Neighbors and Neighborhoods
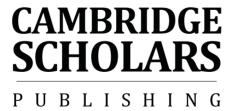
Neighbors and Neighborhoods: Living Together in the German-Speaking World

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P U B L I S H I N G

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ACKNOWLEDGEMENTS

INTRODUCTION

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The rights of neighbors are established, for much of the German-speaking world, in Germany's *Bürgerliches Gesetzbuch* (1900), Austria's *Allgemeines Bürgerliches Gesetzbuch* (1811), and Switzerland's *Zivilgesetzbuch* (1907).[1] For their resolution of conflicts over ownership and their determination of what counts as the legitimate exclusion of others, these civil codes serve as a reminder that one's neighbors usually only become visible in moments of crisis and most visible in disputes over what is properly one's own. One regulation provides for equal ownership of a *Grenzbaum* (tree on the borderline);[2] another states that neighbors cannot strictly prohibit "gases, steam, smells, smoke, soot, warmth, noise, vibrations and similar influences."[3] While many of these regulations attempt to resolve disputes over private property and the ownership of natural commodities, they also serve to construct shared space by marking borders and limiting excess.[4] In this respect, the neighbor has emerged as a foundational figure in modernity for both the construction of subjectivity and the organization of civil society.

The classic image of a neighborhood, at least since Ferdinand Tönnies' seminal model of *Gemeinschaft und Gesellschaft* (1887), is that of the pre-modern village, a community predicated on social contact, organizational co-operation, and face-to-face communication.[5] Although location and proximity remain crucial factors in the framework of a neighborhood, they

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[1] §§903–924 *BGB*; §364, §§421–22, §§850–53 *ABGB*; Art. 684–98 *ZGB*. The years refer to the law's enactment; citations refer to the law's current formulation.
[2] §923 *BGB*; §§421–22 *ABGB*; Art. 687–88 *ZGB*.
[3] §906 *BGB*: "Gasen, Dämpfen, Gerüchen, Rauch, Ruß, Wärme, Geräusch, Erschütterungen und ähnliche [...] Einwirkungen;" cf. §364 *ABGB*; Art. 684 *ZGB*.
[4] For borders, note the repetition of "*Grenz-*" in §905, §§919–23 BGB; for excess, note the repetition of "*Über-*" in §910–916 *BGB*.
[5] *Community and Civil Society*, ed. Jose Harris, trans. Jose Harris and Margaret Hollis (Cambridge: Cambridge University Press, 2001), 28, 258; *Gemeinschaft und Gesellschaft. Abhandlung des Communismus und des Socialismus als empirischer Culturformen* (Leipzig: Fues's Verlag (R. Reisland), 1887), 17, 290.

also indicate a fundamental tension between local and global models of community. The expansion of a neighborhood often means its dissolution, calling into question the possibility of universalizing community, as in Marshall McLuhan's notions of "the human family" and "the global village."[6]

   Taking issue with the use of neighborliness as a possible foundation of universal ethics, *The Neighbor: Three Inquiries in Political Theology* (2005) treats the figure of the neighbor as a source of anxiety, liminality, and volatility for the subject.[7] "A Neighbor is the one who by definition smells," writes Slavoj Žižek in his critique of tolerance.[8] Anxiety about one's neighbors is often manifest in fears of difference and excess, since a neighbor is also the one, as the German civil codes reinforce, who smokes, pollutes, makes noise, disturbs the peace, or threatens the stability of civil order, and must therefore be brought in line. At the same time, the very proximity of neighbors and their embodiment of otherness might offer "new possibilities of neighborliness and community," as Eric Santner has argued.[9] Political theology and psychoanalysis have recently refined the categories of neighbors and neighborhoods without forfeiting the novelty of Freud's questions about neighborly love: "Why should we do it? What good will it do us? But, above all, how shall we achieve it? How can it be possible?"[10]

   How can neighborliness be possible in an age of migration and globalization? Given the fluidity of modern identity, what could make communities uniform, harmonious, or even cohesive, if they can be created and dissolved instantaneously? To what extent do modern technology and mass communication facilitate and/or inhibit living together in multiple cultures and multiple worlds? These questions formed the impetus of Berkeley's Nineteenth Annual German Studies Conference in Spring 2011, and remain palpable throughout the contributions to this

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[6] Marshall McLuhan, *The Gutenberg Galaxy: The Making of Typographic Man* (Toronto: University of Toronto Press, 1962), 31.
[7] Slavoj Žižek, Eric L. Santner, and Kenneth Reinhard, *The Neighbor: Three Inquiries in Political Theology* (Chicago: The University of Chicago Press, 2005).
[8] "Tolerance as an Ideological Category," *Critical Inquiry* 34 (Summer 2008), 680.
[9] *On the Psychotheology of Everyday Life: Reflections on Freud and Rosenzweig* (Chicago: The University of Chicago Press, 2001), 6.
[10] *Civilization and Its Discontents*, trans. James Strachey (New York: Norton, 2005), 100; *Das Unbehagen in der Kultur*, in *Studienausgabe, Bd. IX. Fragen der Gesellschaft, Ursprünge der Religion*, ed. Alexander Mitscherlich et al. (Fischer: Frankfurt am Main, 1997), 238: "Warum sollen wir das? Was soll es uns helfen? Vor allem aber, wie bringen wir das zustande? Wie wird es uns möglich?"

volume. The contributors' diverse approaches provide multiple perspectives on the meaning of living together in the German-speaking world, a complex sociolinguistic community that is no longer defined exclusively through territorial property laws and national civil codes but that remains, in many respects, a neighborhood.

In this volume, the problems of totalizing community and legitimizing law are addressed in the first two chapters from the perspectives of continental philosophy and religious thought. William Rauscher analyzes the biblical imperative to love one's neighbor as oneself in the context of Jacob Taubes' lectures on Paul's epistles. Rauscher highlights a tension between the universal and the particular at the core of the biblical imperative, which is manifest in Paul's attempt to conceive of totality. As Rauscher points out, Paul's attempt to extend the theological concept of the neighbor from God's chosen people to all people requires him to adopt a political concept of universalism that cannot be universalized. To create a Christian community, Paul must sacrifice the very features that constituted a distinct Jewish community—*nomos* (law) and *ethnos* (identity). Without these grounds, however, Paul's is not a distinct community but rather the remains of all other communities.

Exploring these problems of community and totality from another perspective, Martin Weiss reflects on the observation, made by Jacques Derrida, Walter Benjamin, and Carl Schmitt, that neither the law nor its violent enforcement can ever be truly justified. To Weiss, the "dangerous affinities" between these three seemingly different thinkers make them inhabitants of a theoretical neighborhood, characterized by their common experience of the law's inadequacy and their comparable turns to forms of decisionism. As a point of entrance into this shared space, Weiss mobilizes the Latin etymology of "affinity" (*ad finis*) as a synonym for "neighborhood." Developing this concept of affinity, Weiss draws on Benjamin's reading of Goethe's *Wahlverwandtschaften* to put forward a notion of shared experience that links Derrida, Benjamin, and Schmitt. Their affinities, Weiss argues, are further intertwined with the problem of avoiding a deconstructivist theodicy after the Holocaust.

Moving from love of the neighbor to fear of the neighbor, the next three chapters address tensions between ideals of neighborliness and the realities of living together in early twentieth-century urban environments. As Thomas Antonic observes, *Nebeneinanderleben* (living *near* one another) is not necessarily the same as *Miteinanderleben* (living *with* one another), especially when it comes to dramatizing neighborly relations in Austrian theatre. Antonic's analysis of plays set in *Mietshäuser* (Austrian high-rise buildings) reveals how conflicts among tenants with radically

different social and economic backgrounds are integral to the structure of shared living spaces. These conflicts, Antonic argues, cannot be resolved through dialogue but only through the death of every inhabitant in the apartment, seeming to confirm the truth of Kierkegaard's assertion that the only good neighbor is a dead neighbor. Ultimately, however, Antonic argues that the neighbors in these plays cannot possibly be the same as the neighbor who is the object of the biblical imperative to love one's neighbor as oneself.

The anxiety of difference among neighbors can be discerned in both architecture and urban space itself. Simona Sauer-Kretschmer investigates urban space as an allegory for gender and sexuality in three literary depictions of neighborhoods in Berlin: Alexander Döblin's *Berlin Alexanderplatz*, Erich Kästner's *Fabian. Die Geschichte eines Moralisten*, and Irmgard Keun's *Das kunstseidene Mädchen*. Contrasting the anonymity of the crowd with different modes of individuation, Sauer-Kretschmer shows how concrete places and imagined spaces in a metropolis can become charged with values of gender and sexuality, since the city's perceived violence, amorality, and longing threaten to become the destiny of the female protagonists in these novels. The more their utopian dreams of life in the big city shatter against the nightmarish realities of abuse and exploitation, the more a certain logic of misogyny becomes inscribed onto both female bodies and surrounding spaces. Sauer-Kretschmer's analysis points to a fundamental tension between insiders and outsiders in the construction of communities, negotiated through the demarcation and signification of urban space.

Addressing another means of negotiating difference, Martina Süess provides a new reading of Theodore Fontane's canonical novel *Effi Briest* and its Chinese ghost that finds his way into a German bedroom. To Süess, the twofold otherness of the phantasmagoric figure, both Asian and a ghost, crystallizes widespread anxieties about space and time, a function of nineteenth-century revolutions in science, media, and technology. Spatially, the Chinese ghost can be read as part of the colonial discourse of the "*gelbe Gefahr*" ("yellow peril") and related anxieties about geographical proximity. Temporally, the figure is part of a spiritualist and psychological discourse that challenged the division between the immanent and the transcendent, calling into question traditional definitions of the human. These discourses, Süess argues, were the function of new media (the telegram), new technology (the railroad system), and new science (psychoanalysis), all of which enabled contact among worlds that were previously foreign. In Süess's analysis, the twofold nature of the Chinese ghost serves as an analogy for a quintessentially modernist

understanding of the neighbor as a figure that is known to be distant but perceived to be close.

Turning to national and international levels, the next two chapters in this volume examine the neighborly relations among Germany, Austria, and Switzerland, as well as their place in Central Europe and the European Union. Hanno Biber reveals a deep-seated tension between Austria-Hungary and the German Empire at the end of World War I through an examination of Karl Kraus' political journal *Die Fackel* and his anti-war play *Die Letzten Tage der Menschheit*, both of which are found in the Austrian Academy of Science's digital corpus. Using this corpus, Biber tracks how Kraus subverted common stereotypes about the two neighboring powers by dissecting the political jargon behind three popular militaristic idioms for political alliances: *Nibelungentreue*, *Schulter an Schulter*, and *ausgebaut und vertieft*. Through linguistic and philological analysis of Kraus's satire, Biber illuminates the critical strategies that Kraus used to expose cultural prejudices and undermine clichéd political appeals to fidelity, loyalty, and brotherhood. Biber's analysis exposes the ideological dangers of community that are often concealed in attempts to deploy the idea of brotherly love.

Jeroen Dewulf complicates the image of Switzerland as an all-inclusive nation of immigrants with his study of post-WWII Swiss literature. Dewulf's analysis reveals the primary focus of this literature to be demystifying and deconstructing a national(ist) identity by unmasking founding figures and origin stories. The aim of this literature, Dewulf demonstrates, has primarily been to expose attempts to transform myths characterized by historical intolerance and exclusion into contemporary ideals of tolerance and inclusivity. However, rather than deserting tradition contemptuously, some authors, such as Hugo Loetscher, have proposed reinventing tradition creatively. As Dewulf suggests, this shift from a rejection of *invention* to an acceptance of *reinvention* aligns well with the recent turn from discussions of multiculturalism and parallel societies to those of hybridity and cultural mixture. Dewulf's argument indicates how tolerance and inclusivity might be fostered by embracing, rather than rejecting, national history and cultural traditions.

In an age of migration and globalization, a dialectic of history and community often makes it difficult to cultivate affinities, one problem addressed in the last two chapters of this volume. In his analysis of Andreas Dresen's film *Stilles Land*, John Lessard argues that the narrative of reunification after *die Wende* required rethinking the concepts of community and eventness. Drawing on Benedict Anderson's notion of "imagined communities," Lessard reads the film as a post-nationalist

attempt to synthesize the fragments of time, temporality, and world historical events. Building on Heidegger's notion of "the neighborhood of being," Lessard theorizes the emergence of an "evental community"—i.e., a community that emerges around the experience of an historical event (*Ereignis*) and a process of its "en-owning" (*Er-eignen*). Lessard's analysis provides insights into collective memory, and it should spark further reflection on whether one's sense of belonging to a neighborhood is transferrable over space and time.

Michel Mallet addresses issues of migration, mobility, and transnational idenity in his reading of Herta Müller's *Der Mensch ist ein großer Fasan auf der Welt*. Mallet's analysis demonstrates how one's sense of belonging is predicated not only on the categories of space and time, but also those of mobility and immobility. In Müller's novel, mobility may appear emancipatory, since it allows the protagonists to escape the immobilizing oppression of their Banatian village under the Ceauşescu regime. But with their emigration comes nostalgia and, as Mallet puts it, with their escape from *Heimat* a new *Heimweh*. In the novel, the family's return from Germany to their Romanian village brings into conflict different modes of belonging, culminating in a devastating scene of reunion. Mallet's analysis speaks to the magnetic pull of local forces even after the global turn, and underscores the parallels between the local and the global village.

The main challenge to explaining the meaning of living together in the German-speaking world continues to be identifying its principle of cohesion, given the striking differences among its inhabitants. Mass migration and modern technology may have provided the conditions of possibility for the German-speaking world but only in exchange for relativizing the fundamental grounds of neighborliness: the proximity of dwellings, familiarization with others, and the necessity of co-operation.

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CHAPTER ONE

THE POLITICS OF THE NEIGHBOR
IN ST. PAUL'S THEOLOGY

WILLIAM RAUSCHER

In the description of his summer 1986 course, "Zur politischen Theologie des Paulus. Von Polis zu Ecclesia," Jacob Taubes announces that he intends to read the mission of Paul's Epistle to the Romans as the "Legitimation und Formation eines neuen gesellschaftlichen (Ver-) Bundes, der werdenden Ecclesia gegenüber dem Römischen Imperium einerseits und andererseits der ethnischen Einheit des jüdischen Volkes."[1] The triangulated polemical schema of Roman polis–Jewish people–Christian ecclesia neatly establishes the stakes of what Taubes terms Paul's *political theology*, a reading that has recently inspired further efforts to engage Paul and political theology from a broadly materialist perspective. The efforts of Hent de Vries, Jean-Luc Nancy, Giorgio Agamben, and others underscore the current necessity of interrogating and redrawing the borders between the religious and the secular. As I intend to show, the figure or non-figure of the neighbor that emerges in Paul's letters encapsulates the stakes of his political theology—namely, the development of a means beyond the *nomos* of founding a universal community. Neither friend nor enemy, and irreducible to a specular copy of the self or a radical alterity, the neighbor allows us to comprehend Paul's ecclesial community as a means of sublating the divisions made by the law. In my analysis, it is crucial to note, as Taubes does, the uncertainty behind Paul's use of the term *nomos*. According to Taubes and those following his interpretation, Paul's *nomos* refers to both Roman civil law and Jewish religious law. Thus the divisions of the law sublated by the arrival of the Christ extend into the domains of politics, ethnicity, and religion.

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[1] Jacob Taubes, *Die Politische Theologie des Paulus* (Munich: Wilhelm Fink Verlag, 1993), 146.

Taubes' published lectures, *Die Politische Theologie des Paulus*, remind us that the term *political theology* remains contested, perhaps no where so explicitly as in Taubes' own extended *Auseinandersetzung* with Carl Schmitt, in which the Paul lectures play a decisive role.[2] The exchange between Taubes and Schmitt highlights the semantic ambiguity that permeates political theology, which can be used in some cases to refer to the political consequences of theological concepts, and in other cases to the theological origins of political concepts.[3] In addition to terminological differences, the Taubes-Schmitt exchange is deeply marked by a theoretical fault line in the study of political theology based on whether *political* should invoke "the people" or the power of sovereignty to rule over "the people." Schmitt uses a theological structure, the analogy between sovereign and deity, in order to supplement the shortcomings of the law as a political force with the figure of the sovereign as the ultimate, extralegal guarantor of political stability. In contrast, Taubes politicizes Paul's theology by reading his attempt to form a messianic community, in light of the abrogation of the law, as a polemic against the Roman Empire.

Following Taubes, Kenneth Reinhard has proposed that Paul's epistles should be read first and foremost as a political theology of the neighbor, which functions as a supplement to Schmitt's political theology of the sovereign.[4] In Taubes' lectures, according to Reinhard, the neighbor becomes the central figure of a new people of God governed by the single commandment to "love thy neighbor as thyself."[5] The purpose of my paper, reading Taubes reading Paul, is to illuminate the role that neighbor-love plays in the transition from Judaism to early Christianity and to examine the form of a people (dis-)organized around this love. As Reinhard, Agamben, and others have noted, the figure of the neighbor poses a challenge to the possibility of thinking totality in politics.[6]

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[2] Jacob Taubes, *Ad Carl Schmitt. Gegenstrebige Fügung* (Berlin: Merve Verlag, 1987).

[3] Jan Assmann, *Herrschaft und Heil* (Munich: Hanser, 2000); Heinrich Meier, *Was ist Politische Theologie?* (Munich: Carl Friedrich von Siemens Stiftung, 2006).

[4] Kenneth Reinhard, "Paul and the Political Theology of the Neighbor" (working paper, UCLA Center for Jewish Studies Scholars' Workshop for Graduate Students, 2011). See also Kenneth Reinhard, "Toward a Political Theology of the Neighbor," in Slavoj Žižek, Eric L. Santner, and Kenneth Reinhard, *The Neighbor: Three Inquiries into Political Theology* (Chicago: The University of Chicago Press, 2005).

[5] Reinhard, "Paul and the Political Theology of the Neighbor," 1–2.

[6] Agamben argues that "for Paul, it is not a matter of 'tolerating' or getting past differences in order to pinpoint a sameness or a universal lurking beyond. The universal is not a transcendent principle through which differences may be

Consequently, if Paul's thinking of "all Israel" depends on a thinking of the neighbor, it must reflect an *all* that does not close upon itself, that remains somehow non-total or incomplete.[7]

The command to love one's neighbor as oneself first appears in the Old Testament alongside other injunctions from God to the Jews in Leviticus 19:18. Most scholars agree that the Hebrew term translated as neighbor, *reyacha*, means something like "fellow Jew."[8] The command rises in prominence in the New Testament when, on two occasions, Jesus announces that love of God and love of neighbor are the "two greatest commandments."[9] In the Septuagint, the Greek word for neighbor is *plesion*, "the one who is near."[10] When Paul re-introduces love of the neighbor in Romans, he presents it as the fulfillment of Jewish law:

> Owe no one anything, except to love one another; for the one who loves another has fulfilled the law. The commandments, "You shall not commit adultery; You shall not murder; You shall not steal; You shall not covet;" and any other commandment, are summed up in this word, "Love your neighbor as yourself." Love does not wrong to a neighbor; therefore, love is the fulfilling of the law (Romans 13:8–10).

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perceived—such a perspective of transcendence is not available to Paul. Rather, this 'transcendental' involves an operation that divides the divisions of the law themselves and renders them inoperative, without ever reaching any final ground." *The Time That Remains: A Commentary on the Letter to the Romans*, trans. Patricia Dailey (Stanford: Stanford University Press, 2005), 52.

[7] Eric L. Santner explains: "Agamben's claim is [...] that Paul divides both sides of the identitarian division such that neither side can any longer enjoy stable self-coincidence. The divisions become nonexhaustive, 'not-all'; they leave a *remainder*." "Miracles Happen: Benjamin, Rosenzweig, Freud, and the Matter of the Neighbor," in Žižek, Santner, and Reinhard, *The Neighbor*, 129.

[8] W. Gunther Plaut, *The Torah: A Modern Commentary* (New York: Union of American Hebrew Congregations, 1981); Baruch A. Levine, *Leviticus: Va-Yikra: The Traditional Hebrew Text with the New JPS Translation, JPS Torah Commentary* (Philadelphia: Jewish Publication Society of America, 2003); Adam Zachary Newton, *The Fence and the Neighbor: Emmanuel Levinas, Yeshayahu Leibowitz, and Israel Among the Nations* (New York: SUNY Press, 2000).

[9] Mark 12:28–31 and Matthew 22:36–40. All biblical citations are taken from *New Oxford Annotated Bible*, ed. Roland Murphy, (New York: Oxford University Press, 1991).

[10] See the entry for *plesios* in Henry George Liddell and Robert Scott, *An Intermediate Greek-English Lexicon: Founded upon the Seventh Edition of Liddell and Scott's Greek Lexicon* (New York: Oxford University Press, 1991), 647. Romans 13:9–10 are examples of *plesion* in the New Testament.

According to Taubes' reading of the passage, Paul's move is to omit a reference to the *love of God* in his letter to the Romans and to present *love of neighbor* as the fulfillment (*pleroma*) of all other holy Jewish laws:

> Kein Doppelgebot, sondern ein Gebot. Das halte ich für einen absolut revolutionären Akt. Ich bin zwar nicht firm im letzten Pingpong zum Doppelgebot, aber ich glaube doch, dass das zu den Urbeständen der christlichen Tradition von Jesus gehört. Und dass kann dem Paulus nicht entgangen sein. Deshalb ist das polemisch formuliert: nur das und das allein gilt.[11]

In Taubes' reading, this move can only be understood from the perspective of the one who founds a new people of God and who is subsequently concerned not primarily with individual redemption but with the establishment of a political order. Paul understands the law's fulfillment from a messianic perspective, which allows him to offer imperatives for proper living under the auspice of the Messiah's imminent return. Paul's acknowledgment that "the time is short" (1 Corinthians 7:29) reflects his understanding that the apostolic work to be done in this urgent historical hour will be one of summing up what has taken place on Earth until then. Thus the injunction to love one's neighbor as oneself, which Paul cites from Jesus and which originates in the Old Testament, appears as the "last" commandment, both final and ultimate, since it will sum up Jewish law just as the arrival of the Messiah amounts to a summation or recapitulation of history.[12]

Examining Taubes' theory of messianism will help further outline the theological-political stakes of Paul's love of the neighbor, essentially a messianic concept, because Paul offers it against the backdrop of a Messiah who has arrived to invalidate the law and who will soon return again. In his essay "Der Messianismus und sein Preis," Taubes' theory of messianism emerges from a pointed critique of the theory put forth by Gershom Scholem, his former mentor. Scholem blames messianic movements in the Jewish tradition for perpetuating a "Leben im Aufschub," an indefinite condition of waiting for redemption that forestalls political action and thus places the Jewish people outside of history.[13] Against Scholem, Taubes argues: "Der Rückzug aus der Geschichte ist vielmehr

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[11] Taubes, *Die Politische Theologie des Paulus*, 74.

[12] Agamben, *The Time That Remains*, 75.

[13] Gershom Scholem, "Toward an Understanding of the Messianic Idea in Judaism," trans. Michael A. Meyer, in *The Messianic Idea in Judaism* (New York: Schocken, 1971), 1–36.

die rabbinische Position, der Standpunkt, der sich gegen jede messianische Position, der sich gegen jede messianische Laienbewegung stellte, und jede messianische Entladung a priori mit dem Stigma des 'Pseudo-Messianischen' versah."[14] Taubes' argument identifies messianism as the element of Jewish tradition most oriented toward political change: every attempt at realizing a messianic idea is an attempt to step onto the stage of history.[15] Taubes' political reading of messianism places him in the company of Walter Benjamin and Giorgio Agamben. In his own book on Paul, Agamben acknowledges his debt to Taubes for identifying the affinity between the messianic logic of Romans and Benjamin's writings, "Theologisch-politisches Fragment" and "Über den Begriff der Geschichte."[16]

One of Taubes' central claims is that the letter to the Romans functions as a double-pronged polemic aimed simultaneously at Jewish religious law and Roman civil law, which together contributed to a sheer "Apotheose des Nomos."[17] Paul declares war, as Taubes sees it, on the law "mit einer Umwertung der Werte: Nicht der Nomos, sondern der ans Kreuz Geschlagene durch den Nomos ist der Imperator."[18] In executing the Christ, the law wants to inscribe its end within its own jurisdiction and effectively make the end of the law a legal matter, much as Carl Schmitt's sovereign aims to do. But from Paul's perspective, the Messiah's resurrection proves that the law's authority has been, as Agamben puts it, "rendered inoperative."[19]

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[14] "Der Messianismus und sein Preis," in *Vom Kult zu Kultur. Bausteine zu einer Kritik der historischen Vernunft* (Munich: Wilhelm Fink Verlag, 1996), 49.

[15] Ibid., 48–49. Taubes adds that the realization of any messianic idea requires a "Verwandlung" in order to become historical: "wenn man unwiderruflich in die Geschichte eintreten will, muss man sich unbedingt vor der Illusion hüten, die Erlösung....fände auf der Bühne der Geschichte statt. Denn jeder Versuch, die Erlösung ohne Verwandlung der messianischen Idee auf der Bühne der Geschichte zustande zu bringen, führt direkt in den Abgrund" (*Die Politische Theologie des Paulus,* 49). The nature of this Verwandlung, which would seem to include Paul's development of the conscience as an example, remains problematic, as Taubes offers little in the way of justification for why this Verwandlung would prevent a messianic movement from remaining in the confines of a "Leben im Aufschub."

[16] Agamben, *The Time That Remains*, 140; Taubes, *Die Politische Theologie des Paulus*, 97–105; Santner, "Miracles Happen," 126.

[17] *Die Politische Theologie des Paulus*, 36. Taubes acknowledges that what Paul exactly means by *nomos* is unclear and thus takes advantage of the term's ambiguity in Paul's letters to assign it to both Roman and Jewish contexts.

[18] Ibid., 38.

[19] Agamben, *The Time That Remains*, 108.

Taubes' reading allows us to read Paul as requiring a sort of theological secret weapon to justify a community founded on the abrogation of *nomos* to the Jewish people; he must demonstrate that his attempt to radically invalidate the law has a basis in the Old Testament. This secret weapon is pneumatic interpretation, a reading according to the spirit rather than according to the letter, which would allow him to anchor the love-commandment in the tenets of Judaic law and fashion the notion of a universal community out of the divine election of the Jewish people.

For Taubes, Paul's pneumatic reading arises in part from his need to bridge the Jewish and Gentile communities and in part from his desire to "outbid" Moses, since his efforts to legitimate a new people in light of the Messiah must reckon with a debt to his symbolic father. Reading Romans with Exodus, Taubes claims that "Paulus vor dem selben Problem stand wie Moses. Das Volk hat gesündigt. Es hat den Messias, der zu ihm gekommen ist, verworfen."[20] To secure their people against destruction, both Moses and Paul must neutralize God's anger. The theological case that Paul makes to provide this security, however, requires a hermeneutic sleight-of-hand in which he shifts the identity of Israel. This occurs when Paul attempts to reconcile the Jew's rejection of the Messiah with Christian *Heilsgeschichte* through a reading of Deuteronomy, in which God, angered by the Jews' worship of false idols, threatens to make them jealous by adopting another people as his chosen one. In Romans 10–11, Paul lays out his reading of God's threat in Deuteronomy:

> Again I ask, did Israel not understand? First Moses says, "I will make you jealous of those who are not a nation; with a foolish nation I will make you angry." Then Isaiah is so bold as to say, "I have been found by those who did not seek me; I have shown myself to those who did not ask for me." But of Israel he says, "All day long I have held out my hands to a disobedient and contrary people" (Romans 10:19–21). [...] So I ask, have they stumbled so as to fall? By no means! But through their stumbling salvation has come to the Gentiles, so as to make Israel jealous. Now if their stumbling means riches for the world, and if their defeat means riches for Gentiles, how much more will their full inclusion mean! (Romans 11:11).[21]

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[20] *Die Politische Theologie des Paulus*, 54.

[21] In a metonymic shift, Paul says "Moses" here when he undoubtedly means "God" (or, "Isaiah"), since it is unmistakably God in Deuteronomy who pronounces his displeasure at the Jews. This invocation of Moses should be read, following Taubes, as a further example of the symbolic weight that Paul's Jewish precursor carries in his efforts to justify a new Christian community theologically.

Paul identifies Deuteronomy's people "who are not a nation" as the Gentiles. In this light, the Gentiles' salvation is made possible by the Jews' violation of covenant law: God's provocation will cause the Jews to repent and seek God's blessing, and in doing so, they will become united with the Gentiles under God. Paul's reading thus transforms the devastation of the Jews, their falling-away from God, into the divinely ordained precondition for universal redemption.

Taubes asserts that a salvation open to both Gentiles and Jews requires "ein Universalismus, der aber die Erwählung Israels bedeutet. Nur dass Israel jetzt transfiguriert wird, und dann am Ende ein '*pas* Israel' steht. Über dieses *pas*, *pan* bei Paulus müsste man sehr viel nachdenken; das ist ein Schlüsselwort."[22] In Paul's theology, *Israel* ceases to refer exclusively to the Jewish people and morphs into *pas Israel* ("all Israel"), whose political identity can, according to Taubes, only be grasped in its relation to the role of love in the community. To this effect, Taubes announces that the whole "Fuge von Korinther 1 bis 14 sich um das Wort *pas* dreht, das im Zusammenhang mit Erkenntnis falsch ist und im Zusammenhang mit Liebe richtig ist."[23] Paul's theology of *pas Israel* seeks to re-draw the line between Jew and non-Jew, an act that would perform a kind of fulfillment of the law by sublating it into a logic of neighborliness governed by the suspension of divisions that the law perpetuates.[24]

The theology of *pas Israel* does not mean that under Paul there are no more Jews, even if this is exactly what he appears to say in Galatians 3:28: "There is neither Jew nor Greek [i.e. Gentile] slave nor free, male nor female, for you are all one in Christ Jesus." This is one of Paul's most extreme pronouncements, providing ample fodder for reading him as a straightforward universalist, as Alain Badiou has done.[25] Yet Taubes' reading reminds us that one of the great challenges of reading Paul lies in thinking the simultaneous suspension *and* continuation of particular

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[22] *Pan* (πᾶν) is the neuter form of *pas* (πᾶς), the Greek word for "all."

[23] *Die Politische Theologie des Paulus*, 38.

[24] As Badiou and Agamben point out, the law functions, for Paul, to produce divisions, which it implants in a variety of fields. Alain Badiou, *Saint Paul: The Foundation of Universalism*, trans. Ray Brassier (Stanford: Stanford University Press, 2003), 81; Agamben, *The Time That Remains*, 49. The most immediately apparent division in Paul's epistles is that which the law establishes between what is permitted and what is sinful. In Romans 7, Paul offers a remarkably proto-psychoanalytic reading that deconstructs this division by asserting that the very desire to commit a sin is produced by the division of the law itself. In the political field, the law's division between Jew and non-Jew is primary.

[25] See Badiou, *Saint Paul*, 57.

identities generated by the law. The challenge is made in both Romans 13, at the moment of Paul's seemingly out-of-character admonition to obey earthly authority, and in Corinthians 7, with its litany of injunctions to live "as though" (*hos me*):

> the appointed time has grown short; from now on, let even those who have wives be as though they had none, and those who mourn as though they were not mourning, and those who rejoice as though they were not rejoicing, and those who buy as though they had no possessions, and those who deal with the world as though they had no dealings with it. For the present form of this world is passing away (1 Corinthians 7:29–31).

The curious double status of the Christian subject offered here, who lives both in the world and "as though not," would seem to contradict Paul's direct negation of ethnic identities in Galatians, unless it is considered in light of the suspension of the law in love.

Paul's pronouncement in Romans leaves several further hermeneutic problems. Above all, what happened to the love of God? I argue that it hasn't been lopped off by Paul but now must occur through the perpetuation of the social bond. But if the figure of the neighbor interrupts a thinking of the One on a political level, as Reinhard argues, then this might interrupt the possibility of directing love towards a monotheistic deity as well.[26] If Paul subsumes love of God into love of the neighbor, it has repercussions for his notion of God. The Hebrew God was the God *of* the Jewish people. But if the notion of "the people" has radically changed under Paul, then *of whom* is Paul's God?

Another problem is the difficulty of parsing the specular indeterminacy of loving the neighbor *as oneself*. If I am to love the neighbor as myself, what is it that allows the neighbor to appear as something other than my own reflection? Why not love my neighbor qua neighbor? Yet if I direct toward my neighbor the same love I give myself, then I am no longer myself, no longer singled out, and can no longer grant my individuality an exceptional status apart from others. Pauline neighbor-love, then, would not connote the specular reduction of alterity but the dissolution or suspension of my own individuality in the communal body of Christ—a parallel condition, I argue, to that of the Jewish people in Paul's theology, who retain their elected status but at the same time now share salvation with the Gentiles.

Who, then, is the neighbor? Reinhard claims that the ambiguity of the neighbor's identity in Paul is, from a political perspective, precisely the

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[26] Reinhard, "Toward a Political Theology of the Neighbor," 64–75.

point: emerging out of the Christ's sublation of the law and its divisions, the neighbor contributes to the disruption of political identities.[27] The figure of the neighbor cannot be used to constitute a positively-determined group. Likewise, the neighbor interrupts the Schmittian form of political organization based on the distinction between friend and enemy, because the neighbor, *the one who is near*, can be either a member of the political or social group in which I self-identify, or a member of the group adjacent to my own.[28]

While Taubes' lectures focus heavily on the "Ver-bund" of the Pauline community, they do not address the identity of the neighbor and they relegate the workings of neighbor-love to a discussion of love as an admission of need. In *The Time That Remains*, Agamben provides a more detailed description of the neighbor without explicitly using the term. Agamben gives little explicit attention to the thematics of love or neighborliness in Paul, preferring to focus on the messianic "remnant" of Israel as Paul's key political motif. I argue, however, that the figures of the neighbor and the remnant are intertwined in Paul. They are different names for the community, or ways of thinking it, which emerge when the law and its divisions are suspended.

For Agamben, the "remnant of Israel," first mentioned in Isaiah 10 and cited by Paul in Romans 11:5, does not refer to a particular group in Paul's theology, but rather to a unique form of political organization. Agamben calls this the "not-all," likely borrowing the term from Jacques Lacan's formulation of sexuation.[29] Analyzing the formation of Paul's messianic community, Agamben asserts that "at a decisive instant, the elected people, every people, will necessarily situate itself, as a remnant, as a not-all."[30] Agamben's conception of the Pauline remnant forecloses the possibility of reading Paul as a universalist in the sense of someone who offers a totality that would merely subsume all differences. Instead, the remnant

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[27] Reinhard asks of the neighbor: "is it singular, a collective plural; does it mean "fellow Israelites" or "strangers," non-Jews? Only monotheists or pagans and nonbelievers too? The understanding of the command's scope varies over time, reflecting the more exceptionalist or universalist values current in a particular historical situation." "Paul and the Political Theology of the Neighbor," 24.

[28] Carl Schmitt, *Der Begriff des Politischen* (Berlin: Duncker & Humblot, 1932), 28–37.

[29] Jacques Lacan, *On Feminine Sexuality: The Limits of Love and Knowledge, Encore 1972–1973*, ed. Jacques-Alain Miller, trans. Bruce Fink (New York: W.W. Norton & Company, 1998).

[30] Agamben, *The Time That Remains*, 55; Santner, "Miracles Happen," 129.

allows for a new perspective that dislodged our antiquated notions of a people and a democracy. The people is neither the all nor the part, neither the majority nor the minority. Instead, it is that which can never coincide with itself, as all or as part, that which infinitely remains or resists in each division.[31]

For Agamben, the impossibility of the people coinciding with itself governs the structure of messianic life lived according to the *as if* of Corinthians. Living *as if* under the law means being under the grace of God rather than the law; it also means confronting the impossibility of "being oneself," or identifying the subject as the sum of its determinate qualities.[32]

To describe Paul's political theology, Agamben rejects the term 'universalist,' but I argue instead that Paul's theology can be considered a universalism that cannot be totalized, and that the impossibility of arriving at a political totality is what somewhat paradoxically serves as this universalism's condition of possibility. Paul wishes to gather all the people, *pan Israel*, but the only way to do so is to gather the *not-all*. The Jewish covenant, predicated on the notion of the Jews as the chosen people, is only possible if the Jews are identifiable as a distinct people. Paul's *Ver-bund* of love, on the other hand, is no longer a covenant strictly speaking, because it bypasses the structure of obedience at work in the Jewish covenant and no longer constitutes a people in the same way. As Taubes' reading of Paul implies, the love of one's neighbor does not gather a people together according to *nomos* or *ethnos*. Paul's people differ from those who could sign a contract with God or even send a representative, as the Jews sent Moses. Without *nomos* or *ethnos*, they are not a distinct group, but rather the remnant of all groups, "the rubbish of the world, the dregs of all things," in Paul's words.[33] To love the neighbor as oneself means not only addressing one's need for others, as Taubes claims, but also confronting the very division of self and other, insofar as the neighbor is what emerges as the excess of that division.

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[31] Agamben, *The Time That Remains*, 57.
[32] See Vivian Liska, "As if not. Giorgio Agamben reading Kafka," in *Messianism and Politics. Kabbalah, Benjamin, Agamben*, ed. Vittoria Borso, Claas Morgenroth, Karl Solibakke, and Bernd Witte (Würzburg: Königshausen und Neumann, 2010), 159–174.
[33] 1 Corinthians 4:13.

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CHAPTER TWO

DANGEROUS AFFINITIES?
JACQUES DERRIDA, WALTER BENJAMIN,
CARL SCHMITT, AND THE SPECTER OF A
DECONSTRUCTIVIST THEODICY

MARTIN G. WEISS

> Affinity—the word in Latin clearly means neighborhood.[1]
>
> —Fritz Mauthner

> In the mountains the shortest way is from peak to peak, but for that route you must have long legs.[2]
>
> —Friedrich Nietzsche

Walter Benjamin, Carl Schmitt, and Jacques Derrida all came across the disturbing fact that law, in both its establishment and its enforcement, can never be completely justified. In the end, it is impossible to give reasons for law-making (*gesetzgebende*) or law-preserving (*gesetzerhaltende*) power/violence (*Gewalt*), a fact Derrida calls the '*épokhè* of the rule.'[3] Although all three thinkers agree on this point, the consequences that they draw from it are very different and their mutual 'affinities' remain a highly

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[1] Fritz Mauthner, *Wörterbuch der Philosophie. Neue Beiträge zu einer Kritik der Sprache. Bd. 1* (Leipzig: Meiner 1923), 19: "Affinität – Das Wort bezeichnet im Lateinischen deutlich die Nachbarschaft" (my translation).

[2] Friedrich Nietzsche, *Thus Spake Zarathustra*, trans. Thomas Common (Amherst: Prometheus Books, 1993), 65.

[3] Jacques Derrida, "Force of Law: The 'Mystical Foundation of Authority'," trans. Mary Quaintance, in *Deconstruction and the Possibility of Justice*, ed. Drucilla Cornell, Michel Rosenfeld, and David Gray Carlson (New York: Routledge, 1992), 22.

contested matter. [4] Samuel Weber argues that Benjamin's concept of sovereign decision has nothing to do with Schmitt's decisionism, even though Benjamin explicitly acknowledges how much his own discussion of sovereignty and decision in *The Origin of German Tragic Drama* owes to Schmitt. [5] According to Weber, the radical decision envisioned by Schmitt is based on the possibility of transcendence, since the decision, for Schmitt, marks a radical rupture, or interruption, of the present and an incursion of the 'unconditioned' into reality. For Benjamin, on the other hand, modernity is characterized by radical immanence, so that the decline of transcendency makes a sovereign (i.e. an irrevocable) decision impossible, because it is impossible to conceive of "an absolute and absolutely definitive and ultimate decision." [6] In Weber's analysis, therefore, Benjamin argues for the necessity of 'eternal revision,' at least in modernity. [7] But even if Weber's interpretation of Benjamin is right in its emphasis on the increasingly difficulty, since the Baroque period, in conceiving of Schmitt's radical notion of decision, it is also plausible to link Benjamin's concept of 'divine violence,' an event of singularity and incalculable discontinuity, to Schmitt's notion of decision. It may be true that the age of the *German Tragic Drama*, [8] modernity, is unable to think transcendence, but there is also good reason to believe that Benjamin's thinking aimed precisely at overcoming this historic situation, as I will argue in my analysis of Benjamin's *Critique of Violence.* [9]

Comparing the theoretical positions of Derrida, Schmitt, and Jürgen Habermas, Camil Ungureanu concludes that Derrida and Schmitt agree on the essential 'unconditionality' or 'normlessness' of ethico-political decisions, unlike Habermas, but there is nevertheless a profound difference in the way Schmitt and Derrida interpret the concept of decision. According to Ungureanu, Schmitt ends up advocating an arbitrary

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[4] Samuel Weber, "Taking Exception to Decision: Walter Benjamin and Carl Schmitt," *Diacritics* 22, no. 3–4 (1992): 5–18; Camil Ungureanu, "Derrida on Free Decision: Between Habermas' Discursivism and Schmitt's Decisionism," *The Journal of Political Philosophy* 16, no. 3 (2008): 293–325.

[5] Walter Benjamin, *Der Ursprung des deutschen Trauerspiels* (Frankfurt am Main: Suhrkamp, 2000); Walter Benjamin, *The Origin of German Tragic Drama* (London: Verso, 2009).

[6] Weber, "Taking Exception to Decision," 18.

[7] Ibid.

[8] Benjamin, *The Origin of German Tragic Drama*.

[9] Walter Benjamin, "Critique of Violence," in Walter Benjamin, *Reflections: Essays, Aphorisms, Autobiographical Writings*, ed. Peter Demetz, trans. Edmund Jephcott (London: Shocken, 1986), 277–300.

decisionism, whereas Derrida stresses the necessity of an endless process of perfectibility, inspired perhaps by Benjamin's plea for 'eternal revision,' which was highlighted in Weber's interpretation.[10]

The point of departure for this article is Derrida's essay *Force of Law*, which provides a detailed and critical reading of Benjamin's *Critique of Violence*. This article represents a first step in elaborating on the radical discontinuity and the abyssal groundlessness of law-making and law-preserving acts, which are described in Benjamin's text and designated by Schmitt and Derrida as 'decision.' With the notion of a radical decision, Schmitt and Derrida attempt not only to fill the gap between the general norm and its application to a particular case, but also to clarify how legal order itself is established.

The second part of this article tackles the question of how Benjamin, Schmitt, and Derrida deal with the problem of introducing a decisonist element, by definition irreducible and groundless, into legal and political discourse. I demonstrate that Benjamin does not elaborate on the mythical moment in which—through decision—the general norm is applied to a particular situation, whereas Schmitt ultimately defends radical decisionism and the idea of unquestionable command and unconditioned obedience. Reflecting on this highly problematic outcome, Derrida postulates the ideal of potentially endless deliberation, which must precede every decision but is always interrupted (and always too early) due to human limitations and the finitude of knowledge. At the same time, however, these are the very conditions for the possibility of the decision.

In the end, this article problematizes Derrida's suggestion that, on the basis of Benjamin's concept of divine violence, one could confer a deconstructivist, anti-representational 'meaning' to the Holocaust, insofar as one might, inspired by Benjamin, identify the 'worst' with the unrepresentable singularity, raising the specter of a weird deconstructivist theodicy.

The Groundlessness of the Law

In his *Critique of Violence*, Benjamin discusses the essence of private, non-governmental violence and states that governments react fiercely to such forms of unsanctioned, illegitimate violence. According to Benjamin, this harsh governmental reaction is not motivated by the will to preserve particular goods but rather by the fear that private, non-governmental violence could undermine the legal order itself.

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[10] Ungureanu, "Derrida on Free Decision," 293–325.