

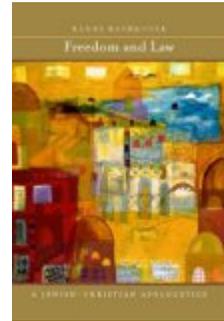


Randi Rashkover. *Freedom and Law: A Jewish-Christian Apologetics*. New York: Fordham University Press, 2011. 288 pp. \$85.00 (cloth), ISBN 978-0-8232-3452-3; \$28.00 (paper), ISBN 978-0-8232-3453-0.

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Published on H-Judaic (November, 2012)

Commissioned by Jason Kalman



Postmodern Apologetics

Randi Rashkover describes her recent book, *Freedom and Law*, as an outgrowth of her earlier work, *Revolution and Theopolitics: Barth, Rosenzweig, and the Politics of Praise* (2005). In her earlier work, she attempted to outline the intersection between divine and human freedom. Her current study, seeking to deepen and to enlarge that account, wishes “to unveil the transformation of ideas that arises from the identification of law with freedom,” for example, ideas concerning “the reality of human desire, the production of knowledge, and the meaning of power” (p. 2). However, as her subtitle indicates, she has in view not only an anthropological or epistemological goal, but a political one as well: to reveal the “emancipatory effects” of divine law on Jewish-Christian “social engagements,” with an eye to challenge recent thinkers, like Jacob Taubes, Giorgio Agamben, and Alain Badiou, who view divine law as “historically responsible for the exceptionalism” that has provoked “adversarial relations between peoples” (p. 2). In this way, her book intends to refresh Jewish-Christian dialogue by unburdening it of the most damaging assumptions that have poisoned this dialogue in the past.

Her book does not admit of easy summary, owing in the main to the host of authorities, contemporary and classical, whom she enlists in support of her project. She divides her book into three principal parts. In part 1, “The Logic of Exceptionalism,” she shows the dangers involved with severing freedom from law, or “normative limitation” (p. 101). Beginning with an account of Franz

Rosenzweig’s correspondence with Eugen Rosenstock-Huessy, often taken as a paradigm of Jewish-Christian dialogue, Rashkover juxtaposes Rosenzweig’s “logic of law” to Rosenstock-Huessy’s “logic of sacrifice” in order to show that Christian messianism rather than either Jewish election or monotheism is the more potent source of exceptionalism and therewith the primary impediment to Jewish-Christian dialogue (p. 9). In this connection, she attempts to switch the tables on Agamben and other left-wing political theologians inspired by Carl Schmitt, by indicating the strain of exceptionalism emerging from their own understanding of sovereignty. Her analysis of exceptionalism and its role in contemporary discussions of Judaism is subsequently quite rich, enlisting analysis (in the second chapter) of Maimonides, as well as recent work by Moshe Halbertal and Avishai Margalit, to counter the perceived link between monotheism and intolerance. In her third chapter, Rashkover concludes her analysis of exceptionalism by considering what she names “the dialectic of desire” (p. 76). There, taking her bearings from Baruch Spinoza as well as Gillian Rose and David Novak, Rashkover demonstrates the necessary coherence of freedom and law by displaying the “negative effects of the pursuit of human desire unregulated by a self-consciousness of the limits of desire” (p. 101).

By undermining accusations of exceptionalism, or “the logic of sacrifice,” Rashkover is in a position to redeem Jewish law, as it were, by offering a biblical and “theo-philosophical account” of law and freedom in part

2 of her book, “The Logic of Law.” The biblical portion (chapter 4) treats “the theology of abiding,” wherein Rashkover seeks to “contextualize” her more philosophical presentation in part 1 concerning divine freedom and divine law by examining its biblical bases, in particular Abrahamic and Sinaitic covenants, justification, circumcision, the Sabbatical Year, and halakha (p. 143). This biblical analysis prepares for the “theo-philosophical” account, which focuses on Rosenzweig’s celebrated essay “The New Thinking” (1925) (p. 101). This chapter, tracing the development of Rosenzweig’s thought from his earlier essay “Atheistic Theology” (1914) to “The New Thinking,” shows Rosenzweig’s elaboration of Friedrich Wilhelm Joseph Schelling’s account of divine freedom “into the picture of a living philosophy that emerges from a theology of divine freedom as law and love” (p. 145). The common theme linking these chapters is wisdom, revealed and rational, and whether wisdom binds or emancipates. In this light, the author treats Michel Foucault’s genealogical approach to knowledge that reduces it to a form of domination or power, a view she associates with Rosenzweig’s “sick understanding” (p. 165). She addresses as well Rosenzweig’s account of the relationship between Judaism and Christianity, an account that situates both within “the logic of the law” in such a way as to avoid the evils of “supersessionism” and therewith set them in a “non-polemical orientation with respect to other possible truth claims” (p. 180). This chapter is therefore crucial for preparing part 3 of her book, “Justification in the Law and Jewish-Christian Apologetics.”

Rashkover deems part 3 “the centerpiece of my account of the logic of the law” (p. 5). Using Rosenzweig’s account of divine freedom as a “blueprint,” Rashkover shows how the revealed law, as “unconditional gift” and act of divine love, solicits the human need to receive and “testify” to this gift: divine love and divine command are inseparable. As a result, obedience is liberating: “freedom and law are ... reciprocal concepts” (p. 188). In this connection, Rashkover recapitulates the problem of human desire from the first part of the book in light of Rosenzweig’s account of divine revelation as love: “recipients of revelation experience divine love as theological desire” (p. 190). This experience, for Rashkover, is emancipating; and as emancipating, it becomes the basis for genuine community among believers, affirming their unique historical position. Revealed law “historicizes the community’s collective wishes...[and] frees believers to advance new interpretations of the forms of their witness” to divine law (p. 200). The “logic of the law” so understood “not only alters the meaning of knowledge and

self-understanding of historically based revelatory traditions, but it also presents an entirely new logic of Jewish-Christian relations” (p. 204). In this context, Rashkover returns to the theme of justification, focusing in particular on the status of truth-claims and their role in determining the possibility of tolerance, an issue central to the practice of apologetics. She points to four critical areas where a joint Jewish-Christian learning might engage fruitfully: “the challenge of history,” for example, the encounter between Rabbi Heschel and Martin Luther King; theology, that is, freedom to inquire into one another’s traditions; scriptural study; and finally liturgical learning, for example, exploring the ways in which an understanding of the seder can illuminate the Christian Eucharist. The final chapter of the book, “Christianity and the Law: The Law as the Form of the Gospel,” takes up what is perhaps the thorniest issue at work in Jewish-Christian apologetics, that is, Christianity’s relation to the law. In so doing, Rashkover attempts, by way of an analysis of Taubes’s criticism of Karl Barth, to argue on behalf of a “Christian theological recuperation of the law” (p. 226). Her defense of Barth intends, first, to explain Barth’s statement that “the law is the form of the Gospel” (*Church Dogmatics* [volume 2, part 2, 1957]), and second, to examine the “justification within the law of the Christian community in its existential and epistemological or theological expressions” (p. 238). Her book concludes with a comparison of Maimonides’ and Barth’s exegeses of the book of Job. In this way, the “long-standing antinomy” between law and wisdom—an antinomy that has harmed Jewish-Christian apologetics—can be at last healed.

The strength of Rashkover’s book lies in its reach, considering a range of thinkers and confronting the issue of divine law and freedom in light of both scriptural and theological-philosophical sources, both classical and contemporary. Too, her goals are compelling, and varied: both to correct misunderstandings of Jewish law and its relation to human life and to promote a positive encounter with Jewish law within the precincts not only of Jewish-Christian apologetics, but also within the broader sphere of recent political thought damaging to Revelation. Rashkover has indeed read extensively, as her prolific bibliography demonstrates. But at times her book has a patchwork quality as a result: she moves between the views of various current writers without indicating why their views are necessary or inevitable to confront the issues with which she is most concerned. The book therefore reads at times like a collection of particular analyses loosely woven together with an eye to

her larger themes. Her analyses of these modern sources are in the main more successful than her analyses of Maimonides and Spinoza. It is problematic, for example, that she avoids discussion of Spinoza's *Tractatus Theologico-Politicus* in favor of his *Ethics*; the former would complicate her use of Spinoza in a discussion of human desire, an issue not clearly at the core of his thought concerning religion. Too, she occasionally gives Maimonides short shrift, when, for example, she dismisses "esoteric" readings of the *Guide*—problematic, since Maimonides himself pointed to them—without argument. Finally her preference for Schelling and Rosenzweig over Maimonides suggests a noncontroversial understanding of the relationship between reason and revelation; since her deepest

theme is the wisdom of the revelation, a more nuanced account of their relationship would be welcome.

By contrast, Rashkover's criticisms of Agamben and others who surreptitiously undermine Jewish law and revelation are quite welcome. Although her own writing is more than a bit tinged by the rhetoric of her postmodern opponents—a problem at times—her sturdy defense of the law in light of contemporary scholarship offers the reader a wealth of ideas to consider. Compelling and frustrating by turns, *Freedom and Law* may indeed have the power to energize Jewish-Christian apologetics by showing not only the impediments to their mutual discourse, but also the paths to their mutual understanding.

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Citation: Timothy S. Quinn. Review of Rashkover, Randi, *Freedom and Law: A Jewish-Christian Apologetics*. H-Judaic, H-Net Reviews. November, 2012.

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