

# ○ 'WOULD YOU CONDEMN ME THAT YOU MAY BE JUSTIFIED?'

## JOB AS DIFFEREND

*Deane Galbraith, University of Otago*

Reading the book of Job can be an uncomfortable, dissatisfying and ambiguous experience. Despite the authoritative rhetoric of the divine speeches, Job's most pressing questions about the operation of God's justice remain forever unanswered. In this essay, Galbraith examines Jean-Francois Lyotard's concept of the differend and its potential to provide new insights into the curiously unsatisfying nature of the book of Job. For Lyotard, a differend occurs in a situation where a victim, seeking justice for a wrong, is 'divested of the means to argue' with their accuser due to a lack of a single idiom which both parties can agree upon as a standard of justice. When we read the story of Job in the light of the differend, we uncover, in addition to the more visible injustice of God's physically excessive and arbitrary mistreatment of Job, a radical or absolute injustice operating at the heart of the narrative. Galbraith uses Lyotard's differend to examine the manner by which God shuts down Job's questions, forcing his acquiescence without even considering his complaints, which are inadmissible by the standards of divine justice. The injustice of the story of Job also reveals itself repeatedly in God's totalitarian, universalising strategies, which deny the uniqueness of Job's case, where he is made to suffer arbitrarily because of the wager between God and the Adversary. This universalising tendency repeats itself in the book's final chapters, in which God provides replacements for the children and livestock he had earlier taken violently away from Job, treating animals and even human beings as exchangeable commodities. Again, Job is denied his singularity. Nevertheless, interpreting Job's plight in light of the differend reveals that the occluded injustice manifests itself in the silences of the text, in the tension inherent in Job's illogical pursuit of justice from a God he accuses of injustice, and, finally in Job's eventual, ambiguous/inexplicable silence. The heuristic advantage of the concept of the differend for understanding the book of Job lies in that it allows us to bring out the radical injustice of the Bible's most anti-Christian text.

## INTRODUCTION

By reading the book of Job in light of Jean-François Lyotard's concept of 'the differend', I hope to provide a means by which to account for the radical injustice which haunts Job's story. This radical injustice is something other than God's physical mistreatment of Job, although that is not to minimise its excessive violence. For within a matter of minutes, Job finds out that his cattle, donkeys and camels have been raided, his cattle-herders and camel-minders have been murdered, his sheep and shepherders have been burnt to death by fire descending from heaven, and his own sons and daughters have been slaughtered. And just when it might have seemed that things could not possibly get any worse, Job's entire body breaks out in festering boils. What is more, unbeknownst to Job, Yahweh freely acknowledges to the Adversary (*satan*) that he has done these things *chinnam* – 'for no reason whatsoever' (Job 2:3). Yet despite the horror of God's mistreatment in both its perverse excess and arbitrariness, I argue that a radical or 'absolute injustice' is *also* at work in the book of Job, and arises from the irrepresentability of God's mistreatment. Lyotard's concept of 'the differend' helps us to present the unrepresentable in the book of Job.

## INTRODUCING *THE DIFFEREND*

Lyotard is probably most well known for his highly influential formulation of postmodernism in *The Postmodern Condition: A Report on Knowledge* (1984). Lyotard's tentative working definition of 'postmodern' as 'incredulity toward metanarratives' (1984: xxiv) is, ironically, widely cited as the standard definition of postmodernism (Natoli 1997: 18; Hayden 2001: 23; cf Malpas 2005: 38). Yet Lyotard maintained that his most important philosophical work was *Le Différend* (1983), which was translated into English as *The Differend: Phrases in Dispute* (1988). The material in *The Differend* is organised in three parts: (1) a short preface or 'Reading Dossier', the pages of which are numbered with small Roman numerals; (2) a series of numbered theses, constituting the main body of the work; which are interrupted at irregular intervals by (3) occasional 'Notices.' According to Lyotard, the Reading Dossier allows the reader 'if the fancy grabs him or her, to "talk about the book" without having read it', while the Notices require 'a little more professional a reader' (1988: xiv).

With *The Differend*, Lyotard's central concern moves from the realm of knowledge to that of justice.<sup>1</sup> A pervasive motif in *The Differend* which invites immediate comparison with the book of Job is *the courtroom*. In both works, the courtroom is problematic, both the site of judgment and the site at which further injustices are created. And in both works, the courtroom functions as a metaphor for the totalitarian nature of the dominant system of ethics. The courtroom thereby stands for what Lyotard terms 'absolute injustice' – which arises when a person's particular concerns are silenced by the strictures of the rule of justice itself – under circumstances which Lyotard names a differend.

A differend, most simply stated, is the lack of a single rule applicable to each of two or more parties to a dispute (Lyotard 1988: xi). Where there is a differend, therefore, one of the parties must *necessarily* be wronged. Lyotard distinguishes a differend from a *litigation*, on the grounds that a litigation is carried out according to a single rule of judgment applicable to *both* parties, and is able to be settled by a single tribunal. In the case of a *differend*, however, the tribunal which regulates the conflict between the parties employs the idiom of only *one* of the parties, while the wrong suffered by the other party is not signified in that idiom (Lyotard 1988: No. 12). In a differend, the person who suffers a damage is not merely wronged in the way that the plaintiff to litigation is wronged, because their wrong *cannot even be presented*. Lyotard describes such a wronged party as a 'victim' rather than a 'plaintiff', a person for whom a court appearance would be futile, because not only has he or she been wronged, but he or she has been 'divested of the means to argue' (Nos. 9, 12). If a victim of a wrong is to see justice done, this can only be done 'in spite of the law', as there is no single rule of justice available for every party concerned (No. 42). Therefore, Lyotard contends that the pursuit of justice consists in finding new idioms for the inexpressible. He summarises that to do justice is 'to bear witness to differends by finding idioms for them' (No. 22). In order to challenge absolute injustice, we must be continually open to the particularity of the *event*, the mere fact that 'it happens', rather than subjecting the event to a pre-existing or determinate rule of judgment.<sup>2</sup>

## EXAMPLES OF DIFFERENDS: HOLOCAUST SURVIVORS, MAORI /W/, AND JOB

Lyotard's primary example of a differend concerns Robert Faurisson. A former professor of literature and notable Holocaust denier, Faurisson became a household name in France following



a series of articles and letters published in France's most influential newspaper, *Le Monde*, between 1978 and 1979, in which he disputed the existence of gas chambers at Auschwitz. In his letter of 16 January 1979, Faurisson states:

I have analyzed thousands of documents... archives, transcripts, photographs, written testimonies. I have tirelessly pursued specialists and historians with my questions. I have tried to find, but in vain, a single deportee who could prove to me that he had really seen, with his own eyes, a 'gas chamber' (Faurisson 2000).<sup>3</sup>

For Faurisson, the only allowable evidence for the existence of gas chambers at Auschwitz would be the testimony of a holocaust survivor who had 'really seen, with his own eyes' a gas chamber, by which he means a gas chamber in *working condition*. Of course, such a situation is impossible, as any such eyewitness would be dead (Lyotard 1988: Nos. 2, 6). Faurisson's requirements produce one of two possible results. Under his rules of evidence, it will either be found: (1) there were no gas chambers; or (2) there are no gas chambers able to be proved – because the gas chambers *did* exist and killed all the witnesses – in which case the testimony of any live witness must be judged false. The two possible outcomes pragmatically amount to the same thing: Faurisson would conclude there is no admissible evidence with which to prove gas chambers existed.

Another example from New Zealand: A certain land claim by a Maori *iwi* (tribe) can only be proved in the national court of New Zealand if it is demonstrated that the land is subject to *tapu* (a protective prohibition which safeguards a person's or thing's spiritual power or *mana*). But in this particular case, to prove the *tapu* would involve breaking the *tapu*, because the *tapu* requires not locating or otherwise speaking about this particular area of land. So, paradoxically, the land claim cannot succeed precisely because the land is in fact *tapu*. Under the rules of evidence it can only be found (1) the land was not really *tapu*; or (2) no *tapu* is able to be proved, because no Maori testimony can be given.<sup>4</sup>

Applying these concepts in a preliminary way to the book of Job, a differend arises as follows. Job is confronted with two apparent options under the operation of divine justice. Either (1) Job is not innocent (a verdict that the narrator and God do not voice); or (2) Job keeps silent and asks God for mercy (and so the matter of Job's innocence does not arise). What Job *cannot* do is attempt to defend his righteousness by uttering the unutterable charge against God's own righteousness. God cannot admit any moral examination of his wager with the Adversary into his hegemonic tribunal, and so this also renders the question of Job's innocence inadmissible. The result is the same in either case: Job's pleas to have his innocence affirmed are denied, and God's apparent capriciousness and lack of righteousness resulting from his wager with the Adversary cannot even be heard.

In these examples, a 'wrong' occurs, in Lyotard's technical sense of the term, that is, a damage *accompanied by* a loss of means to prove that damage (Lyotard 1988: No. 7). This reduces the plaintiff to the status of a victim, as they have lost even the means to prove they have been wronged (No. 9). Litigation cannot provide justice, because justice cannot be provided under a single rule. As such, there is a differend.

## THE INJUSTICE OF UNIVERSALISATION

In a wider perspective, the situation implied by the differend is the lack of any transcendent ground of judgment. Lyotard explains that differends arise because there is no universal meta-judgment by which to deal justly to heterogeneous genres of discourse (Lyotard 1988: xi). The consequences of such a complete groundlessness of ethics are far-reaching. Lyotard's conception of 'injustice' extends to every excluded option in every link made between phrases. In fact, even the refusal to link is considered a linkage, that is, linkage by *inaction* (xi, No. 22). A differend arises any time two 'phrase regimens' are linked together. According to Lyotard, a phrase regimen is comprised of – alternatively – cognitives, prescriptives, interrogatives, performatives, exclamatives, etc (No. 178), involving – respectively – describing, commanding, questioning, showing, expressing, etc (xii). Each of these phrase regimens is considered incommensurable (No. 43). Here, Lyotard takes the Humean and Kantian ethical rule that there is no 'ought' to be derived necessarily from an 'is', that there is no necessary link between phrase regimens of ethics and being, and radicalises it to all possible linkages between different phrases (No. 77).

Yet while Lyotard holds that the injustice of the differend occurs at this very basic level of linkage, the focus of his attention is on those differends which arise due to the incommensurability of entire 'genres of discourse.' According to Lyotard, a genre of discourse is a universalising system of rules for linking together heterogeneous phrases, with a view to attaining certain *goals* (Lyotard 1988: No. 147). The particular goal may be – alternatively – the goal of knowledge, teaching, justice, seduction, justification, evaluation, rousing of emotion, persuasion, etc (xii). Linkage according to any one genre of discourse will silence other possible formulations of justice not permitted by the genre within which one is operating. So if we consider the phrase 'Charge!' uttered by an army officer leaping from the trench, if the soldiers understand the phrase as an exclamation in the genre of persuasive rhetoric, they might link to the phrase by charging with him. But if the soldiers understand the first phrase as a theatrical gesture, they may well respond by applauding and commenting appreciatively, 'Bravo!' (No. 43; Readings 1991: 116). Lyotard concludes that every linkage of phrases is turned into 'a kind of "victory" of one [genre] over the others.' These other possible linkages 'remain neglected, forgotten, or repressed possibilities' (No. 184). It is these 'repressed possibilities' that a justice without any transcendent rule must continually seek out, in order to pursue justice.

The lack of a transcendent ground of judgment should not be understood as the non-existence of some transcendent *judge*, but as the logical impossibility of reconciling incommensurable phrases under *one principle*. So Lyotard rhetorically asks:

In what genre of discourse, in what phrase family would the supreme tribunal be able to render its judgment upon the pretensions to validity of all phrases, given that these pretensions differ according to the families and genres to which they are attached? (Lyotard 1988: No. 45).

The injustice represented by the differend lies in the very conceit that the particular object, the particular situation which engages our ethical judgment, may be justly thought under the category of a universal (Lyotard 1988: No. 5). In the West today, the prime example of this universalisation, this totalitarianism, is not to be found in its most obvious form: the military-backed dictatorship which subjects people to its tyrannical rule. Instead, totalitarianism takes a



more insidious form: the universalised idea of the ‘will of the people’ represented as the embodiment of justice itself. As Bill Readings describes it, any opposition may simply be dismissed as ‘un-American’ or ‘unpatriotic’, that is, *unquestionably* unjust (Readings 1991: 111). Such a strategy silences all opposition from the outset by dismissing people as less-than-patriotic, less-than-citizens, and (as opponents of the ‘will of the people’) less-than-people. The horrific results of such a universalising ideology are exposed in ‘The Winter Of The Long Hot Summer’, a song composed about the first Gulf War by early 1990s hip-hop band, The Disposable Heroes Of Hiphoprisy:

It all seemed so idiotic all the accusations of unpatriotic...

Not a single t.v. station expressed dissension or

hardly made mention to the censorship of information

from our kinder and gentler nation...

The pilots said their bombs lit Baghdad

like a Christmas tree

It was the Christian thing to do you see

Lyotard’s conception of absolute injustice provides a necessary corrective to the normalised injustice of today’s totalitarian democracies. Such injustice cannot successfully be countered by merely formulating alternative rules of justice which amount to no more than an opposition of terms *within* the dominant genre of discourse. A more critical approach must be taken, in which injustice is conceived as the absolute injustice which consists in the *radical exclusion of other conceptions* of justice (Lyotard 1985: 66–67).

In this respect, Lyotard’s absolute injustice may be correlated with Slavoj Žižek’s recent discussion of ‘objective violence’ (Žižek 2008). When absolute injustice is borne in mind, the project of avoiding injustice cannot be limited to the elimination of isolated, subjective instances of violence, such as those apparent ‘eruptions’ of violence that Žižek describes as ‘interrupting’ normal everyday society – eg domestic violence against women, a clash between protestors and police, anti-Muslim violence. Instead, one must also consider ‘objective violence’: ‘the violence inherent to this “normal” state of things’, of which these visible subjective forms are mere symptoms (2008: 2). Does the normal, lawful operation of the ‘system of justice’ itself promote violence against women, children, protestors, or religious minorities? In what ways? And is this objective violence even able to be expressed within existing conceptual boundaries? Žižek’s opposition to humanity’s ongoing normalisation of injustice has its very champion in the figure of Job (2008: 152). For, unlike ‘the theological defenders of the faith’, Job refuses to invent a meaningful justification for God’s purposeless and capricious actions against him. Job refuses to have recourse to some illusory ‘deeper meaning’ or teleological whole (2008: 152–153). While Žižek’s brief comments on Job do not take account of the ambivalence in Job’s protests against God (discussed below), it is true that Job raises the fundamental question of whether there is anything that can meaningfully be described as justice in God’s incomprehensible and arbitrary operations (eg Job 9:15–24).

Perhaps to an even more radical extent than Žižek, Lyotard insists that justice, in order to be pursued, must continually challenge the conceptual foundations of any system of justice. For Lyotard, the pursuit of justice is a *philosophical search* for alternative logics, for unrepresented idioms. In the event of an injustice, Lyotard does not advocate the application of some superior ethical principle (because there can be none which avoids injustice). Lyotard's concern is fundamentally descriptive, analytical, and meta-ethical rather than normative and prescriptive. The clash between two rival systems of prescription is not itself a matter for judging (except from within some questionable meta-system of prescription). Lyotard claims to merely *describe* the clash (Lyotard 1985: 68). Lyotard's primary concern lies with the logic of exposing injustice – the need for a continuing sensitivity to types of injustices which may be suppressed by the normal operation of law. He advocates paralogism – which in his usage involves the radical transcendence of individual systems of logic, in search of alternative possible logics (Lyotard 1985: 17; 1984: 60ff). The pursuit of justice must remain indeterminate, open to other possible rules of justice. Justice must always be done on a case-by-case basis, rather than by applying a universal rule. As no transcendent idiom is available, Lyotard's emphasis is on the *pursuit* of idioms itself, on discovering the forgotten alternatives. It should be noted some critics have charged Lyotard with inconsistency in his resistance to normative statements.<sup>5</sup> But even if Lyotard at times makes normative statements, at the core of his ethical thought is a disbelief in the ability of any normative genre (eg Christianity, Enlightenment rationalism, capitalism, Marxism, or even a hitherto suppressed genre) to avoid injustice, and a continued interest in the *event*, which always goes beyond and disrupts any possible phrase or genre. Lyotard argues that any new genre of discourse would simply replace one differend with another, repeating the cycle of injustice (1988: No. 22). Every revolution is followed by another form of terror:

And we become shining examples

Of the system we set out to destroy

'Cause even in the most radical of groups

You will find

That when you stray from the doctrine

You'll see hard times.

(Disposable Heroes of Hiphoprisy, 'Famous and Dandy (like Amos 'n' Andy)')

## THE BOOK OF JOB AS DIFFEREND

Turning back to the book of Job, it has often been noted that many readers are sorely disappointed when they come to the climactic divine speeches and epilogue (Clines 1990: 112). At this stage of the book, the earlier disputes regarding divine justice appear to be completely forgotten or ignored. Carol Newsom observes that the divine speeches refuse to engage Job on the grounds he has set up for much of the book, and refuse 'to speak in explicitly moral terms at all' (Newsom 2003: 19). Yet, adds Newsom, just when readers might take the lesson of the book as the revelation that God has a higher conception of morality than can be revealed to mortals, the epilogue *apparently* plunges us back into the morality of simple retribution that it had replaced, by



restoring Job to a position of great prosperity. The resulting lack of closure is strange for a book which has climaxed with a long speech by Yahweh – for Yahweh is, on my accounting, a quite authoritative character in Hebrew literature.

Newsom's own solution is to outline an alternative model for reading the book of Job, one that supposes that the different genres and opinions were deliberately juxtaposed, so as to create a polyphonic or dialogic text (Newsom 2003: 24). I suggest that Lyotard's concept of the differend provides a further alternative for reading the book of Job, one in which both the diverse and authoritative voices have their respective parts to play. In Job 9:15–16, Job reflects, 'Even though I am innocent, I cannot answer him, but must plead for mercy to my judge. If I called and he answered me, I do not believe that he would listen to my voice.' Reading Job as differend, the very issue of declaring Job's innocence cannot even *arise* in the divine court. Job's innocence is not admissible as evidence to the divine tribunal, on the grounds that it might vindicate Job rather than God and his system of justice. So Job is divested of the means to prove that he has been wronged. Job cannot be declared innocent, even though he *is* in fact innocent. In the book of Job, Yahweh is acutely aware that he functions not only as judge, but as judge of what is capable of being judged. So Yahweh haughtily dismisses the very possibility of Job's quest for justice, with the rhetorical Job 40:8: 'Will you annul *my* justice? Will you condemn me that you may be justified?' (*tarshi'eni lema'an tizdaq*, literally, 'Will you make me wicked, so that you will be righteous?'). The implied answer is constrained by the rhetorical manner in which the question has been phrased (Harding 2005: 164). If Job speaks according to the rules of the hegemonic divine discourse, he must reply, 'No, I won't condemn you, because God cannot be wicked.' But Job's suppressed answer, brought to light by considering the differend, would instead be, 'I want to be justified, but as I am prevented from justly condemning you, I am divested of the means by which to do so.' The radical injustice of the differend does not consist in some additional crime or damages towards its victim, but rather in the removal of her or his ability to state her or his case. Once Job has been neutralised, despite the fact that he is blameless and innocent, his testimony would condemn him and prove him perverse (as Job himself recognises in Job 9:20).

The heuristic advantage of the concept of the differend for understanding the book of Job lies in the manner by which it accounts *both* for the fact of divine hegemony *and* for the dissatisfaction felt by Job and many readers of the book of Job. The concept of the differend accounts for the hegemony of that ineffable divine rule of judgment, in that it stipulates what can and cannot be stated before the divine court. The divine speeches force Job to agree that God is more than a God who executes retribution against the righteous and wicked. The divine speeches make a claim on Job that he 'exists more fundamentally for the sake of a God who is beyond such definition', that Job 'serves God, not for the sake of his multiple attributes, but simply for God's sake' (Ticciati 2005: 64). On the other hand, the concept of the differend also accounts for the unsatisfactory *feeling* that remains, that God has been unjust in some *inexpressible* fashion – inexpressible, because his injustice is occluded by the hegemonic nature of the divine discourse itself. The differend provides a way to account for the dynamics of injustice against the particular, the singular event, in which *inter alia* Job is used by God and the Adversary as the butt of an experiment, used merely as the means to an end. The concept of the differend challenges us to remember this event, even when the conclusion to the book of Job omits any mention of the Adversary's wager with God.



## NON-REVELATION IN JOB

The great irony of the theophany in the book of Job is that God reveals himself in order to make it known that he is unknowable. The substance of his revelation is that he cannot be revealed. Similarly, the extended depiction of his immanent involvement in creation is made in order to demonstrate that God's ways transcend human understanding (Job 38–41; Wendel 2004: 57–58). God appears and simply demands obedience without justification. In *Just Gaming*, Lyotard describes the God of Judaism as a God who does not make known the content of the obligation under which he places humans:

God commands. One does not know very well what he commands. He commands obedience, that is, that one place oneself in the position of the pragmatic genre of obligation. Then he commands a whole slew of small, unbelievable things: how to cook lamb, and so on. Which is surprising, because one does not expect God to hand out kitchen recipes, and it takes the Jewish people by surprise also (Lyotard 1985: 52).

This God cannot be understood by mortals, the one spoken to can never put himself in the place of the other who speaks to him. Such a conception of the God of Job accords with Karl Barth's view, set out in a short commentary on Job which appears within his *Church Dogmatics*:

[God, in the book of Job,] does not enquire concerning the one with whom He has to do, concerning his guilt or innocence. He disposes and rules quite simply in accordance with the infinite right of His infinite might in the face of which man can only maintain a horrified silence, or break out into violent protest, but concerning which he cannot speak with God since God will not allow this (Barth 1957–1969, 4.3.1: 403–404).

Barth's God is incapable of being called to account. The only possible relationship Job can have with God is 'complete defencelessness' before 'the strange and terrifying form of a relentlessly aggressive adversary' (404). In the book of Job, it is simply the case that God defines what is good, and there is no possible argument which can be raised against God's goodness, no possible defence adequate to God's goodness, in fact, no human speech 'with' or 'on the same level as' God (430). For Barth, God's *justice* operates in a way that bears close resemblance to Lyotard's conception of *absolute injustice*, in that it utterly refuses any alternative conception of justice or further grounds on which to base God's free/arbitrary rule of judgment. The most significant difference is that Barth wishes to *defend* God's arbitrary actions as *good*.

In the book of Job, obedience is no longer defined by specific actions and divine justice is no longer limited to the operation of divine retribution. Instead, obedience is ultimately an unchallengeable obedience to a God who is able to act contrary to one's expectations of God and who 'arbitrarily perverts justice' (Ticciati 2005: 56–57). The very concept of justice is emptied of meaning, becoming merely whatever God arbitrarily decides. God's tyrannical actions in the book of Job so troubled John Calvin that he could only defend them with recourse to a doctrine of God's 'double justice.' Calvin maintained that, although there is every indication of injustice and disorder on earth, at some higher, unknowable level, God remains just (Calvin 1584: 136 (Job 35.1–7), 640.b.6; 37 (Job 9.29–35), 171.b.12). Calvin implores his congregation to 'come



up higher' than that which clearly appears to be divine injustice on earth, and to affirm that 'God is always righteous howsoever he handle men' (103 (Job 9.1–6), 151.b.49). In Calvin's view, as Derek Thomas summarises, 'there is in God a righteousness apart from the revealed righteousness of the Law, a *secret* righteousness before which even the angels are unsafe' (Thomas 2004: 94). So, following Calvin's interpretation, God's attack on Job 'for no reason whatsoever' becomes a mere earthly appearance of arbitrariness, while the reality of the heavenly divine court is that God is working according to some secret principle of justice. However, here the reader knows exactly what has happened in the divine court: God and the Adversary have entered into a wager about Job. The narrative utilizes these different levels of knowledge, those of Job and of the reader, so that the specific divine wager (known to the reader) stands generally for God's higher purposes (unknowable to Job). But even if divine arbitrariness is defended with an appeal to God's unknowable ways, a differend arises. For a specific action of God is being defended as serving some universalising principle of God's justice.<sup>6</sup> On Lyotard's analysis, such an overriding appeal to a universal principle necessarily involves absolute *injustice*.

### UNIVERSALISATION IN THE BOOK OF JOB, OR 'HOW TO DEFEND DIVINE TERRORISM'

Job the *character* objects to the attempts at theological meaning-making by his friends (while still, ambivalently, hanging on to the desperate hope that God will act towards him in accordance with just principles). But the *book* of Job transforms the particular injustice of God's treatment of Job into the general principle that God is the 'secret Master who knows the meaning of what appears to us as a meaningless catastrophe' (cf Žižek 2008: 153). *Within* the terms of the divine discourse, with its appeal to God's transcendence, God's mistreatment of Job becomes quite defensible. The defence 'works'; it has cogency: Job's situation becomes just one more example of God's unfathomable ways. Yet in order to be effective within the rules of this game, the defence must universalise Job's particular case and turn the particular concept of God's wager with the Adversary into a universal Idea – in the Kantian sense, which Lyotard adopts or adapts (Lyotard 1988: No. 5).

This interpretation of the book of Job contrasts with David Clines' argument in his article 'Deconstructing the Book of Job', where he argues that Job's predicament *cannot* be generalised. For Clines, the case of Job is 'an unique event', about 'an utterly exceptional human being.' So Clines objects, 'How can the unique be typical of the general?' (1990: 115). It should first be replied that generalisation, the transformation of a concept into an Idea, always begins with the unique case. The unique case in itself – in its singularity – is not 'typical' of a general rule, but may still be *co-opted* for that goal, according to some universalising genre of discourse. Within the book of Job as a whole, the particularities of Job's case are co-opted for the purpose of asserting God's transcendence. That is, Job's unique case serves the *ad absurdum* argument against every experience that could possibly be argued to contradict divine justice. Job's unique case serves a major argument of the book as a whole: if God could find a reason as unusual as the wager to bring the most excessive evil on the most righteous man alive, there are an infinite number of mysterious, ineffable reasons for God to bring evil on anybody else. But in making such an argument, the specific injustice of the wager between God and the Adversary is ignored, by reducing it to an example of God's unknowable ways. The specific instance of the wager becomes an Idea in the book of Job, transformed by the goal of providing an unassailable and universal ethical defence even of Yahweh's most unprincipled actions. The morally repugnant



wager serves only to represent the irrepresentability of Yahweh, effecting Yahweh's absolute injustice.

This strategy of co-opting a particular injustice in order to support a universal principle of justice is evident elsewhere in the book of Job. It is particularly evident in the manner by which the epilogue defends God's earlier slaughter of Job's children and livestock. The restoration of Job has sometimes been viewed as a return to a naive conception of strict retribution, in which the righteous are eventually rewarded and the wicked are eventually punished (Pope 1965: xxii). Such a conclusion would provide a disappointing anticlimax following, as it does, the complex and polyvalent nuances of God's action by the various characters in the poetic section of Job (chapters 3–41). But God's actions should not merely be seen as simple retributive justice for Job. As the wager between God and the Adversary has come to completion in chapter 42, God's restoration should also be understood as the reversal or neutralization of the conditions of persecution which had been set up specifically for the wager (cf Wilson 2007: 470). God now does justice by reversing the deprivations of the wager, and he does this by providing Job with replacement models. Job receives substitute children and substitute animals – every bit as good as the ones he had before, in some cases even better. So as long as Job's children and animals are able to be viewed as fungible assets, able to be swapped indiscriminately, exchanged rather like bulk commodities in the market-place, then Job can be happy with his overall net gain in descendents and livestock. And God's actions are again defensible within the rules of the game. However, such a strategy remains obscene and totalitarian. The strategy which the book of Job utilises in order to defend divine justice sacrifices the singular event to a universal principle. The epilogue appeals to the principle of net gain in descendents and animals, but occludes the injustice involved in the slaughter of actual individual children and animals. The divine speeches appeal to reasons which are summarised as 'too wonderful for [Job] to know' in order to defend God's terrorism (Job 42:3). Yet can we trust this rationale, when God has already stated the particular reason for choosing to target Job's children? God stated he acted 'for *no* reason whatsoever.' What happens is that the universalising reasoning employed in the divine speeches has subtly transformed *the arbitrary absence of reason in Job's particular case* into the general principle *that God's reasoning is beyond human questioning*. So God's justice is based on his absolute *injustice*.

### FEELING FOR THE DIFFEREND IN THE BOOK OF JOB

How do we detect the differend in the book of Job? As a differend is inexpressible within any one genre of discourse, the question arises how a differend can be identified within a text. In fact, claims Lyotard, a differend is signalled *by* this very impossibility of identifying it, the impossibility of naming it, the inability to prove one's case. A differend is signalled by a 'feeling', the feeling that 'one cannot find the words, etc' (Lyotard 1988: No. 22). A differend cannot be explained within any one form of cognitive discourse, but disrupts cognitive discourse itself. Lyotard returns to the example of Auschwitz to explain the inadequacy of the cognitive mode for detecting a differend. Auschwitz is a name which cannot be an object of cognition, claims Lyotard, 'it is not a concept that results from "Auschwitz", but a feeling, an impossible phrase' (No. 159). The unnameable injustice to which the name Auschwitz refers cannot ever be solved by litigation. For Lyotard, the formation of the State of Israel or the use of the common idiom of international law to procure a monetary settlement are such attempts to transform the wrong of Auschwitz into damages and the differend into a litigation (No. 93). Such attempts must ulti-



mately fail to do justice. The event of Auschwitz is incommensurable with all attempts to bring it under the hegemony of a common language, in particular to bring it under the relentless logic of capitalism: that everything may be redressed according to the economic measure of exchange.

In Job's speeches, the presence of the differend is signalled by the often ambivalent and tortuous nature of his speech. While Job repeatedly requests that God make known the reasons for his treatment, he is also fully aware that God's reasons are ultimately arbitrary. Time and again, Job admits the *impossibility* of God being subjected to mortal human questioning in a 'law-court' due to his overwhelming power and legal immunity. Yet Job deliberately, absurdly, combines his demand for God to do justice with admissions of its impossibility. In Job 13:15, Job's alternating pessimism and optimism are irrationally juxtaposed within the single verse: 'See, he will kill me; I have no hope. *Surely* I will defend my ways to his face!' Job's persistent belief that he has been unjustly attacked by God 'for no reason whatsoever' (Job 9:17) drives him to attempt the impossible anyway. In chapters 16 and 19, Job accepts that God is able to function as his witness and redeemer, while at once being his adversary – because Job has no alternative source of help than the one who is also his enemy (see Job 16:11–14 versus 16:19–21; 19:6–13 versus 19:25–26).<sup>7</sup> Driven by the unbearable nature of his suffering, Job defies the logic of his situation.

Job wrestles back and forward in chapter 23 between his two dissonant beliefs. First, Job claims that God is transcendent and inaccessible (Job 23:3: 'If only I knew where to find him!'). Then Job is sure that God would act justly (v. 7: 'an upright person could dispute with him!'). But then, Job claims that God is transcendent again: (vv. 8–9: 'If I go forward, he is not there; or backward, I cannot perceive him. On the left I seek him but cannot see him; I turn to the right but cannot behold him.'). And then again, Job states his belief that God would judge him justly (v. 10: 'For he knows my way. If he tests me, I shall come out like gold.'). But then again, God appears transcendent and arbitrary to Job (v. 13: 'If he is a unity, who can make him change? Whatever his soul desires, he does.'). Through all of this, the turmoil of Job's mind, rather than the cognitive content of his speech, is the indication of the absolute injustice done to him (cf Newsom 2003: 167). So when Job later appears to ignore the impossibility of his quest and convinces himself that it is possible to call God to account (Job 31:35–37), what should be noted is the depths of despair which have brought him to rely on the one who he knows caused his predicament. In making his impossible demand of God, Job realises he has nothing to lose but the life God has made meaningless.

When Job responds to the initial speech by God, the differend is strongly signalled by Job's *feeling* that he cannot find the words to reply to him. In Job 40:4–5, Job answers Yahweh, 'Behold, I am unworthy. What can I reply? I place my hand on my mouth. I have spoken once, but will not answer; twice, but not again.' Job's silence stands out in quite dramatic contrast to Job's earlier unrestrained tirades, in which Job had boldly demanded an answer from God. This is not only a silence in which Job's complaints are unanswered by God in Job's own terms, but a silence which has rendered all protest unanswerable. 'Yhwh's revelation to Job does not promote dialogue; it ends it' (Morrow 2006: 145). Job's victimhood 'for no purpose', at the hand of God and his servant the Adversary, is utterly excluded from the divine discourse. And Job himself knows nothing about what has occurred in the heavenly court, except for the fact that something has happened which he cannot begin to articulate. There is an unbridgeable gap between heaven and earth, creator and creature (Job 4:17–19; 15:15–16; 37:23–24; Wendel 2004: 52). While the



core tenet of Christianity affirms the existence of a mediator, in the form of Christ, who bridges any gap between God and man, the book of Job expressly denies the possibility that such a mediator can exist (Job 9:32–33). Although Job later calls for a ‘witness’ or ‘redeemer’, God’s speech makes it clear that such hopes were in vain. So in rejecting the very possibility of mediation between God and humanity, the book of Job is the Bible’s quintessentially anti-Christian book.

When we come to Job’s much discussed yet deeply ambiguous final response to Yahweh in Job 42:1–6, Job not only finds the words of his *mouth* to be useless in the presence of this transcendent God (42:3; 40:4–5), but also the words of others he has heard in his *ears* (42:5). Nothing whatsoever can be adequately articulated or heard concerning this God. Even Job’s *eyes* are rendered useless by the overwhelming appearance of God (42:5). And because Job’s friends had spoken presumptuously of God, they receive only the *nostrils* of God’s anger (42:7).<sup>8</sup> God’s appearance results in total sensory overload. And while Job ceases making his charge against God, the very reason for his cessation cannot be coherently articulated in terms of the dominant discourse of the divine court. The ambiguity, if not sheer incoherence, of Job’s final words in Job 42:6<sup>9</sup> is precisely the symptomatic obverse of God’s own universalising appeal to incomprehensibility. That is, just as there are no words with which to accuse God, when Job comes to withdraw his charges and so give up any vindication of his innocence there are no words with which to properly articulate the reason for Job’s withdrawal. In the face of totalitarian terror, Job has simply been forced into acquiescence.

## CONCLUSION: GOD’S ABSOLUTE INJUSTICE IN JOB

It may freely be admitted that there is a differend between Lyotard’s conception of *absolute injustice* and the book of Job’s conception of God’s absolute power as unquestionable source of *justice*. But there is also a *cognitive* agreement between *The Differend* and the book of Job that a system of justice such as Yahweh’s shuts down and excludes all human attempts to call God to account. In Lyotard’s work, such exclusion is expressed in *paralogical* terms as a radical or absolute injustice, the nature of which must continually be given voice if we are to pursue justice. Whereas, in the book of Job, the rejection of human attempts to call God to account is celebrated as the *ethical* prerogative of a God whose actions ultimately transcend any explanation of them. The authoritative voices at the end of the book of Job affirm the ineffable rule of God’s justice; yet the trauma which is excluded by the hegemonic discourse returns symptomatically in the silences of the text, in the tension inherent in Job’s illogical pursuit of justice from a God he accuses of injustice, and in the ambiguity or inexplicability of Job’s eventual silence. Reading Job as differend accounts for the authority and hegemony of the divine judgment and, at the same time, reveals how the text generates a persistent and lingering feeling of God’s *absolute injustice* that cannot be ignored or redeemed.

---

## ENDNOTES

<sup>1</sup> While the question of justice is consistently a prominent feature of Lyotard’s work, in *The Differend* the question moves to centre stage. *The Differend* was written over a period of ten years, during which time *The Postmodern Condition* and *Just Gaming* were published. The book’s concerns are foreshadowed in *The Postmodern Condition* (particularly in the final pages of that book) and are rehearsed in a less-developed form in *Just Gaming*.



- 2 We may briefly note the resonances in Lyotard's 'differend' with a number of other contemporary formulations in Continental philosophy, such as Derrida's 'différance' or Žižek's 'parallax gap.' In particular, such formulations evoke the limits of any system of representation, privileging otherness and incommensurability. Yet differences also exist between the various formulations, not the least being the more radical opposition in Lyotard's thought to the politics of identification and synthesis.
- 3 The letters are reprinted in English in Faurisson 2000, in a non-peer-reviewed publication of The Institute for Historical Review, a U.S.-based anti-Semitic holocaust denial organisation.
- 4 Cf the example on Australian Aboriginal claims in Readings (1991: 118).
- 5 Honneth (2007: 104) concludes Lyotard is undecided as to whether his ethics merely bears witness to differends as a necessary consequence of any system of justice, or has a prescriptive and normative goal of opening up previously excluded language games so as to allow different subjects to articulate their interests (and so perpetuates the emancipationist metanarrative, albeit to a more radical degree than most of his predecessors). As the present paper focuses on the analytical function of the differend as it applies to the book of Job, the question of Lyotard's alleged inconsistency need not be finally determined. The analytical and *descriptive* interpretation of Lyotard adopted here also escapes the popular, yet boring, counterargument that Lyotard's rejection of all (prescriptive) metanarratives is itself a (prescriptive rather than descriptive) metanarrative.
- 6 Lyotard discusses an argument which has a similar form to Calvin's 'double justice' argument: 'that the unknown can be known, on the ground that it can be known to be unknown' (1988: No. 129). He cites Aristotle (*Rhetoric*, 1402 a), who classifies it as a fallacy which confuses the absolute and the relative. Lyotard explains: 'The argument in effect resorts to insisting upon the presentation ("can be known", the absolute) all the way up to asserting what is unpresented (what is unsigned, "the unknown"), which is presented by the phrase "that the unknown...", and which is therefore relative to it.' The fallacy of the argument is likewise present in God's appeal to his unknown justice, his purported revelation of the fact that something cannot be revealed.
- 7 Due in large part to the long history of Christological reinterpretation of these texts, the commentary on these verses is extensive. The majority of interpreters are divided between interpreting the witness of Job 16:19 and the redeemer of Job 19:25 as either God himself or a heavenly third party who acts as Job's advocate or defender (Habel 1985: 304–306). Habel considers the 'major argument' against identifying the redeemer with God is that this makes God both Job's adversary and redeemer (275, 306). As discussed in the body of the paper, this is a tension which is central to the very dynamics of the book of Job itself. As such, it is instead a major argument for identifying the redeemer *with* God.
- 8 Hebrew 'af means both 'nose' and 'anger'.
- 9 A number of different translations of Job 42:6 are possible, depending on (1) the meaning of 'em'as (eg 'I despise'; 'I retract'); (2) the meaning of *nichamti* (eg 'I repent'; 'I forswear'; 'I change my mind'); (3) whether 'em'as has an 'internal object' (eg '(despise) myself'; '(despise) my words') or shares the same object as *nichamti*, that is, the dust and ashes; (4) the meaning of the preposition 'al (eg 'on'; 'of'; 'concerning'); (5) the meaning of the phrase 'afar wa'efer (eg literally 'dust and ashes', as in Job 2:12; metaphorically, 'humility' or 'mortality'). The change in meaning of the verse accordingly varies from Job repenting on dust and ashes, to Job repenting of his mortality before God, to Job repenting that he complained on dust and ashes, to Job repenting that he mourned, to Job changing his mind about his humanity/mortality or morality, to Job retracting his words and being comforted concerning dust and ashes, etc (Crenshaw 2005: 189). Rather than finally choose between these options, Newsom concludes that the ambiguity or rather the polyphony in Job's reply is deliberate (Newsom 2003: 29).

## REFERENCES

- Barth, K. 1957–1969. *Church Dogmatics*. Translated by Bromiley, G.W. Edinburgh: T. & T. Clark.
- Calvin, J. 1584. *Sermons of Maister John Calvin, Upon the Booke of Job*. Translated by Arthur Golding. London: Thomas Dawson.
- Clines, D.J.A. 1990. 'Deconstructing the Book of Job.' In *What Does Eve Do To Help?: And Other Readerly Questions to the Old Testament*, idem, 106–123. Journal for the Study of the Old Testament Supplement Series, 94. Sheffield: Sheffield Academic Press.
- Crenshaw, J.L. 2005. *Defending God: Biblical Responses to the Problem of Evil*. Oxford: Oxford University Press.
- Disposable Heroes of Hiphoprisy. 1992. *Hypocrisy is the Greatest Luxury*. Fontana Island.
- Faurisson, R. 2000. 'Faurisson's Three Letters to Le Monde (1978–1979).' *The Journal of Historical Review* 19.3 (May/June): 40. Accessed 1 August 2008. Available on an anti-Semitic holocaust denial website: [http://www.ihr.org/jhr/v19/v19n3p40\\_Faurisson.html](http://www.ihr.org/jhr/v19/v19n3p40_Faurisson.html).
- Habel, N.C. 1985. *The Book of Job: A Commentary*. Old Testament Library. Louisville: Westminster John Knox Press.
- Habel, N.C. 2004. 'The Verdict on/of God at the End of Job.' In *Job's God*, edited by van Wolde, E., 27–38. Concilium 2004/4; London: SCM Press.
- Harding, J.E. 'A Spirit of Deception in Job 4:15? Interpretive Indeterminacy and Eliphaz's Vision.' *Biblical Interpretation* 13 (2005): 137–166.
- Hayden, J.P. 2001. 'Authority.' In *The Encyclopedia of Postmodernism*, edited by Taylor, V.E.; Winquist, C.E., 23–24. London: Routledge.
- Honneth, A. 2007. 'The Other of Justice: Habermas and the Ethical Challenge of Postmodernism.' In *Disrespect: The Normative Foundations of Critical Theory*, idem, 99–128. Translated by Farrell, J. Cambridge: Polity Press.
- Lyotard, J-F. 1984. *The Postmodern Condition: A Report on Knowledge*. Theory and History of Literature, 10. Translated by Bennington, G.; Massumi, B. Minneapolis: University of Minnesota Press.
- Lyotard, J-F. (with Thebaud, J-L.). 1985. *Just Gaming*. Theory and History of Literature, 20. Translated by Godzich, W. Minneapolis: University of Minnesota Press.
- Lyotard, J-F. 1988. *The Differend: Phrases in Dispute*. Theory and History of Literature, 46. Translated by Van Den Abbeele, G. Manchester: Manchester University Press.
- Malpas, S. 2005. *The Postmodern*. London: Routledge.
- Morrow, W.S. 2006. *Protest Against God: The Eclipse of a Biblical Tradition*. Hebrew Biblical Monographs, 4. Sheffield: Sheffield Phoenix Press.
- Natoli, J.P. 1997. *A Primer To Postmodernism*. London: Blackwell.
- Newsom, C.A. 2003. *The Book of Job: A Contest of Moral Imaginations*. Oxford: Oxford University Press.
- Pope, M.H. 1965. *Job*. The Anchor Bible, 15. New York: Doubleday.
- Readings, B. 1991. *Introducing Lyotard: Art and Politics*. London: Routledge.
- Thomas, D. 2004. *Proclaiming the Incomprehensible God: Calvin's Teaching on Job*. Ross-shire: Christian Focus Publications.
- Ticciati, S. 2005. *Job and the Disruption of Identity: Reading Beyond Barth*. London: T. & T. Clark.
- Wendel, S. 2004. "'We Cannot Fathom the Almighty": Defining the Relationship Between Transcendence and Immanence in the Light of "Job's God".' In *Job's God*, edited by van Wolde, E., 52–66. Concilium 2004/4; London: SCM Press.
- Wilson, G.H. 2007. *Job*. New International Biblical Commentary. Peabody: Massachusetts.
- Žižek, S. 2008. *Violence: Six Sideways Reflections*. London: Profile Books.

Cite this article as: Deane Galbraith. 2009. "Would you condemn me that you may be justified?: Job as differend". *The Bible and Critical Theory* 5 (3): pp. 37.1–37.14. DOI: 10.2104/bc090037.