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Two Theologies of Chosenness

Benjamin L Berger

What must we explain if we are seeking to understand the theologies of US exceptionalism?

One answer is that our burden is to explain the particular. Here, the appropriate move is to examine the unique histories and imaginative formations of religious, legal, and political life in the United States. We might look to the unique religious history of the early colonies, to the distinctive role that “Church” plays in US constitutional life, or to the tethering of the market, politics, and religion that has a particular shape and force in US political and legal life. With this move, one is seeking to identify the features that generate a theological-political configuration peculiar to the United States. On this approach, an inquiry into exceptionalism is an inquiry into difference: it is an effort to identify the features that make US political life and self-understanding unique or distinctive from those of other political communities. The specific — and deeply interesting — question of the theologies of US exceptionalism is a question of the role that particular understandings of, and relationships to, religion and the sacred play in constituting that unique political identity. We are, here, seeking to explain that which makes this community unique; we are interested in its specificity.

This inquiry into the particular is the character of Paul Kahn’s project in the book that is the focus of Stephanie Frank’s contribution to this volume.¹ Interested in mapping the structure beliefs and meaning that shape the American political and legal imagination, Kahn maps the distinctive constellation of revolution, sacrifice, and popular sovereignty that, for him, shape this political identity. In his examination of popular sovereignty, violence, and sacred meaning, Kahn is seeking to describe that which makes this political community understand itself as a uniquely compelling candidate for love and sacrifice. A particular American relationship to revolution and constitution sits at the heart of his account in this and his other work.² As a non-American, Kahn’s account indeed seems to capture features distinctive to the American political imaginary. But Frank levies an interesting objection. Don’t all constitutions have their origin in a decision, she asks, and aren’t violence and sovereignty at work in the construction of all political communities? And so she seeks to “assemble the pieces to this puzzle” somewhat differently, arguing that it is instead the peculiar salience of the friend-enemy distinction, not the decision, that distinguishes the phenomenology of US politics and the “violence directed against the enemy, which endows the political commitments of ‘Americanness’ with sacrality.”³

But with both her critique and her alternative, Frank gestures towards a difficulty with focusing on the particular when seeking to explain the puzzles — theological and otherwise — involved in “US exceptionalism.” Every constitution is distinctive, the particular expression of a political and historical self-understanding. Every constitution is someone’s constitution. The moment it ceases to be so — the moment a constitution ceases to be specifically “ours” — it

¹ Paul W. Kahn, *Political Theology: Four New Chapters on the Concept of Sovereignty* (New York: Columbia University Press, 2011).

² See, eg, Paul W. Kahn, *Putting Liberalism in Its Place* (Princeton: Princeton University Press, 2004); Paul W. Kahn, *The Reign of Law: Marbury v. Madison and the Construction of America* (New Haven: Yale University Press, 1997).

³ My reading of Kahn’s work, and his discussion of the friend-enemy distinction in *Political Theology*, leads me to think that he would be sympathetic to Frank’s sense of the importance of this distinction in shaping the American political imaginary.

ceases to discharge its constituting function. This is true of law more generally: its authority flows from the belief that this is, in an important sense, “my law”. In this respect, although American political history and the culture of law’s rule in the United States may generate distinctive contours, some vision of popular sovereignty is essential to our ideas of modern law. Frank’s proposed focus on the dynamics of sacrality involved in the friend-enemy distinction replicates the issue: for Schmitt the friend-enemy distinction is not an occasional feature of some politics. Rather, it is definitional of the political.⁴ We might be able to describe the particular ways in which the distinction is deployed in the US — or even its particular fierceness or salience — but we ought to expect to find it at work wherever we find the political. And, of course, every political community has a unique historical and contemporary relationship with religion and place for religion in the political; as Talal Asad put it, in matters of religion, “[a]ll modern states... are built on complicated emotional inheritances”.⁵ The point is that a focus on the particular gives us rich access to understanding better what is unique about a particular theological-political formation, but this particularity is something that we all share. It does not get us to the heart of what is intriguing about US exceptionalism. Every community, every constitution, every theology is, in some important respect, particular.

Writing as a Canadian, the puzzle for understanding US exceptionalism is explaining what transforms American particularity into a warrant to exempt or insulate one’s legal and political practices from the norms and practices of other communities, or to advance those beliefs at the expense of others. Within the world of legal scholarship, with which I am most familiar, US exceptionalism is associated with practices like the notable non-engagement with comparative and foreign law by US courts⁶ and an attitude towards international criminal and human rights law that can lie somewhere between indifference and hostility. Political scientists, experts in international relations, and those more familiar with domestic policy will be better placed to provide examples from their own arenas. But the crux of US exceptionalism, it seems to me, is not simply the existence of distinctive characteristics of an American political way of life, but engagement in practices predicated on the normative priority of that way of life. A description of particularity cannot, on its own, account for US exceptionalism, understood in this way. Indeed, an internalized sense of particularity alone can just as readily lead to an ethic of reciprocity, collaboration, and humility if it inspires a sense of the value, but contingency, of one’s own way of being.

And so it is not an appreciation for the fact of particularity *per se* that gets us closer to an understanding of US exceptionalism. Rather, it is understanding the conviction that the particular expresses something of higher, not just unique, truth and appeal. It is only when the particular is projected into that universal register that other norms and meanings appear not only as “other”, but as idolatrous, dangerous, or (at minimum) false, thereby authorizing the kinds of practices and postures we associate with exceptionalism. Our burden is explaining how the particular becomes universal. With this as one’s focus, the necessary move is, more precisely, to examine the histories, ideas, and structures of belief and practice that might illuminate this translation of the particular into the universal — a universal that has the confidence to traverse other

⁴ Carl Schmitt, *The Concept of the Political*, trans. George Schwab (Chicago: University of Chicago Press, 1996).

⁵ Talal Asad, “French Secularism and the ‘Islamic Veil Affair,’” *The Hedgehog Review* 8 (2003): 102.

⁶ See eg Ran Hirschl, *Comparative Matters: The Renaissance of Comparative Constitutional Law* (Oxford: Oxford University Press, 2014).

particularities.⁷ Perhaps this is what we must explain if we wish to understand the theologies of US exceptionalism.

I cannot confidently offer such an explanation here, for want of intimacy with the American case and the religious histories that have influenced the American political imaginary. Instead, I want to explore a theological concept that might help us to think about this relationship and movement between the particular and the universal, and its political consequences. I turn to the idea of chosenness. It is not altogether uncommon to draw parallels between American exceptionalism and the idea of a chosen people, familiar in its central theological place within Judaism. In their contributions to this volume, both Frank and Magid make reference to the ways in which American exceptionalism draws in some ways on Jewish chosenness or election. There is no doubt that there is such a “drawing on”, but in thinking through American exceptionalism it is edifying and, I suggest, important to explore a distinction between the theological structure of two understandings of the nature of “chosenness.”

One understanding approaches chosenness as fundamentally tied to covenant. Indeed, on this view, at work in [Exodus 19:3-6](#), chosenness serves as the theological explanation for the covenant. The tie to covenant lends shape and texture to this sense of chosenness. The covenantal context for election brings with it a specificity, even exclusivity, of relationship. There are no free-floating contracts — they are always between parties — and there is a privity of contract here. Chosenness as linked to a historical, specific relationship brings it close to the idea of treaty: partners choose to enter into a relationship with one another, discharging the duties owed by one to the other. This is the sense of chosenness that undergirds the first prayer of the *Amidah*, central to Jewish liturgy, in which we hear an insistence on the particularity of history, people, and party to covenant:

Blessed are you our lord, our God and God of our ancestors,
God of Abraham, Isaac, and God of Jacob,
God of Sarah, Rebecca, God of Rachel, and God of Leah,
great, mighty, awe-inspiring, transcendent God,
who acts with kindness and love, and creates all,
who remembers the loving deeds of our ancestors,
and who will lovingly bring a redeemer to their children’s children for the sake of divine honor.⁸

The petition is to a specific God who is reminded of particular history and relationship to a given people.

Another face of this sense of chosenness — one that is insistent on the particular identity of the parties, duties, and relationships — comes from the word used to describe this elected status in the *tanach*: the word used is *s’gullah*, often translated as “treasured.”⁹ This word has the distinctive sense of property or possession that makes some sense of a theology in which God could be described as “jealous” in relationship with this “chosen” people. In a version of an

⁷ For, as Badiou reminds us, “[t]he universal is not the negation of particularity. It is the measured advance across a distance relative to perpetually subsisting particularity.” (Alain Badiou, *Saint Paul: The Foundation of Universalism*, trans. Ray Brassier (Stanford: Stanford University Press, 2003), 110.)

⁸ This version of the prayer, the *Avot v’Imahot*, includes both the patriarchs and matriarchs. Historically, and in more orthodox liturgies, the *Avot* referenced only the patriarchs.

⁹ *am s’gullah* is the phrase used to describe Israel as “treasured people” in Deuteronomy 7:6; 14:2, and 26:18-19.

essay about which I will say more below, French philosopher Henri Atlan observes that there is a sense of adaptation or adjustment in the verbal form of *s'gullah*, such that “one may speak of the chosen-people concept as pointing to a mutual adaptation between a particular people — a tribe of freed slaves whose existence as a people was inaugurated by the experience of liberation — and its god, who was revealed and defined only in that experience of liberation.”¹⁰ This sense of match or specific fittedness — of mutual adaptation of one to the other — plants the meaning of chosenness firmly in the soil of the particular.

There is, however, something embarrassing, troubling, and even historically perilous about the specificity and exclusivity involved in this idea of election or chosenness. Indeed, in the wake of the Jewish emancipation over the 19th century, it was worry about the particularity and consequent exclusivity of this Jewish understanding of chosenness that led some Reform and Reconstructionist leaders to seek to universalize the doctrine, preferring to speak of the “mission of Israel.”

And this form of response gestures to a second understanding of chosenness, one that is tied to vocation, rather than covenant. The chosenness here is of a message, set of beliefs, and a mission for those who carry them. It resists particularity — chafes on it — and responds with a turn to universality. The relevant community becomes that of any and all believers in this single, chosen truth. There is a theology that supports this understanding of chosenness as well: the sacred is not tribal, tied to a community of particular identity, and “adapted” to a particular people; it is, rather, found in a universal truth available and appropriate for all, and accessible through faith or grace, not identity. This movement from the particular to the universal in the understanding of chosenness and the theology that supports it is, in essence, the Pauline turn that helped to differentiate Christianity from Judaism. It is a gesture of openness and inclusion, but one that puts a different set of political attitudes and relationships in play. Badiou describes this Pauline move as seeking to avoid both the ideological generality of the Greeks and the particularism of the Jews, pursuing a “universal singularity”.¹¹ Here, “[t]ruth is diagonal relative to every communitarian subset; it neither claims authority from, nor (this is obviously the most delicate point) constitutes any identity. It is offered to all, or addressed to everyone, without a condition of belonging being able to limit this offer, or this address.”¹² This is a foundation for a very different political theology.

In an intriguing essay entitled, “A people they say is elected...”,¹³ published in 1982 in *Le genre humain*, French philosopher Henri Atlan seized on this distinction between a particularistic and universalistic conception of a “chosen people”. He observed that the translation of chosenness into an individual reality — and thereby potentially universal — offered the promise of “communication among people of different cultures”¹⁴ and that the Rabbis of early Judaism and the Middle Ages, including Maimonides, recognized this. But he explains that

in their case the starting point for opening up to an inner and potentially universal discourse was the particular experience of the law and of an identity that was

¹⁰ Henri Atlan, “Chosen People,” in *Contemporary Jewish Religious Thought: Original Essays on Critical Concepts, Movements, and Beliefs*, ed. Arthur A. Cohen and Paul Mendes-Flohr (New York and London: The Free Press, 1987), 55.

¹¹ Badiou, *Saint Paul: The Foundation of Universalism*, 13–14.

¹² Badiou, 14.

¹³ Henri Atlan, “Un Peuple Qu’on Dit Élu...,” *Le Genre Humain* 1, no. 3–4 (1982): 98–126. I have offered translations aided by the English in a condensed version of the essay published as Atlan, “Chosen People.”

¹⁴ Atlan, “Un Peuple Qu’on Dit Élu...,” 117.

deepened from within. That identity sought to relinquish nothing of its particular humanity, thus achieving rapport with other and true universality by taking differences into account.¹⁵

Here, election is defined by a particular relation between a given people and their god, and intrinsically embedded in an historical and social reality. “By contrast,” Atlan claims, “in the two universal monotheistic religions, the election has become that of believers — *individuals*, and the community is defined as believers — by a single God. No longer by a tribal god, nor even by a god who is ‘greater than the others,’ but by the only one.”¹⁶ Most interesting to me is the moment when Atlan turns his attention to the stakes of these alternate ideas of election; it is here that, in 1982, he explored the kinds of practical ethics and politics that might flow from one or the other theology of chosenness:

Given the irreducible particularism and egocentrism of every individual, of every family, of every nation, how can we facilitate reciprocal relations among individuals, families, and people?... Given the reality of human diversity and particularity, it is probably more realistic and humane to manage relations by taking account of that which each individual and family is called upon to do by its own god, who is different from the others, and to put off the unification of the gods until a messianic era that has yet to arrive.¹⁷

When we turn back to understanding the theologies of US exceptionalism with these two ideas about chosenness in tow, the picture is provocatively complex. The United States seems to participate strongly in dimensions of both. And this has always been so. As Paul Kahn explains in the text that Stephanie Frank explores, in “all revolutions of the modern period, the quality of the sacred was claimed for both the sovereign people and for reason” and the American Revolution “practiced the same double forms of the sacred, worshiping ‘self-evident truths’ set forth in the name of ‘We the People.’”¹⁸ This intersection of the universal and the particular is familiar, Kahn notes, “from the Jews as the chosen people, to Christ as the realization of universal justice in his singular act of sacrifice.”¹⁹ To be sure, there is a profound sense of community history, identity, and exclusivity (and, of late, perhaps particularly the latter) at work in American political life. But as I argued early in this reflection, this particularity is a feature of all political communities — it is what makes comparative constitutional analysis such a rich endeavour. What seems distinctive to the United States, what gets us closer to understanding the theologies of US exceptionalism, is the different ethical horizon of its chosenness. It is the universalist sense of chosenness that can align with the projection of US military might, markets and morals around the world. And it is an odious brand of universal singularity that fuels the exceptionalism on display in the episode involving Steve Bannon that Shaul Magid explores. Face to face with US exceptionalism, we seem a significant distance away from the idea of chosenness as rooted in reciprocal regard for particularity on which Atlan lands. The US

¹⁵ Atlan, 117.

¹⁶ Atlan, 119. (emphasis in original)

¹⁷ Atlan, “Chosen People,” 58. I have, here, opted for the language found in the condensed version. The original can be found at Atlan, “Un Peuple Qu’on Dit Élu...,” 122.

¹⁸ Kahn, *Political Theology*, 21.

¹⁹ Kahn, 21.

imaginary may well draw from but significantly transforms traditional Jewish ideas of a “chosen people” in the process of generating a sense of theological chosenness that can sustain the practices and attitudes that we associate with US exceptionalism.

Shaul Magid’s illuminating reading of Arthur Cohen’s 1969 essay, “The Myth of the Judeo-Christian Tradition,”²⁰ offers a framework for organizing the play of these two ideas of chosenness and their relationship to US exceptionalism. Magid explains that Cohen viewed “the Judeo-Christian tradition” as a tool of domination in respect of the Jews; the hyphen was not a gesture of reconciliation or camaraderie, but a means of absorption. Updating Cohen’s anxieties for our moment, Magid shows that adherence to a “Judeo-Christian tradition” is “one way the theo-political-territorial notion of American exceptionalism can also include the Jews,” but he insists that we turn our attention to what is erased and who is conscripted (and to what, against whom?) by this theological confection. It seems to me that a key erasure is of the theological distinctions and possibilities — and their political consequences — available within the idea of chosenness. When Magid describes a sense of election tied to land and specific to people “that is now largely expressed through the realm of a political, or perhaps an imperialist, lens”, we are traversing the terrain from the chosenness of covenant to that of universal vocation. Rather than a marker of a generative tension between these two ideas of chosenness and the ethics and politics they differently inspire, the hyphen in Judeo-Christian works as an arrow, appealing to the chosenness of relationship and particularity but then effacing it — or absorbing it — in the movement into a universal register. But in moving away from the particular, one also distances oneself from the complex relations of regard and modesty that can be inspired by that view and of the sort that were so appealing to Atlan. And as this happens, perhaps we have another plotline in the story that seeks to explain the beliefs and meanings that shape the theologies of US exceptionalism, an explanation that I have suggested is most likely to be found in the movement from the particular to the universal. Here we also arrive at one of Magid’s most urgent and compelling concerns: that Jewish attachment to the “Judeo-Christian” reshapes the relations and even severs the complex historical ties between Jew and Muslim. Exchanging ideas of chosenness to participate in US exceptionalism — “join[ing] American exceptionalism by reframing her own exceptionalism in the service of America,” in Magid’s felicitous framing — the Jew finds herself in a very different relationship with Islam, now part of “the Christian-Muslim narrative of theo-political power” enabled, I have ventured, by a specific conception of chosenness.

As I have had the pleasure of reading and thinking with these two pieces by Stephanie Frank and Shaul Magid, my thoughts have consistently returned to the scene involving Khizr Khan’s speak to the DNC during the 2016 US election race, a speech that Frank raises to explore the particular salience of sacrifice in the American political imagination. The speech surely does this, which she so effectively shows. But what stands out to me from that speech is the remarkable moment in which Khan produces a copy of the US Constitution, provoking an emotional eruption from the audience. It is a moment of great drama. And to a Canadian, and a comparative constitutionalist, it is truly exceptional. Something like this — waving a copy of the constitution at this pitched political moment — would simply not happen in Canada; or, if it did,

²⁰ Arthur A. Cohen, “The Myth of the Judeo-Christian Tradition,” *Commentary Magazine*, November 1, 1969, <https://www.commentarymagazine.com/articles/the-myth-of-the-judeo-christian-tradition/>.

it would fall flat as a piece of drama. In Britain, they would have nothing to waive, except perhaps a collection of statutes and volumes of the All England Law Reports.

I struggle to put words to why this moment is so exceptional, why it captures something so unique to me as an observer. Why is this moment not only possible but so potent — so moving and effective — in the United States, whereas it would seem so inapt, so discordant, elsewhere?

It seems to me that there is something in this moment that reflects a distinctive relationship with law. In Canada, law is about the messy working out, over time, of particular relationships in a given community. Although it is certainly true that Canadians would regard certain rights contained in the Constitution as participating in a global consensus about the construction of just societies, the Canadian constitution is avowedly, and fallibly but exquisitely, particular to us. It is adapted to a particular people. All of this is true of the US Constitution as well — I repeat: every constitution is particular. But this shared particularity does not explain this exceptional moment. There is something more at work. In this holding out of the constitution there is an appeal to sacrality, one that exceeds the preciousness that flows from particularity by drawing on a felt proximity between law, truth, and vocation. It is that form of sacrality, it seems to me, that is distinctive. This moment impresses me as reflective of a political relationship to a constitution that is not just “ours” but also “true” (*self-evidently* so) and of a community with a political theology — and, with it, an exceptionalism — shaped by that conviction.