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Abstract

The concept of law and the associated figure of Moses have recently received much attention: last year alone two books about Moses were published.1 This recent interest bespeaks the necessity to reflect upon law for informed debates about theology in its relation to communal issues.2 Gillian Rose often warned against a perception of Judaism as 'pure' ethics without strong relations to both theology and politics.3 Jewish law is theological and political such that it cannot be separated form coercion as well as from love or charity. Its coercion, however, takes care of the specific of the singular: law as charity does not lord over the world, but asks to be questioned from different perspectives, asks to be applied in new forms from context to context.4 Law as charity aims to preserve the life of specific individuals, or groups of individuals: it protects persons rather than things.5 Rather than being like Roman law, identified with dominum (see Milbank 1990: 12), Jewish law is related to the actions and anxieties of specific people in specific circumstances, making use of coercion not for the sake of the interest of property but with the concern of keeping life as undamaged as possible.

Law & The Sacred: Law and Charity Walter Benjamin, Leo Strauss, Georg Simmel, Franz Baermann Steiner

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Charity, Law and Community: Gillian Rose and John Milbank

The concept of law and the associated figure of Moses have recently received much attention: last year alone two books about Moses were published.1 This recent interest bespeaks the necessity to reflect upon law for informed debates about theology in its relation to communal issues.2 Gillian Rose often warned against a perception of Judaism as 'pure' ethics without strong relations to both theology and politics.3 Jewish law is theological and political such that it cannot be separated form coercion as well as from love or charity. Its coercion, however, takes care of the specific of the singular: law as charity does not lord over the world, but asks to be questioned from different perspectives, asks to be applied in new forms from context to context.4 Law as charity aims to preserve the life of specific individuals, or groups of individuals: it protects persons rather than things.5 Rather than being like Roman law, identified with *dominum* (see Milbank 1990: 12), Jewish law is related to the actions and anxieties of specific people in specific circumstances, making use of coercion not for the sake of the interest of property but with the concern of keeping life as undamaged as possible.

As coercion, law needs to be separated from its idealisations; such as constituting participation in a redeemed community in which there are acts of 'pure' love free from any coercion. Instead, as I will show in this article, law fulfils a necessary theological and political role in a world that cannot be called redeemed. However, the fact that law risks acts of injustice does not necessitate its political or theological abolition, rather law needs to be thought of as imperfect, and therefore as asking to be critically questioned by the contexts to which it is applied. Rose conceives of law as entailing a constant learning process, driven by, as I would argue, a concern for charitable deeds; that is to say, for actions aimed at the protection of life.6 This exactly describes Rose's opposition of *action beyond action* to Levinas' *passivity beyond passivity* (see 1996: 37). The constant reflection upon possible misapplications and misinterpretations of law, the constant questioning of law through the specific contextualities of its application, also prevent the idolisation of the law.

Developing Gillian Rose's point, John Milbank has spoken of a "pre-reflective criticality, adequate to theology", which distinguishes the Hebrew Bible from other ancient texts. 'Pre-reflective' refers to the avoidance of any static categorical imperatives. 'Criticality' denotes a constant questioning approach to the meaning of law as performed in social practice and as understood in the sense of a restless search for charity by means of which we collaborate with our creator on the mutual quest for a regained *imago Dei.* Law guards against idolatry, which ruptures the covenant between God and man, and on a social level creates an inflated world of objects; a sanctification of property, as opposed to charitable law that helps to create a world in which man can live in some distance to dangers inherent in the objects of a fallen world. As Milbank makes clear, a critique of the idolatrous reign of things over men and women can only be launched from the perspective of a God who refuses to be imaged (1997c:133) and, as Jakob Milgrom has pointed out, makes the preservation of life the absolute value for all human actions (Milgrom 1983: 102-103). Law stands in the service of God's creation, and as a servant it needs to be open to criticism. Different oral interpretations of the written law constitute, in Rose's sense, a political-theological exercise.7 Recently Arthur Jacobson has argued that this questioning of the Law, this recognition of its imperfection, is based precisely on the necessity to collaborate with Yahweh in the work of the reinstitution of a prelapsarian condition. The human potential of being created in His image can however only be set free by an awareness of the *humana condicio,* which implies the necessity of improving present failings. This point will be discussed in the final part of this article.

If there cannot be acts of charity without law, there cannot be law without a concern for charity. This is, I think, what needs to be learned from the dialogue between Gillian Rose and John Milbank. Rose criticises a political theology which does not pay attention to the modern "diremption between moral discourse of rights and the systematic actuality of power within and between modern states" (1993: 46). I would argue that behind this critique of a split between an idealist discourse and the gruesome reality of modern social practice lies the separation of law from charity. John Milbank has underlined the importance of law for Christian practice and significantly his starting point is precisely the recognition

that "Jesus' death quite manifestly did *not* redeem, did not bring in the reign of peace, reconciliation and eternal life" (Milbank 1997c: 147). From this perspective the interrelationship between law and charity can be discussed. As will be shown in an examination of Walter Benjamin's rejection of law in the name of a messianism that affirms political nihilism, law as a way of dealing with danger and violence has only political and theological necessity in a world that is fallen. In the same manner, only in such a fallen world need one be critical about the right application of law and the perversion of 'good intentions' bodied forth in works of love. Law that remains true to the spirit of the nonviolation of life on earth (that is to say love) needs to be capable of different meanings in different contexts, and this mobility of application goes hand in hand with the fluidity of meaning in language, most of all in poetic language. It is against this background, that Milbank speaks of "ethical activity" that "always occurs within the bounds afforded by our poetic representation" (1997c: 129). The range of applications of a word in the poetic, that is to say in a multi-situational understanding of language, lays down the bounds in which we can apply the concept of law to charitable actions. However, as words refer to other words, so the concept of law refers to the possibility of the infinite enactments of its spirit. Milbank speaks in this context of "a dialectic of duty and possibility, in which duty always has its legitimate moment, and the 'discovery' of the true poetic bound is in the Old Testament a gradual and never-ending process" (1997c: 134). Participation in this process of action, and reflection upon the failure of action in the latest context (a failure which might be prevented in a new one), precisely enacts law in charitable deeds as part of a collaboration with the creator in a fallen creation in which, rather than human mistakes, the inability to learn from these mistakes and apply this learning to new actions constitutes sin: "it is our failure to remain in this process that makes wrong-doing assume the ontological seriousness of sin" (Milbank 1997c: 134).

Milbank's Christiology hinges upon the necessity of a valid communal practice. As with Rose, for Milbank the separation of politics and religion issues in a 'well-intentioned' pietist inwardness that remains indifferent to, or even perpetrates, ruthless egoism in the external world of 'business'.8 For charity to be able to inform the structure of society, the validity of social actions needs to be grounded in law. This split between the outward and the inward prevents a charitable social practice. The lack of such charitable social practice is attributable precisely to a universal law that has to be followed so rigidly that it prevents any concrete application. We shall see how Georg Simmel criticises Kant's categorical imperative from this perspective. Strikingly, Rose and Milbank meet exactly in their critique of universalism, with the difference, however, that Rose focuses on law and Milbank on charity. Rose argues that the concentration of legitimised violence in libertarian societies falls in place with the establishment of an abstract, universal law. Local conflicts are dealt with by the application of a universal norm that is enforced through non-local means; namely, by those who hold the monopoly on legitimate violence. The enforced imposition of the universal on to the local creates injustice and calls into question the legitimacy of violence; thus, ironically, justifying illegitimate counter-violence. This describes the separation of legality and morality which Rose perceives in Kantian philosophy. A Kantian transcendentalism translates into legal positivism and into religious pietism; both inhabit two divided spheres. This positivist and transcendental diremption between legality and morality or legitimacy furthers the cause of fascism.9 It is universal law which calls into question the legitimacy of legality:

> Fascist movements want universal law to apply so that they may have no rivals in their use of non-legitimate violence. They represent the triumph of civil society, the realm of individual need, the war of particular interests (Rose 1996: 60).

Fascism as the law of outright violence, as the struggle of power that guides actions of social life, has universal law as its collaborator. For the universal prevents any meaningful localised application of law -- thus deconstructing justice as injustice, law as anti-law, provoking violent action by all those who see themselves let down or attacked by the centralised monopoly of legitimate violence that enforces universal law, and that imposes the universal on to the specific.

Similar to Rose who criticises universal law, Milbank debunks an abstract conception of charity. Milbank argues for the priority of Christ's narrative over charity, precisely on account of our knowledge of Christ's concrete deeds as narrated in the New Testament:

> Paul and John elevate charity in the light of Christ, which means that they only glimpse the possibility of charity as a creative goodness which forever presents man with new and appropriate opportunities in particular situations because they already perceive in Christ's entire activity the plenitude of such a performance (Milbank 1997c: 137).

To elevate charity in the light of Christ means to discard an abstract notion of charity for one which perceives of the concept only through concrete actions as unfolded in narratives and as inviting further unfolding in the lived actions of contemporary society: "This *accuracy* of charity as a creative act... cannot be known at first as an abstract possibility, but only as an already realised one" (Milbank 1997c: 137). So the situationality in the narratives of the gospels has to be applied to the situationality of ever-new social situations. Charity as realised through Christ in the gospels is to be created ever anew in ever changing contexts.

> Like charity and law, Christ, however, needs to be guarded against the danger of idolatrous worship. It is against this background that Milbank interprets the crucifixion and Christ's suffering, his 'imperfection', the 'broken signs' of his narratives:

One paradoxical reason for our recognition of Christ as the true sign is that all the signs he offers are broken signs that offer their internal asymmetry as a testimony to their inadequacy and to the infinite distance between humanity and God (Milbank 1997c: 137).

Similar to the broken signs of the New Testament, signs of Mosaic law are literally broken. Moses breaks the tables of the law, when he sees Israel worship the golden calf. The breaking of the tables of the law turns the signs of the law into broken signs, thus averting the semblance of perfection which would inspire idolatry.10 The representations of law in the Hebrew Bible and of Christ (charity) in the New Testament stress imperfection and in doing so welcome the ceaseless supplementation of denotation as the preclusion of an idolatrous reign of things over men and women. As a corollary of this, Rose's critique of *static law* features in Milbank's criticism of a *static understanding of charity*.

What, however connects concrete law with concrete charity? Does Paul not play off law against charity? Does he not reject the letter of the law for the sake of the spirit of love? This binary opposition between law and charity bears some responsibility for Christian anti-Semitism.11 Christianity established its identity on the abolition of law. This process found its culmination in the Reformation, when the abolition of law resulted in the subordination of religion to politics (see Rose 1992: 164). Milbank argues that much of the blame for the establishment of a deconsecrated, *static* kind of law falls on Christianity. Once "charitable bonds had failed to uphold community, then the aid of new legal forms had to be sought: forms thoroughly desacrilized through the impact of Christianity itself" (1990: 433). From the twelfth century onwards, Milbank sees the introduction of a "rationalistic, formalized approach to law" which deals with "pure possession and control" (1990: 433). Thus, having abolished the charitable political theology of Jewish law, Christianity -- after the failure of pure charity without structured norms of social behaviour -- reintroduces the monopolisation of legitimate violence that serves the objectified interests of the ruling classes that characterises Roman law. Does the Bible, however, play off charity against law, and law against charity?

Recently Milbank has stressed that Jesus did not abolish the law, though he has often been misinterpreted as doing so; rather he tried to continue the life of Israel in a new form. As if to accentuate the continuity of law within the charitable practice of Jesus, Milbank writes "Jesus... figures in the New Testament as a new Moses, the founder of a new renewed law and community" (1997c: 152). Rose has repeatedly emphasised that "posited communal love translates into the social violence of individuals" (1992: 156). Milbank therefore depicts Jesus not as a god-like individual who is far removed form society, but, on the contrary, as the founder of community. Community here does not body forth love as 'well meaning' intention but as giving shape to a new *Logos* (see Milbank 1997b: 273). According to Milbank, the theologian needs to reflect upon this *Logos*, which means she needs to "identify" Jesus "with the *general norms* of [his] practice" as narrated in the gospels (1997c: 22). The non-identical repetition of Jesus's story in ever-changing contexts is built on these general norms which give life to structured transformations. The terms 'general norms' and 'structured transformation' all indicate that charity cannot be thought of as a social practice without law (Milbank 1997c: 22).

Against this background, one might well ask why Christianity established a binary opposition between law and charity. Why did Paul misinterpret Jewish law as *static*, as only being capable of following the dead letter, without applying its spirit to specific contexts? Did he project the static character of Roman law on to Jewish law? Rose implies such a thesis when she writes that "historical Christianity... ironically, attributes to Judaism, the religion and people of the living law, the externality of law learnt

from *pax Romana*" (1992: 101). In an important book on the political theology of Paul, the Judaist Jacob Taubes has recently argued that Paul's letters to the Romans need to be seen as a declaration of war (*Kampfansage*) against the Roman empire (1993: 27). Does this mean that Paul openly attacks Roman values? On the contrary, Taubes conceives of Paul's criticism of Jewish Law as a compromising notion (*Kompromibformel*), which refrains from an open declaration of war on Roman values (see 1993: 36). The Roman appears as the Jew. Taubes affirms Milbank's view of the gospels as narrating the life of a new Moses by pointing out how Jesus' biography bears resemblance to that of the founder of Israel. The gospels do renarrate the *Heilsgeschichte* of Exodus; after all Jesus has to flee from Egypt following God's guidance (Taubes 1993:57). The exodus from Egypt inevitably has strong associations with both a liberation from slavery and the foundation of a new, liberated people. Paul is serious about the election of Israel by God. He even wishes that he himself "were accursed and cut off from Christ for the sake of my brethren, my kinsmen by race" (Romans 9: 3). Paul establishes the continuity of Israel's election: Jesus can be seen as the Christ within the history of God's elected people ("to them... is the Christ" (Romans 9: 4)). Taubes shows that Paul perceives himself as one of Israel's prophets in the form of an apostle of the Jews to the Gentiles (*Apostel der Juden zu den Heiden*) (1993: 67).

Paul's differentiation between the pneumatic (the spirit of Israel) and the natural (the people of Israel) itself features in the Jewish differentiation of *goy* and *am.* As Franz Baermann Steiner has argued, *goy* represents the people as a political and natural entity without a public way of life according to spiritual norms, whereas *am* denotes Israel as theological-political entity (see Steiner n.d.). In this context Taubes refers to the Thora and to the prophets (Hosea) who very well differentiated between Israel according to the flesh and Israel according to the spirit (1993: 69). Paul's mission as a Jew to the Gentiles is intended to make Israel envious of pagan people who have become part of the new Israel by virtue of their belief in the Messiah Jesus Christ. Taubes shows that Paul's strategy is not at odds with Moses, or a prophet like Isaiah who contrasts the disobedience of Israel with the obedience of a Gentile people (1993: 70-71).

What, however, are the differences between the old and the new Moses? As a new Moses, Paul founds a new Israel, which is characterized by an "obedience to faith" ("*Gehorsam des Glaubens*") that polemically replaces an "obedience to law" ("*Gehorsam der Gesetze*") (Taubes 1993: 25). What does Paul's faith embrace? Paul's faith in the Messiah Jesus participates in the keeping of the law. This is a paradox. For why should Paul polemically replace old law with new faith if, in the final analysis, obedience to this new faith entails obedience to the old law? Paul himself makes this participation clear, when he writes: "Do we then overthrow the law by this faith? By no means, we uphold the law" (Romans 3: 31). As the founder of a new community, Paul needs law. Why then his attacks upon the law? I would argue that Paul means two types of law when he uses a single word. One is Roman, the other is the old Jewish law to which Paul wants to connect the new people of Israel. The confusion can be explained with reference to Paul's attempt at finding a sympathetic audience amongst Gentiles. When he criticises law he means Roman law, when he appreciates law he means Jewish law. This makes sense especially if one keeps in mind Paul's wish for continuity with the old Israel to which Christ belongs. It also affirms Jesus who says that he has not come to break the law, but to fulfil it. Paul's new Israel is a community based on a promise rather than on natural kinship; and this promise can only be fulfilled through keeping the law. It is a promise which does not endorse a radical dualism between immanence and transcendence, but one that is built on faith; a faith which makes possible a life according to the law. *Only the law gives notification of where exactly sin lies.* ("The promise to Abraham and his descendants, that they should inherit the world, did not come through the law but through the righteousness of faith" (Romans 4: 13).) *Faith, however, enables the avoidance of sin which in turn means the upholding of the law.*

We can conclude this section, by confirming the necessity of a thinking together of faith/charity and law. The fruitfulness of such thought has, I hope, been illustrated by my discussion of the dialogue between Gillian Rose and John Milbank. As the last part of this section has shown, Paul cannot be used as Biblical authority for a binary opposition between law and charity, which then becomes the source of an anti-Semitic confrontation between love and wrath, between the lifeless letter and the charitable spirit of the letter. Polemically, Moses Mendelsohn has used such an opposition in his critique of modern Christianity. He defends Jewish law and the rituals with which it is enacted as a bringing to life of the dead letter. Whereas in the Gentile world "everything is dead letter, and nowhere can be found the spirit of living dialogue" ("*alles ist toter Buchstabe, nirgends Geist der lebendigen Unterhaltung*") (Hartwich 1997: 62). An opposition between charity and law only makes sense in a deistic theological system, precisely because Deism does not attach importance to society as a way of enacting God's word.

Taubes singles out Deism and German Protestantism as bearing the responsibility for savage attacks on the Hebrew Bible. In Harnack (1921), for example, one finds a crude binary opposition between law and charity that might give rise to a violent confrontation between the Christian and the Jewish (Taubes 1993: 85). Like Deism, German protestant pietism devalues the role of 'outward' social-political life and thus discards political and theological reflections upon the law. Law enacts theology politically.

Walter Benjamin's Rejection of Law

As I argued at the beginning of this article, law makes sense in an imperfect, fallen world as a means of avoiding sin. Paul's messianism is an expectant messianism, built on the promise enacted by Jesus, and epitomised in the broken sign of crucifixion. Expectant, but not fulfilled. This is important, for it does not attempt to cover-up the sin, the broken character of life after Jesus' death. On account of this remaining fallenness, the old law has to be enacted through faith. Paul criticises the fallenness of the world he lives in (sin, violence etc.), but he does not refuse to have any connections with this world. Through Jesus, "salvation is nearer to us now then we first believed" (Romans 13: 11); it is, however, still in the coming, has still not fully arrived. Paul, therefore, encourages his audience not to withdraw from the world, but to enable salvation through works of love that fulfil the law in this world. Thus the recognition of the fallen status of the world necessitates the keeping of the law.

Walter Benjamin shares Paul's attack on empire. Benjamin, however, intensifies Paul's expectant messianism into one of fulfilment and in doing so, he affirms a political nihilism that is marked by the rejection of law. Benjamin's case exemplifies that a rejection of law cannot be separated from the radical rejection of a postlapsarian world. In the following I shall first depict Benjamin's political messianism in his 'Theologico-Political Fragment'. This will give the background for an understanding of his declaration of war against the concept of law (in this case Roman law as well as Jewish law) in his essay 'Critique of Violence'. As a sign of Benjamin's focus on the messianic, the 'Theologico-Political Fragment' begins as follows:

> Only the Messiah himself consummates all history, in the sense that he alone redeems, completes, creates its relation to the Messianic. For this reason nothing historical can relate itself on its own account to anything Messianic (Benjamin 1979: 155).

Benjamin's starting-point is the radical dependence of the immanent on the transcendent, but this dependence does not eventuate in a dialogic relationship (in which men and women would be able to accelerate redemption through their constant attempt at redemptive actions); rather this dependence means the utter annihilation of the immanent by the transcendent. History can only relate to the messianic through its self-destruction. Benjamin's intense messianism opens up a rupture between immanence and transcendence. As I shall show below, it is this radical rupture which renders both law and charity void of meaning. Benjamin allows for an inverse relationship between the profane and the arrival of the divine kingdom, but this relationship has its foundation in nihilism; in a nihilism that is political in a paradoxical way, for it sets out to annihilate the polis which itself participates in a profane world. This nihilism consists in the happiness of profanity, only reached in its own destruction.

At this point Taubes points out the connection between Benjamin's 'Theologico-Political Fragment' and Romans 8 (Taubes 1993: 100-101). The groaning of travail of the whole of creation indeed echoes through Benjamin's text. Paul, however, makes the preservation of this profane life the precondition for a messianic redemption. The opposite holds true for Benjamin. Whereas Paul teaches faith which entails the keeping of the law by acts of charity, Benjamin advocates 'happiness', a rather equivocal term, which is later on defined as desire and action that eventuate in self-destruction: "For in happiness all that is earthly seeks its downfall, and only in good fortune is its downfall destined to find it... For nature is Messianic by reason of its eternal and total passing away" (Benjamin 1979: 155-6). Taubes has only pointed out that Benjamin differs from Paul in so far as the former makes out of the profane an autonomous sphere (1993: 100-101). We have seen that this holds only partly true, for Benjamin does concede an inverse relationship (the annihilation of the profane enables the establishment of the messianic). I would argue that Benjamin differs from Paul in a more striking aspect. Paul contrasts the politics of a fallen world with a kind of practice that fulfils law and charity in an environment that contradicts these actions, while Benjamin opts for the outright destruction of the order of the profane as upheld by an imperial politics. In this way, Benjamin's evaluation of the profane only as happiness in its own passing away, welcomes the politics of total power which is the violence of total destruction. This

world is null and void, apart from the seed of death it carries at its heart (see Rey-Chow 1989). From this perspective, the sin of destruction means the happiness of those who take pleasure in death. One should, however, bear in mind that Benjamin does not affirm death and violence for its own sake; rather death opens the world up for a new, messianic order of things. This last point explains the term 'political nihilism'. Benjamin's nihilism makes the happiness the profane enjoys at its passing the means for the arrival of a new polis in which messianic life is only liveable. Nevertheless in concrete political terms, Benjamin's 'nihilistic messianism' (the oxymoron of this term brings the paradoxical, many-faceted approach of Benjamin's to the fore) justifies the work of *intended* violence on this earth and at this time: "To strive after such passing, even for those stages of man that are nature, is the task of world politics, whose method must be called nihilism" (Benjamin 1979: 156). This offers a striking contrast to Paul's affirmation that those who follow the commandments of law and charity by virtue of faith cannot be separated from the divine, even though they endure torture and death at the hands of those who wield power: "No, in all these things [tribulation, distress, persecution, famine] we are more than conquerors through him that loves us" (Romans 8: 37). Those who have extracted themselves through faith from a fallen world might suffer under those who are still subject to a postlapsarian condition, but these moments of suffering and death do not in themselves offer a way to God, as Benjamin clearly believes.

More than that, Benjamin opposes Paul's "we are more than conquerors" with a nihilistic belief that conquerors are actually agents of the divine; that is to say, they enable the complete passing away of nature, thus making way for the arrival of a messianic age. Benjamin's nihilistic and messianic radicality needs to be recognised in its theological terms in order to understand its political, or in Bejamin's terms, 'profane' implications. It is a radicality that justifies total destruction of a postlapsarian world through reference to a messianic age. Here one might find a reason for Benjamin's affinity to Carl Schmitt's writings (and vice versa).12 This is not to say that Benjamin would have agreed with Schmitt's political stance. There is no messianism behind Schmitt's dismissal of legality (law) in the name of authority (power). It is, however, this very power that enacts the nihilistic destruction of the profane which Benjamin reads as sign of the coming of the Messiah. Benjamin's 'angel of history' has compassion with the ruins of profane happiness, and yet a messianic impulse drives him further and further until the postlapsarian collapses through its self-destruction into a messianic rebirth.

The foregoing explanation of Benjamin's nihilistic messianism preconditions an understanding of Benjamin's outright rejection of law. As we have seen, in Benjamin the recognition of the *condicio humana* issues in its non-acceptability. Law and charity, by contrast, open up a way to a life in which the immanent might be connected to the transcendent through behaviour that exiles itself from sin in a sinful world. As David Damrosh has shown, in Leviticus law functions as a link between God and Israel. Israel is not only separated from other nations but also from itself.13 *Eretz Israel* does not so much signify possession of land, as living in exile within a fallen world, because of living in an environment in which law marks out specific spheres of the dangerous, the demonic or the sinful. This point will be further discussed below in a discussion of Franz Baermann Steiner's theological anthropology of danger. Here a reference to Julia Kristeva -- who has been influenced by Steiner and by Mary Douglas (a pupil of Steiner's) -- whose writings on danger might be helpful.14 Kristeva argues that law "is what curtails sacrifice. The law, in other words what restrains the desire to kill, is a taxonomy" (Kristeva 1982: 112). By curtailing the desire to kill, law prevents sin and in so doing it helps to enact charity in a postlapsarian condition. As a taxonomy, law signifies the abject, or the sinful: the fallen. Thus it separates men and women from places that are sinful, and at the same time it overcomes -- through this separation -- an absolute separation between the immanent and the transcendent.15 This implies that law does not condemn the whole of profane existence to a fallen state; instead it points out specific localities that are free from such a condition. Benjamin's nihilism, by contrast, renders the totality of immanence void, thus affirming the necessity of total annihilation.16

How does Benjamin's messianic nihilism relate to his rejection of the law? In his essay 'Critique of Violence', Benjamin deconstructs the notion of law as a justification for the exertion of "bloody power". Derrida has recently analysed this deconstruction of law as force and has drawn attention to a rather worrying similarity between a Benjaminian 'destruction' and a Heideggerian '*Destruktion*'.17 What causes Derrida's worries? What urges him to reflect on Benjamin's proximity to Heidegger and to the possible involvement in a thought that bear some responsibility for the 'final Solution'? Derrida's anxiety has to do with the will to radical annihilation of profane life that, as we have seen, marks Benjamin's messianic nihilism. This messianic nihilism has a bearing on Benjaminian social theory. Not only does Benjamin reject the concept of law, he also does away with any form of legal contract and social norm, as they are inevitably implicated in violence:

> We are above all obligated to note that a totally non-violent resolution of conflicts can never lead to a legal contract. For the latter, however peacefully it may have been entered into by the parties, leads finally to possible violence (1979: 142).

Behind this rejection of all forms of legal contracts lies the total dismissal of all forms of behaviour within the context of a postlapsarian condition:

> ...every conceivable solution to human problems, not to speak of deliverance from the confines of all world-historical conditions of existence obtaining hitherto, remains impossible if violence is totally excluded in principle (1979: 147).

How does this relate to the affirmation of happiness as the enjoyment of self-destruction in the 'Theologico-Political Fragment'? In other words, does Benjamin's critique of law as violence result in the condemnation of power as such? Here the reasons for Derrida's anxiety can be found. Rather than rejecting violence as such, Benjamin wants to purge a postlapsarian mode of an existence that is marked by imperfection, that is to say, by the possibility of sin, in a messianic act of divine 'pure power':

> The dissolution of legal violence stems, as cannot be shown in detail here, from the guilt of more natural life, which consigns the living, innocent and unhappy, to a retribution that 'expiates' the guilt of mere life -- and doubtless also purifies the guilty, not of guilt, however, but of law (Benjamin 1979: 151).

Benjamin does not consider postlapsarian humanity to be guilty as such, rather it is made guilty through the enforcement of law. Here, there are, without doubt, Paulinian echoes. As we have seen, however, Paul only indicts law of guilt if it is considered without faith, for faith gives rise to actions motivated by the love and fear of God. According to Paul, the mere knowledge of law only makes sin perceivable; the mere knowledge of law does not entail action commensurate with the spirit of law which, in turn, entails the avoidance of sin as has technically been made possible through the demarcations of written and oral rules. Benjamin, however, directly equates law with sin. He calls the violence engendered by law 'mythical', thus implying that its justification rests on a fiction in the sense of a lie. Benjamin opposes this perverted form of power with a divine violence that abolishes the profane order of things.18 This is complicated by the fact that the divine can be enacted by human power:

> ...all the external forms are open to pure divine violence, which myth bastardized with law. It may manifest itself in a true war exactly as in the divine judgement of the multitude on a criminal" (Benjamin 1979: 154).

In this sense, Benjamin's rejection of the coercion that law prescribes does not mean a renunciation of violence as such. The previous quotation makes it clear that Benjamin posits divine agency in violent human actions that are 'true' (true war) in the sense that they annihilate the untrue; that is to say, law's mythical force. Benjamin holds that such violence is 'bloodless' because it abolishes a postlapsarian condition in which blood is shed as a direct outcome of the enforcement of law (see also Rose 1993: 188). Static law indeed makes the shedding of blood inevitable, for it imposes the universal upon the local, thus violating the very identity of the latter. Law that is specific and guided by the principle of the protection of life might also lead to violence, but does not necessarily do so. As we have seen, Julia Kristeva reads Jewish law as a form of the curtailment of aggression. She has learned from a Steinerian theological anthropology of the concept of taboo, which shall be discussed in the following section.

The Postlapsarian Condition and the Necessity of Law: Leo Strauss, Georg Simmel, Franz Baermann Steiner

As we have seen, Benjamin's violent rejection of law means hope of the complete annihilation of a postlapsarian condition. This annihilation, however, itself involves violence; a kind of violence that is 'divine' and 'bloodless' whose agents can well be humans. In contrast to this binary opposition between two kinds of power, the Prague poet and Oxford anthropologist Franz Steiner has developed a theory in which taboo and law is described as a way of avoiding sin.19 First, however, I shall discuss Leo Strauss's philosophical-theological defence of law, and Georg Simmel's criticism of the Kantian categorical imperative. A consideration of Strauss' theses shows that a philosophy which critically reflects upon its conditions needs to affirm divinely revealed law if it wants to deal with social issues in a

postlapsarian world. Simmel's sociological questioning of universal law deeply influenced Steiner's kind of theological social anthropology. Simmel differentiates between types of law, just as Benjamin contrasts mythical to divine violence. As a result, whilst Benjamin offers a sophisticated perspective on violence, Simmel emphasises the diversity of law. Simmel's affirmation of one type of law (specific law) contrasts with a Benjaminian affirmation of one type of violence (divine violence). It is this differentiated discussion of the concept of law which enables Steiner's theological approach to the anthropology of taboo and danger. The weight Strauss brings to bear on the liminality of human experience is the precondition for such a theological approach.

Strauss has been criticised for representing Jewish law as static. Gillian Rose accuses him of paying no attention to sociological or historical issues: "both Strauss and Levinas represent Judaism as unchanging and without history" (1993: 17). As we shall see, as far as this point is concerned Simmel offers a corrective to such a static view of law. Rose, however, ignores Strauss's important defence of the necessity of law against the background of its dismissal by some thinkers who, like Benjamin, reject it as 'mythical', and who conceive of it as a lie posing as revelation.

Strauss contrasts modern Enlightenment with medieval Enlightenment philosophy. Up to the late Middle Ages, Orthodoxy and Enlightenment do not contradict each other: scientific inquiries give proof of the liminaltiy of human existence. Only with modern Enlightenment do the realities of creation as dependent on the creator lose all their rational obligations, and are turned into a personal and irrational matter of faith.20 According to Strauss, early medieval Enlightenment philosophy defends revealed law not on the grounds of belief, but on the grounds of its rational necessity. Thus, Maimonides argues that the experience of the insufficiency of reason necessitates the rational acceptance of liminality. The experience of rational enquiry affirms the *condicio humana* as a fact rather than as an assumption. This *rational* insight, in turn, logically concludes with the necessity of revealed law not only for the individual philosopher, but for society as a whole (see Strauss 1997: 51-52). Only a late medieval philosopher like Lewiben Gerschom bases revelation not on necessity -- as evidenced by the rational inquiring mind -- but on belief. Strauss has shown how such a rationalism that believes in revelation ("*offenbarungsglaubiger Rationalismus*") presupposes the assumptions of a divine providence whose workings renders evil or sin ineffective (Strauss 1997: 65). A belief in the divine construction of a perfect world miraculously frees reason from all liminality and at the same time deprives law of all its necessity, for its very necessity consist in the need for a structured social response to the dangerous. In this way, belief in -- rather than theoretical insight into -- the demand for revelation liberates human reason from all liminality. Strauss therefore poses the question whether science presupposes belief rather than knowledge; a belief in the autonomy of the immanent that has the assumption of a perfect harmonious world as its precondition.21

This abolition of liminality undermines Judaism by overturning the foundations of revealed law: divine providence relinquishes all traces of the fall, turning the world into a Leibnizian perfect harmony but in which law is, of course, deprived of its *raison d'etre*.22 Like a Benjaminian messianic nihilism, a rationalism which operates on the foundation of belief does away with the imperfect *realities* of life on this earth and at this time. The firm trust in an immanent perfection which functions as the presupposition for unlimited rational enquiry ignores all *empirical* evidence that contradicts such a presupposition; just as Benjamin's political nihilism is based on the messianic faith in the total annihilation of the postlapsarian.

Against the background of Strauss's discussion of liminality and Benjamin's rejection of law, evidence indicates that a theological enquiry into law needs to be grounded in *the recognition of suffering, sin, and imperfection*, as opposed to a *belief in the providential abolition of a postapasarian condition*. As Walter Benjamin's example has shown, these theological issues have consequences for the politics of a 'profane' world: the intended ignorance or outright non-acceptance of suffering inevitably affects the behaviour of those who suffer. The concept of law needs to be seen in the context of an awareness that such suffering is inevitable in a postlapsarian world. This recognition in the inevitability of suffering does not, however, issue in a connivance with it. Inaction would offend against the biblical admonition that we are created in His image. The fall has perverted the *imago Dei*. Yet this perversion still leaves a likeness that encourages the human to work at its imperfection. Charity and law precisely enables such work.

What kind of law collaborates with the creator and in doing so saves life through effective charitable deeds? The philosopher and sociologist Georg Simmel has asked himself this question. The very title of

Simmel's essay draws attention to the relatedness of ethics and law: 'The Individual Law: An Essay about the Principle of Ethics' *(Das individuellle Gesetz. Ein Versuch uber das Prinzip der Ethik)*. The notion of 'individual law' might be misleading, for it could be confused with 'private law'. Simmel focuses, however, on the individual not in order to uphold an anti-social concept of law, but because he sets out to criticise an abstract categorical imperative which shows only indifference to the sins and the suffering of the specific, the local, and the individual. Simmel accuses Kant of sacrificing ethical concerns to the abstract requirements of systematic science.23 Abstract law is static and therefore has no relation to the ongoing changes in social life. Paradoxically, on account of its categoricality, the Kantian imperative furthers 'private law' by making the law proclaimed inapplicable.

Simmel contrasts a Kantian view of ethical action based on the "metaphysical autonomy of the individual" (*sittliche Handlung in der metaphysischen Autonomie des Individuums*) with the Catholicism which grounds ethics in the obedience to an historical authority ("*Gehorsam gegen historische Autoritat*") (1987: 192). The historical authority of law needs to be treated as a flexible entity, so that it can be applied to specific contexts. The metaphysical autonomy of the individual, however, makes such dialogue between the particular and the general impossible, for it is the individual who here creates his or her own law, paving the way for anarchy. How can the categorical imperative work in relation to a multitude of atomised individuals? In Kant, the individual is the guardian of a law which is general in implication. Law and the totality of individuals in a given society diverge from each other with the result that law has outlawed law. Kant's categorical imperative may be logical, but its logic has no connection to the life which it is supposed to guide.

Although Simmel does not draw attention to this point, Kant's positing of the metaphysical freedom of the individual has an idealised notion of the immanent at its foundation: the Kantian individual enjoys absolute metaphysical freedom, because he or she is supposed to be incapable of enjoying evil. As Rudiger Safranski has recently pointed out, Kant only recognises transcendental goodness; which is transcendental for the very reason that it transcends the empirical motives of self-preservation (1997: 194). What, however, if evil rather than good is its own reward? Kant's idealism consists in a belief in the overcoming of natural inclinations by virtue of a transcendental law of 'pure' goodness. In this way, Kant's categorical imperative transgresses the limits of the human condition. As Safranski has shown, the Marquis de Sade's philosophy has the same non-acceptance of the *condicio humana* at its foundation. Sade conceives of transcendental freedom as a radical break with nature. The cruelty Sade exerts on bodies until they are dead, enacts this wish to have absolute control over nature. Like Kant, Sade wants to overcome nature through transcendentalism. Sade replaces the substance of Kant's transcendental goodness with evil. However, as Safranski has pointed out, the movement towards human omnipotence as the transgression of empirical liminality characterises the way in which both philosophers think. Kant's as well as Sade's transcendentalism means a radical excess of human freedom that does not know any limits (see Safranski 1997: 209).

Thus, one can combine Strauss' emphasis on the recognition of liminality with a Simmelian critique of the purely abstract -- and hence static -- law of transcendental philosophy. We shall see that Steiner does precisely this. The idealism of the transcendental results in the corruption of the 'profane'. Simmel, however, tries to establish an "immanent ideal" *(immanentes Ideal)* (1987: 194) of the sensuous *(sinnliches)*. Law that originates not in the abstract, but in the actions, of social life aims to establish such a combination of platonism and materialism. This critique of Kant's categorical imperative leads Simmel to the conclusion that rational morality evidences the anarchism of innumerable areas of life (1987: 194). Law cancels itself out as its categorical character leads to violence: to the violence of an enforced law which, rather than being applied to, is imposed upon the specific. Application allows for change, imposition, on the other hand, interdicts metamorphosis from the general to the particular. We have seen, how Gillian Rose criticises this categorical law of the modern, liberal state as a support for the lawlessness of fascist movements. Simmel anticipates Rose's argument 24 when he argues that a radical separation between the sensuous and the intelligible furthers the violence of our sensuous, sinful existence. Contra Kant, Simmel claims that our imperfect bodily existence can be redeemed through a direct interrelationship between ethical norms and the specific contexts that require such norms. Thus law itself needs to be limited to clearly defined situations. Only through this kind of limited, rather than categorical, law can the lawlessness of sin be prevented.

As a refugee from Nazi-occupied Prague in the anthropological department at Oxford, Franz Baermann Steiner developed a theological anthropology of the concept of taboo.25 Recently, Talal Asad has

attributed importance to Steiner's book on *Taboo* (it was originally a series of lectures and was published posthumously), pointing out the importance of Steiner deconceptualisation of taboo:

> His [Steiner's] argument was that taboo did not constitute a single institution, nor pose a single problem. But out of this critical effort emerged a positive conclusion: Steiner's proposal for developing what he called the sociology of danger, which would inquire into the way all situations of danger (not merely those created by taboo-breaking) were culturally defined and dealt with. In principle this allowed for the possibility of transformation (Asad 1993: 146).

Elsewhere I have shown that Steiner's concern with the transformation of social behaviour that is based on a law limited to specific circumstances, originates in a response to the Nazi-genocide in which ethical limits were deliberately transgressed (Mack 1997). Steiner's deconceptualisation of law needs to be interpreted against the background of Simmel's critique of a Kantian categorical imperative that refuses engagement with the specific issues of sin in a postlapsarian society. Steiner criticises leading anthropologists (among them Frazer and Radcliffe-Brown) for interpreting a non-modern type of law with the systematic measurements of modern thought. Such systematisation simplifies taboo rituals which are first of all a response to danger. Rather than being a superstition -- as anthropologists before Steiner have argued -- taboo is a value in that it prescribes the avoidance of any of form of danger and gives instructions concerning such avoidance by indicating where exactly the danger lies. Steiner theorises the concept of 'taboo' as a constitutive way of putting power into a setting (see Mack 1996).

Steiner explicitly equates danger with power: "To face danger is to face another power. Indeed, the older meaning of the English word danger is 'power', 'jurisdiction', 'dominion', 'the power to dispose of or to harm'" (1964: 146). 'Primitive' Jewish laws (as a Jew, Steiner identified with the 'primitive')26 are means to curb human power. Steiner's anthropological research affirms Milbank's thesis that Jewish law protects life rather than the possessions of the *dominium*. This, however, does not mean that Steiner idealises Judaism or 'primitivism'; on the contrary, he makes it clear that any taboo or law presupposes coercion. Coercion, however, is employed to prevent transgressions of human liminality, instead of being used as a means for the reinforcement of attempts at human omnipotence. As Asad has argued, Steiner does not conceptualise 'taboo' as a static entity, but deconceptualises this abstract category within the context of a sociology of danger.27 This sociology has the recognition of human frailty as its precondition. Danger as an *empirical* fact underlines the reality of a postlapsarian condition: "...it is a major fact of human existence that we are not able, and never were able, to express our relation to values in terms other than those of danger behaviour" (Steiner 1964: 147). Steiner defines value in terms of liminality. This theological anthropology, which is grounded in empirical research, offers a striking contrast to a transcendentalist philosophy that, in its idealist trust in the essential goodness of human nature, aims to abolish all forms of limits to what humanity can do. Steiner, on the other hand, describes value in terms of avoidance, rather than in terms of a confrontation between life and danger. This does not mean that Steiner opts for passivity; on the contrary law and taboo only work in action, as they cannot be seen apart from the specificity of different contexts. But this kind of action does not endanger life. Instead, it attempts to locate a danger that can then be circumvented through avoidance behaviour:

> Danger is narrowed down by taboo. A situation is regarded as dangerous: very well, but the danger may be a socially unformulated threat. Taboo gives notice that the danger lies not in the whole situation, but only in certain specific actions concerning it. These actions, these danger spots, are more challenging and deadly than the danger of the situation as a whole, for the whole situation can be rendered free from danger by dealing with or, rather, avoiding the specified danger spots completely (Steiner 1964: 146-7).

As this quotation shows, Steiner's theological anthropology is grounded not in belief, but in knowledge. He can therefore be considered an heir to Mediaeval Enlightenment philosophy as it has been described by Strauss. As I have mentioned above, Strauss's abstract conception of law has been criticised by Rose. In contrast to Strauss, Steiner treats law as the totality of specific actions that result in a response to danger; a response which has the avoidance of specified danger spots as its constant characteristic. Apart from this element of avoidance of, rather than confrontation with, the life-threatening, Steiner's notion of law defies all abstract, generalising notionality.

In this way Steiner's sociology of danger anticipates a 'dynamic jurisprudence' as has recently been developed by Arthur Jacobson. Jacobson argues that a dynamic understanding of law means the

collaboration of the human with its creator in an attempt to regain a prelapsarian world freed of danger and power.28 In localising danger, law or taboo also delineates spheres of life that are free of danger. Life in such restricted spheres moves us closer to the creation in His image. Jewish law and 'primitive' taboo are conventional, but at the same time they are holy, for they guard life against the destruction or damage to which it is inevitably exposed in a postlapsarian world. Steiner's combination of the holy and the conventional, of the theological and the empirical of social anthropological research describes the inseparability of law from charity and vice versa.

Conclusion

Theology that understands itself as a social theory cannot discuss charity without law. As the discussion of Benjamin's messianic nihilism has shown, thought about law only makes sense in the active recognition of suffering and sin. Leo Strauss's writings underline the close connection between this recognition of human liminality and the acceptance of the necessity of law. The discussion of Georg Simmel has shown that, in order to avoid becoming a tool for the exertion of power, law needs to be perceived in terms of specificity and contextuality. Steiner's sociology of danger develops Simmel's sociology of law both theologically and empirically. Law locates specific danger spots and in doing so it enables life that brings us closer to our creation in His image.

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Footnotes

1 Wolf-Daniel Hartwich (1997) traces the readings of Moses and the concept of Law from the Enlightenment (Schiller, Herder, Goethe) to Nietzsche, Freud and Thomas Mann. See also Jan Assmann (1997), who discusses the impact of the idea that Moses was the child of an Egyptian princess on Western thought.

2 Catherine Pickstock (1997: 57) has recently discussed mediaeval liturgy as the communal enactment of charity.

3 "Judaism itself is best understood as a political and theological tradition, not as an ethical one" (Rose 1996: 11).

4 "The law, therefore, is not *the superior term* which suppresses the local and the contingent..." (Rose 1996: 75).

5 "To an astonishing degree Israel seemed to recognize only crimes against persons and not against things, or fixed pre-written formalities" (Milbank 1997a: 386).

6 "Learning... mediates the social and the political; it works precisely by making mistakes, by taking the risk of action, and then by reflecting on its unintended consequences, and then taking the risk, yet again, of further action, and so on" (Rose 1996: 38).

7 "The internal reassessment of ancient law and primitive cultus was simultaneously a new engagement with God and a more accurate definition of the people of God" (Milbank 1997: 133).

8 For her discussion of a the "modern separation of state and civil society", which "may be traced to ...the separation of religion and politics from the time of Caesar and Christ", see Rose 1992: 173.

9 For a discussion of Elias Canetti's criticism of positivism as the collaborator of fascism, see Mack 1999.

10 Arthur J. Jakobson depicts the motivation for Moses breaking the tables of the law as follows: "The writing is not a graven image, but the people could confuse it with one. Moses thereupon fails to deliver it to the people. He breaks it, just as he breaks the golden calf" (Jacobson 1992: 105). Moses' breaking of the tables of the law has been misinterpreted by the 18th century pietist Johann Christian Edelmann as God's outright rejection of the written Bible (see Hartwich 1997: 57). As Jacobson has argued, the erasure of the written law does not lead to its abolition, but rather to its rewriting as a broken sign which on account of its brokenness, of its imperfection, precludes idolatry.

11 For a discussion of the dangers implicit in a Paulinian universalism and a radical dualism between soul and body which equates the devalued latter part of this binary opposition with "carnal Israel", see Boyarin 1994.

✝n12 Schmitt congratulated Benjamin on the publication of the essay 'Critique of Violence', which will be discussed below.

✝n13 "The people are to be separated not only from their neighbour but even, in a sense, from themselves: 'Thus shall ye separate the children of Israel from their uncleanness; that they die not in their uncleanness, when they [would] defile my tabernacle that is among them'" (Damroch 1989: 74).

14 "Anthropologists, since Sir James Frazer... or Rudolf [sic] Steiner have noted that secular 'filth' which has become sacred 'defilement' is the excluded on the basis of which religious prohibition is made up" (Kristeva 1982: 65).

15 I think this is what Kristeva means when she writes "*Prohibiting instead of killing* -- such is the lesson of the proliferation of biblical abomination. Separation is at the same time union; taboo and sacrifice partake of the logic that sets up the symbolic order" (1982: 110).

16 Taubes draws an interesting parallel between Benjamin's political theology and Barth's dialectical theology: "*Benjamin ist von Karl-Barthscher Harte. Da ist nichts vom Immanenten. Von daher kommt man zu nichts*" (Benjamin's violence is similar to that of Karl Barth. Here one finds nothing immanent. Immanence leads to nothingness.)

17 "It is the thought of difference between these destructions on the one hand and a deconstructive affirmation on the other that has guided me tonight in this reading. It is this thought that the memory of the final solution seems to me to dictate" (Derrida 1992: 63).

18 Berth Sharon-Ash has recently criticised Benjamin's rejection of the laws of the profane world as a libidinal rebellion against his father in the name of an omnipotent divine father: "For his [Benjamin's] part, the son unconsciously blames the father for conditions the son is helpless to change, or which can only be altered in wish-fantasy. According to Benjamin's extreme version of Messianic history, nothing short of an impossible and inexpressible perfection (the lost paradise of childhood) inexpressible returned to us by Divine justice, will suffice" (Sharon-Ash1989: 17).

19 For an intellectual biography of Franz Baermann Steiner, see Mack 1997.

20 "*Durch den Streit zwischen Aufklarung und Orthodoxie wurde klarer und bekannter, als es je zuvor gewesen war, dab die Voraussetzungen der Orthodoxie... nicht (philosophisch oder historrisch) gewubt, sondern nur geglaubt sind, also nicht die eigentumliche Verbindlichkeit des Gewubten haben*" (Through the battle between enlightenment and orthodoxy, it became clearer and more well-known than it had ever been before that the pre-conditions of orthodoxy are not historically and philosophically

ascertained but are a matter of belief, that is to say, they do not have the characteristic reliability of that which is fully known) (Strauss 1997: 19). Similarly, Catherine Pickstock has argued that only in the late Middle Ages the real becomes separated from the spiritual (1997: 162).

21 "*...ob denn nicht ein also auch und gerade ein neuer Glaube eher als das neue Wissen die Aufklarung rechtfertigt*" (...whether or not a known belief, rather than a new knowledge, justifies the enlightenment) (Strauss 1997: 23).

22 "*die Aufklarung hat das Fundament der judischen Tradition untergraben*" (the enlightenment has undermined the basis of the Jewish tradition) (Strauss 1997: 10).

23 "*Die Gleichgultigkeit des Gesetzes gegen das Individuum, fur das es gilt, stammt bei Kant daher, dab er das Prototyp des Gesetzes uberhaupt aus der Naturwissenschaft und dem Rechte bezieht*" (The indifference of the law towards the individual, with whom it is concerned, has to do with the fact that Kant derives the archetype of the law from the natural sciences and from the positive legal system) (Simmel 1987: 182).

24 It is rather surprising that Rose does not refer to Simmel.

25 In Michaelmas term 1952, shortly before his death, Steiner gave a series of lectures on Simmel, where, in particular, he praised Simmel for his refusal to think in dichotomous terms. These lectures, like most of Steiner's writings, are still unpublished.

26 Thus, he writes about the Hebrew term *quodesh* (holy): "it has, so we primitives think, to be announced in order to exit." (Steiner 1964: 186).

27 Asad criticises Steiner's pupil Mary Douglas for having turned the concept taboo into a narrowly defined abstract notion: "Douglas took over the idea of a sociology of danger from Steiner but rehabilitated the notion of taboo, which the latter had tried to discredit. Douglas' more widely read book rendered the idea of a sociology of danger narrower than Steiner had intended it to be. Ritual danger was now essentially the danger of pollution ('matter out of place'), and the ritual treatment of danger invariably reinforced existing social, psychological, and cosmological boundaries" (Asad 1993: 146).

28 "Persons act in order to collaborate with Yaweh. They rewrite a model of perfection in an incessant struggle toward future perfection. The present is a flight towards the past. The past supplies the judgement of the perfection. The future is a prospect that the present will attain past perfection" (Jacobson 1992: 133).