheim’s conception of the self, which remains thoroughly historical. It is true that in the light of the Holocaust, moral considerations broaden the concept, as we noted above. But it is not clear why as a *philosophical* matter it is the Holocaust rather than the hermeneutic approach that is key to this ethical turn. It is the hermeneutic approach that means we can never take any past view for granted given the constant openness to reinterpretation over time. From a conceptual perspective, the Holocaust

is just another element that we need to take into account in our interpretations. It is certainly a significant one and in this case produces human types that call for a reinterpretation of the notion of selfhood in Fackenheim's view. But it is not clear that it is the Holocaust that is the *conceptual* key here.

We are not questioning the role that reflection on the Holocaust clearly played for Fackenheim in his own personal philosophical-theological odyssey here. Clearly the Holocaust was the catalyst that brought him to his later mature views on all manner of topics. The problem is that he seems to want to make a more substantive point than this. At the very least he presents the Holocaust as if it is a "philosophical" refutation of past ideas and systems, not just a biographical wake-up call. Take, by way of analogy, the case of the great English political thinker Thomas Hobbes, who wrote his *Leviathan* primarily as a response to the barbarism of the English Civil War. Clearly Hobbes does not make that event the fulcrum of all of his writings in the way that Fackenheim does the Holocaust: Hobbes would not merit the appellation post-English-Civil-War thinker in the way that Fackenheim merits being called a post-Holocaust theologian. Yet at a purely conceptual level, there seems to be a comparison to be drawn. The English Civil War is not a conceptual reason for Hobbes's political philosophy, and while it is the Holocaust that awakens Fackenheim to the admittedly important idea that "the *engaged* standpoint of finite moral existence is *metaphysically ultimate*," (91)<sup>15</sup> it would take quite some argument to show that the Holocaust somehow constitutes the *conceptual* reason for that proposition. It is an argument that it is not clear Fackenheim supplies.

The claim that Fackenheim does make is that we do not take the Holocaust seriously enough if we treat it as just another past event. We belittle the suffering of its victims and degrade the heroism of those who resisted the Nazis in thinking that we can simply "go on" in the face of the Holocaust. The Holocaust is a rupture that cannot be comprehended; as Morgan writes, "to continue on after the event, without a justification for our capacity to do so, is to demean its extreme character" (47). But in the absence of thought that can comprehend the Holocaust, a response "could not be constructed by thought, but only be given by life itself."<sup>16</sup> Post-Holocaust, then, we cannot think; we are only able to resist, and that only because of the resistance of those who resisted during the Holocaust. As Morgan explains it, that resistance, the "being aware of the threat yet commanded to oppose it, is the ontological ground of the possibility of subsequent resistance" (48). According to Fackenheim, it is "ontologically basic." What exactly, though, does that mean?

In order for us to take the idea of resistance during the Holocaust as "ontologically basic"—for it to have genuine explanatory or justificatory power such that it is the thing that enables our resistance today—presumably it would need to pass the counterfactual test: i.e., if such resistance had *not* been present then, we would be

<sup>15</sup> Emil Fackenheim, *Encounters Between Judaism and Modern Philosophy* (New York: Basic Books, 1973) 157 [italics in original].

<sup>16</sup> Fackenheim, *To Mend the World*, 15.

unable to resist now. But is it really the case that had Jews been unable to resist, that would mean that we would be unable to do so now—or that we would be unlicensed to do so? That appears to be a straightforwardly false, or, what is worse, an ethically abhorrent conclusion to draw. While the point in chapter 2 is that one could not blame anyone for being unable to resist, especially the *Muselmänner*, and should therefore not make ideas of autonomy or responsibility criterial for selfhood, to go to the extremes that Fackenheim goes to in *To Mend the World* by saying that “a dialectical, phenomenological, and hermeneutical inquiry into the actions of the perpetrators and the lives of the victims of the Nazi atrocities discloses *the ground of the possibility of resistance* to Nazi purposes” (76 [italics added]) has troubling implications. In the horrific event of all Nazi victims having been reduced to *Muselmänner*, I fail to see why opposition should not emerge regardless of resisting lives, or perhaps, to approach matters from the opposite direction, how opposition could ever emerge were it not for a preexisting moral commitment that *survives* the Holocaust. It thus remains, to me at least, unclear what it means to say that resistance became an ontological category if we are to take this as having substantive conceptual import, though interestingly, Benjamin Pollock, based on his discovery of a handwritten note that Fackenheim appended to his own copy of *To Mend The World*, has argued that prolonged consideration of the *Muselmänner* led Fackenheim to ask cognate questions himself and to backtrack on some of these more extreme claims:

How can he have privileged the testimony of those who resisted, whose testimony vis-à-vis the ultimate experience of the death camp is thereby only partial, while ignoring the “complete witnesses”? No resisting life can teach thought how to confront the fact of the “Muselmann,” for all such life has—by definition—been spared the abysmal truth to which only the “Muselmann” mutely bears witness.<sup>17</sup>

Citing Fackenheim’s earlier insistence on the central place of the Muselmann in the ethical broadening of the concept of selfhood, Morgan is able to counter the claim that Fackenheim somehow denigrates the non-resisting lives of the *Muselmänner* by invoking resistance as the ground of post-Holocaust thought (57), but that does not alleviate the broader philosophical concerns surrounding the notion of resistance as ontologically basic.

Morgan goes on to mention the problem that if everything is historicized, why not our opposition to evil as well? Making resistance ontologically basic might then be more important as offering a way out of this dilemma, allowing us to oppose the radical evil of the Holocaust despite historicism by insulating such ethical resistance

<sup>17</sup> Benjamin Pollock, “Thought Going to School with Life: Fackenheim’s Last Philosophical Testament,” in *Fackenheim: Philosopher, Theologian, Jew*, 55–88, at 82.

to evil from the vicissitudes of history.<sup>18</sup> But again Fackenheim does not seem to offer much by way of argument. What we have rather is Fackenheim's giving us a phenomenological account of the meaning of post-Holocaust Jewish experience. Morgan does at one point write that Fackenheim "calls to mind the Husserlian requirement . . . that phenomenological description takes place when we . . . focus . . . on a precise description of what appears to consciousness, to the *meanings* present to the experiencing subject" (63 [italics in original]). Michael Oppenheim has written similarly of the 614th commandment as "merely translating responses of the community into philosophical and theological language."<sup>19</sup> It may be, therefore, that Fackenheim's thought works best as a phenomenological account of post-Holocaust belief and experience in what, as Morgan acknowledges in his discussion in chapter 9, becomes an increasingly passionate, autobiographical and gnomic style.<sup>20</sup> Fackenheim's faith in humanity was so shaken by the Holocaust that he was no longer able to trust human philosophical formulations with utter confidence. The more fractured style of his later work reflects the fractured sensibility that he brings to his philosophical reflections and that he sees as inevitable after the Holocaust. But Morgan's step-by-step analysis makes it clear that his "arguments" for this sensibility really amount to phenomenological accounts of a faith experience that may or may not resonate with his readers, and while those with whom they do not resonate may be accused of being ethically insensitive, it is not quite so clear that they can be accused of conceptual confusion.

## ■ Conclusion: Fackenheim and Philosophy

The ethical broadening of the notion of selfhood turns out to be a particular manifestation of a more general stance towards philosophy that Fackenheim takes up post-Holocaust. The (Jewish) philosopher Karl Marx complained in the tenth of his *Theses on Feuerbach* that "philosophers have only interpreted the world, in various ways; the point is to change it."<sup>21</sup> Morgan emphasizes how the Holocaust causes Fackenheim to echo this complaint and voice a similar philosophical "call to arms." Rather than forming comprehensive systems of thought in Hegelian fashion, Fackenheim insists that post-Holocaust philosophy needs to "understand

<sup>18</sup> Pollock writes of this idea of ontologically basic resistance as being "the category of human knowing or thinking that grounds the possibility of resistance to radical evil in life," and the Holocaust, as the most radical evil of all for Fackenheim, would be the first time this "category" had revealed itself. See Pollock, "Thought Going to School with Life," 74.

<sup>19</sup> Michael Oppenheim, "Between Halle and Jerusalem," in *Fackenheim: Philosopher, Theologian, Jew*, 25–41, at 33.

<sup>20</sup> Even Morgan's account of Fackenheim's early understanding of Kant seems open to a phenomenological reading. According to Morgan, Fackenheim treats Kant's postulates of reason, particularly the immortality of the soul and the existence of God, not as theoretical resolutions to conflicts in Kant's system, but he instead writes that "believing in the soul's immortality and God's existence expresses them" (89).

<sup>21</sup> Karl Marx, "Theses on Feuerbach," in *Karl Marx: Selected Writings* (ed. David McLellan; Oxford: Oxford University Press, 1988) 156–58, at 158.

human existence in such a way that it contributes to meeting the moral challenges of living in a world of atrocity and horror” (80). Thus, Fackenheim argues that the Holocaust shows that we can no longer speak of philosophical arguments or ideas without bringing ethical considerations into the discussion.<sup>22</sup>

This conception of philosophy, combined with the phenomenological reading of his work suggested in the previous section, could shed new light on a question mentioned earlier that to my mind Morgan’s detailed exposition of Fackenheim’s thought keeps highlighting—the question of whether the Holocaust really does the conceptual “heavy lifting” that Fackenheim thinks it does. The claim that Fackenheim overplays the philosophical (as opposed to historical—which cannot be overplayed) significance of the Holocaust is based on there seeming to be no internal logical connection between the Holocaust and his later philosophical views. Yet there is no question that regardless of the conceptual links, the Holocaust was the turning point that caused Fackenheim to reach many of his conclusions and is a key rhetorical element in his presentation. The question one might then ask is what stripping away this rhetorical feature would do to his philosophy.

Analytic philosophers—and I should probably state that my own training was in analytic philosophy—might well take the view that stripping the contingencies of Fackenheim’s presentation from the purely conceptual content will reveal the argument within and reinforce such philosophers’s doubts regarding the conceptual role played by the Holocaust.<sup>23</sup> Others will object that one cannot simply distill the content from the form in this fashion, and not only for the obvious reason that this would disfigure Fackenheim’s writings. For it could be argued that his rhetoric plays an important role in keeping the memory of the Holocaust alive, an effect that will likely become ever more important as the direct historical links to the Holocaust fade. Elie Wiesel writes that Fackenheim became “devoted almost exclusively to the Jewish memory of the Holocaust and to both its metaphysical and practical lessons.”<sup>24</sup> The devotion to the memory of the Holocaust is unquestionable; working one’s way from this event to metaphysical lessons is the more problematic part. Yet, given Fackenheim’s conception of philosophy, this “performative” aspect of his work might be of overriding importance. Invoking his ethical conception of philosophy, one might argue that the Holocaust rhetoric reflects an unavoidable

<sup>22</sup> Given the immense influence of Rosenzweig on Fackenheim, it is interesting to note that in his 2009 monograph Benjamin Pollock puts forward a parallel view of Rosenzweig’s conception of philosophy, according to which human redemptive activity is the task of philosophy. System becomes a program for us to attempt to *realize* rather than a solution or a set of answers. Thus, Pollock argues that *The Star of Redemption* is dedicated to what he calls “the task of system,” which involves knowledge that “at once directs [its readers] toward *realizing* the redemptive unity of that very ‘All’ through the actions, decisions, and relations of concrete life” (Benjamin Pollock, *Franz Rosenzweig and the Systematic Task of Philosophy* [Cambridge, UK: Cambridge University Press, 2009] 1 [italics added]).

<sup>23</sup> Indeed, this might in part explain the view taken by some that after the Holocaust this promising philosopher took a wrong turn.

<sup>24</sup> Elie Wiesel, foreword to *Fackenheim: Philosopher, Theologian, Jew*, xi–xiii, at xiii.

element of the phenomenology of contemporary Jewish consciousness, and one that should prevent an obsession with conceptual concerns from obscuring the moral role Fackenheim believes philosophy must play in “mending the world.” Because the rhetoric is essential in propelling his readers to recognize the ethical demands of philosophy, to argue that there is no “conceptual connection” between the Holocaust and some of his philosophical views at best is beside the point and at worst reflects a failure to engage with the most important *ethical* aspect of Fackenheim’s writings, which, in a sense, would be the most heinous of all “conceptual” crimes.<sup>25</sup>

The reasoning above may or may not be convincing, but in taking a layered *philosophical* look at Fackenheim’s work, Morgan’s book throws important issues like this into sharp relief. The book is an exemplary illustration of how to take Jewish thought beyond its parochial confines and allow it to breathe in the wide open spaces of philosophy per se, as Morgan argues—and I wholeheartedly agree—it surely must do; it is absurd to think that one can do justice to Jewish philosophy if one cuts off its life source. Any minor quibbles aside, Morgan’s book certainly allows us to place Fackenheim in a broader context and appreciate his philosophical contribution as going far beyond a blinkered obsession with the Holocaust. It is, without question, the best monograph to have been written on Fackenheim and certainly makes good on its promise to show that he is a Jewish philosopher worth taking seriously. To this reader, the Fackenheim who emerges from Morgan’s book appears as a covenantal thinker who has taken both Rosenzweig and the Holocaust seriously, which in itself is an interesting hybrid. Speaking personally, I have to admit that despite Morgan’s best efforts, I believe the jury is still out regarding whether Fackenheim should take his place alongside the greatest figures in Jewish philosophy. Still, in teaching my graduate survey of modern and contemporary Jewish philosophy this year, I devoted a class to Fackenheim as a stand-alone philosopher for the first time. For Morgan, that must surely mean mission accomplished.

<sup>25</sup> I am grateful to David Shatz for helping me to clarify my thoughts regarding the issues discussed in this section.