

Francisco de Goya, *El Perro Semihundido*
1821-23, Museo del Prado, 134 x 80 cm (oil on canvas)

1. The Philosopher's Familiar

Animals, Heidegger in effect argues, do not die; being instances of what he calls “mere

¹This preliminary and exploratory sketch, this quick glance at those whose eyes we cannot meet, and cannot fail to meet, marks the return to and revision of questions that I initially explored in “On ‘Being the Last Kantian in Nazi Germany:’ Dwelling with Animals after Levinas.” The seminar paper falls into three draft sections:

1. “The Philosopher’s Familiar” (1-20)
2. “Who is ‘the Last Kantian in Nazi Germany?’” (20-51)
3. “On the ‘Accidental Witness:’ Animal Testimony and the Murders in Liepaja” (51-82)

Oberlin seminar paper (1 December 2010): For
circulation to seminarists

Department of English and Cultural Studies
McMaster University

Who was ‘the Last Kantian in Nazi Germany’? Towards a Prehistory of the Postanimal¹

David L. Clark
McMaster University
dclark@mcmaster.ca

<http://www.humanities.mcmaster.ca/~dclark/>

Apes too have organs that can grasp, but they do not have hands. The hand is infinitely different from all grasping organs--paws, claws, or fangs--*different by an abyss of essence*. Only a being that can speak, that is, think, can have hands.

--Martin Heidegger, *What is Called Thinking*

I saw well why the gods do not speak to us openly, nor let us answer. Till that word can be dug out of us, why should they hear the babble that we think we mean? How can they meet us face to face till we have faces?

--C.S. Lewis, *Till We Have Faces*

life” or “just-plain-life,” animals thrive and then stop living (*Being and Time* ¶47). Lacking the resoluteness towards death that he identifies as the exclusive and exemplary concern of human *Dasein*, non-human animals are said to experience biological demise without truly being mortal. Not unlike the machines to which an abiding Cartesian philosophical tradition has often compared them, a tradition that Heidegger otherwise claims decisively to have had done with, animals simply break down and cease to function. With animals, there is no being-there because for them there is no *there* there, no recognition of death as the horizon before which a being singularly and anxiously takes on the there in the awareness of its finitude. Without a world, or at least poor in the world, having the world in the mode of not-having it, as the philosopher says elsewhere, animals die deaths that are therefore “always unforeseen”--to remember something that Schopenhauer, Kant, and others have claimed (*Introduction* 45; *Four Fundamental* 177), each speaking from vastly different philosophical registers that curiously align when the subject at hand is non-human life. For Heidegger, there *where I am* is imagined to be nowhere near the animal; indeed, notwithstanding a certain ambiguous proximity, animal existence remains separated from *Dasein*, “*by an abyss of essence*.” It will be one of the burdens of my paper to suggest ways in which animals, caught in the mirror of philosophical modernity, are in fact at once closer and farther away than they appear--than they are forcefully, reiteratively, and melancholically *made* to appear. Needless to say, the fretful and ethically consequential nature of this demarcation between animal perishing and human dying deserves the slowest of slow readings, not least because of the ways in which the question of mortality is in all rigour inseparable from the question of justice, decision, and responsibility, as it is from the being-toward-death (and the being-toward the-other) that underwrites the work of mourning in all of its

manifestations, psychic and social. We would need to ask, for example, how the denial of “death” to the animal and, for that matter, the attribution of a certain privileged mortal “life” to human *Dasein*, can form an alibi for different forms of violence; these would principally include what Derrida calls the “non-criminal putting to death of animals” and of human beings “by marking them *as animal*” (“Eating” 278; Wolfe *Animal Rites* 43). (--An animal life, then, that is indemnified against death, or a certain concept of the impossible possibility of death: is this how non-human creatures are imagined to be innocent of being-mourned, or their loss being grieved? Themselves without loss, they cannot be lost?) Deemed to be neither worthy nor capable of death (as if this prowess, this virile faculty for concerned dying were not itself questionable, as Levinas more than anyone has taught us) animals—which is always a matter of those creatures, human or not, that are *taken to be animals*, *herded* together into the camp of the sacrificed—are hallucinated as creatures that do not oblige others in any fundamental way—thereby opening the path to an ethics and a politics whose potential dangers could not be overemphasized. Heidegger saw this extraordinary peril around him, even if that insight appears fantastically to have prevented him from also grasping and acting upon a similar monstrosity operating in his own thinking: as he said in controversial 1949 lectures in Bremen (near a once wooded “corner of Germany” to which Levinas will ask us to return, but always in the company of an animal), the complete “Europeanization of man and of earth” meant, finally, the routinization and banalization of killing and death. Under these conditions, the “motorized food industry” (that is, the battery farms, the vast abattoirs of the agricultural-industrial complex), was, he says, “in essence *the same* as the manufacturing of corpses in gas chambers and extermination camps” (cited by Levinas, “As if Consenting” 487). Levinas remarked of this lofty and unblinking assertion of

“sameness,” this summary annihilation of the differences not only between but also *among* humans and animals--all in the name of a kind of commonplace, mechanized perishing--that Heidegger here risked becoming what he beheld--that is, he had started to speak indifferently about this killing indifference to difference, and thus spoke “as if consenting to horror.” (So much would need to be said about the conceptual work that this Kantian *as if* is being made to do, but Levinas makes it clear that he will do nothing of the sort.) Such acquiescence on Heidegger’s part, such tacit assent, Levinas writes, is “*beyond commentary*,” not so much unspeakable as without an addressee deserving of testimony (488).

Heidegger denies mortality--or a certain mortality--to non-human life. But far from just being an example of the logic of non-contamination that ferociously characterizes his work, early and late, whenever he finds himself in the company of animals (as David Krell has demonstrated [*Daimon Life*]), this refusal is part of a larger continuum of disavowals that have characterized and *unsettled* modern philosophical articulations of animality since Descartes and Kant. In philosophical modernity, I would suggest, it is Kant and Heidegger in particular who treat animals with symptomatically revealing ambivalence. That Levinas’s two most significant philosophical interlocutors are precisely these thinkers therefore means something when it comes to the enigma of the non-human life, life that triggers in Levinas dogmatic and sometimes disappointingly anthropocentric claims about animal existence while at the same time testing the limits of their coherence.

“The distinction between the animal and man has nowhere been more radical nor more rigorous than in Heidegger,” Derrida observes in an interview with Nancy (“Eating Well” 268). Heidegger’s creaturely exclusions are perhaps the limit case of a long-standing pattern of

reiterated philosophical *avowals* about animals expressed in the form of confident *disavowals*.

Since Kant, and certainly long before him too, a dominant philosophical discourse has, with some interesting and always problematical exceptions, told us that animals are without consciousness or at least without self-consciousness, without language, without representation, without judgment, without access to the conflict between “concealment and “unconcealment,” as they are without justice, secrets, history, love, judgment, nakedness (or apparel), hands, happiness, suffering, anguish, disgust, and the unconscious, without the capacity to respond to inquiry or to address an other or to close their eyes to others, without the ability to laugh or mourn or make contracts, without reason and thus without an open-ended and self-devised life (in the manner that Kant, among others, reserves exclusively for human beings), without the experience of experience, without hypocrisy or sincerity, without the ability to ascertain what is proper to animality and to humanity, and finally, in Heidegger, without the resoluteness of a death-directed temporality.

Asked specifically about animals, Levinas says that there are creatures whose essence it is to strive to be, at all costs; animals are without the capacity to apprehend that there is more to life than living (“Paradox” 172). So many and so varied are these deracinations, so common are these different reiterations of denial across such a broad spectrum of philosophical and historical circumstances, one begins to wonder at what point they betray an underlying discomfiture, a suspicion that has not been banished.

But a suspicion or discomfiture about what? In two essays that are centrally important for my remarks here, Derrida reminds us that the question may finally not be whether the imagined animal possesses any of these competences, powers, and faculties, but whether “*we*” do (“And Say the Animal Responded,” “The Animal Therefore I Am”). What does it mean, and what are the

consequences, for example, blithely or earnestly to say that human beings “possess” language (and in particular to say this in the mode of claiming that the animal does not)? (As Derrida says in another context, “I have but one language—yet that language is not mine” [*Monolingualism 2*].) -- Or to allow animals a kind of conditional possession of a faculty, as if to possessing it in the mode of not possessing it. For instance, in philosophical modernity nonhuman creatures are often said to be conscious, but to instance no self-consciousness. But in all rigor, could there be a consciousness without consciousness of self? A consciousness not quickened by repetition and difference? Or, as Kant says in early lectures recorded by Herder, animals are desirous but incapable of *wanting* to want, of making a choice in their desires; that is the finely drawn but indelible line that marks their distinction from “us:” “This desire is a desire in a desire and is with humans the essence of freedom: otherwise I could not distinguish the soul from the other necessitating grounds in nature” (ctd by Naragon 8). In other words, animals desire, and act on their desire, but they do not *choose* to act on that desire, meaning that their choices are not themselves the object of a desire. They are desirous, but without the slightest inkling of being so; it is as if the animal is at odds with itself by *not* being at odds with itself. But when is desire anything other than desire *of* the other, the other’s desire? This repeated gesture of denying the animal a competence without putting it entirely out of reach calls for exploration.

It would be important to explore the ways in which some of these pronouncements about animals are made even and especially in the face of our strongest intuitions: as Tom Regan notes, “the attribution of conscious awareness to animals is so much a part of the commonsense view of the world that to question animal awareness is to question the veracity of common sense itself” (*Animal Rights 2*). Even Descartes had to concede that there was no greater “preconceived

opinion” than “the belief that dumb animals think” (“To Henry More,” 5 Feb 1649). Whatever it is that motivates the desire to make animals do without is powerful enough that it requires human beings also to do without—and to do without not one faculty among many but precisely the one that promises prudence, soundness, and self-familiarity. One disavowal (animals cannot have “conscious awareness”) is predicated on another (this “cannot” contradicts common sense, which I sacrifice and deny in order to deny animals “conscious awareness”). I would suggest that this “never-never” structure—I say “no” to animals, and then “no” to that which tells me that this “no” makes no sense, or no common-sense—is not unrelated to melancholia, a subject to which I want to turn in a moment. But for now it is worth noting the formal similarity this counter-intuitive demand has with another demand, precisely “Kantian” in kind: i.e., the expectation that the subject of practical reason is only ever truly free, and thus “human,” when she or he turns *from* compassion, sympathy, love, and pity—i.e. those faculties which in Kant’s day were imagined to be “most truly ours”—and instead submit ourselves to an abstract principle that takes neither love nor sympathy into account” [Zupanic 75]. To be human I must be *other* than human (or a certain “human,” i.e. the one who identifies with the other at the level of affect). How is this “Kantian” “ethics of alienation,” in which “the subject finds herself a stranger in her own house,” connected to the alienation and estrangement of animality and of the animal? Who is the stranger in our own house? Who is my neighbor? *What* is a neighbor? What is my neighbor? --Interminably difficult questions, if there ever were. When we are told that animals *both* lack speech and are unable to keep a secret, that is, when non-human creatures are said both to be unable to say something and to be unable *not* to say something, we start to realize that there is potentially no limit to what is kept from or denied to animals--the sure sign of which is that they are finally said—in Lacan—to

lack *lack*; constitutive absences and troublesome nothingness are reserved, for better or for worse, for human beings. Each of these denegations, these prohibitions, these pronouncements of poverty and imbecility from the always presumed and unquestioned perspective of anthropological plenty (which includes the curious plenty of nothingness), each of these demarcations shoring up the humanisms, hidden and otherwise, that underwrite philosophical modernity, demands consideration, including always a thorough-going historical and cultural consideration. Under the gaze of this philosophical tradition, animals constitute a vast region of incompetence and deprivation--about which living creatures might well be said to experience some shrinking embarrassment and indeed shame had these allegedly human all too human traits not precisely been forbidden to them as well. Human beings, we have been told, are unique among the living creatures to suffer guilt or feel remorse, and to know themselves *as such*--not only to be naked and exposed but to *feel* it, as it were, in their shivering bones and blushing faces. More: originally deficient, we require endless supplementation, the limitless sacrifice and interiorization of others carried out in the name of confirming and reconfirming a fullness whose impossibility is what we are or what we imagine ourselves to be: we are, as it were, what we eat. Animals, it has often been said, are *beyond* good and evil, (there are *No Bad Dogs*, only careless and incompetent owners, as the title of Barbara Woodhouse's best-selling book says), standing entirely to the side of questions of moral action, and, importantly, moral consideration--the one disavowal operating as a cover for the other; yet philosophers from Schelling to Heidegger, in a move that is nothing if not anxious about the prospect of attributing to animals precisely this sort of radical alterity vis- -vis the human, nevertheless find themselves dragging the animal back into the moral universe, if only by the back door. Kant, for example, strongly opposes harm being done to animals, not because

animals intrinsically oblige us not to hurt them, much less because they can themselves act dutifully (dogs and horses, Kant notes several times, *simulate* respect without in truth being respectful, i.e. without having a good will; but do “we” possess a good will, or rather, do we possess the competence definitely to determine whether we ever act from a good will? Kant is not sure....), but because in making them suffer we harm ourselves, violating the humanity that makes us who we are. (But which “humanity”? Who “us”? Surely the humanity for which Kant speaks is also the emerging Prussian bourgeoisie, for whom the needless torture of animals would have been, on the one hand, associated with the moral indifference or pathological pleasures of the underclass [bear-baiting, cock-fights, etc.], or, on the other hand, the showily indecent blood sports and hunting rights of the aristocracy [both of which thrived in the German speaking lands long after they had faded elsewhere]. This latter expression of cruelty would have been one of the reasons why Kant slyly declares that the German nobility lie outside the purview of his *Anthropology*—i.e., that there is something about the aristocratic class that makes them less than “human” and thus not worthy of the science of man he—Kant—is then in the process of (re)inventing. We might remember too that Marx will subsequently say that animal-protection societies are symptomatic of a bourgeois wish for the behavioural modification and eventual annihilation of the proletariat.) Even a philosopher of animal rights as Kantian in orientation as Tom Regan has pointed out that the argument of “indirect duties” towards animals relegates them to “mere receptacles of valuable experiences for human beings” (277). (As Marjorie Garber has suggested, on a more affirmative but less critical note, dogs are what help make us human. -- Whatever that means.) Even in rejecting the instrumentalization of animals as mere means, we can find ourselves instrumentalizing them all the same.

In truth, this fort/da game, this casting out of animals only to draw them back in, this double identification of them as radically other *and* relatively lacking, is one and the same gesture. Enlightenment and post-Enlightenment philosophy forcefully and repeatedly structures its relationship with animality in terms of such momentous but I would also argue necessarily and symptomatically incomplete denials—denials that bind the animal to the human at the multiple and internally partitioned points of their forced and repeated separation, and that threaten the division of the anthropological and the zoological not in spite of these demarcations but precisely because they are drawn at all, because they are felt to be in need of being drawn. As its constitutive exterior, a phantasmatic animality haunts the ceaselessly patrolled boundaries that philosophical modernity claims do and must obtain between what is proper to the human and what is proper to the animal. But what we are also witnessing here is a form of unacknowledged attachment *to* animality, an underlying and interminable *anthropological melancholia*, so to speak, expressed in the form of ongoing foreclosures and erasures of the imagined animal, acts of renunciation whose repetitiveness and whose axiomatic nature puts to us that philosophy of a particular kind cannot have done with animals but *cannot have done with having done with them either*. In other words, philosophical modernity *mourns* animality, suffering interminably the ungrieved loss that it is responsible for having created in the first place—denying the animal, if there is such a thing, and also denying that denial, forgetting what losses may not be self-evidently in the possession of the human at all, forgetting what losses are incurred in declaring that an oppositional limit obtains between the animal and what claims the animal for itself. —For example, losing sight of the irreducible differences that heterogeneously partition what is imagined to be the universe of human beings and the universe of animals, forgetting too that what is denied to the animal and

claimed to be proper to the human: language, consciousness, a resoluteness towards death, and so forth. What I am proposing, then, is to read philosophical articulations of animality not so much *conceptually* for what they say about living creatures (as boundlessly intriguing as they are) but *symptomatically* the site of (dis)avowed and haunted desires, of repressions and displacements that register the ways in which the *anthropos* is inconceivable both with *and* without a conception of animality. Animality forms the abject other by which philosophy after Descartes and after Kant constitutes the “human,” and is thereby crucially—if sometimes obscurely—caught up in the history of the notion of an ethical obligation that is often presumed exclusively to be the province of “man.” But the fact that this abjection is made repeatedly and in such axiomatic terms—Heidegger’s argument being perhaps the limit case—speaks to an elementary recognition that what is being abjected is not a threat from without but an uncomfortable possibility from within, and, more important, that the absolute difference that is imagined to obtain between the “human” and the “animal” functions primarily to mask and to police the myriad and multiplying differences “within” and “across” each realm.

A radical surplus of differences and differance will always unsettle the oppositional limits between the human and the animal, and the man-centred determinations of the just and the unjust upon which the rigorous purity of these limits rest. In “The Animal Therefore I Am,” and other texts, Derrida chose to think these possibilities, to evoke animals *otherwise*, in terms of a recognition scene that he suggests is all but absent from the philosophical tradition. In a reflection that begins, implausibly enough, with the philosopher standing naked in his bathroom before the unfathomable—and thus irrepressibly fathomed—gaze of his little cat, Derrida asks, *where in that tradition are there comparable scenes of animal encounters—i.e. of being after the animal, of*

being seen, “and not only by means of the gaze” (“The Animal” 383)? After a fashion, philosophers of course often consider animals; they *see* or at least *claim to see* them. They gaze upon and record their infirmities and powers, sometimes disguising or troping these weaknesses as strengths. (Animals, Descartes says in an early letter, cannot be alive in the way human beings are alive because “they are too perfect.”) Philosophers probe their entrails (again, I think of Descartes’ strange accounts—in Part Five of his *Discourse on Method*--of his hands exploring the heart and lungs of a still-living animal, and in particular of the polite invitation to his reader to join him, here and now, in the presumed pleasure, knowledge, and power to be won from this more or less virtual vivisection; or his suggestion that we pluck the eye out of an animal and see what the world looks like through that organ); philosophers finger their skin and scales, smile and frown knowingly at the ways they fit into the order of things. The philosophers look and look, but they do so while also holding in reserve the ability to look *away*—that is, to exercise the faculty of what Kant calls “negative attentiveness,” the peculiarly human ability to regard a thing at a safe interval, thereby preserving a certain self-respect, a certain rational distance from what might otherwise become a dangerous intimate, an object of, for example, over-whelming sympathy or love or horror or incomprehension...among other ways of being-with-others and of living-together (*vivre ensemble*). The philosophers look, sometimes rapturously, sure, but they are always finally able to close their eyes, an ability that Aristotle was quick to deny certain non-human animals, namely those “hard-eyed” and resolutely *unwinking* creatures without the sheath or membrane that allows them to close off the world and retreat into the realms of “inward thought and sleep” (Derrida “The University in the Eyes” 220). But amid all this gazing and blinking, this watching and thinking, this fantastic *theoria* of vision that may be coterminous with philosophical modernity

itself, where are the moments when—to speak too quickly--animals *see* philosophers, where philosophy is subjected to the gaze of the other animal, to the other-than-human animal, “the gaze called animal”? As Derrida suggests, philosophy mostly forgets this prospect of the philosopher being “seen seen” by the animal; in its deeply anthropological underpinnings, philosophy, even and especially the philosophies that claim the most distance from the contaminations of anthropology—Levinas and Heidegger come to mind, as does a certain Kant--may even *be* this amnesia, this blindness to the other animal’s sight, in their essence, so to speak. But as Freud recalls, forgetfulness is not the opposite of remembering but rather a special instance of recollection in a negative mode. Strictly speaking, there may never be a moment when philosophy, when philosophers, are not under the gaze of animals, never a moment, even if that interpellation or convocation is remembered in the form of being forgotten, when the animal, if there is such a thing, is not *before* them. The animal before us: that is, prior to and in excess of our making them visible, of making them over into something ontologically positive, a *thing*—as Kant can claim unabashedly but also inconsistently of animals--that can be brought to sight, tucked under foot, or laid out on an examining table or a vivisectionist’s bench; before us, then, as Derrida says of the grieved and interiorized other, as that which “holds us in its gaze and looks at us looking at it by recalling us to what looks and regards us, that is, to our responsibility before it and in its eyes” (“By Force of Mourning” 185).

If it is the case that philosophy and philosophers are never *not* before the gaze of the animal, where is that sense of being stared-at by the other-than-human creature thematized? Where are the philosophers stripped naked, shivering and vulnerable, answerable to the point of view of a singular animal—the tableau Derrida evokes for us in his own work, where the nude

philosopher in his bathroom finds himself under the unfathomable gaze of his little cat, a creature, as he says, that appears to be neither clothed nor naked. Philosophical scenes when the animal gaze as such comes into this kind of focus are indeed rare, conspicuous for their absence...and for that all the more complicatedly over-determined. One could write a book tracing the tracks laid down by these encounters with the wide-eyed or “sclerophthalmic” creature, these sometimes *over-looked* scenes being seen (and being “seen seen,” as Derrida says):

--in Nietzsche (the happily anaesthetized and radically forgetful look the cows give the philosopher in *Untimely Meditations*. In those eyes Nietzsche thinks he sees a curious contradiction: the ability to remember to forget and to forget to remember. Does this mean that there is no absolute recollection, no more than there is total recall? More: Why is the animal gaze the occasion for this suggestion, this memory of memory?);

--in Lévi-Strauss (from *Tristes Tropiques*: “The real goal of science is to understand the essence of what our species has been and still is, beyond thought and beneath society: an essence that may be vouchsafed to us in a mineral more beautiful than any work of Man; in the scent, more subtly evolved than our books, that lingers in the heart of a lily; or in the wink of an eye, heavy with patience, serenity, and mutual forgiveness, that sometimes, through an involuntary understanding, one can exchange with a cat.” Looking and forgiveness: what joins these gestures, these phenomena and philosophemes? About what [unforgivable] do human beings and cats forgive each other?);

--in Descartes (in the *Second Meditation* “Gassendi” compels the philosopher to return to a ghostly primal scene in his work: observing a man and not knowing with certainty whether, under his cloak and hat, he *is* a man or an automaton. But this time the scene is restaged so that the

creature that Descartes famously declared to be a kind of spritely puppet occupies the puzzled subject position formerly held by the philosopher. “Gassendi” invites Descartes to consider the possibility that the dog’s gaze is knowing not machinic, and capable of discerning its master’s nature as human despite the changeability of his or her outward appearance [76-77]);

–in Kant (in early lectures on empirical psychology recorded by Herder, the philosopher makes the following extraordinary concession:

Consequently, merely according to the similarity [of our external behaviour] do I judge that the inner condition of the other [the animal] involves thinking and sensing like mine, for my behaviour is regarded by him just as his is regarded by me. I judge that the inner condition of the other involves thinking and feeling like mine, as mine is from its view. I therefore have just as much cause not to take him as a machine as to take myself as one. The dog moves itself, seizes things, cries—thus are animals thinking beings that have desires, grounds for acting. Just as Descartes had the paradoxical opinion of animal-machines, so must I likewise say of humans and of myself as well, only to a greater degree: if that one howls like a machine, then I speak like one. Because of the similarity between our external behaviour and that of *the animal*, I judge that the inner condition of the other involves thinking and sensing like mine, *for my behaviour is regarded by it just as it is regarded by me*. I therefore have just as much cause not to take him as a machine as to take myself as one. [ctd by Naragon 3].

So very much to talk about here, with no guarantee that some of it will not be machinic or machine-like in nature. After all, Kant will in subsequent years return several times to the uncanny

figure of the *Sprachmaschine*, the speaking-machine that captures a dangerous automaticity haunting the intoxicating desires of the Prussian bourgeoisie. Kant will worry that as a professor he will one day become such a teaching-gadget, repeating old axioms, thinking dogmatically, and saying nothing new. The philosopher's phrasing fascinates because it does not deny, not outright, that he is not at this very moment also subject to a certain technicity—as if playing the very role of the automata that Descartes worried he was mistaking for cloaked men scurrying across that public square in Amsterdam. As I've just suggested, would a dog not be able to distinguish the replicant from the real master, Gassendi asks, responding to Descartes, playing on the great philosopher's human, all-too-human doubt? For their part, Kantian philosophers flinch from the passage, disavowing it as mere "polemic," so apparently unusual is its frank evocation of the life of animal minds. To be sure, these are lecture notes whose authorship will always be in doubt. But then that is precisely the question at hand here—whether machinic repetition and prosthetic extension can ever be safely distinguished from "life" or what is imagined to be life. But what I think is most troubling is not the question of animal minds but something "older," as it were, something figured in the philosopher being seen seen, yes, but an optical tableau that morphs quietly into an exemplary instance of something closer to hearing hearing. Far from mere polemic, Kant's remarks seem to me to be remarkable for their subtlety, their finessing of the question of the animal other *within* the confines of an existing Cartesian discourse about the putative unconsciousness of animal machines with which Kant spends a life time struggling. What intrigues me most about this passage is its insistently chiasmic structure, its activation of a dense series of crossings—machine/life, howling/speaking, inward mentality/outward behaviour, regarding/being regarded, seeing/hearing, human/dog--whose stability and intelligibility is noisily

unsettled, and whose primary effect is not to collapse the distinction between what is imagined to be the human and what is imagined to be the animal—although this is the risk that, so far as I can see, always attends a critique of “the purity, the rigour, and the indivisibility of the frontier that separates” (Derrida “And Say the Animal Responded” 127) these realms—but to invite Kant’s listeners to think the demarcation dividing mere machinic reaction from an allegedly living response *otherwise*—and to do so in the company of animals. I remark right away how, unexpectedly, Kant sets the scene as one in which two gazes, one animal and one human, intersect. Each looks at the other...and blinks, forms an impression and a judgment of the other that infers from outer behaviours an inner and one could say here more purely *naked* world of thought, desire, and intent. Each is imagined as seeing the other for what it is. Each in effect gives the other permission to be sentient. I note also how, in the presence of the animal’s gaze, Kant feels compelled to speak not or not only in the form of the general singular, that is, in terms of *humanity*, but for and of *himself*, in the first person: “I will say this...of myself,” Kant reminds his auditors, focussing the gaze of the human animals attending his lecture on the indubitable mortal who stands speaking before them, always before them. Under Kant’s gaze, alas, the animal does not emerge as analogously singular: it has no name, at least no name like the creature in Levinas whose path we will cross in a moment, an animal in fact named after the Sage of Königsberg, yet the memory of what is mortal about the animal, and therefore what obliges in a manner that is “older” than the demand for dutifulness, Kantian or otherwise, haunts this passage--this, in the sounds of animals communicating: the howls of pain, cries of desire, wails of hunger, all forming a kind of aural counter-memory to Kant’s best philosophical German. What’s crucial here is that this rustle of language is quite deliberately characterized as *not* machinic in nature, not a mere

reaction, as Descartes (and Lacan, and so many others) would have it, but instead a *response* whose veracity *as* a response is confirmed by virtue of triggering something of the same in Kant, of catching his inner ear even as the animal is imagined to see his inner mind. To be sure, the animal does not “speak,” but Kant does not then “leap to say that the animal is without language” (to remember something Wolfe says of Wittgenstein’s famous aphorism, “If a lion could speak, we would not understand him.” [44]). And if one howls and the other speaks, and if each of these languages are necessarily languages *of the other*, that is to say, languages that always already presuppose the response of the other, that convoke the animal other and the other animal, this does not mean there is only one language or that we speak the same language. Animal cries and howls are not necessarily and dumbly reactionary than my own speech, Kant says, the speech you are hearing at this very moment while I write this paper or discuss it with you today. For Kant it is not so much question of preserving the opposition between machine language and speaking, but of diversifying the possible significations of the word “language” across that opposition. Amid these howls and cries the animal gaze, which had first seemed to look confidently into Kant, now reverses itself, becomes imploring, rendering the animal as exposed, held hostage to the other in its hunger, its neediness, its mortality. It is impossible not to think here of what Bentham famously said of animals—that the question of their suffering irreducibly precedes and exceeds the question of its lack of certain powers—speech, thought, self-consciousness, representation, and so forth. As Derrida argues, mortal suffering is a “passivity,” a “weakness” before all oppositions of strength and weakness. Kant evokes this lack, this absence, not negatively in Cartesian terms as the loss that compromises animality, that makes the animal less-than-human, but positively as a communication that the philosopher, *this* philosopher, the one who stands before you named

“Kant,” the one who suffers too, like the animal, *cannot* dis-regard, look away from, or disavow. I will not do it, Kant if effect says, for if I do, what is it that distinguishes me, the human animal, from the machine that the animal is so often claimed to be? Kant haunts Descartes with the memory of these howling machines, and invites his audience to read the great philosopher symptomatically: for Descartes had argued that animals were “sprightly puppets” that only appeared to be animated from within, this, at the same time that he observed, in another discussion on the nature of memory, that animals who had been beaten with a stick howled in pain at the mere sight of it. A machine that howls sounds to Kant like the most impossible contradiction, a “paradox,” as he puts it, but it is a contradiction that is treated as meaningful, as symptomatic of a certain disavowal. In the memory of the animal who mourns, who feels anguish in anticipation of suffering and who is therefore capable of suffering suffering rather than simply having pain, Kant puts to us that even Descartes himself could not have done with the animal, and in particular not in the face of its imperishable mortality--even if he remembered it only in the form of a forgetting. As if a part of Descartes were speaking truthfully but without volition, out of the machine of memory. Later in life, Kant will several times employ a phrase [itself deserving careful consideration] that remembers this earlier scene under the creature’s gaze: “*If I imagine myself to be an animal...*”);

--in Rilke and Heidegger (the latter contrasts Rilke’s figure of the animal in whose face we glimpse “the Open” with the animal gaze that registers only a condition of captivation, poverty, and absorption into the surround--i.e., a blindness to the “strife of unconcealedness and concealedness.”) But as Agamben argues in *The Open*, this exemplarily human openness to non-knowledge and non-revelation is homologous with the animal *benommenheit*. “The jewel set at

the center of the human world and its *Lichtung* (clearing) is nothing but animal captivation...”

[*The Open* 68].)

--in Cixous (whose autobiographical narrative—“Stigmata, or Job the Dog,” given pride of last place in *Stigmata: Escaping Texts*--shares several important resemblances to a story about a dog’s gaze that Levinas will have told. Subjected to the exclusionary violence of Jewish life in an Arab neighbourhood of Algiers, Cixous recalls that her childhood pet, “Fips,” goes mad, and in that madness somehow breaks with “the stupidity, *les bêtises*” of his human tormentors. Unlike Job, this dog loses his patience. The animal plays the unwitting role of witness to the incomprehensible world in which it finds itself trapped, as if supplementing the testamentary work that Cixous performs after the fact in writing her narrative. Does the dog thus mark a certain non-knowing at the heart of the work of witnessing, i.e. that which is without a witness but fundamental to witnessing? One wonders why, elsewhere, in a reflection indeed entitled “Without Witness” [the conclusion of “This Stranjew Body”], Cixous returns to Fips [or is it the case that her memory returns Fips to her?]:

I question my mother:

--What relation do Jews have to animals?

--Jews have nothing to do with them. The animal is impure, says my mother, so there’s no relation...

And that’s all I know about Jews and animals....[N]ever an animal in the house. A dog is really not kosher. It brings forbidden things into the apartment.

--But our Fips?

--In the house, he stays outside. If your father wanted a dog he wasn’t acting like a

Jew. [72]

But what is *verboten* here? What exactly does the dog threaten to introduce into the father's house, the house that, Cixous tells us, was stoned by the neighboring Arabs after her father died? It was that assault that induced Fips' madness. In the shadow of that violence, what jeopardy did the dog represent? --The danger of revealing the limits of religiosity, i.e., the limits, even the stupidity, of the preservation of the sacred, the indemnification against the taint of the other, whether within or without this Jewish home? The threat not of the dissolution of boundaries, the borders of nation-states, race, class, religion, colonization, and finally humanity that burden Cixous's memory in "Job the Dog," but their uncontrolled multiplication and interior partitioning? The "desire to be a Marrano," the recall a phrase from Cixous, remembering Derrida (56)? But why does the animal, no, *an* animal, summoned by his very name, form the occasion for this kind of knowledge, this menace?

--And what of Sartre, who sees in the eyes of a loyal dog a kind of existential catastrophe (*The Words* 30)? As Lewis Gordon argues, Sartre here feels revulsion for those who idealize the animal as a creature possessing "eyes that can never judge, eyes that are always grateful," for in rendering animals this way we indulge in a violent fantasy of a world *emptied* of people because devoid of the resistant otherness of human beings--a perfectly obliging world without obligation, and thus tailor-made for the likes of sadists, sociopaths, and misanthropes. --A land of existence without existents (to recall and adapt a phrase from Levinas). We see perhaps why the Nazi's could enact and police unprecedented humane animal protection laws while at the same time incarcerating and murdering Jews, and why the kennels in the concentration camps were kept at the highest level of hygiene while hundreds of thousands prisoners lived and died in awful

conditions just steps away. (The “Decree for the Protection of the People and the State,” proclaimed by Hitler in 1933, precedes “The German Law for the Protection of Animals” only by a few years, one law perpetrating state violence against the Jews, the other lending sovereign authority to shielding nonhuman animals, or some animals, from abuse—both in the name of “protection, “which is to say, immune and auto--immune gestures characterized by a mad desire for “the salvation of the safe” [Ferry 91-107; Derrida, “Therefore” 415].) It is Nietzsche, after all, who criticizes Wagner, Schopenhauer, and Voltaire for “masking their contempt for other human beings, notably Jews, as kindness to animals” (97);

--And finally, to switch registers momentarily from the philosophical to the literary, there are the disconcerting allusions to animal gazes that we see in André Schwarz-Bart’s remarkable Holocaust narrative, *The Last of the Just* (published in France in 1959, and a book, I am convinced, that Levinas knew well but without saying so, at least not in so many words). *The Last of the Just* is a modern rewriting of the Judaic story of the thirty-six righteous men, into whom is poured the world’s grief. Some of these men do not know they are the chosen ones, and their lives are especially pitiable. But as Levinas says in an interview discussion precisely of the Holocaust, it is in those exceptional people that one glimpses the otherwise than being, an opening towards an alterity that is as irrepressible as it is unknowable. In Schwarz-Bart’s narrative, the last of the thirty-six survives the Shoah by virtue of being captured in a French uniform, while the rest of his family is murdered—an uncanny echo of Levinas’s own fate and the fate of most of his extended family. (What is a “uniform” in this context? --The residual trace of citizenship and nationality, i.e., the only thing that prevents Levinas from being deported to a death-camp and murdered outright. Neither clothed nor naked, the animal cannot be stripped of its rights or its citizenship—

the denationalized condition, Agamben says, of the Jews being sent to the camps [132]—because it possesses neither. When the Nazi’s attributed rights to animals, were they not then trying to *territorialize* them?) In the penultimate chapter, the thirty-sixth man, the last of his kind, transforms himself into a dog rather than live another day as a human being, alone in the world that no longer recognizes him *as* human. But the transformation appears to be incomplete: “Look, there, a dog with Jewish eyes,” the townsfolk say, as the creature wanders through the streets of Europe’s ruined cities. (In a 1986 interview, Levinas recalled being marched through the village where he was held captive, “looked at by the villagers as *Juden*.” “We were the condemned and the contaminated carriers of germs,” he says [Poiré 41]) In many respects, this traditional story, and in particular Schwarz-Bart’s retelling of it in the late 1950’s, is one of the hidden ur-texts for an essay by Levinas about animality and the gaze to which I want to turn in a moment.

2. Who is “the Last Kantian in Nazi Germany”?

So many animal gazes to take into consideration today, so little time. Two in particular attract my attention: a single tableau from Levinas’s wartime recollections amid the Shoah, and a piece of film footage shot by a Nazi soldier that records a murderous “*Aktion*” carried out by the *Einsatzgruppen* in Latvia in the summer of 1941. These representations are authored in separate worlds for which the names “victim” and “perpetrator,” respectively, is only a beginning. Yet in both cases, we are unexpectedly faced with a scene of being seen by the animal, and of an animal imagined to bear witness, and thus a setting that gathers together some of the claims that I have been making about non-human life and philosophical modernity.

My first example is a short essay that many of you may know well, a meditation called

“The Name of a Dog, or Natural Rights,” originally published in the second edition of *Difficult Freedom: Essays on Judaism* (1976). It is an essay about which I have written and spoken at length before, but which I find impossible to abandon, so hauntingly does it dwell with and after animals, and one animal in particular. The setting is as stark as it is complicated. Thirty years after the fact, Levinas recalls his nightmarish days as a P.O.W. and slave labourer, one of among one hundred Jews whose experiences left them “stripped of human skin,” as he says, resorting to a heart-breaking phrase that has violently opposing connotations: on the one hand, a ghastly recollection of some of the atrocities perpetrated by the SS in the neighboring death camps; on the other hand, the radical nakedness, mortality, destitution, and defencelessness that Levinas identifies with witnessing and with the encounter with the “face.” This will not be the only place where Levinas risks bringing the figure of the monstrously inhuman and of the other human into an uncanny proximity. In the inauspiciously named Camp 1492—a place not far from Bergen-Belsen, near Bremen--Allied soldiers like Levinas lived and died under appalling conditions clearing forests and digging out tree stumps, either for local manufacturers or in preparation for the creation of V-2 rocket sites. (Bremen: a wooded “corner of Germany” with sorrowful resonances, the place from which Heidegger spoke loftily of the processing of animals and the manufacturing of corpses. That Levinas is compelled to work in a “forestry commando unit” has symbolic as well as real consequences, since, elsewhere in *Difficult Freedom*, forests are a sinister figure for the deformation of political subjectivity under fascism, whose life depends irrationally upon “the sap rising from the earth” [137-8]. To invest blindly in the “soil,” Levinas suggests, means returning humankind to the “forest” of “paganism,” which he identifies as “nationalism in terms of its cruelty and pitilessness.” In contrast to this rootedness, the philosopher characterizes

Judaism as a fundamentally new form of de-territorialized community, one enlivened rather than deracinated by a certain groundlessness and displacement. ““The constitution of a real society is an uprooting—the end of an existence in which the ‘being-at-home’ is absolute” [*Difficult* 137-8].

The religion of the book offers something radically different to contemporary European history: “not the subordination of the spirit to the letter, but the substitution of the letter for the soil.”

Standing in the clearing that he and his fellow slaves had been compelled to carve out of the forests, did Levinas ever think, at the time or in his memory, of Heidegger’s arguments about the human relation to being and to its *Da*, the “there” where being unconceals itself and in relation to which the human comes into its essence? Without the ecstatic experience of coming to stand in this *Lichtung*, Heidegger says, human beings fail to “realize the proper dignity [*Würde*] of man,” his carefully chosen rhetoric at once sounding Kantian and sounding the end of Kantianism. In his “Letter on Humanism” (1947), Heidegger is quick to protest that his radical redefinition of the human does *not* mean that his work “promotes the inhumane and deprecates the dignity of man.”

Laboring unseen and unheard in forests around Camp 1492, and without necessarily saying a word, one wonders if Levinas answers Heidegger’s remark before he even made it. Among the many implications of Levinas’s woodland metaphors is that Judaism’s “difficult freedom” invites us to think of a liberatory space or clearing *otherwise*: i.e. a clearing that is itself clear of the concept and the Heideggerian rhetoric of the [forest] clearing. -So much more to say here in trying to locate “The Name of a Dog” in the context of all the other essays in the volume in which it appears, and to register the crosstalk between and within each of them that is produced by this convocation.) Staggered by the loneliness and violence of the camp, Levinas characterizes his life as having faded into a kind of mute human shadow. Having been given up by his captors, and by

cosmopolitan Europe, he comes perilously close to giving up on himself; as he says, reproducing the animalizing language of his masters, “We were subhuman, a gang of apes. A small inner murmur, the strength and wretchedness of a persecuted people, reminded us of our essence as thinking creatures, but we were no longer part of the world...[W]e were ...beings without language.” --Reproducing and repeating an anthropologism that is also mobilized violently against Levinas: but with what difference? How to parse this difference?

In *Existence and Existents*, much of which was composed during rather than after his captivity, Levinas speaks of what it means to live a bare existence in ways that illuminate his internment in Camp 1492. Without happiness, he writes, and without the ability even to remember what it was to be happy (like Nietzsche’s animals?), “life dissolves into a shadow.” To endure the privations of “hard labor,” he writes, means that “the world seems to be at an end, turned upside down and absurd, needing to be renewed. Time becomes unhinged” (37). Central to this experience of radical isolation and temporal derangement is the lack of a language, the limit case of which would be, presumably, the inability to say “*Here I am* (and in front of whom I can no longer say *Here I am*),” as Agamben notes (*Remnants of Auschwitz* 88). (And could this fundamental address ever be entirely differentiated from a more Kantian sounding summons, *Do not treat me solely as a means!* ? In Kant this imperative gets translated as “do not treat me as an animal.”) A barely audible whisper, unheard by the rest of the world, is all that stands between Levinas and the *Muselmann*--about whom Agamben and Anidjar, after Primo Levi, have written: the emaciated, crushed, and faceless spectre who haunted the death-camps only a stone’s throw from Camp 1492, the living dead who alone fully witnessed its horrors, and for that reason was able to bear witness (Agamben, *Remnants of Auschwitz* 90). Although, strictly speaking, not in a

death-camp (but who could make such distinctions with any surety, and according to what criteria?), Levinas describes himself and his fellow captives in terms that recall Levi's memorable figure. As the philosopher says so pointedly, he was "nowhere," cut utterly adrift from a universe of responsibility and humanity. "Nazi Germany demanded a vital space, its 'place in the sun,' the order where being strove to persevere in being" ("Salamon" 99), Levinas will say in a 1984 interview; that striving and perseverance in being meant nothingness and nihilation for the Jews, for whom, in Europe, there was allegedly no longer any room. "Nowhere"? Yes, of course, but also always and irreducibly *somewhere*, and thus exposed and legible; as Daniel Libeskind notes in another context, the camps were "not just a black hole, but connected to the railway stations and to the waterways and to the roads around it. Everybody knew it." Among the scanty details Levinas provides of life in the camp is the very one that Libeskind emphasizes: "The prisoners were marched out of the gates and back again into the camp" (15-160). And it is because of that movement from secrecy to disclosure, as from within the camp to the world outside, that Levinas finds himself under the cruelly indifferent gaze of the townsfolk near the camp...and under the gaze of another creature, who also sees without seeing, but whose gaze supplants that of the townsfolk.

One cannot read Levinas's sorrowful declaration and not wonder whether this experience of radical displacement and "nowhereness," as it were, activated his subsequent invitations to think utopic and "utopian" ("Salamon" 99) interstices otherwise: for example, how otherness in turn usurps the usurped space and, more radically, the very space of usurping; how "the ideal of holiness *utopically* commands our being" ("Poirié 51), as he says. And indeed, in "The Name of a Dog," there is a strange premonition of this ambiguously located imperative. For as the final

paragraph of Levinas's essay makes clear, the horror and degradation that happened in the camp did not go entirely unwitnessed. The inner murmur that Levinas himself seems almost unable to hear discovers an outward confirmation and an almost miraculous incarnation in the form of an animal that "wanders" into the camp. (Why an itinerant witness, one wonders? Do itinerancy and witnessing share a secret commonality?) Levinas feels himself to be "nowhere," yes, but he is also queerly watched-over, and thus located and locatable, at least for a short time, and in the most fragile of ways, because this place of "Hitlerian violence," isolation, and exclusion is "within sight or perspective" of at least one creature on the planet who cared or who gave the outward *appearance* of caring, who recognized or *seemed* to recognize the prisoners as human beings, and therefore "susceptible of obligation," as Kant would say: that witness was *Bobby*, an improbably named dog that tarried with the slaves for a short while before being chased away by the guards. Levinas remembers how, each day when he and his fellow prisoners were marched out of the camp to work, Bobby would be there to greet them, barking and wagging its tail; at the end of each day he would be there too, welcoming them back to this place that could never be called home. Remembering those traumatic and desperate days across the gulf of time—as I say, more than three decades falls between encountering Bobby's uncanny gaze and allowing himself "to be seen seen" by his gaze in the published account of that encounter—and savouring in particular what felt for a moment like respite amid a universe of pain and isolation, Levinas says *this* of his animal interlocutor: "For him, there was no doubt that we were men...This dog was *the last Kantian in Nazi Germany*."

The mind reels at the phrase, at its possible meanings, histories, and futures, not all of them reconcilable by any means. Levinas's words admonish me, as if from another world, and I

am not at all certain that I understand them better *today* than I did when I first read and wrote about them over a decade ago. About these words, I suspect, there will always be more to say, and I would suggest that, quite beyond the essay's curiously potent combination of gravity and irony, rigor and sentimentality, this is essentially because it harbours the unsayable without which there would be nothing more to be said. Let me at least suggest this: a scene of interpellation and of appellation that more richly concentrates the questions of mourning, animality, mortality, and responsibility that I have briefly evoked in this essay would be difficult to imagine. In counterpoint to the dogs regularly used by guards to humiliate and torture incarcerated men and women in Nazi Germany, as in the military prisons in present-day Iraq, Bobby's delightful and sobering greeting compels Levinas to consider how it is that a "mere" animal can treat him with more dignity and instantiate more goodness than his human captors-- captors who could be said (according to an ancient cliché from which Levinas is hardly immune) to behave like animals and to incarcerate their prisoners like animals were it not for the fact that the question of what constitutes the animal is precisely what Bobby's apparently dutiful behaviour raises and complicates. It is not at all clear to me that Levinas's essay as such settles that question, even if elements of it claim rather pre-emptively to do so--beginning with the assumption that "to be like apes is to be without freedom and dignity" (Atterton 53). How to begin the work of parsing the differences and similarities between the anti-Semitic logic of Levinas's tormentors and the exclusionary logic that determines what is proper to man through the disavowal of the animal? Hegel had once spoken about animals as discovering their voice only at the moment of their violent death; in extremis, the animal manages to sublimate its animality and expresses, for the first but also the last time, the demand to be recognized. Like a bee whose sting also means its demise.

But here in Hitler's Germany, the Jewish captives are "without language;" their death-cry goes unheard and their dignity goes unremarked to everyone but an animal who, although also declared to be mute, without the light, truth, and fluency of the "logos" (as Levinas will subsequently say) must take on the supplemental labour of speaking for Levinas. Where the townsfolk-Levinas remembers how the "children and women who passed and who *sometimes* raised their eyes on us"--hardly seem capable of accepting the vastness of the responsibility that attends the existence of the camp, a camp that is decidedly not somewhere else, out of sight, but fully connected to the rest of the country, to the rest of Europe, and thus somehow to the very idea of Europe, where the townsfolk mostly look down and away, knowing in the mode of not-knowing, averting face to face contact with the strangers who live among them, Bobby unabashedly threatens to meet the philosopher's eyes, and indeed to realize what Kant said would be completely impossible to forge with animals: namely an acquaintance with rationality and freedom. He, Bobby, sees the prisoners for who they truly are, or believe themselves to be, *men*, their human skins momentarily restored, a gift of mortality and humanity and indeed peace in a universe of warfare that has made even life and death into manufactured and administered things. --In this radically *duty-free zone*, then, a flicker of obligation. Under Bobby's gaze, a tale, let us say, of love at last sight in which the *last just man* isn't even a man, but a dog, a figure of extremity and trauma for which Levinas would have found corroboration in Schwarz-Bart's Holocaust narrative. And perhaps more: perhaps on the killing ground of Camp 1492, Levinas not only remembers the *last* Kantian--the extinction or near extinction of Kantian notions of respect--mournfully as an irrevocable loss but also melancholically and even prayerfully as the *beginning* of something foreign to a metaphysics of morals, in-human even, if being-rational is what is being-human about humanity. In truth, as

Derrida argues, loss is always also about the yet to come. Perhaps Bobby stands metonymically for the parturition of an other ethics rooted in the mortality and vulnerability and the singularity that the free dog and the incarcerated philosopher differently share, and with that recognition, if that is what it is, the renewed sense that the Jews are not merely perishing in this place, unseen, but suffer and are being killed, out in the open, where the animals are sometimes said to roam.

These are all possibilities that this essay evokes, especially when it is read in the context of contemporaneous texts like *Otherwise than Being: or, Beyond Essence* (1974). But what comes suddenly, as precipitously as Bobby's appearance, as if out of nowhere, in the camp, is the forcefulness of Levinas's subsequent disavowal of the dog, as if the enormity of the task, the monstrosity of what calls for being witnessed, could not, finally rest on the shoulders of a mere animal or fall meaningfully before its eyes. This, even though a great part of the subtlety of Levinas's essay—as I have tried to argue elsewhere—comes from its excruciatingly careful bringing together of the horror of a routinized destruction and consumption of animals and the murder of the European Jews. Without saying so, or perhaps by saying it in the mode of not-saying, Levinas's little autobiographical recollection remembers that *holokauston* (“that which is completely burnt,” “what rises as smoke”) is the Greek translation of the word for the animal sacrifices offered to God by the priests of the temple in Jerusalem. While Levinas does not claim, as Isaac Singer once did, that “for all animals it is an eternal Treblinka,” he does begin his essay by asking his readers to pause, “as you plunge your fork into your roast,” and to consider what he calls “the butchery that every day claims our ‘consecrated’ mouths” (151). The kosher sacrifice of animals remains a sacrifice, the taking of a life, the philosopher suggests, this, before turning autobiographically towards the animalization that he suffered at the hands of the Nazis. (Levinas's

opening gesture towards a kind of philosophical vegetarianism, his understated affirmation of the eating habits of an unfallen Adam, need to be read in the context of the Nazi appropriation of a already existing identification of the cruelty of vivisection with “the image of the kosher butcher practicing a private, bloody orgiastic rite” [Fudge 29]). As John Llewellyn says, Levinas “all but proposes an analogy between the unspeakable human Holocaust and the unspoken animal one.” (We might here recall something that Elizabeth Costello says in Coetzee’s *The Lives of Animals*: “Chicago showed us the way; it was from the Chicago stockyards that the Nazis learned how to process bodies” [53].) In the end, however, Levinas rejects the dog as “too stupid,” not quite worthy or capable of obligation and respect, Kantian or otherwise, because “without the brains needed to universalize maxims.” The abruptness with which Levinas makes this claim (whose emphasis rests in part on the suddenly “technical” philosophical register of his remarks, a philosophical register far, far removed from the complexly *non*-Kantian language that he is elsewhere unfurling in his contemporaneous writings) suggests that he feels the need to be seen to be disavowing animals, as if in symmetrical opposition to painting a portrait of himself under the benevolent gaze of the animal. What’s intriguing and unexpected here is that Levinas does not say Bobby has no face but that he is slow-witted, as if the infinite obligation about which he is writing at the same time in other texts were a matter of rational apprehension, of knowing and being known in a kingdom of ends. As Kant himself said—but this really would be another paper—only animals and gods fail to feel the reverential force of the Law, only *human* beings dwell in that capacious, difficult space between the “is” of existence and the “ought” of rationality.” In a sinking moment, it is as if Levinas’s essay turns on the ambiguities that attend the name of “the last Kantian,” Bobby’s other name: does Bobby then represent the end of an epoch, now all but

driven into extinction by the irrational biologisms and naturalisms that collapse the boundaries between what is imagined to be human and what is imagined to be animal? (We might recall that Adorno in effect accused Benjamin of being the “last Kantian;” discussing *German People* [1936], his friend’s curious epistolary compilation [which included a banal letter shared by Kant and his brother], Adorno concluded that the book was composed of “the relics of a lost, faded humanity,” a “failed Enlightenment” [Hanssen 111].) It is worth emphasizing here that Kant himself vividly imagined such an ending end to the world; as he says in *The Metaphysics of Morals*, to dispense with the moral law altogether would mean the descent of the human into a vast realm of “horror” whose name is “animality” and “mechanism.” The last dodo, the last Siberian Tiger, and now, the last man, so to speak. That finale comes, not with seductive peacefulness, as it does at the water’s edge at the end of Foucault’s *Order of Things*, but amid the topography of terror that is the camp system in Nazi Germany. No one, we might say, gets out of the Enlightenment enlightened. Perhaps the last Kantian stands metonymically for “last Jew,” Kantianism here a displaced expression for a certain “Enlightened” Judaism, the faith and thinking and example of Mendelssohn and others, the efflorescence of the “Jewish Kantians” that leads, arguably, to Derrida. Levinas here writes against the *Einsatzgruppen*’s fantasy of murdering the “last Jew.” (Hence the widely circulated--but poorly understood--photograph from 1941 showing a member of Einsatzgruppe D executing a Jewish man kneeling before a filled mass grave in Vinnitsa, Ukraine: on the back of the photo is written “Last Jew of Vinnitsa.”)

Or is being the *last* Kantian mean that what Levinas is experiencing is not the extermination of the Enlightenment, and with it a certain conception of the human (and therefore always the animal), but its horrific *amplification*, the limitless extension of the rational, the

complete administration of life and death in the form of the very slave-labour camp where he has been tortured and incarcerated? As Agamben more than anyone has reminded us, the camp is the paradigmatic architecture of modernity, the space in which the bio-politicization of life finds its logical conclusion. (But what would it mean to suggest, always with the greatest circumspection, that the factory-farm also somehow shares that designation, that the camp and the abattoir are together if differently “the hidden matrix and *nomos* of the political space in which we are still living”[*Homo Sacer* 166]? Or do factory-farms demonstrate the operation of necro-politics, thereby bringing out the irreducible ways in which biopolitics remains committed to the administration of death and the sovereign authority of the right to put to death? --Agribusiness: a death-world in the very midst of the life-world?) The last Kantian? I wince at the grimmest possibilities of this epithet, for, as Hannah Arendt argued, the last Kantian was none other than Adolph Eichmann, who claimed to cleave to the Enlightenment philosopher’s ideas, and who shocked those attending his trial in Jerusalem—perhaps with the exception of Arendt herself, for this is precisely her thesis—when he demonstrated, after a fashion, a working knowledge of the categorical imperative. “I will not and cannot have done with the Enlightenment,” Derrida has said on different occasions, yet in Levinas’s essay, facing the grim prospect of the last, of the end of Kant and of Kantianisms, a slave might be forgiven if he felt in his very bones that the Enlightenment, or a certain Enlightenment, had at this terminal point *done with him*. One gets the sense that this dog, Bobby, is at best an ethical way-station, a triage that serves the purpose of getting Levinas to the witnesses that matter more to him, his readership outside and after the experience of the camp. As Levinas finishes—or claims axiomatically to have finished—dreaming of him, Bobby is, in the end, only another of Descartes’ animal-machines, a creature who mimics

respect, impersonates obligation in the Kantian mode, without in fact knowing anything of these things—a kind of duty-cyborg or replicant, reassuring and indeed (sentimentally?) heart-warming until one looks a little bit more closely at his gaze, and sees there nothing but the glad tidings of an imbecile—a creature who *reacts* but who cannot *respond* (as if these forms of witnessing could be entirely distinguished), a creature who unthinkingly but blessedly “speaks” in the company of human beings. (Not for nothing does Levinas tell us that Bobby’s “friendly growling” is modelled on the muteness of the dogs who, in Exodus, on command and in machinic unison, fall silent the night Israel is freed from bondage. In this way, these creatures sign, as Levinas says, “animal faith.” But such a tellingly ambiguous example; is this “faith” and this silence an act of spontaneous giving-over to the other, or is it rather more of a *reaction* of shock and awe while the first-born of Egypt are laid waste? So much depends on the multiple partitions dividing and joining reaction and response when it comes to the question of the animal who addresses me, or who seems to address me...) In fact, Wolfe, and, to a certain extent, Derrida himself, conclude that Levinas betrays in his treatment of Bobby a residual and even *Kantian* humanism that denies an ethical opening towards the animal other while at the same time claiming to have broken free of the anthropocentrism and humanism that he felt had shackled the question of responsibility. According to these readings, we could say that it is *Levinas* who is in fact the last Kantian, and never more so than when he relives his days in Nazi Germany, embracing Bobby only to expel him for not having a face—for looking at him, yes, but not with the “unguarded, absolutely unprotected eyes” that Levinas associates with the “humanism of the other man.”

I don’t quite agree, in part because this position fails to accommodate the self-differences animating Kant’s often quite complicated and indeed ambivalent remarks about animals, much

less what he says about the in-human nature of obligation (it would be important, here, for example, to tarry with Kant's insistence, in *Metaphysics of Morals*, that the voiceless call of conscience that convulses the body of reason is not-human; it is, as he says, "something other (than man as such).") To call Bobby the dog the "last Kantian" is I think not or not only evidence of Levinas succumbing to anthropocentric humanisms when an animal is nearby, but also Levinas's strange way of being hospitable to Kant, his way of exposing his text to the alterities that disturb Kant, and indeed make his work *other* to itself. To be sure, Levinas could be very strong-minded about and critical of Kant. But we might also remember that even in *Otherwise than Being*, Levinas sensed quite other possibilities in the Kantian system, especially in the primacy it attributes to practical reason. To be sure, "Responsibility for one's [particular] neighbor" rather than answerability to the universality of the categorical imperative, is the basis of ethics as first philosophy. But as Levinas writes in "Revelation in the Jewish Tradition," "it is towards a relationship, of this kind—a relation of the neighbor-- that Kant [nevertheless] hastens"(146).

Perhaps something similar could be said of Levinas, elements of whose work, I am suggesting, are not a *fait accompli* when it comes to animals, but *en route*. Levinas asks "who is my neighbor?," and if this is genuinely to be a question, rigorously refusing in advance to know who the stranger is, then it remains possible for an animal to be that one towards whom the philosopher hastens, and precisely without necessarily *knowing* that he does so. Certain readings of Levinas's alleged humanism ignore the complexity of his negotiation with Kant, and remind us of the need not only to discern the traces of Kantianism in Levinas but also to tarry with Levinasian possibilities in Kant. I also think that these readings—summarized by David Wood as

“those of us disappointed with Levinas’s position on animals” (“Where Levinas Went Wrong” 53)--ignore the degree to which “The Name of the Dog” is an exploration of the question of testimony, and about the work of mourning--and so interminably worked over by ineradicable and in a sense unconscious loss: a scene, precisely, of the inability to have done with the other, regardless of what Levinas says. Is Bobby the paradigmatic instance of what Alice Kuzniar calls, in an extraordinary new book on the relation without relation between humans and canines, *melancholia’s dog*? Even though Bobby is said not to evince anything like genuine respect, I do think that it is important to hang on the fact that Bobby also comes irreducibly *before* Levinas, there in that camp, before dawn and after dark, there in the form of an essay that inevitably but also complicatedly and memorially comes *after*, written out in Bobby’s long shadow. The curious narrative of Levinas’s essay remembers and in effect isolates the labour of memory by telling us at the start that he may be talking about one thing but is in fact recalling another, as if involuntarily; in the midst of a spritely discussion of eating meat, he says, without anything to contextualize his remarks, “*I am thinking of Bobby.*” In an analogous fashion, Bobby surges forward, unexpectedly, on the margins of the camp, as he does each time Levinas publically recollects his imprisonment in subsequent interviews. In other words, Levinas cannot speak publicly of his experiences in the camps without speaking of Bobby. (“Unexpectedly”? Yes and no; yes, because instancing or at least figuring forth, almost despite himself, the wholly other and unforeseen; no, because arriving with so much baggage, ranging from the long-standing philosophical discourse of animality to sentimental narratives about loyal dogs [these two languages, the philosophical and the sentimental, are hardly incompatible, especially in the neighborhood of animals, as Kant demonstrates], extending up to Benjamin’s radio-scripts for children [yet it is worth noting that

Benjamin could be critical of the anthropomorphization of animals, as he is in his 1932 reading of the virtuous dog described in Karl Krauss's "Die Fundverheimlichung", to the Talmudic stories centered on the figure of the remnant and the just man [*der Gerechte*]. Was an animal ever more over-determined or over-written than "the last Kantian in Nazi Germany?) Indeed, in one of those interviews we find Levinas is in the midst of talking about the sorts of things he and his fellow prisoners were reading, a discussion that is suddenly shifted when he says "Now I am coming to the story of the friendly dog," almost as if this were a narrative being told about and by someone else, and as if it were automatically inserting itself into the flow of the conversation from another place, just outside of Levinas's control, as if he were almost programmed now, unable to keep silent about this moment of standing before the animal, and of being addressed by the animal ("Poiré" 41). Whether or to what degree Levinas *hastens* to the Kantian dog or the dog to him may never be known. The scene here is mournful because Levinas is himself in mourning, the losses being as incalculable as they are inconsolable. Alone and unheard, with only a dog to witness these crimes against humanity, Levinas's plight reminds us of all the other testimonial disasters marring his life: the fact that tens of thousands were being murdered in Bergen-Belsen, only a few kilometres away; as Levinas says in a 1985 interview, "We could not imagine it...yet we were so close" (Poiré 42). --Or the deaths of so many of his family members, remembered in the Hebrew dedication of *Otherwise than Being*, but whose losses all occurred elsewhere than where Levinas was, and unbeknownst to him at the time. It's hard not to think that the trauma and grief of that *not-being-there* and of *not-knowing* survives in a barely displaced way in the form of the little dog, who witnesses Hitlerian violence but in an analogous mode of not-witnessing. (Levinas: "All that our families had experienced was not known; all the horrors of the camps,

unimaginable” [Poiré 42]. Recently Žižek has hinted that Levinas could only ask the question “Is it righteous to be?” from a position of a kind of immunity from this violence, i.e. from a position that, for all its precarity, nevertheless feels secure in distinguishing “the otherness of a human being” from “the otherness of a human being reduced to inhumanity, the otherness of the terrifying figure of the Muselman, the living dead of the camps.” As Žižek concludes, perhaps illegitimately claiming an indemnity of his own,” This is how those think who feel guilty for observing the catastrophe from a minimal safe distance” [160]. In any case, surely this convocation of the other-scene, the death-camp screened from view by Camp 1492 and by the little autobiographical narrative about Camp 1492, that is, the non-knowledge of Bergen-Belsen, is traumatic in nature: “not known in the first instance,” and thus that which “returns to haunt the survivor later on” [Caruth *Unclaimed Experience* 4]. “How is it in losing you, I cannot lose myself with you?” So asks Schwarz-Bart’s narrator in *The Last of the Just* at the point of praying to be transformed into a dog: “Ernie without Levy is a plant without water.”[284-5].) To say the very least, Bobby embodies the last vestiges of a culture of rationality and Enlightenment, and whether that waning and withering came from within or without, is not certain. What is certain is that it is near the end, or rather it is just *after* the end, the cultures of Kant and Goethe and Mendelssohn were violently replaced by a regime that enacted some of the toughest animal welfare laws in the world while at the same time annihilating the Jews, a regime that claimed to break with Kant by perfecting laws that attributed rights directly rather than indirectly to certain animals, dogs in particular (as Levinas must surely have known).² (Levinas speaks of the “uninterrupted despair which was the

² And yet one way of instantly complicating this point would be to consider more carefully the telling ambiguities and strange torsions characterizing conceptions of animality in Nazi Germany. “Virtually nothing has been written about the Nazis’ bizarre attitudes towards animals,” Daniel Johan Goldhagen points out (in his controversial book, *Hitler’s Willing Executioners: Ordinary Germans and the*

Hitlerian period in Europe, rising out of the depths of this Germany which was so fundamental, this Germany of Leibniz, Kant, Goethe, and Hegel” [Poiré 39].) Bobby’s shining, happy presence says, among other things, that Enlightenment conceptions of responsibility have, as it were, exhausted themselves, gone completely to the dogs. For Bobby to be the last Kantian means that

Holocaust 566). By way of initiating the important task of that history, Goldhagen documents the dutiful attention that Germans paid to animals. Police battalions were regularly issued orders compelling Germans to provide dogs with good veterinary care, this, of course, while Jews in the camps were denied medical attention, or summarily executed for being sick or being characterized as sick. Goldhagen rightly asks, “Did the killers...not reflect on the difference in treatment they were meting out to dogs and Jews?” (268).

The orders concerning dogs might have provoked the Germans to think about their vocation if their sensibilities had remotely approximated our own; the comparison in their expected treatment of dogs and their actual treatment of Jews might have fostered in the Germans self-examination and knowledge. Yet, however much the reading of these orders about dogs would have evoked disturbing comparisons in non-Nazified people, the effect of the series of orders sent out regarding “cruelty to animals” (*Tierquälerei*) would have likely been to the non-Nazified psychologically gripping, even devastating. (269)

Does Levinas’s essay spring from such devastating knowledge? That is, does his reflection upon “Bobby” and upon animals emerge in part from the realization that it is the Nazified Germans who are being urged to be “Kantians,” according animals the fundamental respect that is denied to the Jews?

A history of the Nazis and animals would undoubtedly need to include a discussion of the phenomenon of keeping animals for viewing and for pleasurable entertainment *within* the death camps. What, we might ask, is the mirroring status of a “camp” devoted to the incarcerated preservation of (animal) life *inside* a camp whose function it is to annihilate (human) life? See, for example, the extraordinary photographs of the zoo caged within the confines of Treblinka in Ernest Klee, Willi Dressen, and Volker Riess, eds., “*The Good Old Days*”: *The Holocaust as Seen by Its Perpetrators and Bystanders* 226-227. Others who have written tellingly about the Nazis and animals include Luc Ferry. See especially the chapter in *The New Ecological Order* on “Nazi Ecology: The November 1933, July 1934, and June 1935 Legislations” (91-107). Examining the legislation regarding the treatment and protection of animals drafted out at the behest of the National Socialist party, Ferry makes the point that the Nazis were radically original in

that, for the first time in history, the animal, as a natural being, is protected *in its own right, and not with respect to men*. A long humanist, even humanitarian, tradition defended the idea that it was indeed necessary to prohibit cruelty toward animals, but more because it translated a bad disposition of human nature, or even risked inciting humans to perform violent acts, than because it was prejudicial to the interests of the animals themselves (99).

In other words, the Nazis urged Germans to accord animals the respect that they categorically demanded by virtue of being *alive*. From the point of view of the *Tierschutzgesetz* [laws providing for the protection of animals], the Kantian notion of respect is lacking because it confines dutiful obligation only to other human beings. And as Ferry points out, the argument for the sanctity of animal life is made at the same time as “Jewish barbarity” involving “ritual slaughter” of animals is condemned, and while pages are devoted to ensuring the safe passage of animals “by train” across Germany and German territories (101).

the humanity he is said to witness and confirm in Levinas is already dead; he is the last man, the last of a certain kind of man ...and not even a man. If Bobby is “the last Kantian,” then Levinas occupies the abjected and dead-alive subject position of a corpse over which the dog watches with unknowing eyes, a mirror to the terror of slave-labour, which is to say of being exterminated precisely by means of being made to live on as labour, as a purely instrumentalized means without an end, the victim of a homicidal mania that seeks not only to annihilate the Jews and but also to annihilate that annihilation, to kill all the witnesses, as Lyotard and others have argued. Bobby irrepressibly figures forth that monstrous extremity and loss, even if Levinas insists, several times, that the dog is a dog, “a literal dog” (“literality” here must then function as a figure for unsubstitutable singularity, a catachresis marking the impossibility of the loss of loss). In effect Levinas gazes at this holocaust with the eyes of those who have perished and will perish still, having lived long enough to witness his own demise become the subject of Bobby’s testimony, this, in a kind of out-of-species experience. Under these conditions, to live beyond the end of Kantianism would be tantamount to living beyond the end of the world.

But does Levinas dismiss Bobby’s gaze as easily and decisively as Llewellyn and others—including, perhaps, Derrida—suggest? I think that it is telling that what Levinas says by way of pre-emptively disavowing Bobby—affirming his vestigial Kantianism while also careful, in the same sentence, to insist that he, the dog, “is without the brain needed to universalize maxims”—contradicts so sharply with the memorial nature of the essay in which that encounter with being regarded by the animal, *this* animal, is described and staged. Levinas cannot forget Bobby, a fact that is never more obvious than when we consider that every time he speaks autobiographically about his five years in the camp (and, as we know, Levinas is quite reticent about these matters,

confining his remarks—or at least a certain kind of remark, “literally” autobiographical in its modality—to a few examples across four decades of prolific writing), each time Levinas chooses or is asked to talk about Camp 1492, he remembers his encounter with Bobby. Whatever Levinas says about Bobby, the fact that he says it at all, that he cannot *not* say it, puts to us that another process is at work here—one that is less about seeing and being seen and more about being haunted and being bereft, possessed by an alterity that one cannot possess, a being-visible to eyes that one cannot meet. That the animal has a name, and such a vividly, improbably—*exotic*, as Levinas says—name at that, is but one indication that when we read this essay we need to be taking into account the nature and labour of memory, even and especially a memorialization that is, strictly speaking, in excess of the subject.³ We need in particular to be paying attention the ways in which the *name*

³ “Exotic,” yes, but also strangely familiar, a name already strongly associated with fables of unflinching canine loyalty and indeed with the work of mourning. “Bobby:” the name of the “small” dog who remained with the 66th Regiment of the British army at the Battle of Miwand, one of the worst defeats that the English colonial forces suffered in the Second Anglo-Afghan war. The only survivor of the regiment, the dog was subsequently lionized as, in effect, the last Briton in Muslim Afghanistan. “Bobby:” one of the names given to Tintin’s truehearted four-legged companion, the almost entirely silent dog who saves his master repeatedly from many perilous situations. “Bobby:” also the name of a famous nineteenth-century Skye Terrier who was so devoted to his Scottish master that he remained at his grave for fourteen years, leaving only to eat. One begins to wonder if, in the foreign-born name that the philosopher offers up, as if out of nowhere, we are seeing evidence of something like a Levinasian wit, even a kind of sly joke on his readers. —Perhaps this would be in keeping with the essay’s title, which also mixes the sacred and the profane: *Nom d’un chien*, a “mild expletive [*crikey!*], a recognizably polite version of *nom de Dieu*.”

More: isn’t “the name of a dog” also the name of a quite particular philosophical conundrum: namely, the “Fido”-Fido problem with which the “Oxford” philosophers wrestled? (What is the meaning of a proper name? [—In a sense, the very question I am posing here of “Bobby.”] For Gilbert Ryle, after John Stuart Mill, the meaning of “Fido” is its bearer. But when Levinas called out, “Bobby!,” was he calling the dog, “using” its name, or also “mentioning” the name of which he was the bearer? Is it possible rigorously to hold apart the “mention” and the “use” of a name, much less its putatively essential function from its accidental associations? —For one semantic field to scare off the other the use of quotation marks? Derrida is not so sure, notwithstanding the criticism—from Searle, among others—that he is therefore letting “the law of quotation marks...go to the dogs.” Derrida: “Ah yes, Fido, I am faithful to you as a dog. Why did ‘Ryle’ choose this name, Fido? Because one says of a dog that he *answers* to his name, to the name of Fido, for example? Because a dog is the figure of fidelity and that better than anyone else, answers to his name, especially if it is Fido? Because he answers to his name without needing to

marks the other's death, and through it, marks the possession of memory by the other. Bobby *remains*: the essay, "The Name of the Dog," is that irreducible remainder, this, because Levinas' disavowal of the animal he met, whose gaze he thought he felt, or at least felt enough to welcome and to reject, is incomplete. I think Levinas knows this—his essay, contiguous with *Otherwise than Being*, is a reminder that as long as responsibility is modelled and experienced in terms of knowledge, of having or not having the faculty of being-acquainted with the other's rationality, the other *as* rational, with the other's status, in the Kantian fashion, as an end rather than instrumentally as a means, as long as duty confines itself to what is still sometimes called "the problem of other minds," to that regional science of epistemology, then one remains oneself "too stupid" to see that the other's address is an obligation that is unfathomable, other-than-knowledge. This "brainlessness," whose name Levinas uses as a club with which to shoo Bobby away, or at least to go through the gestures of shooing him away, haunts the essay as the ghost of an ethics of vulnerability rather than awareness, and for which a certain dumbness and dumbfoundedness stand not as figures of deprivation but of finitude and mortality. Bobby acts as a witness, but he is deemed somehow to be missing in action; but isn't every witness unworked by an analogous lack, at odds with what is witnessed? This "absence is essential," Derrida says in an argument about Celan but no doubt remembering Levinas's extraordinary essay on "Truth of Disclosure and Truth of Testimony" (from 1972, i.e. coincident with "The Name of a Dog"), in which witnessing is describing precisely not as truth-telling but as that which "exhibits me as being-for-the-other (and not for my self in the interiority of an encompassing Cogito)" (*Sovereignities* 76). For Levinas, it is

answer...Fido answers without answering, because he is a dog, he recognizes his name but he never says anything about it....Why did Ryle choose a dog's name, Fido?.... so that the example will be obedient." [*The Post Card* 243-4].)

certainly not the case that the Holocaust is beyond commentary, much less its unspeakability figured forth by the putative absence of human witnesses to the event. If there are to be witnesses at the end of the day, their work begins with a reflection on the irrepressibility and impossibility of obligation: whether one speaks of it or not, whether one speaks of it by not speaking of it, whether one is willing or able to speak of it, whether one has “actual” proof of that to which one testifies, or whether one confuses—for better or for worse, for memorial or for revisionist reasons--witnessing with offering demonstrable proof. There is something about witnessing that is not or not only or even essentially about disclosure, revelation, and corroboration: how to reveal or communicate *that*, without also re-victimizing the victims, confirming their languagelessness, their having been silenced, on the one hand, or, on the other hand, succumbing to what Roger Gottlieb calls “the temptation to thoughtlessness,” the belief that the camps in their horrific uniqueness are a *mysterium tremendum*, and beyond commentary (3). These risks, as risks, do not strike me as eradicable but instead always possible outcomes of thinking and talking about testimony. Still, as Derrida suggests, something withdraws from sight—or is out of earshot—a secret, as it were, at the heart of testimony, namely the trace of the singularity and non-substitutability of the work of the witness—and that is not witnessed, not as such. To witness without witnessing—is this not Bobby’s in-human or other than human role in Levinas’s testimonial essay? Perhaps Bobby offers Levinas an immemorial trace of that trace, without which witnessing would not be possible; he recalls the languageless spur to language and thus, for Levinas, to responsibility. In *The Differend*, Lyotard compares this spur or, as he says, *blow*, to an experience that is felt but not cognized—a kind of delayed or deferred action that he compares, of all things, to the sound of a whistle whose tone is audible only to dogs (73). The scandal of

witnessing is that it responds thoughtlessly to a summons, this in a way that could be described as machinic or even animalistic, as long as one interrogates these concepts, especially as they are applied to living creatures, human and non-human: and this is why, I think, Bobby is important to Levinas. I would even go so far as to say that he is a strange kind of avatar for what Levinas is elsewhere, in the same period as the essay about Bobby, calling the “third,” an ambiguous concept if there ever was one, but associated in his work with a kind of witness to witnessing, the name for the field in which the dyadic obligation to the other *as* singular other is never in isolation but rather always already loosened or unworked by the absent presence of *many* others. As we know, Levinas insists on the importance of *thirdness*, and of the irreducibility of the very space of justice. The third (*le tiers*) is a figure for all the others whose faces face mine when I am otherwise transfixed by the face of the one before me. That is why Derrida associates it with the witness, the one who testifies. In Hent de Vries’s formulation, after Derrida, thirdness “counterbalances the supposed purity and absoluteness of the responsibility toward the one other, who had seemed absolutely to come first” (323). “Counterbalances” may not be the most appropriate term to describe what seems to me to describe a kind of ecstatic unhinging of the I-Thou couple, a relation without relation that is unbalanced if it is anything. But what bears emphasis here is the possibility that the third risks reinscribing the ethical violence that it defuses or perhaps reroutes. Technically, the I-Thou that the third unsettles is anthropological in kind. It is, as it were, *between men*. There is very little in Levinas to suggest that the third does anything but reproduce that anthropological circle. The other others remain implicitly if not explicitly human. As Levinas says, it is only with the “human” that something different, different from the “animal” desire simply to continue living, “comes into the world” (“Paradox” 169). Yet Levinas’s own argument about the

necessity of the third beckons elsewhere, otherwise than “Levinas,” compelling us to ask whether there is not always an other other. Who could stop this widening gyre, and on what grounds? –Is there the thirdness of the other than human? –The fourth? The inhuman? In the wasteland of the world, *who is the third who walks always beside you? I do not know whether a man or a woman.* Did “The Name of the Dog” answer that question, but in an almost inaudible fashion? The stranger, the neighbor, the creature who is at once close to hand and far away, perhaps even distant from itself. The animal? *An animal, this one*, as Levinas says so pointedly about Bobby. And when *le tiers* was on Levinas’s lips, did he ever hear or think another word encrypted there, namely *das Tier*? Did he ever say the one word and, without meaning to, hear the other? For example, when, as a French speaking prisoner in a German labour camp, his gaze met that of a dog who acted as a witness to his humanity . . . and something more or other than his humanity? And when these words were thought and spoken, were they not formed as acts of resistance against what Primo Levi calls “the insanity of the *third* Germany”? (As Levi explains, falling under the animalizing gaze of his captors captured the essence of his experience of the Shoah: “that look was not one between two men; and if I had known how completely to explain the nature of that look, which came as if across the glass window of an aquarium between two beings who live in different worlds, I would also have explained the essence of the great insanity of the third Germany” [emphasis mine; 98]. The Third Reich dreams of the liquidation of *le tiers*, of a world with a world, without justice, without the witnessing other, the third without the third.)

I am not convinced that Levinas was finally willing or able to widen and differentiate that testimonial space to include nonhuman life, not without considerable difficulty, but in this strange little narrative, said by Peter Atterton to be “without question one of the most bizarre things

Levinas ever published” (51), among the very few in his oeuvre that are so autobiographical, it still seems possible to multiply and complicate the differences both between humans and animals and within each imagined community. (I wish that I could dwell on this descriptor, “bizarre,” and in particular to think about the ways in which “The Name of a Dog” shares a radically eccentric relationship with the rest of Levinas’s already heterogeneous *oeuvre* [a relationship perhaps reproduced in the philosopher’s sense of the interruption of Athens by Jerusalem]. Vis-a-vis that enormously complicated body of work, “The Name of a Dog” is like a Levinasian “neighbor,” at once intimately proximate and a complete stranger. Is it then an accident that it is also the philosopher’s most extensive reflection on animality, indeed, perhaps the only location where the animal question—the animal *as* a question—is the *raison d’être* for the argument?) What can it mean to witness witnessing, to *say* what goes without saying, to refuse to “universalize” testimony, making it one concept of interiorized recollection among others, but instead to mark or remember what is irreducibly immemorial about it? Bobby’s stupidity, his lack of the *logos*, his capacity to witness without witnessing testifies to the scandal of testimony as an ambiguous promise to others. This is why Levinas cannot forget him. He, Bobby, arrives unbidden and utterly fragile, but for all that no less real, pressing, or consequential. A Kantian language is mobilized to preserve that memory, but whatever Bobby is, or rather, whatever he was *for* Levinas, for *others*, cannot be contained by the language, thereby rendering it queerly unstable and provisional, as if it drawing attention to itself as a way of saying the unsayable. And is this not precisely what Levinas will call, after Grossman and Rosenzweig, “goodness,” or rather, “this little goodness’ of the one-for-the-other,” a goodness, he adds, that is “without witness”? --“A little goodness,” in lieu of the great goodness of the Enlightenment that had failed to insure itself against elemental evil. Is the

“little dog,” as the philosopher always subsequently describes Bobby, an example of that for which there can be no example, the event of witnessing whose radical singularity makes it unrecognizable and unwitnessable from the point of view of every system and ideology, as Levinas says? When he speaks of system and ideology, Levinas has chiefly in mind those ethical and moral structures that determine ahead of time what constitutes principled action, whereas “little goodness” *happens*, unexpectedly and contingently, out of the blue; in that precise sense it cannot be “universalized into a maxim,” the problem with which Levinas half-heartedly charges Bobby. (And this “cannot” presumably cannot in turn be made into a “should not,” lest the non-universalizability of “little goodness” itself be universalized. Yet how could this commandment against commandment be obeyed?) But what if we were to conceive of this incompetence as something other than a privation, and the condition of being without ethics and without the logos as the precondition for thinking about obligation and language *otherwise*? And what if obliqueness and mediation were something other than indirection? One day, let us say, on the outskirts of a slave-labour camp, an animal, *this* animal, says--without saying a word--*there is goodness*, and if that is hard to discern in the eyes and in the address of a little dog, this is not because Bobby is an animal but because existing systems and ideologies, some of which form and deform Levinas’s *own* ethical discourse, determine ahead of time and on our behalf that an animal is not only mute but also beyond good and evil, and so incapable of bearing such a resolutely unsentimental and even in-human message.

(The experience with Bobby is fleeting yet memorable, hardly spoken about yet when recalled, almost irrepressible; what happens seems in some ways barely to have happened, and when it happens, it is described as somehow both consequential and questionable. Something

restorative occurs, but in the name of a philosopher whose idea of the good is, if not illegitimate, then inadequate in the face of heteronomy. A sentimental, even banal tale of a faithful dog is put into the service of an utterly exceptional moment in Levinas's "life," itself otherwise almost always entirely obscured by his "work," whether "philosophical" or "Talmudic." This curiously self-cancelling quality to Bobby's role and in fact to Levinas's autobiographical narrative is perhaps connected to the notion of a goodness that is not small by comparison to something large, but goodness in the mode of littleness, which is to say an assertion and disclosure that occurs in the form of self-cancellation, or an audibility and communicability that is indistinguishable from a kind of quieting: *A great reckoning in a little room*. Earlier I suggested that "The Name of a Dog" is traumatic in nature, and thus about "unclaimed experience," but it is possible that a much more subtle account would focus on the ways in which Levinas gives us something wholly different to consider, namely what Anne-Lise Francois describes as "unaccounted experience:" "a recessive action that takes itself away as it occurs" [xvi] . Bobby gives something to Levinas, but that gift is both apparent and unapparent, as if what was given was given not only without claim, payment, or expectation of return [and so "Kantian" in nature], but also without agency or autonomy as these terms might conventionally be understood [and so decidedly "un-Kantian"], and thus without it being obvious that it was *given* to Levinas at all: a gift that has given its status as a gift way, that has in effect made a gift of itself. --Somehow weighty and weightless in the same instant. What can it mean to *receive* that which may or may not have been given? Do we have a critical rhetoric up to this provocation and this reticence? Francois: "what if we were to try 'setting down' rather than 'taking up' a gift itself indistinguishable from its abandonment?" [10])

Does Levinas not reserve for Bobby the role of the last of the just, the righteous one who is good but who knows nothing of being-good, who is in effect good before being? This goodness is infinitely vulnerable—and Levinas’s essay proves this by instantly co-opting it into existing anthropocentric schemas, schemas which he will subsequently, in later interviews, reiterate and reinscribe. To be in the neighborhood of such a creature, and of the *event* of a goodness, what can that mean? In a 1985 interview, Levinas specifically recalls a scene in Grossman’s *Life and Fate* in which a son discovers his Judaism at the moment that his mother, who realizes that she is moments away from being murdered at the hands of her Nazi captors, tells him in a letter of how a dog greeted her as a human being while the rest of her world burned with hatred. Here is goodness, Levinas says, “a little goodness,” given without a promise, and without the remotest chance of a secured future of redemption or reconciliation (“Proximity of the Other” 217). I cannot help but think that Levinas screens his story about Bobby through this other story, and that the two texts indeed teach each other about “life and fate.” And, I would want to insist, something analogous takes place with regard to the relationship, the being-for-the other, that obtains between the essay called “The Name of a Dog” and canonical texts like *Otherwise than Being*. The latter needs to be treated as a great philosophical project that is buffeted, and unexpectedly made to tremble, by the little goodness of Levinas’s unprecedented autobiographical experiment, under whose “bizarre” gaze it is possible to glimpse another other, a “Levinas” whose ethics emerges from a place that is *otherwise* than otherwise than being. For this reason, Levinas cannot have done with Bobby, he will not let him leave, because “Bobby”—the trace of his name--cannot have done with him, and with philosophy in his name: each name—Emmanuel, Bobby—constitutes the mark of mortality and thus signals the imperishable responsibility that the other bears for the

other—even if, for whatever reason, each is too feeble-minded to know this or grasp it as such or say it in so many words. “There is transcendence in the animal”? What can this mean except to say, quietly, but in a voice that is resoundingly consequential, that injustice is irreducible to inhumanity, and for that reason, with regard to animals, and because they regard us with mortal eyes, with mortal bodies, “the debt is always open.” In this way, Levinas and Bobby are convoked by each other’s leave-taking, as they are by each others’ arriving. *To* each other, and *for* each other, we could say, they are post-animals, which is to say *animals-to-come*.

3. On the “Accidental Witness:” Animal Testimony and the Murders in Liepaja

Let me now conclude by briefly considering film footage of the execution of several Latvian men near the sea-port city of Liepaja during the summer of 1941. For me, this section of the seminar remains the most in flux, the most palpably in need of a sustained critical conversation with others. For watching the footage, I find myself unmoored, and in ways that remain complicatedly obscure to me, that unmooring happens in the presence of an animal.

The 291st Infantry Division of the *Wehrmacht* captured Liepaja on 29 June 1941. *Einsatzkommando 1a* of Walter Stahlecker’s *Einsatzgruppe A* accompanied regular army forces into the city and immediately began the work of identifying, incarcerating, and murdering Jews. As Edward Anders notes, “assisted by navy personnel, the SD, and the Latvian police, the SS conducted daily executions within the city limits, near the lighthouse and the beach.” Until autumn, the perpetrators focussed primarily on the men, murdering them near a local lighthouse, then on the Naval Base, and (from October 1941) in the dunes of Skede to the north of the city. “Women and children were largely spared until the big *Aktion* of 14-17 December, 1941, when

2749 Jews were shot.” As Anders says, these executions “were watched by hundreds of German soldiers and their sweethearts” (2). In late July, one of these atrocities was recorded on an 8 mm Kinekodak camera by Reinhard Wiener, then a sergeant in the German navy.⁴ As brief as it is (a little more than one minute in length), Wiener’s footage—also called the Liebau or Liepaja film—provides an unprecedented glimpse into the dreadful work and world of the *Einsatzgruppen*, the mobile killing units who followed the German army into eastern Europe and Russia with the sole task of gathering Jewish men, women, and children together, plundering them of their possessions, and murdering them. With the help of the police and local thugs, the SS often forced the victims into trenches, where they were shot dead in layered rows. This is the method of the execution that we witness in Wiener’s film. Although Wiener does not commit the murders, he films them “as if consenting to horror,” to recall Levinas’s condemnation of Heidegger that we considered earlier in this seminar paper.

The histories of surviving photographs of the Shoah are often remarkable (as Didi-Huberman points out in his remarkable study, *In Spite of All: Four Photographs from Auschwitz*), in fact often stranger than fiction, but even in that context the Liepaja footage has had a curious after-life, paced by a strange *fort/da* rhythm in which the images were repeatedly given up and retrieved. The film was initially confiscated by German military police at the Latvian border with Lithuania, but then returned to Wiener, who sent it to the family farm in Germany for safe-keeping. Before fleeing the advancing Russian army, Wiener’s mother hid the film in a pig-sty under a pile of dung, where Wiener recovered it after the war (Hirsch 2-3). The footage was

⁴ The footage is available at the Yad Vashem site. See: <http://www1.yadvashem.org/untoldstories/homepage.html> / “Mass Murder of Jews in Liepaja, Latvia, 1941/Archival footage of JUDENEXEKUTION IN LIBAU 1941 (Mass Murder of Jews in Liepaja, Latvia, 1941) Courtesy of Bundesarchiv-Filmarchiv/Transit Film GmbH.” An interview with Reinhard Wiener, the soldier who shot the footage of the execution, is also available on this site.

entered into evidence in the war-crimes trial of Georg Rosenstock, a commander of the second company of the 13th Police Reserve battalion who was instrumental in carrying out atrocities against Jews and other groups in Latvia during 1941. In 1974, the film was deposited with the Yad Vashem Holocaust Memorial in Israel, where it is now available for the world to see in the form of streaming video. Sander Gilman notes that Wiener's images mark the inaugural moment of a uniquely complex relationship between the Holocaust and its cinematic representation, a relationship that is of course still unfolding. It seems quite possible that the cinema-verite techniques to which Steven Spielberg resorts in *Schindler's List* (1993), and in particular some of the most harrowing scenes shot in black and white with a hand-held camera, are in fact citing the Liepaja film. Although it is said—partly incorrectly—to be the only known motion picture of Nazi executions, making it the rarest of archival evidence of the Shoah⁵, its details remain mostly unstudied in Holocaust commentary, including documentaries, a medium that otherwise would seem to be particularly apposite to the analysis of these extraordinary images. For example, James Moll's 1998 documentary, *The Last Days* (executive producer, Steven Spielberg), which assembles the testimonies of five survivors of the Shoah, reproduces the Liepaja footage, even

⁵ Walker calls the Liebau film “the ultimate in archival material,” but defends its unhistorical use in *The Last Days* precisely because it is “ultimate,” i.e., because it is imagined elementally to stand for *all* Nazi atrocities. Yet other filmic evidence exists. Struk notes that during the International Military Tribunal in Nuremberg, “US Naval Commander James Britt Donovan presented a silent 90-second ‘motion picture’ entitled ‘Original German 8-millimeter Film of Atrocities against Jews,’ which showed the physical abuse of men and naked and half-naked women in the streets. ‘The pictures,’ he said, ‘obviously were taken by an amateur photographer’ (153).” Commander Donovan in fact screened this footage twice at trial, and entered into evidence a brief description of what the courtroom was seeing. What is remarkable about the use of this footage at Nuremberg is that, except for Donovan's summary points, the footage is allowed to stand on its own, as if without need of commentary. The image suffices, or, as Walker says in another context, “the archive is full” (140). It is *res ipsa loquitur*. And it was with this seemingly self-evident evidence that Donovan concluded his work as a prosecutor (Bigger 57). One of the other prosecutors present introduced the SS footage as “perhaps one of the most unusual exhibits that will be presented during the Trial” (see copy of the transcripts at <http://avalon.law.yale.edu/imt/12-13-45.asp#jewishpersecution>). I warmly thank John Q. Barrett for helping me track down the relevant trial transcripts and affidavits regarding this footage. Thanks too to John McVay for his assistance.

though the documentary is about atrocities in Hungary rather than Latvia (Walker 138). Michael Prazan's important *Einsatzgruppen: Les Commandos de la Mort* (2009) also includes Wiener's footage but says nothing specific about it, allowing it to stand metonymically as a visual sign for SS violence perpetrated in eastern Europe. As well meaning as Prazan and Moll undoubtedly are, their handling of the Latvian photographic record proves Georges Didi-Huberman's point that "surviving images" of the mass killings "are generally *ill seen images*, and ill seen because they are *ill said*: poorly described, poorly captioned, poorly classed, poorly reproduced, poorly used by the historiography of the Shoah" (66). A recent documentary produced for National Geographic by Peter Hankoff, *Hitler's Hidden Holocaust* (2009) [also known as *Nazi Death Squads*: neither title is without its problems, as Hankoff has said to me in correspondence with him), is a notable exception to this curious interpretive malaise. The documentary features the noted Holocaust historian, David G. Marwell, who is enlisted to discuss the unusual evidentiary value of the Wiener footage. But he does this work in ways that also raise significant questions about how it continues to make a testamentary claim on us, pointing specifically to the unique role of a non-human animal in this demand. Marwell deftly frames the murder scene for us: on behalf of the documentary film-makers, he parses the photographic evidence of the crime; but he also acts as witness to the atrocity, and to the filmic representation of the atrocity; and, I want to suggest, he symptomatically embodies the crisis of witnessing that the crime engenders. But in particular what catches Marwell's discerning eye is the uncanny arrival of an animal, a little dog, who darts excitedly across the foreground of the field of view at the moment that the executioners' guns go off. After Levinas, it is impossible not to think that we once again find ourselves in the troubling presence of "the last Kantian in Nazi Germany."



Still from Wiener footage, Liepaja (1941) in Peter Hankoff's documentary, *Hitler's Hidden Holocaust*, showing the dog leaping in the foreground, and the executed men in the background.

Before turning to Marwell's discussion, let me consider selected details from the Wiener footage, working outwards, as it were, from the apparition of the dog to a consideration of the larger setting of the execution. Because of the suddenness of the creature's appearance, and its animated demeanor, the dog appears for an instant to be the sole unquiet thing in this appalling tableau of observed and administered violence. Its leaping motion has the uncanny effect of making the rest of the bystanders seem almost frozen in time. For a fleeting instant, the dog's body registers the shock of the gunfire, while the crowd that has come to watch--or at least be present--at the execution stands mostly motionless, stilled by their spectatorial fascination with and moral unconcern for what has just happened. The horror of the moment is made sharply palpable because it unfolds under an apparently sunlit sky, amid such banally familiar details:

parked cars and bicycles, unremarkable buildings, children in short-pants . . . and someone's momentarily unattended pet. In the background, the executed men slump to the ground, pulled downwards by the weight of their suddenly lifeless bodies. In the foreground, and at precisely the same moment, the little dog dashes about, the image of its quickness flashing up in this death-world from which no one who is deemed to be an animal escapes alive. The bystanders stare with rapt fascination while remaining casually indifferent to the murders, a duplicity or doubleness that is uncannily mirrored in the dog, who viscerally reacts to the killings but is presumed as an animal to be blithely oblivious to their significance. In one shot, the onlookers form an undulating line that recedes from the foreground of the image to its background, visually linking the cameraman, the bystanders, the over-seers of the executioners, and finally the executioners themselves. The fact that the spectators stand together in a line is itself a telling piece of body language: it is a sign of the crowd's obedient behaviour in the presence of armed authority, to be sure, but it also marks a reflexive adherence to unspoken social norms about how properly to inhabit and create a communal space of observation, how to stand and look and be with others, even when this is a terroristic space where neighbors are humiliated, tortured, and murdered. Lined up, the onlookers mimic the row of men who are murdered, mocking them in their agony. The camera peers down the motley chain of attendees, past the spectators and towards the murdered men as they die, as if the view-finder had the power—albeit from a certain distance, a question to which I want to return—to part the crowd and gain a mostly unobstructed view of the killings. The assembled onlookers stand huddled in a row and do not interfere with the shot, but the dog has the potential to interrupt, moving quickly across the clearing in a horizontal plane. I say “potential,” because it is always possible to see only the murdered men. For an instant after the execution occurs, a single

spectator, very close to the Wiener's position, turns briefly towards the camera and then back to the execution site; his furtive glance accomplishes at least two partly contradictory things. First, it makes *seeing* the execution, its visibility, a perceptible part of the violence being filmed. For a moment, the camera too falls under a gaze, and in that way becomes what it already is, namely an essential part of the violence that is being recorded. The shared look between cameraman and on-looker makes the on-looker an avatar of the cameraman, phantasmatically putting him in front of his own camera. The complicit glance between the two men says: "this execution is not simply observed; it is meant to be seen. I must see it. I am here not only to look, but also to confirm that it was observed and observable." Turning to the camera, the spectator corroborates the feeling that seeing the executions is not an "accident," as Wiener will subsequently claim in an interview, but crucial to its murderously and conspicuously public design. Second, the look seals a kind of pact between cameraman and spectator. For a brief moment, each man forms an alibi for the other: in effect, one man says, "I am looking as the camera looks, as an observer." The other man says, "I am looking *at* the spectator, as an observer *of* spectatorship. Together we collaborate not, as it might seem, in perpetrating violence against Jewish neighbors. We look *in* on that violence, perpetrated by others, the ones with the guns and the arm-bands that identify themselves as being in league with the occupiers. We agree and let others see that we are only bystanders, i.e., 'accidental witnesses.'"

An "accidental witness" [*und zufälliger Zeuge*] is precisely how Wiener will describe himself, long after the fact, resorting to a turn of phrase whose complexity needs to be carefully unpacked.⁶ Perhaps there is no witnessing that does not elementally involve a radical contingency,

⁶ Fritz Bauer Institute, <http://www.cine-holocaust.de/cgi-bin/gdq?dfw00fbw000799.gd>

making “accidental witness” a kind of pleonasm, not unlike Kant’s phrase, “unjust enemy.” For witnessing to happen at all, there must be the chance of its not happening: what is being witnessed may go unheard and unseen; the event’s testamentary claim on the future may remain imperceptible or unheralded. Witnessing may, as Derrida argues, involve a kind of secret or reserve whose immemorial absence forms the very condition of witnessing. Witnessing’s accidental fate is in this sense analogous to the poetic testimony that Paul Celan describes, in the wake of his time as a slave labourer in the Ukraine, and in memory of his mother and father, both murdered at the hands of the SS. A “poem,” he writes, is

a manifestation of language and thus essentially dialogue can be a message in a bottle, sent out in the—not always greatly hopeful—belief that it may somewhere and sometime wash up on land, on heartland perhaps. Poems in this sense are always under way: they are making toward something. Toward what? Toward something standing open, occupiable, toward an addressable you perhaps, towards an addressable reality.

With Michael Levine, I mark the way in which Celan makes “a place . . . or the other, for an ‘addressable you’ . . . for another, indeterminable and unpredictable *place* which” his “errant poems are themselves said to ‘be making toward” (3). Like the message in the bottle of Celan’s testimonial poems, witnessing acts “leave themselves essentially open to chance, letting themselves open with an unprecedented sense of vulnerability, exposure, woundedness in the direction of an unforeseeable encounter” (3). What else would distinguish witnessing from the programmed transmission of information? Now in Wiener’s mouth, “accidental witness” is of

course a self-exculpatory alibi, an attempt to deflect the ways in which he participates in the murders without having pulled the trigger, so to speak. He is no witness to this atrocity, accidental or otherwise, not in the fundamental sense of *bearing* witness to the lives and deaths of others. The murdered Latvian men make no ethical demand on the Nazi cameraman, no more than Levinas's suffering is palpable to the soldiers who guard Camp 1492 and who fail to ward off the advent of Bobby. No, if "accidental witness" describes any creature that was there on the day of the executions, it describes the little dog. And it is we--those who observe the dog, as if for the first time--who take a chance by becoming the "addressable you" towards which its ghostly image travels, making a claim on us without, as Kant says of respect, the promise of return.



Still from Wiener footage showing dog in left foreground and the execution trench in the middle-ground

An “accidental witness” . . . or an “accident”? In all rigour, there is no way definitively to decide. The chance that the dog’s presence is not testamentary but dumbly irrelevant is always possible. The on-looker who turns towards the cameraman before returning his gaze to the execution reinforces where we are always being directed to look, not at the dog, who is nearby and alive, but at the Jewish men, whose corpses line the floor of the pit in which they have been shot. The temptation is thus to ignore the dog’s unexpected presence in the visual field, either by literally failing to notice its arrival or by deeming it be an incidental detail. Viewers can fail to see the dog because they want to do justice to the executed men or because, like the spectators in Wiener’s footage, and like Wiener himself, they are mesmerized by a violence from which they also experience a certain saving distance, and for which they feel a moral indifference. So far as I can determine, with the exception of David Marwell, to whose remarks we will turn in a moment, no other commentary says anything about the dog. Even the scrupulous summary of the footage’s contents by the Fritz Bauer Institute ignores the presence of the creature, while noting other similarly fine-grained details: the dark colour of the sedans parked nearby, for example, or the number chimneys that stand in the distance. But in these images, can any detail be irrelevant or incidental? If the dog plays the role of an “accidental witness,” it does so, impossibly, in a scene in which everything, but especially the lives and deaths of the kidnapped Jewish men, is administered and non-fortuitous. We recall that the atrocity at hand is more than the killings themselves, more than the worst. It is also the murderously collaborative and overseen world that the camera captures and helps produce: the assembled townsfolk who obediently and reflexively form a line, the by turns mesmerized and bored spectators, the quotidian mix of bystanders (which include Army and Navy men in uniform, one soldier smoking a cigarette, local militia wearing

their armbands, children, and other townsfolk), the hilly sea-side setting that was selected as the killing field, the assembled bicycles, the five smokestacks in the background, the light-filled and windless day, the sandy soil in which the execution trench has been dug. The brutalization of the Jewish men gathers all of these details into a meaningful whole, including the little dog. What burden does the apparition of this animal bear? At least two possibilities emerge and shape my speculative remarks and questions—so many questions....--here. Each flows from a consideration of what might be called the dog's putative "senselessness." *On the one hand*, its mere presence at the execution site registers and distills the casual horror of the scene. The Nazis insist that the murders are now part of quotidian life, something that not only must be done but also *can* be done, with impunity. The unimpeded arrival of a domesticated animal, its free passing between home, wherever that is, and the execution site, gives visual expression to the brutal reality of this new everyday. The animal figures forth the absolute carelessness of that life, in which neighborhood children and household pets turn out for the murder of neighbors. The dog's freedom to come and go at will stands in direct contrast to the carceral existence of the men who are transported to the killing field in a truck, and killed. The dog appears to capture the moral idiocy of that life, its



Still from Wiener footage showing the Latvian Jews being forced from the transport truck.

obliviousness not only to the evil of the murder of the Latvian Jews but also to the annihilation of the very idea of morality. When the dog reacts to the gunfire but appears not to respond to the murders, we are reminded that the Jews in this scene endure two forms of violence: they are kidnapped from their homes and murdered, and they are denied the opportunity to say that their deaths matter. As Lyotard argues, “the shades of those to whom had been refused not only life but also the expression of the wrong done to them by the Final Solution continue to wander in their indeterminacy” (*Differend* 56). Or as in Elie Wiesel’s memorable words: “It must be emphasized that the victims suffered more, and more profoundly, from the indifference of on-lookers than from the brutality of the executioner” (229). As Deborah Bird Rose remarks, “Indifference may seem passive, but in the context of suffering it is best understood as the refusal of relationship, the refusal of an ethical call” (146). The spectators observe the violence against their neighbors only as curious bystanders; if they were stripped of their prurient fascination, all that would be left

would be their moral apathy or demise. The dog's distraction personifies—or appears to personify—that lack of concern, that bare “life,” as it were. It makes carelessness flesh. It is death-in-life. The creature's reflex reaction expresses or seems to express a lack of consciousness, which in turn is available as a figure for a lack of conscience.

On the other hand, the dog reacts viscerally where no one seems willing or able to respond morally. (As always, after Derrida and in the vicinity of the non-human animal, we will need to interrogate this ancient distinction between reaction and response, between the putative blankness of embodied instinct and the presumed answerability of embodied sentience.) The creature is not so much an “accidental witness,” at least not as Wiener saw himself, but a kind of surrogate witness, perhaps not unlike Bobby was for Levinas. Here, as in Levinas's account, animal surrogacy must assume several meanings: the dog is at best a “poor” substitute, a sign that we are in a time of catastrophic moral impoverishment; and as a supplement that functions otherwise than as a privation. But how is this possible? With the witness, there is no substitute. No witness can replace another and remain that witness. But what is a witness? The fact that the dog's image makes a claim on us is a reminder that complicating our understandings of the witness doesn't mean that there are no witnesses. It rather confirms the animal image's transitive testamentary power, which Roger Simon describes as an *occurrence*, “An event that has a singular illocutionary force that subjects its addressee to a demand, to an obligation that can either be refused or differentially enacted@ (16). The dog unexpectedly attends the murder of the Latvian men, even if it doesn't necessarily greet them and acknowledge them in the very particular way that Levinas experiences or remembers experiencing Bobby's analogously unforeseen arrival. But in all rigor, who could say that this dog does not also bear witness? Or that its agitated motion is

not a form of an immemorial salutation, yet to be heard? Or that the ghostly apparition of the creature does not in some sense bear witness today, “haunting the present from the present itself,” as David Simpson suggests in another context (185)? The dog’s presence forms an indelible reminder of a world that has been lost, lost certainly to the Jews living in and around Liepaja, and far beyond, and lost in different ways to the complicit townsfolk, who must now recreate their everyday alongside irrevocable annihilations and in the shadow of indelible crimes. The unanticipated presence of a household animal forms a testamentary trace of that annihilation and absence. Can an animal witness atrocity? Is this creature—he, she, it?⁷--the “last Kantian in Nazi Germany”? In its leaping motions we see a displaced expression of what we cannot hear or feel, namely the percussive blow of fatal bullets. The dog’s motions are a “metaphor,” in the strict sense that Nietzsche gave the term in “On Truth and Lie in the Non-Moral Sense.” Its life, its liveliness, must bear the burden of the mortality and death of the other man. As I noted earlier in my remarks about Levinas, Lyotard characterizes the sheer *thatness* of responsibility to others to

⁷ Carol J. Adams helpfully reminds me (when I share this work with her at the “Animals and Animality Across the Humanities and Social Sciences” conference at Queen’s University [26-27 June, 2010]) that it is important to address the question of what to call the nameless dog: he, she, or it? I suddenly realize how reassuring it has been to be able to call “Bobby” “he.” I confess that I am uncertain how to respond to the question of the discursive limits of the “sex” of this nameless dog, a question which is so closely related to the problem of the name of the dog, and thus of memory, mourning, and responsibility, i.e., the nest of perplexities that form the *raison d’etre* for this seminar paper. Referring to the dog as “it” (as I do provisionally here) risks neutralizing and objectifying the animal that we observe; it reproduces a dogmatic denegation of sexual difference with respect to the animal. Yet attributing a gender or “sex” to this animal is also not without its problems. Because it is without a name, the burden of gendering the dog cannot be passed off to someone else, to those who knew its name in 1941. Yet I don’t doubt that it had a gendered name, and that its relationships with people in and around Liepaja were shaped by the perception of its gender. Yet to pick up the burden of naming the dog, calling it “he” or “she,” feels too recuperative and familiarizing to me, when it is the de-familiarizing arrival of the dog that seems the most important thing to witness. And to what extent is gender or for that matter “sex” an anthropocentric conceit, perhaps the most powerful of the naturalizing of ways in which the human declares itself to be “human”? What differences unsettle the difference between the animal that is called “she” and the human that is called “she”? Who could say that Bobby is “he” in any way that a man is called “he”? In calling him “he,” do we not compel him to be fraternally adjoined to the human, and thus “a friend of man”? With respect to the dog who suddenly appears in the Nazi film footage, let me hope that calling it “it” honours its reserve more than it negates it. But the problem reminds me that when the animal arrives (and, Derrida suggests, it has always already arrived, “we” are always “following it”), will “we” have had the words, *les mots*, up to the task of speaking of those creatures? How *not* to speak of it . . . them?

an immemorial force that can be felt but not cognized—a kind of delayed or deferred action that he compares to the sound of a whistle whose tone is audible only to dogs. For the French thinker, “the jews’ . . . are the irrefutable indication of the fact of obligation.” In the little dog’s reaction, we appear to witness that *Nachträglichkeit avant la letter*.

Watching the execution footage, I cannot and I will not take my eyes off of the Latvian men, each of them Jews, who are murdered before our eyes and whose killings we are commanded to see as the Nazis saw them. Not to see these murders at the Nazis saw them, we must also see them as the Nazis saw them. We are compelled to see in order to glimpse what is shown. That is our burden, infinitely lighter than the one that the Latvian men endure and yet forever yoked to that homicidal violence. Their “suffering bodies,” as Sharon Sliwinski says, “have been forced to re-create themselves into the form of an image” (18), under whose gaze we fall and have always fallen before having seen the footage. Neither will I take my eyes off the *Einsatzgruppen* and the local armed militia who bear responsibility for so brutally killing these men. I am compelled to look, and yet I am also obliged to consider all the ways of seeing that imperil this gaze: for example, that we might view the footage solely as documentary evidence of what we already presume to know about the Shoah. –That in dwelling on the uncanny presence of the little dog, we indulge in the position of a spectator who is “overly empathetic, collapsed, and melancholic, rather than being analytically mournful.”⁸ --That we might make the “killings . . . no more than a piece of information,” as Jean-Jacques Delfour has argued about photographs of Nazi killings (Didi-Humberman 97). –That, on the one hand, we might treat the execution as a spectacle of

⁸ So Walker describes LaCapra’s critique of Lanzmann’s *Shoah* (131-2).

suffering, calling primarily for empathetic identification or fascination; or, on the other hand, that our historical research would become so meticulously concerned with uncovering the facts that we would end up not only protected “from the past” but also put “in a situation not unrelated to the detached position of an administrator of extermination” (Trezise cites Saul Friedlander 51). –That the archival film footage, cached within the documentary about the *Einsatzgruppen*, forms an allegory of the “problem” of witnessing the witness, and of the crisis of witnessing that is elemental to witnessing itself. –That we might relegate these images to the larger iconography of the Holocaust, responding to them as substitutable scenes of torture that move us deeply but fail “fundamentally to challenge the narratives with which we orient our commitments and social relations,” as Roger Simon has remarked elsewhere, in an important discussion of testimony that informs my work here (*Touch* 111). –Or that what we see is unspeakable and un-viewable, both because it is indescribably or inexpressibly hateful and because what is seen is unthinkable. [A parenthesis seems necessary here: Nothing can capture the horror of the Shoah, since no image is “adequate to convey its badness, objectionableness, or hatefulness” (Trezise 42). Viewed this way, as something that cannot be spoken and may not be spoken, the Wiener footage would constitute an exemplary instance of what Claude Lanzmann infamously calls the “*film maudit*” [cursed film], the illegitimate *imagining* of what must properly remain unimaginable or at least un-imageable.⁹ (What comes of collapsing the distinction between imaging and imagination?) Such a photographic record does not exist, Lanzmann says; and if it did, he would destroy it. Is the Liepaja footage, and not only the Liepaja footage, not this profanity, worthy of annihilation. What does it mean to images that are said not to exist, except in the mode of their existing so as to

⁹ See Trezise for a good discussion of the question of the “unspeakable” in accounts of the Holocaust.

be destroyed? The Shoah is a fact that speaks for itself, but how different is that unmediated datum from “the depersonalizing silence imposed by the Third Reich?” (Treize 51). Silence and being silenced come perilously close, after all, in Lanzmann’s own hyperbolic claim that he would annihilate the film that denied that the horror of the Shoah speaks for itself. (““Not all of the real is solvable in the visible,”” Gerard Wajcman has remarked, looking at four photographs from Auschwitz (Didi-Huberman 65).] --Or worse, if there could be such a thing, that we might see these Latvian men essentially *as* their horrific deaths, and as creatures doomed solely for death. --That they are *caput mortuum*, i.e., residua or worthless remains. To look at the images in this manner would thereby reproduce the “suffocatingly hermetic [and] violent universe” of the Nazi gaze, “a constricting web of forces that ensnares everything with senselessness, contingency, fear” (Bauer 139). This is the unseeing look that declares that the Jews of Latvia live lives unworthy of life before Wiener raises his camera and as the condition of possibility of shooting these scenes in the first place. In some sense, their sheer unworthiness, the scandal of their being-in-the world at all, is what the footage declares worthy of documentation, the “proof” of which is that they are at once disposable and disposed *of* while Reinhard’s camera—at once implacable and desirous--rolls. In so far as the Jewish men are already dead, marked *for* death and *as* death, they are not murdered at the hands of the *Einsatzgruppen*: to recall Heidegger’s ghastly phrasing about animal *Dasein*, they are appear merely to perish, or rather they are *made* to appear merely to perish. The Nazis dream and act as if the Jews are not killed but refused a life that they never properly possessed in the first place. The film footage seeks to confirm that supposed fact, pronouncing the death sentence whose consequences it also records.

There is no way absolutely to indemnify my remarks against such hermeneutical and

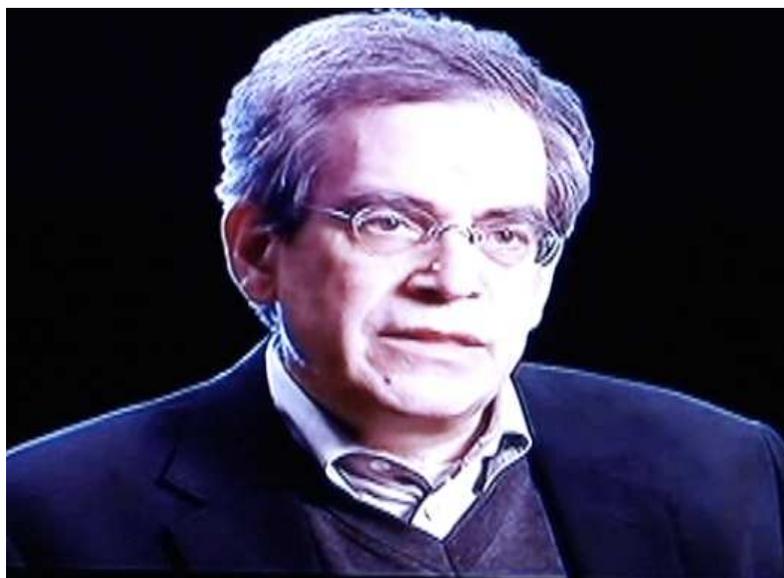
ethical dangers, which are, it seems to me, constitutive rather than contingent in kind when it comes to the matter of bearing witness to images of Nazi atrocities, and in particular to those images—which represent the vast majority of those that survived the Shoah—that the Nazis themselves imagined, created, and circulated. Nevertheless, I must keep my eyes on the lives as well as the deaths of the individual men, but not with an unblinking stare of the sort that an abiding philosophical tradition has mistakenly attributed to non-human animals, and to their supposedly benumbed existence in an always unforeseeable and unremembered world. No, I must look, and listen, and interrogate, but in a way that allows the other’s arduous approach to un-work me, and that refuses any form of identification with the men who are murdered---without for one moment rejecting their testamentary summons, their irrepressible “demand for non-indifference” (Simon, “Remembrance” 3). The filmed images put my politics and my ethics to the test, but they do so in the most revelatory way, reminding me that the relation that I have with these scenes is not only one that happens in an already existing world (for example, a relatively safe “present” that seeks to understand a brutal “past”), but is also a matter of an answerability, and thus of a proximity—but without the solace of relation, familiarity, kinship, or sameness--that “unfolds this world in the first place.” (Ziarek, ctd by Simon, “Remembrance” 3). In other words, something “new” is always happening again when I look at these images, something that is irreducible to their historical content and to their historical interpretation, strictly speaking. What “can be *seen* in a . . . photograph is not all that is *shown*,” Sliwinski points out (18), in a discussion of some of the most disturbing images from the 9/11 attacks on the World Trade Center. My wager is that the sudden appearance of a non-human animal within the field of the camera-man’s vision takes on the considerable burden of signaling the possibilities and perplexities of that unseen advent.

More: the animal traces the limits of the humanisms whose abject failure is memorialized in the film footage that we watch.

Although not without its own complications, Marwell's quietly affecting documentary commentary on the scene helps. He becomes a surrogate viewer of the Nazi footage, against whose perplexed response we might explore our own. While I watch, he murmurs in my ears, as if to over-write the deathly silence of these otherwise mute black-and-white scenes from the summer of 1941. The historian both sets the stage for the critical work to come and registers the testamentary power of the Nazi footage when he breaks from his historicist narrative to note that "the most chilling set of frames for me is this pet dog that someone brings with them." What is telling is Marwell does not simply steal a glance at the dog, as if acknowledging its arrival meant turning his gaze from the murder scene. With an interrogative spirit he instead openly registers the *force* of the image of the animal's presence, well in excess of the historical explication that the murders also demand. The dog's uncanny interjection, precisely because it does not appear at first to be caught up in that demand, gives the viewer the opportunity momentarily not so much to look away from the killings but to see them with an eye to what is *shown*. The kind of reading that I am proposing here—albeit still mostly in the form of questions-- has analogies to the mode of knowing that Rei Terada describes as abstaining from giving consent to the givenness of the world: she calls this form of apprehension *looking away*.

Gazing at the dog, with a view to seeing what is shown by the murders, we in effect bring to bear what Aristotle called "averted vision," a technique for viewing faintly visible astronomical phenomena that involves looking a little off to the side, while continuing to concentrate on the primary object. And so it makes sense that as Marwell turns to speak about what it means to look

upon the dog, he draws a deep breath, as if bolstering himself to face a difficult knowledge. These are “the most chilling set of frames,” he tells us, sharply raising the stakes of the discussion. Have I heard him right? We have seen the willing executioners, the murder victims, the cowardice of the collaborators and spectators. Surely we have already seen the worst, and now we are asked to prepare ourselves for the something more disturbing. Marwell presses on: notice “how the dog is startled by the rifle shots and darts across the frame in a kind of reflex reaction on the part of the animal to the shots,” he remarks: “Who brought the dog there? Did the dog go back home? What was the dog doing on this scene when people were being murdered. I don’t know why that moves me, but it does.”



“What was the dog doing on this scene when people were being murdered?” (Still image of David Marwell from *Nazi Death Squads*)

The fact that the arrival of the animal marks the advent of “the most chilling set of frames” in the Nazi footage throws into question whether Marwell’s turn from his historicist narrative is a digression or whether it is at this point that he approaches the dark heart of the matter. In the

presence of the animal, we feel the push and pull of logic of the supplement, in which the boundary between the extraneous and the essential is made to tremble. Nothing could be further from the “truth” of this documentary evidence of the Shoah than the fleeting presence of this little dog; yet Marwell admits, in his own way, that nothing could be closer. The scholar’s queries are noticeably memorial and pedagogical in nature: they respond to a realization, as Simon would say, that “practices of remembrance are always already caught up in the obligations expected by the transitive character of the testamentary act, the act of writing, speaking, imaging so as to bear an educative legacy to those who ‘come after’” (xx). As a historian, Marwell is mainly interested in the evidentiary value of this piece of film, which, although less than two minutes in length, concentrates an enormous amount of important information about the nature of the crime, and about the terrifying particularities of the Shoah as it was prosecuted in Liepaja. As he says: “The film is a remarkable document, if you will. Within its very brief time period it gives us access to all of the actors in this horrific drama.” Those actors include “the victims,” “the shooters,” “the local auxiliaries who assisted the German SS and police,” and “the bystanders, the witnesses.” The little dog is not part of this roll-call, but moments later, after discussing the “grotesque” way in which the footage captures the “quotidian” nature of the killings, Marwell readily admits that the creature catches his eye. Like the unconscious, whether psychic or political, the animal is not an actor, yet it plays an irrepressible role. Marwell’s quiet admission that the dog affects him the way that it does, and to the degree that it does, gives me pause. *That* the dog’s ghostly apparition troubles him is certain, but he is wonderfully candid in admitting that he does not know why. A scholarly topos of affected modesty? Or an expression of real cognitive puzzlement? Perhaps the former is made here partly to cover for the latter. What remains more certain is that the historian

discovers himself to be obscurely accosted by the image of this dog, and he does so in large part because he brackets off *what* the address might say or mean, leaving a place for the fact *that* an address is happening. To whom and from what place that testamentary act is addressed remains unnamed, yet memorable. The dog warrants discussion, even if its arrival on screen is something about which the Marwell has almost nothing to say that isn't mostly intuitive and affective in nature. An unforeseen and unforeseeable encounter is happening: the dog, or this dog, or rather the flickering images of this dog, make it so. The creature who races across this grotesquely policed scene makes something immemorial, felt more than known, available to viewers whose world the cameraman could never have imagined--literally not in a thousand years, not if Hitler had had his way. (Yet, as I want to say again in a moment, we should resist the temptation to abandon the critique of the repressive hypothesis, and treat the dog as an expression of a free "animalistic" energy that has somehow escaped the Nazi gaze. The dog is not outside the Nazi gaze, and indeed it will be important to point to the ways in which its presence colludes with that gaze. There is no outside that gaze, not while we watch the dog rush about through the viewfinder of the Nazi cameraman and at the point of the tip of the spear of Nazi power, i.e., the killing field. To speak too quickly [since the distinction between the inside and the outside, like that between the human and non-human animal, is what must be multiplied and differentiated, rather than re-inscribed], whatever excess we register, whatever testamentary power the dog evinces, will be from "within" that field, immanently dispossessing it from an "inside" that is otherwise and more archaic than the opposite of an "outside.") The symptomatic response and the non-knowledge that surprises the historian mark the uncertain operation of what Benjamin might call an "optical unconscious" even and especially in the midst of the scholar's rational cognition. And

in this way, the documentary puts to us, perhaps without meaning to, that knowing and non-knowing, often normatively attributed to human and non-human life, respectively, are *together* of elemental importance to testamentary acts and the transitive powers that they can have over us. Witnessing the dog who obscurely bears witness, we suddenly find ourselves in the realm of something unconscious or at least other-than-conscious, as Marwell admits, catching himself testifying to an experience that cannot easily be assimilated into a continuous explanatory narrative of the Shoah, of which the documentary in which he speaks forms a vivid and consequential part. We are reminded that, as Kelly Oliver argues, “something other than historical accuracy is at stake in testimony” (86).

The Nazi footage at Leipaja calls for a response to what Didi-Huberman calls the “unconscious of the visible.” As Sliwinski argues:

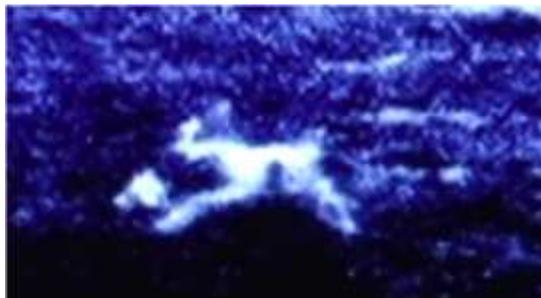
Such an investigation does not mean trying to make visible something that is invisible. Instead this approach pursues the visual event as symptom. . . . [T]he ‘unconscious of the visible’ pursues something that is precisely *not* shown in the picture. (“Icarus Returned” 11)

What then is “*not shown*” in the Nazi footage? Or shown in the mode of not being shown? As I have suggested, the dog appears to be an incidental detail, possessing marginal significance in the footage whose brutalizing focus is the murder of the Latvian men. Its advent is, or rather *seems* to be, at odds with the camera-man’s point-of-view, a point-of-view that we are compelled provisionally to adopt by virtue of looking at the footage at all. I dare say that many—I include myself--have once looked at these scenes and hardly noticed the dog. The detailed description of the “contents” of the Wiener film archived at the Fritz Bauer Institute makes no mention of the

animal's appearance.¹⁰ As we shall see, however, the dog's appearance is anything but insignificant. The creature is not so incidental as to provide nothing in the way of helping us understand what is happening here, and why. Its appearance, in other words, forms a part of the explanatory context for the footage. To a certain extent, Marwell is responding to the scandal of that fact, on our behalf: the dog shouldn't tell us much about the murders, yet it does, in its own dream-like way. Under glare of the atomic light of the executions, and of the Shoah, the dog's significance in the visual field risks being all but washed out. Yet it isn't, no more than Bobby's brief presence in Camp 1492 goes unnoticed by the Nazi guards, who see fit to chase the little dog away, or certainly by Levinas, who welcomes Bobby in the midst of his agony, and for whom "the last Kantian" cannot go unremembered. With the Latvian dog, there is clearly something more happening: for the instant that the creature is frankly experienced by Marwell as inexplicable, and acknowledged publically as something that cannot simply be seen, understood, and narrativized, we grasp the importance of responding to its presence otherwise. Marwell's remarks encourage us to negotiate his "I don't know why" between two affectively laden possibilities: a condition of "chilling" immobility, as if we are looking into the face of a Medusan monster, and a condition being transported or "move[d]." Why does the dog's fleeting presence in the execution scene trigger this strange response, inviting the viewer to be, as it were, in two places at once, both blocked and in motion? (I am reminded of Freud's premise about repression: that the opposite of forgetting isn't remembering, not when there is a special form of remembering that happens in the mode of forgetfulness. Under these conditions, being blocked is also, sometimes, a form of movement.) Thinking and thinking historically about Wiener's images remain fundamentally

¹⁰ See <http://www.cine-holocaust.de/cgi-bin/gdq?dfw00fbw000799.gd>

important, to be sure. Yet wherever we are with Reinhard Wiener's horrifying images, we are also in the realm of the symptom and of a non-knowledge that expresses itself as a kind of anonymous pressure rather than an idea or as an historical fact.



(Detail) Still from Wiener footage, Liepaja (1941) showing leaping dog.

--So much to think about here, in an attempt to do justice both to Wiener's footages, and to the Holocaust scholar's palpably affective response. So much more than I can address in this brief seminar paper. But let me telegraph some questions, outline some itineraries and lines of thought. Why does this film footage exist? For a dreamed-of Nazi posterity? For the pleasure of the photographer, and for the pleasures to be stimulated, cited, and traded, among other viewers, elsewhere than here, where the killing happens? To film is to register the extraordinary nature of the event, although there is also a forced casualness about both the murders and the footage's point-of-view that must be taken into consideration, a manufactured "ordinariness" about the scene that the film produces and polices. (Perhaps under the aegis of a sufficiently terrifying totalitarian regime, the experience of the extraordinary is always, in some sense, staged as "ordinary," which is to say, as comprehended, foreseen, administered, and remembered by that regime and solely on that regime's terms. The terror of Nazi totalitarianism is that terror happens in and *as* the everyday. The principle of *Gleichshaltung* [the co-ordination or alignment of social

life with Nazi ideals] folds the unexpected into the expected, a confounding tactic which multiplies the frightfulness of existence.) On this summer day in 1941, many of the townsfolk have come out or have been ordered to come out to watch the *Einsatzgruppen*'s work, including children. (They are the peoples, we now know, that the Nazi's also intended to liquidate to make way for the projected, massive colonization of conquered territories.) They occupy the high ground surrounding the execution trench, and over-look what happens there. This is a resolutely public occasion, a reason for neighbours to set aside their daily tasks and gather together on the outskirts of Leipaja to watch the murder of their neighbours. The spectators have already arrived when the footage begins: starting *in medias res*, the film puts to us that their everyday is now *this* everyday, and the killing of the Jewish men somehow both uncommon *and* a matter-of-fact, an irrevocable element of life going forward in the cruel orbit of Nazism. Some visual signs mark, create, and enforce the collusion taking place between the extraordinary and the matter-of-fact by linking together the civilian lives of the locals and the militarized mission of the *Einsatzgruppen*: for example, the militia men brandish their own hunting rifles, otherwise the implements of workaday life, like a hammer or saw, but now put to new uses, to kill and to intimidate neighbours. Once these guns were used to shoot game, and they no doubt will be used for the same purpose again, perhaps on the same day as the executions. The symbolism is impossible to miss: the Jewish men are now subject to the killing violence that their neighbours *ordinarily* reign down on non-human life. This new use of the tools that lie to-hand, as it were, seals a pact between "the non-criminal putting to death of animals," as Derrida says, and the non-criminal putting to death of animalized populations, including the Latvian Jewish men who are murdered.

The film-maker's point of view preserves and affirms the spectatorial *mise-en-scène* of the

murders, their having-been-committed-to-be-seen and remembered. (Yet the Nazis will subsequently return to these and hundreds of other murder sites in Russia and Eastern Europe in order to exhume the bodies of and burn them, in a crazed attempt to hide the evidence of their crimes. --As if they never happened, or happened, albeit retroactively, in a condition of a certain complex, belated “privacy.” The disinternment and destruction of the dead roughly coincides with the amplification of the prohibitions against photographing murders, but as Didi-Huberman points out, these interdictions form part of a larger, more complex story, still unfolding. As he says, we have yet to develop historiographical methods up to the task of accounting for the fact that “photography in the camps was rigorously prohibited yet systematically exploited by the concentration camp administration,” and that “the Nazis themselves circumvented censorship and produced ‘amateur images’ outside of any official framework” [67]. The brief footage taken by Reinhard Wiener probably falls under the latter category, but precisely because it unworks the distinction between “amateur” and “official” representations of Nazi atrocities. Georg Rosenstock, the commander of the Police Reserve Battalion participating in the atrocities in Liepaja, said to a colleague that “in no uncertain terms that it was intolerable that shootings were being carried out in front of spectators.”¹¹ The footage was confiscated by Latvian border police, but returned. Wiener himself hid the film once it was developed, only showing the film to a small group of Navy friends who were sworn to secrecy. What was their secret? That they were all appalled at what they were seeing, secretly affirming their moral outrage. And let us not forget that the film footage was *developed*—that is to say, for it to come into existence, it was processed elsewhere and by others—in the Agfa film laboratories--, in the homeland, always already subject to the

¹¹ Statement (excerpt) of police commander Rosenstock, given to the Hamburg Landsgericht, 1 July 1964, translated and reprinted in Klee, *The Good Old Days*, at pages 127 -128, with source given at page 285.

vagaries of mediation and circulation. We are here wrestling with the swirling forces around an *open secret*, i.e. a secrecy that is differentially and unjustly administered, like every other aspect of existence under the Nazi gaze. “Where does publicity begin?,” Derrida asks. Wiener’s mother subsequently buried the film in a pig-sty on the family farm to protect it from falling into the hands of the Russians (reminding us that the Nazis sutured nationalist anti-Bolshevik sentiments in Latvia, among other eastern European countries, to an already existing anti-Semitism). Criminality, culpability, belatedness, disclosure, secrecy, and photography: how to parse the imbrication of these phenomena? What does the privatization of the murders after the fact suggest about the public nature of the killings themselves, at the moment of their having taken place and having been photographed as having taken place? Is the public space in which they are committed and in which the camera confirms their “having-been-committed-to-be-seen” of a kind that already had folded into it a kind of “privacy”? I am not convinced that the presence of the camera-man didn’t—doesn’t—collaborate with the enforcement of that “privacy,” even though filming would otherwise seem to commit the perpetrators to a form of publicity. Does this “public” [this availability of the killings to sight and to having been seen] share a relationship with the “private” [the subsequent desire to make the killings unavailable to sight and to having been unseen] that is subtler than one of contrast? To make murder visible without impunity, or rather to create a hermetic universe of terror in which murder can be made visible without impunity: doesn’t this radical transformation of the social body, this utter abrogation of responsibility, represent the collapse of the “public” into the “private,” but without making the concepts or perhaps phantasms of the “public” and the “private” inaccessible either? What role does the photograph play in these dangerous social experiments, somehow at once colluding with them *and* then threatening to undo

their grotesque design?

The camera-man films the arrival of the Jewish men and the moment of their hurried transport towards the killing site in a kind of close-up, yet keeps a certain obscuring distance between himself and the details of the murders in execution trench: the Latvian men at the moment before and during their execution, the line of executioners shooting, the careless shovels of dirt cast upon the bodies. That is to say, for the most part, he films the killings from a relatively greater distance than he films his other subjects: the Jewish prisoners as they are brought to the execution site, and the ring of spectators as they wait and watch, the little dog who suddenly appears from the right side of the frame. There is a sickening “intimacy” to the murder scene, yes, as Marwell notes, but within those close quarters, there are some telling distances and demarcations as well. Let me call them the circles of hell. Compared to the close-up glimpse that we get of the anguished faces of the Jewish men, at least one of which, it is clear, has been beaten almost to unconsciousness, and must be propped up by his Jewish neighbours, the murders themselves happen in the background, an effect that is created in part because they are shot—from two distinct angles, one closer to the killings than the other—in the midst of a line of spectators who recede perspectively away from the camera, foreground to middle-ground, all eyes turned towards the execution trench (all but one), and in part because of the relatively poor quality of the images, which makes the fine details of the scenes that are farthest away from the camera the most difficult to discern. The dog’s sudden appearance in the foreground underlines this odd asymmetry to the scene, in which what seems closest to the camera-man’s intent is farthest from his lens, and what appears least important is closest to the position from which he films.

We are once more reminded that “something other than historical accuracy at stake in

testimony.” Who then is this little dog? What testamentary role does the creature play in this footage? Marwell is careful to note that the dog flinches *reflexively* at the sound of the rifles being fired, reports that are inaudible not only to us, but also, in a certain way, to the dog, who, in his presumed automatism, registers the noise, yes, yet only unthinkingly, and so is outright refused the possibility that as a sentient being he was watched and heard, perhaps puzzled, perhaps fearful, what unfolded that terrible summer day in Leipaja, and in that stew of cruelty, fearfulness, indifference, boredom, and voyeuristic pleasure. Looking at the murdered men, but as infinitely *more* than their murders, we might rather resist the temptation to claim to know that the dog knows nothing, that it is passively recording the scene, like a camera, like a man who has abrogated his responsibilities so as to make mass-killing, industrialized murder, so-called, possible. Who could say with any authority that the historian’s unthought response to sight of the dog and the dog’s reaction to the sound of the gunshots are unconnected, even remotely? Do they not form part of a testamentary chain whose perplexities precisely exceed these sorts of normative oppositions and the annihilating humanisms that they buttress and enact? The dog’s “reflex reaction” calls to be thought otherwise than as an animalizing privation. The animal’s shock, which, after all, reverberates down to the present day in the form of Marwell’s puzzled response, captures the trauma of an otherwise unclaimed experience, preserving it not for some imagined future time, outside of the frame, but there, within the frame, and as part of the “deictic statement” about horror that this image makes without end (Bauer 7) and that inconsolably troubles any hope of distinguishing absolutely between inside and outside the field of view, as it does past and present. That there is anything at all that remains unclaimed in these images is in its own way astonishing, given the maximally policed world they depict and enforce. Among the most

macabre things that Weiner said about taking this footage, some forty years after the fact, was that he was totally *unaware* of anything that was happening around him because he was so focused on what was happening through his viewfinder—as if, looking back on what he had done, a part of him longed to *become* the camera, meaning for him a machine indifferently archiving the horrors of that dreadful day. But of course it doesn't matter what was happening around him, because that world, whose every detail is dominated by Nazi power and Nazi terror, *is* what is in his viewfinder: what happens in it *is* that world, a murderous universe totalitarian authority is reproduced by the cameraman's subject-position as a profoundly interested documentarist, and by the spectatorial fascination that equates Jewish existence with non-life. That is what makes the dog's lively appearance such a remarkable moment in this footage, its eventful arrival forever at odds with whatever narrative we develop on its behalf, whether sentimental or historicist. As if an image only now beginning to develop in the dark room of history, the dog probes and tests our willingness and ability to encounter the absolute other that makes witnessing at once possible and impossible. The dog registers a truly difficult knowledge, in which the irrepressibility of witnessing is tied irrevocably to its impossibility. What the Shoah teaches, if it teaches anything, is that there is no escaping the crisis of witnessing because witnessing *is* that crisis. "Precarious life implies life as a conditioned process, and not as the internal feature of a monadic individual or any other anthropocentric conceit," Judith Butler has argued (*Frames* 23). Perhaps it takes a non-human animal, *this* animal, running in circles in the sand dunes on the outskirts of Liepaja, to throw into relief the limitless violence of that conceit. Perhaps it takes an animal speaking in a different tongue to underscore that no language is adequate to the Shoah, that we cannot speak of it to the precise extent that we cannot *not* speak of. So to this little, nameless dog, now long dead,

I send blessings, for in those circles that you run without end, I see, as if for the first time, that “the opposite of forgetting is not remembering but the prospect of justice.”

Works Cited (incomplete)

Agamben, Giorgio. *Homo Sacer: Sovereign Power and Bare Life*. Trans. Daniel Heller-Roazen.

Stanford: Stanford UP, 1998.

.....*The Open: Man and Animal*. Trans. Kevin Attell. Stanford: Stanford UP, 2004.

.....*What Remains of Auschwitz: The Witness and The Archive*. Trans. Daniel Heller-Roazen.

Stanford: Stanford UP, 2002.

Anders, Edward. “Encyclopedia of Camps and Ghettos.” Vol. 2, *US Holocaust Memorial Museum* (2010).

Atterton, Peter. “Ethical Cynicism.” In *Animal Philosophy: Essential Readings in Continental*

Thought Ed. Matthew Calarco. New York: Continuum, 2004.

Bauer, Ulrich. *Spectral Evidence: The Photography of Trauma*. MIT P, Cambridge, Mass.:

2002.

Butler, Judith. *Frames of War: When is Life Grievable?* New York: Verso, 2009.

Didi-Huberman, Georges. Trans. Shane B. Lillis. *Images in Spite of All: Four Photographs from*

Auschwitz. Chicago: U of Chicago P, 2008.

Caruth, Cathy. *Unclaimed Experience: Trauma, Narrative, and History*. Baltimore: Johns

Hopkins UP, 1996.

Cixous, Helene. “Stigmata, or Job the Dog.” *Stigmata: Escaping Texts*. New York: Routledge,

1998. 181-194.

- "This Stranjew Body." *Judeities: Questions for Jacques Derrida*. Trans. Bettina Bergo and Michael B. Smith. New York: Fordham UP, 2007. 52-73.
- Clark, David L. "On 'Being the Last Kantian in Nazi Germany:' Dwelling with Animals after Levinas." In *Animal Acts: Configuring the Human in Western History*. Eds. Jennifer Ham and Matthew Senior. New York: Routledge, 1997. 165-198. Rpt. and rev. in *Postmodernism and the Ethical Subject*. Ed. Barbara Gabriel and Susan Ilcan. Kingston and Montreal: McGill-Queen's UP, 2004. 41-75.
- Coetzee, John M. *The Lives of Animals*. Princeton, N.J.: Princeton UP, 1999.
- De Vries, Hent. *Religion and Violence: Philosophical Perspectives from Kant to Derrida*. Baltimore: The Johns Hopkins UP, 2002.
- Derrida, Jacques. "And Say the Animal Responded?" Trans. David Wills. In *Zoontologies: The Question of the Animal*. Ed. Cary Wolfe. Minneapolis: U of Minnesota P, 2003. 121-146.
- "By Force of Mourning." Trans. Pascale-Anne Brault and Michael Naas. *Critical Inquiry* 22.2 (1996):
- "Eating Well; or the Calculation of the Subject." *Points: Interviews, 1974-1994*. Ed. Elisabeth Weber. Trans. Peggy Kamuf and others. Stanford: Stanford UP, 1995. 254-287.
- *Monolingualism of the Other; or The Prosthesis of Origin*. Trans. Patrick Mensah. Stanford: Stanford UP, 1998.
- "The Animal Therefore I Am (More to Follow)." Trans. David Wills. *Critical Inquiry* 28:2 (2002).
- *The Post Card: From Socrates to Freud and Beyond*. Trans. Alan Bass. Chicago: U of

- Chicago P, 1987.
- “The Principle of Reason: The University in the Eyes of its Pupils.” In *The Eyes of the University*. Stanford: Stanford UP, 2004.
- *Sovereignities in Question: The Poetics of Paul Celan*. Ed. Thomas Dutoit and Outi Pasanen. New York: Fordham UP, 2005.
- Descartes, René. *Meditations on First Philosophy; With Selections from the Objections and Replies*. Trans. and Ed. John Cottingham. Cambridge: Cambridge UP, 1996.
- Ezergailus, Andrew.
- Ferry, Luc. *The New Ecological Order*. Trans. Carol Volk. Chicago: U of Chicago P, 1995.
- Erica Fudge, “Left-Handed Blow.” In *Representing Animals*. Ed. Nigel Rothfels. Indianapolis: Indiana UP, 2002. 1-18.
- Francois, Anne-Lise. *Open Secrets: The Literature of Uncounted Experience*. Stanford: Stanford UP, 2008.
- Goldhagen, Daniel Johan. *Hitler’s Willing Executioners: Ordinary Germans and the Holocaust*. New York: Vintage, 1997.
- Garber, Marjorie. *Dog Love*. New York: Simon & Schuster, 1996.
- Gottlieb, Roger S. *Thinking the Unthinkable: Meanings of the Holocaust*. New York: Paulist P, 1990.
- Gordon, Lewis. *Bad Faith and Antiracism*. New York: Humanity Books, 1995.
- Hanssen, Beatrice. *Walter Benjamin’s Other History: Of Stones, Animals, Human Beings, and Angels*. Berkeley: U of California P, 1998.
- Heidegger, Martin. *Being and Time*. Trans. John Macquarrie and Edward Robinsion. New York:

- Harper & Row, 1962.
- *An Introduction to Metaphysics*. Trans. Ralph Manheim. New Haven: Yale UP, 1969.
- *The Fundamental Concepts of Metaphysics: World, Finitude, Solitude*. Trans. William McNeill and Nicholas Walker. Indianapolis: Indiana UP, 1995.
- "Only a God Can Save Us." In *The Heidegger Controversy*, ed. Richard Wolin. Cambridge: MIT Press, 1993.
- Hirsch, Joshua. *Afterimage: Film, Trauma, and the Holocaust*. Philadelphia: Temple UP, 2004.
- Klee, Ernst, Willi Dressen, and Volker Riess, Eds. "*The Good Old Days*": *The Holocaust as Seen by Its Perpetrators and Bystanders*. New York: Free Press, 1988.
- Kuzniar, Alice. *Melancholia's Dog: Reflections on our Animal Kinship*. U of Chicago P, 2007.
- LaCapra, Dominick. "Trauma, Absence, Loss." *Critical Inquiry* 25 (Summer 1999): 696-727.
- Levi, Primo. *Survival in Auschwitz: The Nazi Assault on Humanity*. [Also published as *If This Is A Man* (1959).] Trans. Stuart Woolf. New York: Macmillan, 1961.
- Levinas, Emmanuel. "As if Consenting to Horror," Trans. Paula Wissing, *Critical Inquiry* (1989), 15 (Winter 1989): 485-488.
- *Difficult Freedom: Essays on Judaism*. Trans. Seán Hand. Baltimore: Johns Hopkins UP, 1990.
- *Existence and Existents*.
- "Interview with François Poiré." *Is It Righteous To Be? Interviews with Emmanuel Levinas*. Ed. Jill Robbins. Stanford: Stanford UP, 2001. 23-83.
- "Interview with Salmon Malka" *Is It Righteous To Be? Interviews with Emmanuel Levinas*. Ed. Jill Robbins. Stanford: Stanford UP, 2001. 93-102.

- "The Paradox of Morality," trans. Andrew Benjamin and Tamra Wright, *The Provocation of Levinas: Rethinking the Other*. Ed. Robert Bernasconi and David Wood. London and New York: Routledge, 1988.
- "Proximity of the Other." *Is It Righteous To Be? Interviews with Emmanuel Levinas*. Ed. Jill Robbins. Stanford: Stanford UP, 2001. 211-218.
- "Revelation in the Jewish Tradition." In *Beyond the Verse: Talmudic Readings and Lectures*. Trans. Gary D. Mole. Bloomington: Indiana UP, 1994.
- "Truth of Disclosure and Truth of Testimony." *Basic Philosophical Writings*. Eds. Adriaan Theodor Peperzak, Simon Critchley, and Robert Bernasconi. Indianapolis: Indianapolis UP, 1996.
- "Who Shall Not Prophecy?" *Is It Righteous To Be? Interviews with Emmanuel Levinas*. Ed. Jill Robbins. Stanford: Stanford UP, 2001. 219-227.
- Levine, Michael G. *The Belated Witness: Literature, Testimony, and the Question of the Holocaust Survivor*. Stanford: Stanford UP, 2006.
- Libeskind, Daniel. *Monument and Memory*. New York: Columbia University Department of Art History, 2003.
- Llewelyn, John. "Am I Obsessed by Bobby? (Humanism of the Other Animal)" In *Re-Reading Levinas*. Ed. Robert Bernasconi and Simon Critchley. Bloomington: Indiana UP, 1991. 234-45.
- Liotard, Jean-Francois. *The Differend*. Trans. Georges Van Den Abbeele. Minneapolis: U of Minnesota P, 1989.
- Naragon, Steve. "Kant on Descartes and the Brutes" in *Kant-Studien*, 81: 1-23 (1990).

Nietzsche, Friedrich. *The Gay Science*. Ed. Bernard Williams. Trans. Josefine Nauckhoff.

Cambridge: Cambridge UP, 2001.

Oliver, Kelly. *Witnessing: Beyond Recognition*. Minneapolis: U of Minnesota P, 2001.

Patterson, Charles. *Eternal Treblinka: Our Treatment of Animals and the Holocaust*. New York:

Lantern Books, 2002.

Prazan, Michael. Dir. *Einsatzgruppen: The Death Brigades*. [*Einsatzgruppen: Les Commandos de la Mort*]. National Center for Jewish Film. Brandeis U, 2010.

Regan, Tom. *The Case for Animal Rights*. Berkeley: U of California P, 1983.

Rose, Deborah Bird. *Wild Dog Dreaming: Love and Extinction*. Charlottesville: U of Virginia P, forthcoming.

Sartre, Jean-Paul. *The Words: The Autobiography of Jean-Paul Sartre*. Trans. Bernard Frechtman NY: George Braziller, 1964

Simon, Roger. *The Touch of the Past: Remembrance, Learning, and Ethics*. New York: Palgrave, 2005.

..... "Remembrance as Praxis and the Ethics of the Inter-human." *Culture Machine* 4(2002).

Simpson, David. "Derrida's Ghosts: The State of Our Debt." *Studies in Romanticism*. 46.2(Summer-Fall 2007): 183-202.

Singer, Isaac Bashevis. "The Letter Writer." In *Collected Stories*. Vol 1. Ed. Ilan Stavans. New York: Library of America, 2004.

Sliwinski, Sharon. "Icarus Returned: Visual Testimony and the Case of Falling Man."

Contemporary Art/Classical Myth. Eds. Isabelle Loring Wallace and Jennifer Hersh Surrey:

Ashgate, forthcoming.

Struk, Janina. *Photographing the Holocaust: Interpretations of the Evidence*. London: I.B.

Taurus, 2004.

Treize, Thomas. "Unspeakable." *The Yale Journal of Criticism* 14.1 (2001): 39-66.

Walker, Janet. *Trauma Cinema: Documenting Incest and the Holocaust*. Berkeley: U of

California P, 2005.

Wiesel, Elie. "A Plea for the Dead." *Legends of Our Time*. New York: Avon Books, 1970. 213-

237.

Woolfe, Cary. *Animal Rites: American Culture, the Discourse of Species, and Posthumanist*

Theory. Chicago: U of Chicago P, 2003.

Wood, David. "Where Levinas Went Wrong: Some Questions for My Levinasian Friends." *The*

Step Back: Ethics and Politics after Deconstruction. Albany: SUNY P, 2005. 53-68.

Žižek, Slavoj. "Neighbors and Other Monsters: A Plea for Ethical Violence." *The Neighbor:*

Three Inquiries in Political Theology. Slavoj Žižek, Eric L. Santner, Kenneth

Zupanec, Alenka. *Ethics of the Real: Kant and Lacan*. London: Verso, 2000.