Brian Bergen-Aurand

Bellevue College

Bellevue, Washington

brian.bergen-aurand@bellevuecollege.edu

**Without Intending:**

**Race, Disability, Justice, and Law Between Levinas and Paul-Emile**

Abstract

*What do I have to do with justice?*

*~Emmanuel Levinas,* Otherwise than Being

*Is being black in the United States today a disability?*

*~Kimani Paul-Emile, “Blackness and Disability?”*

While these two questions may appear worlds apart, in this paper I argue that they intersect and address one another with regard to their challenge of intentionality. In “Blackness and Disability?” Kimani Paul-Emile argues that rethinking race law in America in more just and equitable ways requires an entirely new approach, a dismantling and reassembling of how we “attend to race discrimination and structural inequality: disability law” precisely with regard to intentionality. While traditional racial justice models focus on “malicious intent” and promote “colorblindness,” she claims, disability justice models focus on “disparate impact” and promote “reasonable modification and balancing remedial justice against social and economic cost.” In a similar way, in the “From Saying to the Said, or the Wisdom of Desire” section of *Otherwise than Being*, Emmanuel Levinas writes, “But justice can be established only if I, always evaded from the concept of the ego, always desituated and divested of being, always in non-reciprocatable relationship with the other, always for the other, can become an other like the others.” He seems to be describing an almost impossible de-situation, where justice comes only after the unintentionality of responsibility, a de-situation that takes place every day in terms of “science, commerce and philosophy.” In this way, through thinking otherwise than intentionality, both Levinas and Paul-Emile rethink our relation with the State, society, and justice without turning to idealized, anonymous governance that risks reducing others and other others to the “we” or the same.

**References**

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**Brian Bergen-Aurand** is the editor of *Comedy Begins with our Simplest Gestures: Levinas, Ethics, and Humor* (Duquesne, 2017) and *Just Joking: Ethics, Politics, and Embodied Humor* (in progress), and author of *Cinematic Provocation: Ethics, Justice, Embodiment, and Global Film* (Routledge, 2018). He is also co-editor (with Mary Mazzilli and Hee Wai Siam) of *Transnational Chinese Cinema, Corporeality, Desire, and the Ethics of Failure* (2014) and founding editor of the journal *Screen Bodies* (Berghahn). Currently, he teaches in the English Department at Bellevue College, where he specializes in film, ethics, humor, and embodiment. He can be reached via email at [brian.bergen-aurand@bellevuecollege.edu](mailto:brian.bergen-aurand@bellevuecollege.edu) or cellphone at (206) 890-6785.