

REVIEWS

THE POLITICAL THEOLOGY OF PAUL

Jacob Taubes

trans. Dana Hollander (Stanford: Stanford University Press, 2004), 166 pp.

In recent years, the apostle Paul has become the subject of study by a number of European philosophers, among them Badiou, Agamben, and Žižek. Each has found in Paul a legacy too precious to be left in the custody of Protestant theologians. Jacob Taubes (1923-1987), in particular, managed to work through the reception history of Paul's Epistle to the Romans, extracting entirely new contexts that make readable the Jewish messianic features obliterated by Christianity. An ordained rabbi, philosopher, and historian of religion, Taubes was also a professed "Paulinist" (88) interested in "religious psychology" (10). In this, his closest allies were Freud and Benjamin, though it was Carl Schmitt, his adversary, who made him promise to publish on Paul.

From the start Taubes makes clear that Paul must be understood in the horizon of a "messianic logic" internal to Judaism, proof of which he gives by a reference to Sabbatianism, a seventeenth-century movement of Jewish messianism formed around Sabbatai Zvi whose story Gershom Scholem, Taubes' teacher, reconstructed in *Major Trends in Jewish Mysticism* (1941). Outdoing the crucifixion of Jesus, Sabbatai Zvi's unexpected conversion to Islam "demanded a faith that is paradoxical" (10) and a doctrine that was promptly given by the cabbalistic prophet, Nathan of Gaza. As a Jewish drama of messianism, it recalls the faith in the Resurrected

One which Paul's Christology explains, bearing in mind that *christos* is Greek for Hebrew *meshiah*. For Taubes, precisely this shared "faith in which man converts" (6) is "the center of messianic logic" (7), transforming both the Jewish faith in the covenant (*emunah*) and the standard Greek notion of faith (*pistis*). By appealing to an "inner logic of the messianic" (10), Paul is seen to restore a particular Jewish legacy later obscured by Christianity.

In the first part of the book, Taubes reads the Epistle to the Romans as Paul's founding document for "legitimizing a new people of God" (28), surpassing Moses. From the address, "Paul, a servant of Jesus Christ, called to be an apostle" (Rom. 1:1), he draws a reference to Jeremiah, showing that Paul invokes a biblical tradition of prophetic calling. As "a zealot and Diaspora Jew" (20), Paul is placed in the context of that political messianism that opposed the Roman occupation of Judea, and Taubes elicits from the Epistle "a political theology, a political declaration of war on the Caesar" (16). Raising the crucial question as to what law Paul's critique is directed, he notes that Paul's concept of law "is a compromise formula for the *Imperium Romanum*" (23), incorporating under its imperial concept the diversity of ethnic laws as *religio licita*, as American imperialism is doing today. Paul's Pharisaic zeal is to suspend all claims to political order by a messianic revolt of delegitimation, "a transvaluation of values" that "turns Jewish-Roman-Hellenistic upper-class theology on its head" (24).

In reading Romans 9, Paul is seen to repeat the Mosaic gesture of including all of Israel in

salvation: “For I could wish that I myself were accursed and cut off from Christ for the sake of my brethren, my kinsmen by race. They are Israelites” (Rom. 9:3-4). Desiring to be accursed for those who reject the Messiah is modelled on Exodus 32, where Moses pleads with God for mercy after the Israelites rejected the Law: “And yet, if it pleased you to forgive their sin — if not, please blot me out of the book you have written” (Exod. 32:32). This is “the primal scene” (47) that Taubes finds reenacted in Paul’s drama of founding a new people of God, a “*pas* Israel” (38) as well as in the Yom Kippur liturgy, when God’s curse and its suspension are ritually endured.

In “outbidding Moses” (39), Paul became “an apostle of the Jews to the Gentiles” (47), whose universal project hinged on a notion of spirit (*pneuma*) that differs as sharply from the non-messianic, Greek sense of *pneuma* as from the Church dogma of *spiritus sanctus*. Taubes’ interest in “*pneumatics* as life experience” (44) is the “force that transforms a people and that transforms a text” (45). The Pauline notion of *pneuma*, “discredited” by Marx, Nietzsche, and Freud, was last taken seriously by Hegel in the *Phenomenology of Spirit*: “Spirit” is “the most sublime concept and the one which belongs to the modern age and its religion.”¹ In this, Taubes recognizes Hegel’s “world-spirit” “as a positive, as hypostasis” (43) that consciously reverses the values of Paul assigned to the “spirit of the world” and the “Spirit of God” (1 Cor. 2:12). “World-spirit,” in Hegel, “exists as a polemical concept against Paul” — “it is in Napoleon on horseback that history is concentrated” (43).

Calling those Jews who refuse to accept the Gospel “enemies” (Rom. 11:28), Paul had long been interpreted in a tradition of Church anti-Semitism that found in Carl Schmitt a modern political voice: “the distinction between friend and enemy” is “the core of the political,” as he states in *Theory of the Partisan*. On this point, Taubes rejoins that Paul’s continuation — “but as regards election they are beloved, for the sake of their forefathers” (Rom. 11:28) — shows Israel not to be abandoned but made “jealous” (Rom. 10:19) by the inclusion of the Gentiles into “all Israel” (Rom. 9:6), a “union-covenant” or social “body in Christ” that undermines the Roman Empire by the single commandment of loving one’s neighbor. “Enemy,” moreover, is not the Latin *hostis* as Schmitt believed but translated in the Vulgate as *inimicus*, which refers to the “historical enemies of God” (51) in regard to salvation.

In the book’s second part, Taubes measures the effects of Paul on those authors who have transformed the “force of pneumatics” in the course of secularization. In tracing what he calls the “transfigurations of the Messianic” (55), Taubes reveals a secret reception history that has survived into modernity. First, Paul’s emphasis on love is shown to stress a need for communality, countering the rising Gnostic tendency that “each is perfect for himself” (56). The historical crossroad was this: if apocalypticism is the possible answer to a situation “when prophecy fails,” then gnosis is the answer to the situation “when apocalypticism fails.”² In the second century, Marcion, a disciple of Paul, offered an ingenious solution

to “a crisis of the concrete messianism that reached its height in the Bar-Kochba revolt” (181) against the Romans. The Father of Jesus, from whom redemption can be expected, was conceived to be different from the Old Testament God, responsible for the flaws of creation. Although the tear, “emphasized by Marcion in the ingenuity of error” (61), was repaired by the Church Fathers, forming an allegorical concordance between the Old and the New Testament, Taubes shows its significance for the Protestant attacks on the Old Testament. Liberal Protestantism, from Luther to Harnack, inherited a canon that it continued to resent but did not dare to reject, until in 1933 it “couldn’t pass the test” (61).

But the synthesis of “cultural Protestantism” (62) broke down already in World War I when secularization was criticized by anti-liberals such as Karl Barthes or Schmitt, who transposed the Catholic model of sovereignty into state law theory. In *Political Theology*, Schmitt recognized that “all significant concepts of the modern theory of state are secularized theological concepts,” that “the state of exception in jurisprudence is analogous to the miracle in theology,” but he fills this lack of legitimacy with a figure of charismatic sovereignty that decides on the state of exception: the dictator.³ In an article on Schmitt, “An Apocalyptician of Counterrevolution,” Taubes explains that “Carl Schmitt thinks apocalyptically, but from above, from the powers; I think from below.”⁴ It implies that Schmitt is on the imperial side of apocalypticism, invoking Paul’s figure of the *katechon*, “one who restrains” (2 Thess. 2:7), as confirmed by a diary

entry of December 19, 1947: “This position has never been vacant; otherwise we would no longer exist. Every great emperor of the Christian Middle Ages believed himself to be the *katechon*, and that’s what he was.” And in 1934, to advise Mussolini on how to “save the state from the party” (70), Göring put Schmitt and Heidegger on a night train to Rome.

In tracing the effects of Paul on Benjamin, Taubes then shows that the *Theologico-Political Fragment* conceives the order of creation (“the profane”) in relation to redemption (“the messianic”), as Paul does in Romans 8. For Benjamin, the Messiah ends history by redeeming, completing, and creating its relation to the Messianic. A figure that has yet to bring the two orders into a constellation, the Messiah so denies the political significance of a theocracy that seeks to found the profane on the idea of the Divine Kingdom. It is why Benjamin calls for a “world politics, whose method must be called nihilism,” a conclusion that Taubes traces to the Pauline *hōs mē* (“as though not”) (1 Cor 7:29-31). Paul’s negative political theology is compared to Benjamin’s “idea of creation as decay” (72), as both insist on transcendence as a “drawbridge” “from the other side” (76): Paul in a struggle against “Rome, where the aura is the cult of the emperors,” and Benjamin against the “ascendancies” in the “aura of German Idealism” (73).

In Taubes’ genealogy of modernity, Spinoza, Nietzsche, and Freud appear as proponents of an immanent reality, in which metaphysical notions such as God or soul are renegotiated. First, Spinoza, whose *Theologico-Political Treatise* (1670) is seen to secure the freedom

of philosophy from theology, canceling the distinction of God and nature (*deus sive natura*), while enlisting the service of Paul as “chief witness from Scripture,” (77) so as to develop a doctrine of predestination that oscillates between a “*Deus* perspective” and a “Nature perspective” (77).

What Nietzsche then traces as a history of *décadence* begins with Paul’s “slave morality” that perpetuates a cycle of guilt, sacrifice, and atonement. And though he seeks to step out of the Pauline world, he offers his own “transvaluation of values” toward an “immanent cosmos” (84), rid of the transcendental exception. His striving for human greatness, however, comes at the price of social hierarchy and oppression that was natural in Greek antiquity. “The question is,” Taubes insists, “whether you think the exception is possible” (85).

In closing, Taubes reads Freud’s *Moses and Monotheism* as surpassing the doctrine of “original sin”: “No one since Paul has so clearly traced and so strongly emphasized the urgent need to atone the act of original sin as has Freud. It is by no means mere speculation to say that Freud conceived his theory and therapy in analogy to the message Paul preached to the gentiles.”⁵ Yet, as Paul traces “sin” back to “Adam’s transgression” (Rom 6:14), Freud does so to the murder of Moses, itself a powerful repetition of the events of the primal horde. Paul’s “powerful distortion” of “the unnameable crime” also implies a shift in the possibility of redemption.⁶ Taubes recognizes that Paul “brings redemption only phantasmatically, while Freud realizes it through this new method of healing, which

is not only an individual method, but also a theory of culture” (95). Agreeing with an analytical reconstruction of history, Taubes puts his own reception history of Paul fully in the service of Freud: “In essence I have done nothing more than to present to you prolegomena to these passages in Freud, under the yoke of philology” (94).

— *David Ratmoko*

1. G.W.F. Hegel, *Phenomenology of Spirit*, trans. A.V. Miller (Oxford: Oxford University Press, 1977), 14.
2. Jacob Taubes, *Vom Kult zur Kultur: Bausteine zu einer Kritik der historischen Vernunft* (München: Wilhelm Fink Verlag, 1996), 180.
3. Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Cambridge: M.I.T. Press, 1985), 36.
4. Taubes, “Carl Schmitt – ein Apokalpytiker der Gegenrevolution,” in *Ad Carl Schmitt: Gegenstrebige Fügung* (Berlin: Merve, 1987), 22.
5. Taubus, “Religion and the Future of Psychoanalysis,” in *Psychoanalysis and the Future: A Centenary Commemoration of the Birth of Sigmund Freud*, special double issue of *Psychoanalysis* 4.4-5.1 (1957): 139.
6. Sigmund Freud, *Moses and Monotheism* in *The Standard Edition of the Complete Psychological Works*, ed. and trans. James Strachey et al. (London: Hogarth Press, 1953-1974), 23: 135.

State of Exception

Giorgio Agamben

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At the outset of *State of Exception*, the sequel to *Homo Sacer: Sovereign Power and Bare Life*, Giorgio Agamben insists that the concept of the state of exception must stand at the very center of any consideration of law's relation to the political. If the state of exception represents a "no-man's land between public law and political fact, and between the juridical order and life" (1), its paradoxical nature cannot be grasped as a matter of the law temporarily caving to "necessity." Instead, the concept seems to fracture the law from within, inscribing an essentially extra-legal moment into the law itself. The state of exception thus bears a family resemblance to other limit-concepts in the field of law — for instance, the "right of resistance" guaranteed under a draft of the current Italian constitution (10), which begs a similarly troublesome question: how can a constitution legislate the terms of its own abolition?

The stakes of theorizing the state of exception are at an all-time high, Agamben argues, given the zeal with which contemporary democratic states are voluntarily adopting a "permanent state of emergency" as the paradigm of government (2). Guantánamo Bay serves as Agamben's concrete illustration of this no-man's land in which the law extends its sway over subjects by suspending itself. President Bush's order of 13 November, 2001,

which instituted the nebulous legal category of the "detainee" (who is neither a prisoner of war with rights under the Geneva Convention, nor a suspect of a crime under American law) "radically erases any legal status of the individual, thus producing a legally unnamable and unclassifiable being" (3), creating a situation whose closest analogy, the author notes, would be the "legal situation of the Jews in the Nazi *Lager*" (4). While Agamben's text restrains itself from making more than a handful of explicit references to the contemporary (post-9/11) political context, the author clearly intends for his remarks on the state of exception to be read as a direct intervention in this context, a harrowing "situation in which the emergency becomes the rule, and the very distinction between peace and war (and between foreign and civil war) becomes impossible" (22).

The author proceeds to offer an abbreviated but careful history of the state of exception's development as a legal concept in the modern West, as well as a critique of how its inherent contradictions have been ignored or hastily smoothed over by previous legal scholars and jurists (including Carl Friedrich, Clinton Rossiter, Herbert Tingsten, and Santi Romano). The crucial period for Agamben's analysis lies between the two world wars, when an "unprecedented generalization of the paradigm of security as the normal technique of government" (14) led the legislative bodies of Western democracies to grant ever-expanding "special powers" to their respective executive branches. Given this context, the state

of exception should be understood not as an alarming tendency of democratic regimes to adopt “totalitarian” strategies to control their populations in moments of crisis, but rather, as the logical development of an aporia imbedded within the law itself. In an interesting comparison of modern and medieval legal theory, Agamben argues that “necessity” has only recently become an all-purpose justification for positing the state of exception: “The idea that a suspension of law may be necessary for the common good is foreign to the medieval world” (26). Necessity becomes the very ground of the law in modernity, but the law seems to have forgotten that necessity itself is a completely subjective notion, “something undecidable in fact and law” (30). It is in the nature of law to admit lacunae — a judge is traditionally obligated to render a decision even if the law does not appear to cover a particular case, and thus acts as if the juridical order can answer all cases, even if the law cannot. The state of exception, though, extends this principle beyond the juridical order, inscribing a lacuna in the relation between the law and all possible points of application in reality, thus “creating a zone in which application is suspended, but the law [*la legge*], as such, remains in force” (31).

Agamben’s analysis of the state of exception brings him into nuanced dialogue with familiar figures such as Carl Schmitt and Walter Benjamin, but the real payoff of the text is its “genealogical” investigation of less familiar concepts drawn from Roman law, especially, the *iustitium*. This provision of

Roman law, which the author cites as the “archetype of the modern *Ausnahmezustand* [state of exception]” (41), was both a temporary suspension of the law and an appeal to the representatives of the people, or sometimes even the people themselves, to save the state in times of emergency — Agamben informs us that the word itself means “when the law stands still, just as [the sun does in] the solstice.” This institution is not to be confused with dictatorship, where certain magistrates are invested with extraordinary powers, but is rather something like its opposite: a suspension of the laws that customarily limited the powers of state authorities. The modern state of exception, Agamben argues, has the same structure as the Roman *iustitium*: the former “is not defined as a fullness of powers, a pleromatic state of law, as in the dictatorial model, but as a kenomatic state, an emptiness and standstill of the law” (48).

The state of exception involves, then, the law’s constitution of a relation to the beyond of law. The law is deactivated, whereby a “zone of anomie” (50) is established, because the “unthinkable” lawless other of the law “nevertheless has a decisive strategic relevance for the juridical order and must not be allowed to slip away at any cost” (51). The key problem here is that this anomie that the law attempts to master through the state of exception is “life” itself. The state of exception attempts to mediate two irreducible elements, life and law, through the establishment of a fiction (e.g., a fictional “state of siege”). As Agamben suggests in his conclusion, life should not be

understood as an original quantity existing prior to the law, which comes to regulate it through the state of exception, but rather, life only becomes discernible through its relation to law: “the very possibility of distinguishing life and law, anomie and *nomos*, coincides with their articulation in the biopolitical machine” (87). Politics, the author concludes, is the name of that which previously kept the two concepts distinct and allowed us to discern their non-relation, but has now been lost, as the state of exception has “today reached its maximum worldwide deployment.”

Agamben’s new book accomplishes a great deal in its few short chapters. He demonstrates convincingly that this strange fiction of the state of exception has become the predominant mode of power’s deployment in our era, and suggests (via an especially skillful reading of Benjamin) the conditions for its dismantling. While the text draws only implicit links to Agamben’s previous work on the mechanisms of biopower, the author locates a basic topological structure in the state of exception that can rather easily be placed within a series of previous concepts he has investigated (*homo sacer*, the camp, and so on). The author’s analysis of Schmitt is also quite dexterous, as the latter receives credit for discovering the essential paradoxes embedded in the concept of the state of exception, only to be taken to task for resolving them too neatly. The erudite history lesson on western democracies’ transformation into states of exception itself makes the book valuable reading.

My only qualm about *State of Exception* concerns not a theoretical blind spot, but

rather a disharmony between the historical and the philosophical modes of discourse that Agamben uses in the text. On the one hand, from his analysis of historical and legal materials, he seems to want to indicate with horror how the state of exception has become a permanent state of affairs in recent years. We are meant to discern in the USA Patriot Act and Guantánamo Bay a chilling new development in law’s regulation of life, or at least an example of a western democracy orchestrating a fictive emergency in a way that can only be compared to the treatment of the Jews under the Third Reich. On the other hand, in the course of his structural analysis of the state of exception (and its avatars, such as the Roman *iustitium*), he appears fascinated by a topological arrangement (“the inclusion and capture of a space that is neither outside nor inside” [35]) that has, it seems, little relevance to the political situation that so obviously fills him with dread. In other words, the structural problem (of the law as such attempting to encompass life through the state of exception) and the historical problem (of the arrival of a permanent state of exception in western democracies) are treated in a way that leaves one questioning whether the state of exception (in its current, fully developed form) is the legacy of Roman law, post-French Revolution law, or perhaps, the very structure of law itself. There is an abiding awkwardness in the text as Agamben shifts between the two modes of analysis, even if he individually handles each with considerable skill and learnedness.

— Alexei Di Orio