#### The Affirmatives invocation of people who are suffering is the based on the ethic of the “neighbor,” the saving of the proximal other.

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The primacy of ethics over politics implicitly presupposes, however, specific limitations on the field of ethics itself. Viewed broadly, the raw material of ethics concerns languages and bodies in the sense that these are what matter from the ethical perspective when considering questions of agency and choice.[2] Ethical discussion of languages (and cultural systems that resemble languages) are now commonly expected to focus on the problem of difference, and to prefer a baseline cultural relativism to the culturally imperialist danger of false universals. In ethical discussion of bodies--and especially bodies that suffer--the greater danger is now widely seen to be false relativism (Levinas, "Useless Suffering" 99). A principled resistance to moral relativism when it comes to the suffering of bodies is, thus, the specific ethical view that underlies the present-day politics of human rights. For proponents of this politics, the suffering body is the ultimate wellspring of moral value, the response to bodily suffering the ultimate test of moral responsibility. "The supreme ordeal of the will is not death, but suffering," said the French philosopher Emmanuel Levinas, who took the primacy of ethics to its extreme by putting it ahead, even, of ontology and God (the world itself and its Creator) (Totality and Infinity 239). He argued that the suffering of another is always "useless," always unjustified, and that attempting to rationalize "the neighbor's pain is certainly the source of all immorality"("Useless Suffering" 98- 9). 5. Levinas is not here referring primarily to the growing medicalization of humanitarian invention, although he does regard analgesia as a paradigmatically ethical response to physical pain (see Kennedy and Rieff). His point is that my ethical responsibility, which merely begins with first aid, does not arise from any previous relationship between sufferer and provider, or from a political history consisting of prior vows or crimes, but from "a past irreducible to a hypothetical present that it once was . . . . [and] without the remembered present of any past commitment"("Diachrony and Representation" 170). Our responsibility to alleviate suffering comes before the past in the sense in which ethics can be said to come before politics. The priority of ethics arises "from the fear of occupying someone's place in the Da of my Dasein": "My . . . 'place in the sun,'" he says, "my home--have they not been a usurpation of places which belong to the others already oppressed or . . . expelled by me into a third world" ("From the One to the Other" 144-5). Levinas's point is that in ethics, unlike politics, we do not ask who came first and what we have already done to (or for) each other. The distinctively ethical question is rather one of proximity--we are already here and so is the other, cheek-by-jowl with us in the same place. The neighbor is the figure of the other toward whom our only relationship is that of proximity. For Levinas, the global movement to give ethics primacy over politics must be accompanied, within ethics, by the effort to give primacy to the ethics of the neighbor--the local over the global. In this way, the global primacy of ethics crystallizes around our horror of the inhuman act (the "gross" violation of human rights) rather than, for example, around the international distribution of wealth or the effects of global climate change

#### Forcing us to create radical evil in order to save the “victim.”

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Since late in the twentieth century, political thought has seen a renewed interest in "radical evil" defined through the paradigm of genocide--often coded simply as "Auschwitz."[3] Theodor Adorno describes this reorientation of ethics as follows: A new categorical imperative has been imposed by Hitler on unfree mankind; to arrange their thoughts and actions so that Auschwitz will not repeat itself, so that nothing similar will happen. (Qtd. in Cohen, Interrupting Auschwitz 4) No one, however, has gone further than Levinas in dismantling the structure of pre-Auschwitz thought to articulate such a "new categorical imperative," and to restate the ethical a priori, what Derrida has called "the Ethics of Ethics" ("Violence and Metaphysics" 111). As Levinas says, It is . . . attention to the suffering of the other that, through the cruelties of our century (despite these cruelties, because of these cruelties) can be affirmed as the very nexus of human subjectivity, to the point of being raised to the level of supreme ethical principle--the only one it is impossible to question. (Qtd. in Derrida, "Violence and Metaphysics" 94) According to Levinas, "the disproportion between suffering and every theodicy was shown at Auschwitz" ("Useless Suffering" 97). Auschwitz here stands for the proposition that we are all, even (or especially) the most civilized among us, capable of genocide and that building moral thought around this recognition changes everything: henceforward, we must never lose our fear of being victims of genocidal violence, but must fear even more our propensity to commit it. Moral thought since Auschwitz thus starts with the premise that every encounter with a neighbor carries with it, "despite the innocence of its intentions, . . . [t]he risk of occupying . . . the place of an other and thus, on the concrete level, of exiling him, of condemning him to a miserable condition in some 'third' or 'fourth' world, of bringing him death" (Levinas, Time 169; see also Totality and Infinity 194-247).

#### This ethical orientation to the other is the justification used in creating a new state of political privilege and domination, whereby the victim now has the undisputed right to rule. That is what “justice” means in the contemporary political sphere.

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Both arguments support the self-description of Tutsi-ruled post-genocide Rwanda as a victim-state, consciously modeled on the state that might have been created for the Jews after the Holocaust if it had been carved out of Germany rather than developed in Palestine (see Mamdani, ch. 8). To grasp the meaning of this, imagine that the fears that Goebbels invoked as propaganda during World War II had been descriptively correct-- that Germany faced invasion by a militarized form of international Jewry seeking to reverse the historic course of German nativism. This hypothetical scenario for understanding the Holocaust as a reaction by German "natives" against Jewish (and other) "settlers," already adumbrated in Mein Kampf, comes close to the actual scenario in Rwanda on the eve of genocide.[32] Assuming that this rationalization for a Holocaust must "never again" be condoned, the invasion of Tutsi exiles that triggered the genocide was justified as a humanitarian intervention to rescue Tutsi survivors using means that are supported, if not required, by international law. Thereafter, the history of genocide (and the fear of its repetition) becomes an ideology of post-traumatic rule, purporting to justify the suspension of the normal criteria of political judgment in the successor state. Tutsi minority rule in Rwanda is thus not justified as a form of racialized oppression any more than Jewish rule of post-War Germany would have been so justified. Why? Because the basis of the rule is not racial per se; rather it occurs through the transformation of racial identities into those of victim and perpetrator, a transformation that occurs in the foundational moment of the genocide itself. 47. This is analogous to arguing that surviving German Jewish victims of the Holocaust deserved to rule a defeated and disgraced Germany and that returning Jewish exiles were entitled to share that rule--perhaps in the name of the victims who did not survive or else in the name of the rescuers. The analogy with Rwanda brings out the pragmatic difficulty of basing claims for justice on Daniel Jonah Goldhagen's broad (but contested) description of ordinary Germans as "Hitler's willing executioners." In Rwanda, a country of six million, an estimated three to four million Hutus did in fact directly participate in the murder of perhaps 800,000 Tutsis and Hutu resisters. The appellation "willing executioners" could plausibly be applied to much of the surviving adult Hutu population of the country. A Nuremberg-style punishment of all Rwandans who were personally responsible for genocidal actions would come so close in its effect to another, legally sanctioned, genocide that it would be difficult to distinguish from collective vengeance. 48. What victimhood demanded, instead, is the right to rule-- or, at least, the right to have the state ruled in the victims' name. The argument for victims' rule, even if they were to rule as a minority, is that a state cannot live on after genocide as though the distribution of bodies within the majority and the minority were an untainted fact of biopolitics. In Rwanda today "justice" is the code-word for Tutsi minority rule, legitimated by the disgrace of the Hutu majority.

#### This necessarily creates the condition of murder and genocide

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Writing both after Auschwitz and during an era of anti-colonial revolutions, Levinas argues that all totalizing projects are grounded in imagining the death of the other--that is, murder. He includes here even the totalizing project that grounds ethics, as Richard Rorty does, on the shared qualities of all homo sapiens (and perhaps companion species) capable of conscious suffering.[15] The American philosopher Hilary Putnam restates Levinas's concern as a concern about the vulnerability of the human rights culture to assertions of the "inhumanity" of other homo sapiens: "the danger in grounding ethics in the idea that we are all 'fundamentally the same' is that a door is opened for a Holocaust. One only has to believe that some people are not 'really' the same to destroy all the force of such a grounding" (35). At the pragmatic level, Rorty concedes "that everything turns on who counts as a fellow human being" (124)-- indeed he stresses it--but the more fundamental claim made by Levinas (and Putnam) is against the ethical assumption that arguments appealing to our shared humanity could count at all in ethical justifications of human rights.[16] The meaning of Auschwitz, they suggest, is that ethics must now be based, not on a common humanity that we share, but rather on the mere fact of occupying common ground with those with whom we do not presume any (other) affinity or relationship. Thus conceived, Auschwitz reveals the limits of the ethical project that teaches us to treat the other under the aspect of the same. Ethics--the ethics that is not subordinate to politics--must now begin with the damage that our mere presence causes to others whom we displace, and whom we must treat as genuinely exterior to the "other" who inhabits our own mind as an outward projection of the "self."

#### The alternative is to dwell with the other, to embrace radical evil into our own homes and our own hearts to embrace the idea that we are just as much victims as we are perpetrators.

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49. In Mamdani's account, however, the deeper choice is between a presumption of forgiveness on the one hand, and victims' rule on the other. Rather than make this choice, post-genocide Rwanda claims to be an example of both. The journalist Philip Gourevitch describes the return of "a certain Girumuhatse" to share a house with the surviving members of the family he butchered during the 1994 genocide: But why should survivors be asked to live next door to killers-- or even, as happened in Girumuhatse's house, under the same roof? Why put off confronting the problem? To keep things calm, General Kagame told me. (Gourevitch 308) Behind this pragmatic avoidance of confrontation, however, lies the assumption that where everyone has sinned in either deed or wish, the only way forward is through an ethics of the neighbor. 50. To invoke an ethics of the neighbor in the aftermath of sin, outside commentators sometimes describe Rwanda in the terms used by St. Paul to describe the world. Rwanda is a place in which the difference between sins actually committed and sins of the heart is merely the difference between "could have" and "would have." Some have argued that Rwanda is an ideal case for the Pauline solution of confession, forgiveness, and rebirth.[33] Forgiveness in Rwanda would, presumably, be based on recognizing that the fear of genocide makes committing genocide thinkable, and that in wish, if not in deed, all are sinners. In a Christian context, however, the sinners are already potentially forgiven. This is why they struggled then, and can now stop sinning. 51. But what could it possibly mean in a secular, constitutional context to believe that one is already potentially forgiven? It means, presumably, that one has not yet been judged, and may never be--that the resumption of useless suffering has been postponed. Unlike the Christian sinner who can be reborn, the secular survivor of radical evil--Auschwitz, Rwanda--is simply not yet dead. The "postponement" of death, as Levinas calls it, is the gift of time (Totality and Infinity 224). Secular survivorship after Auschwitz does not make past suffering meaningful in the Pauline way, the way of theodicy, where the sinner is forgiven and the sin is, thus, redeemed (felix culpa). What Levinasian survivors get is time that is always more time, an aftermath--time to apologize, to "correct the instant" and still be conscious of "the pain that is yet to come" (238). "To be temporal," according to Levinas, "is both to be for death and to still have time, to be against death" (235).