Review Essay of Paul W. Kahn's *Putting Liberalism in Its Place* and *Out of Eden: Adam and Eve and the Problem of Evil*

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I.

These two volumes argue that liberalism suffers from its radically insufficient understanding of human nature. The author, who is director of the Schell Center for International Human Rights and a professor of law and humanities at Yale, is not speaking as an opponent of liberalism. In any event, his definition of liberal goals is non-partisan and broad enough to appeal to many conservatives: "respect for the dignity and equality of individuals, a skepticism towards fixed hierarchies, broad acceptance of diverse social groupings whether religious or ethnic, a demand for representative government… and a general sense of the need for well-regulated markets to satisfy material wants."[1] Kahn is specifically concerned with the implications of liberalism's failure to explain the essential condition of political as opposed to other kinds of social association: "why citizens will put survival of a particular political community ahead of their own survival."

Kahn insists that his project in "political theology" is not ontological but historical. In other words, he believes that he is right about Western culture not because human nature *must* be as he depicts it, but as the result of historical developments, arising from Christianity though

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[1] Paul W. Kahn, *Putting Liberalism in Its Place* (Princeton: Princeton University Press, 2008), pp. 9–10 (henceforth, *Liberalism*).

sufficiently entrenched to survive the decline of religion in modern life. He is agnostic about the prospects of replacing this theological orientation with something else and of two minds about the desirability of doing so.

The reader of these complex volumes must first attempt to grasp both the intricacies of the argument and the elusive nature of the concepts central to it before assessing whether the criticisms of liberalism are on target, whether they are remediable, and whether Kahn's genealogy of liberalism's blind spots is accurate or relevant to contemporary problems. Although, or because, this is a philosophical project rather than an empirical study, the books are rich with original perceptions of contemporary phenomena, some more convincing than others, but all intriguing. The appeal of Kahn's thesis is enhanced by his gift for aphoristic formulation. We shall move from a selective summary of Kahn's central positions to an assessment of his genealogy and, finally, to a number of his insights and their connection to his thesis.

Kahn's central contention is that liberal theory recognizes the claims of reason, on the one hand, expressed as universal values and imperatives, and the pressures of self-interested desire, on the other, but leaves out a third realm of motivation, which is driven neither by reason nor by desire, but by the faculty of will. It is important for Kahn, though it may not be crucial for his critique of liberalism, that will is not recognized by Greek philosophy and enters the intellectual world through Christianity (think of Augustine). It is also important for Kahn—and crucial for his critique of liberalism—that will, and not reason or desire alone, is fundamental to the modern state via the concept of sovereignty.

At first blush, Kahn's argument resembles a common complaint about the re-statement of liberal social-contract theory deriving from Rawls. For Rawls the actual desires of citizens, be they the expression of selfish interests or of a sublime moral and spiritual vision, play no role in political theory. The Rawlsian state is neutral toward such substantive commitments. Rawls' goal is to enable individuals and groups to pursue their private desires without violating rational, universally compelling standards of fairness. Against this it is argued that excluding the substantive commitments held by citizens from the public square imposes an overly constricted vision of social life, allowing an impoverished, least-common-denominator outlook to monopolize public discourse.

Kahn goes further. He claims that a thin conception of political culture is not only unsatisfying to most people; it is simply incapable of providing the foundation for the state. The state is not derived from reason but founded on will, on an act of self-creation; hence, it cannot flourish

without a substantial vision for its members. It is an illusion to think that only monarchy requires such a justifying narrative or myth of sovereignty, while democratic societies are held together by rational calculation alone. To the contrary, the democratic polity is even more committed to the construction of sovereignty. In Kahn's incisive formulation, American nationhood is captured not by "we, the present voters," but by the resounding proclamation "we, the People" (*Liberalism*, p. 163).

Where the state is identified with a compelling narrative of sovereignty, human beings are willing to live and die for the survival of their shared identity. When the state loses such validation, it dies. Thus, when the czarist government lost its credibility in 1917, its soldiers lay down their arms; in 1989 the same thing happened to Communist regimes, and these too came to an end. If Max Weber taught that the nation-state is distinguished by its monopoly on the legitimate use of force in its territory, Kahn adds: "This capacity is ordinarily a function of its ability to call upon its own citizens to sacrifice themselves."[1] And he continues: "That willingness is not a function of justice alone: individuals are rarely willing to sacrifice for a state that is not their own, regardless of how just its cause." The call to arms is not for the sake of abstract goals of justice and welfare but rather a summons to the defense of a cherished way of life.

Cosmopolitans would respond that a triumphant globalization is now poised to supersede nationalism. Kahn is skeptical. Even in Europe he does not see strong national identity fading away. Throughout the world, where the nation-state has weakened the result has been not so much rational universalism as decentralization and localism. Even as liberalism abhors war, liberal cultures continue to build shrines on our battlefields and celebrate the victims of its violence as secular martyrs. Where one school of liberal international thought, inspired by Kant's "Perpetual Peace," points to the absence of war in our time among democratic nations, Kahn is impressed (perhaps overly so) by the permanence and even increasing intensity of worldwide violence, with the end of the cold war leading to greater bloodshed rather than less. Whatever the causes, it seems to Kahn that the basic political opposition of friend and foe is deep-seated in Western culture and continues to mobilize decisive portions of American culture.

The language of friend and foe calls to mind the "political theology" of Carl Schmitt. Where Kahn differs from Schmitt is that he emphasizes not the exercise of executive authority but the sacrificial act of the citizen (*Eden*, p. 200 n. 43). This makes Kahn a theorist of democratic life, albeit

2 Paul W. Kahn, *Out of Eden: Adam and Eve and the Problem of Evil* (Princeton: Princeton University Press, 2006), p. 144 (henceforth, *Eden*).

a pessimistic one. Because modern society requires more in the way of willing identification with the national narrative, it is more liable to demonize the enemy and conducts hostilities with greater ferocity and lack of discrimination between combatants and civilians.

Traditional religion might present an attractive alternative to counter the absolute, life-and-death demand of the state. *Putting Liberalism in Its Place* recognizes systems of meaning that compete with the state, carrying the message that other realms of activity are more deserving of our allegiance. These include religion, family, and the pursuit of material well-being. From a religious perspective, the state—particularly the modern state, with its radical claim on allegiance—smacks of idolatry. On the other side, the state may suspect any challenge to its absolute claims: Kahn is not the first scholar to note that American federalism is an unsettling idea to many because it divides allegiance, or that American courts have at times suppressed freedom of religion when it poses a symbolic threat to the absoluteness of state authority (e.g., the *Minersville School District* v. *Gobitis* Supreme Court decision in 1940). The influence of religion in the West is in steady decline, in Kahn's opinion, even as the private domain of the family often saps the authority of the nation-state, and the author devotes some interesting pages to the evolution of a romantic, child-centered cult of the family.

For now, Kahn concludes, faith in the national narrative is powerful enough to motivate vigorous national self-assertion. Nonetheless, because the narrative of sovereignty depends on this particular, embodied faith, rather than on universal reason, the persistence of its appeal is unpredictable. We often can't imagine how other people devote their lives and deaths to ideals and historical myths that seem silly, senseless, or horrid to us. A Western culture that is skeptical of the authority of such narratives, convinced that universal reason and utility can do a better job of guiding our collective lives, underestimates the fragility of the beliefs that truly drive our commitments: "When the symbolic order of sovereignty comes to seem as foreign to its own citizens as that of a distant state, the capacity of the state to maintain itself in and through the bodies of its citizens disappears" (*Eden*, p. 199). For better or for worse, such a society lacks the self-assuredness to fight for its beliefs. Liberal statesmen who would appeal to rational ideals alone will lack the ability to motivate their public.

Is it a good thing, from a pragmatic, utilitarian point of view, that individuals are willing to sacrifice themselves on the altar of a higher ideal? Sometimes Kahn holds that it is not. He writes: "Few are willing to die for the sake of art or even science; even fewer are willing to kill. Galileo recanted, and one would hope that most great scientists and artists would

have done the same" (*Eden*, p. 202). In assessing the Western culture of war, however, he is usually noncommittal about whether it is fortunate or not that the public is willing to fight for national identity or whether the passing of this orientation should be regretted. Presumably this is because sometimes submitting to the foe, to Hitler or Stalin, is indubitably worse than choosing armed struggle to the death.

The argument of *Putting Liberalism in Its Place* is amplified in *Out of Eden*, the primary subject of which is evil. Liberalism, according to Kahn, follows the rationalistic model going back to Plato: it can comprehend evil only as the product of inadequate knowledge and bad decisions, a failure to be remedied by improved knowledge and more efficient administration. Evil, for Kahn, is not to be identified with badness and contrasted with good. Evil is the opposite of love: both are characteristics of the will. The Greeks had no conception of evil because they had no concept of the will, nor did they search for ultimate meaning beyond the self. It is the "Judeo-Christian tradition" that "puts the will at the center of its idea of the human" (*Eden*, p. 3).

Thus Kahn's critique of liberalism as a political theory extends to a criticism of its failure to grasp the religious nature of evil. The literary observations that play a large role in his work—discussions of Genesis and comments on Tolstoy and Oedipus in *Eden*; the treatment of Antigone in *Liberalism*; and his brilliant earlier book *Law and Love: the Trials of King Lear*, which foreshadows many themes of these volumes—all revolve around the political implications of classics often examined as studies of family relations. For Kahn it is impossible to separate one from the other.

As the argument of *Out of Eden* progresses, the conflict of reason and will is complemented and to some extent superseded by the tension between labor and the sublimity of sacrificial self-transcendence. Kahn derives this dialectic from his reading of Genesis. The realm of labor is adumbrated in Genesis 1, with its confident depiction of the human being in the image of God. Labor mandates rational, utilitarian solutions: its end is well-being, "to alleviate pain, to minimize resistance to production" (*Eden*, p. 189). Self-transcendence expresses the consciousness of Genesis 2–3, the second creation story, which also includes the story of the first sin. This story is about the human aspiration to overcome mortality, to partake of the tree of everlasting life. The awareness of bodily finitude and mortality gives birth to shame, symbolized in the awareness of nakedness and ignorance. In the attempt to discover ultimate meaning one either comes to terms with one's mortality or sinfully denies it. Love is one escape from the tragedy of the finite self; Kahn appeals to Milton's interpretation of Adam's sin as an act of self-sacrifice on behalf

of Eve. Evil, in the sense that Kahn distinguishes from the merely bad, marks pathological rebellion against its reality; it is the attempt to attain divine status. Evil links the self-transcendence of the political and the shame of natural finitude that leads human beings to humiliate and torment the other.

Kahn recognizes that the culture of meaning we have inherited requires responsiveness to both the pressures of labor and the impulse toward self-transcendence. He understands that the struggle to sustain meaning is inherently conservative, preserving hierarchy and subordination and protecting the symbolic order against the natural man, who would destroy civilization (*Eden*, p. 171). More painfully, because love and evil are intertwined, where faith in the ultimate value of politics is lost, the sacrifice that politics demands becomes arbitrary. It is impossible then to discern "the difference between the tortured body and the sacrificed body—both are victims of an idolatrous belief.... If we could always tell the difference between sacrifice and torture, then we would have no trouble distinguishing love from evil. In politics, however, killing and being killed are so inextricably linked that we cannot tell them apart" (p. 210).

II.

As noted above, Kahn categorizes this account as historical and deeply rooted but not ontological. In theory, human nature could have taken a different course. To make this claim it is not necessary for him to supply an explanation of how things could have been different. He does, however, insist on an essential connection between the political and Christianity or some orientation shared by Christianity and Judaism. Several elements in this linkage invite further questioning.

Kahn adopts the view that the Greeks lacked a concept of the will. One reason this is important is the implication that the Greeks understood moral failure as ignorance, an attitude inherited by modern secular liberalism. The story of Eden offers a counter-narrative, in which sin is a matter of genuine evil. Kahn recognizes that the Christian doctrine of original sin makes the fall more or less inevitable, while Judaism, which overall does not give this episode the same prominence, is more aligned with free will. But both religious traditions grasp something that eludes the Greek and the modern liberal.

When you say that the rationalistic Greeks were missing a concept of the will, you may mean one of two things: either that the Greeks and liberals misunderstood their own psychology, in which case traditional religion got it right; or that Christianity generated a radically new experience that the Greeks could not analyze, because it did not yet exist. If

the former, then it is mistaken to give Christianity responsibility for discovering what is already there. On the contrary, bringing the centrality of will to light should enable the contemporary rationalist to make allowance for its power. Is it really true that the Greeks lacked not only a theory of the will but the motives entailed by such a theory?

Further, will is also crucial for Kahn's idea of sovereignty grounded in covenant rather than in the rationality of social contract. Here Kahn differentiates between Judaism, where absolute devotion is given to the law, and Christianity, where the paradigmatic act of religious testimony is the self-sacrifice of Jesus. This self-understanding appears to be essential for Kahn's view of sovereignty and the ideology of self-sacrifice that sustains it.

I am inclined to agree that self-sacrifice does not play the same role in Judaism as in Christianity. One should not, however, dismiss the ideal of *mesirut nefesh*, the martyr's death, in Jewish thought and life. Kahn himself cites the binding of Isaac, while correctly noting that Isaac, unlike Jesus, survives. It may well be that Judaism, as a national and "carnal" religion (to borrow its adversaries' term), is more attached to life and less liable to value the martyr's death above all. The classical narratives of Jewish martyrdom, from Daniel 3 down through R. Akiva's death and the whole history of medieval death for *kiddush Hashem* (sanctifying God's name), belong to periods of Jewish subjugation. For better or for worse, they are, like the Passion, narratives of powerlessness.[2] I will return to this point later.

Whatever we say about the relation between Judaism and Christianity, the Greeks are more important for confirmation or refutation of Kahn's theory about the political role of self-sacrifice and self-transcendence. And whatever the Greeks thought about what they were doing, it seems to me that they were no less preoccupied with self-transcendence than their Christian heirs. Kahn dismisses Socrates' martyrdom as an exception—how many philosophers are there? But honor is high up on the list of lifestyles cultivated by Greek aristocrats and discussed by their philosophers. Honor is directed to the ongoing opinion of others, not to welfare—civil or corporeal. It is as distant from the life of reason as it is beyond the life exhausted by the desire for material comfort. Achilles and Hector are driven to self-destruction by the ethics of honor—private and public, respectively. Pericles' funeral speech, in book 2 of *Thucydides*, extols and justifies a costly war by calling upon the audience to identify with the Athenian way of life and honor the fallen heroes.

2 On Jewish worldliness as a counterpoint to self-sacrifice, see my essay "Flowing Upstream: Reflections on Studying Gandhi at Yeshiva," *Torah u-Madda Journal* 10 (2001), pp. 60–68.

These examples illustrate the Greek aspiration to overcome mortality by identifying with the polity or vying for renown. To organize one's life around honor is to seek self-transcendence, regardless of whether there is belief in an afterlife or in a myth of primeval immortality. Kahn writes, "The modern era has not been a period in which politics has been merely a means to maintenance of civil society; rather politics has itself been a source of absolute meaning" (*Liberalism*, p. 95). Greek culture was not so different from its modern successor; it was compatible with the exaltation of violent death and with all the other political arrangements that Kahn identifies as evil.

Hence it seems that Kahn's effort does not establish the likelihood that the theological history of the West alone is responsible for the evils of politics as an attempt to elude the inevitability of death and physical finitude.[3] Nevertheless he may have succeeded in tracing the particular nature of that dialectic in our society by putting his finger on its self-consciously will-based meta-psychology, its preoccupation with a very specific narrative of self-sacrifice and a covenantal, creative notion of sovereignty.

In addition, one feature of the Christian story that Kahn mentions more than once is that Jesus is put to death by the Roman state. What this means is that Christianity, from its very origin, is alienated from the state. The ultimate religious act is self-sacrifice which is immediately associated with state persecution. Kahn is not alone in maintaining this attitude, which differentiates Christianity from Judaism and Islam; whether it is supported by the record of early Christian theology is open to question.[4] The alienation persists even after Christianity takes over the state. This adversarial relationship between the religious framework of meaning and the state ostensibly guided by it engenders a greater likelihood of uncompromising dramatic confrontation between religious individuals and groups and the power of the state.

In principle the possibility of collision of God and human power is inherent in any religion in which God commands and no divine status is granted to human beings. Messengers of religion "speak truth to power," and prophets are threatened and persecuted: "Your sword has consumed your prophets like a destroying lion" (Jeremiah 2:30). As already noted, Jewish history has a long and honorable tradition of martyrdom.

3 Kahn is not committed to the view that traditional religion is primarily responsible for the ubiquity and ferocity of modern post-Christian violence. He does not neglect to take into account ways in which Christianity mitigated human bellicosity. See also, on this subject, my article "Is Religion a Primary Cause of War? An Essay in Understanding and Self-examination," *Torah u-Madda Journal* 11 (2002–2003), pp. 35–49.

4 Compare, for example, Rėmi Brague, *The Law of God: The Philosophical History of an Idea*, trans. Lydia G. Cochrane (Chicago: University of Chicago Press, 2007).

Nonetheless Kahn's insight rings true. While there are rabbinic traditions about the murder of prophets by the people, the Hebrew Bible itself contains only one such story, briefly recorded (Zechariah the priest; II Chronicles 24:20). When Jeremiah and Amos, among other prophets, are endangered, they manage to escape. Whether this ancient difference retains its differential explanatory power in a contemporary culture molded by the political legacy of Christianity is briefly examined below.

III.

In commenting on an ambitious and wide-ranging two-volume project, one risks omitting major points and, even more, the injustice of neglecting felicities and provocations of detail. This is especially the case here, where Kahn's sweeping thesis needs to be tested in the light of particular insights.

There are, to take only one area, many thought-provoking remarks about the relations between the state and other forms of social organization, with implications for Kahn's primary general views. Why, for instance, doesn't the idea of "civil society" receive adequate attention in the United States (especially, one might add, when Tocqueville has shown its importance)? Kahn provides a critique of Hannah Arendt's *Human Condition*, which expands the usual complaint about the artificiality of her sharp distinction between the political and the social to analyze her neglect of the family, her substitution of friendship for love, and her obliviousness to child-bearing, which is essential for the future of political entities. He offers a stunningly obvious exegesis of the opening line of *Anna Karenina*: "All happy families are alike but an unhappy family is unhappy after its own fashion." Most of us, having heard numbingly similar confessions of unhappiness, would beg to differ. What could Tolstoy have meant? Says Kahn: "Well-being points to the universal, but pain particularizes. Pain always seems exceptional…" (*Eden*, pp. 178–179).

In the last chapter of *Out of Eden*, Kahn confesses his need to address the Holocaust. Though he hardly touches on it in these two books, he believes that much of his inquiry bears directly on the Holocaust. It is thus appropriate to conclude my exposition of his work with a close reading of one brief but explicit footnote on the Holocaust.

> One aspect of the shock of the Holocaust is the failure of the political murder of the Jews to register as a triumphal sacrificial act of religious faith against the state. It is seen only in political terms of power and powerlessness. The political language of sacrifice is redirected into a narrative of the birth of Israel, not a recovery of an ultimate truth for Germany. (*Liberalism*, pp. 91–92 n. 51)

Readers sensitized by Kahn to the dependence of political perception on symbolic orders not equally evident to insiders and outsiders will note a fundamental ambiguity: who is shocked by this observation? Naturally this theoretical aspect of the Holocaust is not one that would especially engage the attention of those who experienced it firsthand. But is Kahn referring to Jews, Germans, and their national myths, or to generic members of Western intellectual communities, or to some hypothetical neutral observer?

Many religious Jews, myself included (and not a few Christians), do indeed interpret the murder of our people and our families, at least partially, as one chapter in the long history of martyrdom for the sanctification of God's name. Jews would not, I think, describe it as "a triumphal sacrificial act of religious faith against the state."

One reason to reject this description is Judaism's orientation toward this world. Martyrdom, under certain circumstances, is an obligation and an occasion of sanctification. The knowledge that one is dying for God's name may be a source of meaning and even of comfort. But there is no glory or triumph in death. If this characterization of Judaism has a measure of truth, it was intensified during the Holocaust, when death did not mean only the untimely murder of individuals, but the extermination of the people in its totality. In the light of Kahn's understanding of the fundamental strength of identification with one's people, the insight that, in our age, survival is as good a way of sanctifying God's name as death should not be surprising or shocking.

In addition, even those Jews who identify strongly with the religious martyrdom element would be unlikely to speak of it as a protest against the Nazi state. Here one would draw on Kahn's observation that Christianity's founding myth is one of unjust political execution. For Judaism, whether because it lacks this primary narrative or due to millennia of exile, the state never acquired the same prestigious adversarial role. To put it more bluntly, I suspect that most traditional Jews would not have perceived the Holocaust in terms of the unjust excesses of a psychopathic Caesar, but, rather, would have seen it as the onslaught of Gentiles against Jews. The shock would have been not the sense of betrayal by the authority of the state, but incomprehension at the actions of human beings in a supposedly enlightened age.

Last, it should not be surprising that the willingness of European Jews (German or other), to live and die unconditionally for Germany (or for any other European polity) would disappear as a result of genocide. For Zionists, of course, such allegiance had vanished long beforehand—if it had ever existed. For religious individuals, loyalty and gratefulness to the state could never be absolute. If Kahn is right, and identification with

the state and its goals requires a credible narrative of nationality, it is not shocking that many Jews—even those initially open to the German national myth—would exchange that European nationality story for one of Israel's re-birth.

I have devoted this much discussion to one note not only because of its inherent interest but to demonstrate the salience of Kahn's categories. As a critique of liberal assumptions about human nature and political theory and as a thoughtful essay on political theology and evil, Kahn's analyses initiate discussions that should be continued.