



Volume 3 | Issue 2: Thinking Sin  
31-44 | ISSN: 2463-333X

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# Sin and Justice: Healing the Breach Between Theology and Political Philosophy

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Whatever happened to “sin”? The concept itself, so integral and central to the Western theological tradition, has faded away over the most recent decades and centuries as even a topic for serious contention. While perduring and persistent among Christian conservatives, especially the expansive and highly diverse global population that has come to be labelled by sociologists of religion as “evangelicalism,” the term has gradually succumbed to a dearth of effective meaning and has been replaced by a variety of religiously neutral constructs, implying moral failure, psychological or behavior disorder, or political infamy. Even once trendy imaginaries as “collective sin”, a redeployment of the Augustinian notion of “original sin” (*peccatum originalis*) favored by Reformed thinkers, while lent a socio-political tweak by Reinhold Niebuhr<sup>1</sup>, has given way to various *critico-theoretical* adaptations, including such capacious locutions as “patriarchy” or “systemic racism.” In many respects the notion of “sin” in the strict sense, rather than with attention to specific defects in either individual character or conduct, has gradually converged with the general concept of “injustice”, or plain old-fashioned “wrongness.”

However, if one harks back to the classical context in which the word itself first emerged, the diffuse contemporary and apparent ancient meanings seem strangely to coalesce. Early Christianity adopted the syntactics of its era and over time *refined* – or perhaps we should say overdetermined – it in such a way that it slowly became disembedded from common discourse. It is our unique Western

theological – and Christological – heritage that begins with the apostle Paul that can account for this very odyssey of its overdetermination. The upshot of this long evolutionary process, which at the same time has also contributed to a demise in the relevance of the expression, is that the problem of “sin” has remained a *theological* one. By the same token, the presumably secular issue of “justice” has over time become a privileged topic for *philosophical* inquiry and argumentation. In the paragraphs that follow I will attempt to lay the groundwork for meeting what we may take as a twenty-first century discursive challenge of healing the breach between the theological and philosophical tasks, particularly those of a *political philosophy*. In other words, I will aim to realign the syntax of sin and redemption with new trajectories discussions of *justice* that sketch the general framework for a *critical political theology* focused on “social justice”, even though I do not make that particular move within these narrower horizons. But first we need to examine the etiology of the discourse of sin and its cognates overall, especially in its original settings.

The term “sin” (*Sünde* in German, *zonde* in Dutch, *péché* in French, etc.) is the routine English translation of the ancient Greek word *hamartia*, which can be found in both Aristotle and the tragic playwright. *Hamartia* is exploited in the Septuagint to render the Hebrew *chata’ah*. Both the Hebrew and the Septuagint equivalent have the semantic force of “making a mistake” or “missing the mark.” In Greek *hamartia* connotes an arrow falling short of its intended target. The same inflection can be found in Aristotle’s *Poetics* when he associates *hamartia* with the hero’s “tragic flaw.”<sup>2</sup> In all these illustrations there is a profound recognition that the “mistake”, or “error”, should not be understood as a mere failure of personal agency, but is made intelligible within a broader temporal frame of reference within which serious and decisive consequences unfold from the deed itself. In short, *hamartia* entails the entire field of action and interaction in which the mistake or “failure” occurs. The familiar idea of the hero’s “tragic flaw” (e.g., Achilles’ “heel” where he can be wounded by an arrow to which he is otherwise invulnerable) easily illustrates this sort of metonymical compression of both action and signification. But it can also be found in the simple meme in Genesis 4:7 where “sin (*chata’ah*) is described by the Tanakh author as a “crouching beast” poised to spring on Cain, which of course actually happens once he goes out into the field and murders his brother.”

“Sin” from this wide perspective, therefore, can be construed as a kind of synecdoche for human fallibility. In Jewish thought it is not so much the fallible nature of humanity that stands out (Throughout the Tanakh it is in fact a given), but the inclination to “turn away” from the sovereign and sustaining power of God and rely on one’s own abilities or resources. Thus “repentance” in the Hebrew Bible amounts to a turning back or “return” (*teshuvah*) to God away from whom one has previously turned away.<sup>3</sup> Whereas in Greek thought overall the objective of an agent’s *hamartia* by which one “falls short” can be just about anything, within the Hebraic setting the failure itself is the direct result of someone disobeying, or refusing to heed the counsel of, the sovereign God who leads one on the path of “righteousness.”

### *The Dialectic of Sin and Justice*

A “dialectic” of sin, therefore, arises in the Hebraic world vision that produces an oscillation between the finite (and fallible) human will and the infinite (and *infallible*) divine purpose. The “holiness” of God always stands in contrast with the willfulness and inconstancy of the free human agent. Perhaps the most important Biblical passage in which this dialectic discloses itself in starkest contours occurs in the Christian New Testament – specifically, chapter 3 of Paul’s Letter to the Romans. Here Paul sets up a dialectic between the “justice” (*dikaiosyne*) of God and that of humanity. Although the Greek term *dikaiosyne* in the New Testament is conventionally translated as “righteousness,” it is exactly the same word that pervades the intricate argument of Plato’s *Republic*.<sup>4</sup> While Plato in the *Republic* is concerned with finding a suitable homology between the “state” (*polis*) and the “soul” (*psyche*), Paul is preoccupied, perhaps because of his Pharisaic background, with the incommensurability between God’s “justice” and our own “injustice” (*adikia*). Such incommensurability applies to both those whom God has “chosen” (that is, the Jewish people) and the pagans who are ignorant of who God genuinely is, even though in Romans 1 Paul makes it clear that even the latter have “no excuse” for their lack of understanding. Paul’s focus in much of Romans is to work out a formula for how God’s elect could have rejected the very One who gave them life and sustains them, whereas the Gentiles who were never “called” in the first place could now become the bearers of the divine blessing. But God’s different historical purposing of peoples turns out to be irrelevant when it comes to measuring what we mean by *dikaiosyne*. “There is no difference between Jew and Gentile, for all have sinned and fall short of the glory of God”.<sup>5</sup>

Here another major distinction appears in the design of the dialectic. Human “sin” (*hamartia*) amounts to a “falling short” (*hysterountai*) because any human achievement itself, whether inconsequential or praiseworthy, is inadequate in comparison with divine “glory” (*doxa*). The term *doxa* leaves a curious footprint with respect to the genealogy of its usage among the ancients. The word, which derives from the verb *dokein* (“to seem,” “to appear”). For Plato and Aristotle *doxa* bespoke a simple belief that had not been “justified” or sufficiently tested through the rationality of philosophical discussion. By the Roman era the term had the general force of “honor” or “respect” or “glory,” adjectives assigned to noble and exceptional people. It was with this “regal” meaning in mind that the translators of the Septuagint translated the Greek word *kavod* (“heavy”, “distinguished”, “majestic”) as *doxa*.

While the Greek philosophers had construed *dikaiosyne* (Latin=*iustitia*) as the proper relationship among citizens of the *polis*, and by extensions the harmonic coordination of the different functions of the human soul or *psyche*, when we arrive in Paul’s time it had acquired a more “personalized” set of implications. Athenian democracy and Israelite theocracy had been swallowed up by Roman imperial power. The only remaining *polis* in the first century A.D. was the Roman *cosmopolis* with Caesar as its head. In the world of the Gospels the problem of “righteousness” was centered around how to live in keeping with the Mosaic law. The Pharisaic movement, beginning with the reign of the Hasmonean king John Hyrcanus in the middle of the second century BCE, was something of a “populist” initiative to ensure a functional Jewish state in which routine observance of Torah was fostered at a grass roots level by teachers capable of simplifying and interpreting the complex tradition, formerly the province of aristocratic scribes,

while making it useful in everyday affairs.<sup>6</sup> In a sense, as the historian Josephus himself noted in his *Antiquities*, the Pharisees were overall the Jewish equivalent of such popular pagan thinkers as such as Stoics, Cynics, and Epicureans, who made philosophy a lifestyle rather than an academic or esoteric pursuit.<sup>7</sup> Like these thinkers, they regarded any kind of “spiritual” knowledge to be largely pragmatic and transactional. In short, *dikaioisyne* itself had to be regarded not as divine gift or dispensation, but as a kind of garden variety moral calculus, an *economy*.

Paul, a Pharisee, confesses in his letter to the Philippians that he had misunderstood *dikaioisyne* in this fashion. The Pharisaic approach to *dikaioisyne* turns out to be *mercantile* in practice. It treats the Mosaic Law as a strictly casuistic methodology, following what the Pharisees reportedly considered the “oral Torah”, undermining its soteriological function and exacerbating our “flesh” or sinful nature. “If someone else thinks they have reasons to put confidence in the flesh, I have more: circumcised on the eighth day, of the people of Israel, of the tribe of Benjamin, a Hebrew of Hebrews; in regard to the law, a Pharisee; as for zeal, persecuting the church; as for righteousness based on the law, faultless.”<sup>8</sup> This version of *dikaioisyne* “based on the law” is *amemptos* (“faultless,” “blameless,” “beyond reproach”), also implying that its antonym (*memptos*) contrasts directly with the root meaning of *hamartia* as a shortcoming or mistake. The ancient Greek word *memptos* insinuates a bad “performance” as in a stage play. Paul’s point, as he makes elsewhere in his writings, is that “righteousness” (*dikaioisyne* remains impossible as any sort of act or performance), if by our moral conduct we are seeking to appear “blameless” in the presence of a transcendent and most “holy” God. There is always something missing, something we have not done. As the Calvinist adage runs, *finitum non capax infiniti* – the “finite is incapable of containing the infinite.” If “justice” in the ancient Greek sense depends on a certain apportionment of the parts to the whole, we always end up with an utter disproportion among the elements in their relationship with infinitude. That, in fact, turns out to be the very problem Paul addresses. What kind of “infinite” justice can God, who is beyond our comprehension, demand of us?

### *The Two Faces of “Justice”*

According to Jacques Ellul, a predicament arises from the binary character of “justice” in Hebraic thinking. There are two words that are often used concomitantly – *mishpat* and *tsedaquah* – for what comes to be translated into Greek as *dikaioisyne*. But once transposed back into English, the impersonal and personal meanings of these respective terms are captured in the words “justice” and “righteousness.” According to Ellul, “*mishpat* means justice in the context of judging and leading. However, this may be interpreted in two different ways. For some, judging and leading gives rise to customs, laws, and justice in the human sense of that word.” Viewed from this standpoint, the term has far more ramifications that are often entailed in the familiar theory of “governing”. It is also comparable to the Greek *politeia*, which Plato himself takes to be the cipher for the conceptual puzzle of what is meant by *dikaioisyne*, or “justice.” On the other hand, the root of *tsedaquah* “is the same as that of the Hebrew word for grace and justification. With *tsedaquah* we encounter the same duality of justice and grace. The condemnation is tied to the pardon. It is this relationship that makes this kind of justice and law very difficult to understand for us, because it implies the notions of

both pardon and justification.”<sup>9</sup> Ellul adds the important qualification that “God’s justice, whether it is *tsedaquah* or *mishpat*, always involves both possibilities together. Someone is both guilty and innocent, both sinner and blameless.”<sup>10</sup>

Here we have an etiology of Luther’s famous dictum *simul iustus et peccator*, but note that this kind of dialectic, often attributable to Paul, can be traced back to the very tension inherent in the idea of “justice” embedded in the Tanak itself. The tension is also present in Islam, and may be regarded as a dominant feature of the Abrahamic traditions together. God’s *iustitia* by the logic of the *non capax infinitum* must be regarded as both gratuitous and transactional. It can account for the tension of divine love and mercy. But it can only be carried out in the context of human customs and institutions, as entailed in the Greek locution *nomos*. In Paul’s writings *nomos* routinely serves as the *koine* equivalent for “law”, as contrasted with “grace.” Jesus’ almost obsessive condemnation of the Pharisees can be explained, therefore, as his realization that the Scriptural rather than the casuistic sense of Torah reflects this tension between *tsedaquah* and *mishpat* at a level that *nomos*, saturated with the pragmatics of the “oral Torah,” would not. Furthermore, the Pharisaic disposition of *nomos* alchemizes the dialectics of grace and law into a computational enterprise, a type of moral “ledger” that merely balances out deeds and consequences rather than reveling in God’s infinite creative capacity.

At the same time, this system of moral accounting shatters before the *skandalon* of the resurrected Jesus. Paul writes that “whatever were gains to me I now consider loss for the sake of Christ.”<sup>11</sup> The terms “gain” (*kerdē*) and “loss” (*kerdē*) belong to accounting discourse. However, the loss “for the sake of Christ” (*dia ton Christon*) suggests a qualitative transformation where the dialectic leads to what Hegelians would term a “sublation.” The preposition *dia* in this context has the implication of “across” or “to the other side.” What Paul substitutes for this ledger of gain and loss is the “knowledge of Christ” (*gnōseōs Christou*), a true “transvaluation of values” in the Nietzschean meaning of the phrase.<sup>12</sup> The “knowledge of Christ” is one that resolves the dialectic of infinite and finite, one that “attains to the resurrection of the dead.”<sup>13</sup> But, even more importantly, it is one that surpasses the transactional algebra from which the Pharisaic version of *dikaiosyne* is derived. Paul declares that he considered all his gains as “garbage” (*skybala*), “that I may gain Christ and be found in him, not having a righteousness of my own that comes from the law, but that which is through faith in Christ – the righteousness that comes from God on the basis of faith.”<sup>14</sup> The *dikaiosyne* that “comes from God on the basis of faith” is pure “unmerited grace.” It is what Luther called an “alien righteousness” (*iustitia imputata*) that cannot be earned, but must be received.

At the same time, it is not our task here to clarify even more meticulously the reasoning of Luther and Calvin, or to rehash once more time the logic of Reformation dogmatics. The point is that what Calvin in Book I of the *Institutes* refers to as the *duplex cognitio Dei* (the “double” or dialectical knowledge of God) arranges the scaffolding for the modern problem of justice as one of moral compulsion rather than a legal obligation. In fact, it can be argued that the contemporary, post-Christian predilection among secular reformers to “establish justice”, not in the procedural but in a more substantive sense as we see among today’s so-called “social justice” movements, ultimately harks back to the Pauline

and Reformed dialectic of an infinite *iustitia* that can never be instantiated in any concrete set of community relations or political institutions, yet makes persistent, endless “critical” demands upon the existing norms of jurisprudence.

Such a *iustitia* is not a concept but, as Derrida famously puts, a *specter*. “Injustice”, or “sin” in the dialectical, and not necessarily theological, formation of the concept derives straightaway from this sort of Derridean “hauntology.” If, as Derrida writes in *Specters of Marx*, justice itself proves to be “undeconstructible,” then the very *deconstructible* apparatus by which law and justice function as a system of “policing” along with the administration of crime and punishment can never be perceived as *iustus* in the same manner that Luther’s “righteous” believer remains simultaneously a “sinner.”<sup>15</sup> By definition the infinite is impervious to deconstruction.

The finite, nevertheless, can indeed undergo deconstruction. The “antinomy” of finite and infinite does not pose a metaphysical challenge so long as it is restricted to the sphere of religious, or “faith-based”, discourse. But when faith itself is finitized – for example, in Kant’s “religion without religion” – the antinomy itself becomes increasingly problematic. Divine justice crystallizes into a new and wholly immanent demand for a conformity of human behavior to the implacable ideal of *iustitia in se*, the passion of all secular authoritarians and totalitarians. Or, as Holy Roman Emperor Ferdinand I was supposed to have remarked, *fiat iustitia pereat mundus*. The theological question of “sin,” therefore, cannot be easily separated from a pure, principle-driven system of regulations founded on what Kant himself referred to as the “holiness” of the moral imperative. The ethical eschaton is “immanentized” in a system of law and order that is bereft of any semblance of mercy or grace.

The familiar distinction between “de-ontology” and “utility” has its genesis in this particular kind of “secularized” religious aporia. One is *Torah* in the exacting sense, the other *nomos*. The distinction manifests itself pointedly in Kant’s own efforts to adduce a “metaphysics” of justice from one of morality. “Justice is therefore the aggregate of those conditions under which the will of one person can be conjoined with the will of another in accordance with a universal law of freedom.”<sup>16</sup> Justice as *nomos*, that is, justice determined as “case law,” turns out to be meaningless in the Kantian version. If we view through an historical lens the parallel iterations of the ideas of “sin” and “justice”, we find that both *hamartia* and *dikaiosyne* are used in a forensic fashion to represent authoritative “judgments”. In Greek tragedy the judgment was rendered by the spectator. The Hebrew “judges” who ruled over the twelve tribes were precisely as their title implies – they drew conclusions about how to interpret God’s will in settling disputes among aggrieved parties and in making executive decisions that would affect the people’s welfare across the board. The concept of “sin”, therefore, as the Germanic root attests, is historically shaped within this forensic matrix of signification. The intricate etymology of the English word “sin” (and the German *Sünde*) has evolved from both the proto-Germanic and from Latin parsings of the verbs “to be,” especially as occurs in the act of predication.<sup>17</sup> Perhaps a modern English equivalent of these inflections and applications would be the expression “he’s the one”, that is, the one who stands out from everyone else, who is the perpetrator of an offense, or who has been found guilty in a court of law.

Technically, a “sinner” – or the one who commits a sin – is someone subject to a judicial proceeding. But sin does not have to be forensic merely in the extrinsic sense of someone identified in an indictment. The sinner must be seen as responsible for their action. And the idea of “guilt”, as numerous philologists have speculated in view of the close association between the words “guilt” and “gold” (German=*Geld*) as well as the German homonym *Schuld*, which means both “debt” and “guilt”, implies a certain transactional arrangement, a closed economy. In Salic, or Germanic law, the *wergeld* (or “man payment”) was a typical fine, or debt incurred, when a person was found culpable for a major crime, even homicide. The debt was normally apportioned to the status of the person wronged. The assignment of guilt rounds out the accusation that a person has committed a crime, and thus the “debt” also comes to be internalized. If the “creditor” to whom the debt is owed happens to be an infinite personality, then the debt ipso facto proves impossible to pay off. Saint Anselm’s notable treatise *Cur Deus Homo* (“Why God Became Man”), which seeks to explain the Incarnation as God’s own resolve to pay off the impossible debt of human sinfulness has become the centuries-old starting point for Christian “atonement theory”. It arises indirectly as well from the principle of *finitum non capax infiniti*.

### *Homo Fallibilis*

According to Paul Ricoeur, however, the problem of sin cannot be overcome by any kind of judicial calculus, especially one founded on the suggestion of a “disproportion” between the finite and the infinite. In *The Symbolism of Evil* Ricoeur contends that sin cannot be regarded as the output of any computational model. The difficulty with the computational paradigm is that ignores the generative character of sin in the Hebraic context of the covenant relationship, in the face-to-face positioning of the finite creature “before God”, who is most holy and on whose countenance one cannot gaze and live. Therefore, sin cannot be described as a “debt” so much as the absolute revelation of one’s own mortality, of one’s sheer nullity in the presence of the sovereign Deity. That is what is really implied in Paul’s oft-cited statement in Romans that the “wages of sin is death.”<sup>18</sup> Here the Greek word for “wages” (*opsōnia*), which occurs only once in the New Testament, does not have the connotation of a “salary” so much as “just compensation”. Placed against the Hebraic backdrop of Paul’s argument in Romans, the statement conflicts dialectically with the second half of the sentence, namely, that “the gift of God is eternal life in Christ Jesus our Lord.”

According to Ricoeur, there can be no comparison between the “finite moral consciousness” and “the witness that the Just One bears to himself.” Hence, both the major and minor prophets, Ricoeur insists, are bent *not* on articulating any kind of isonomy between transgressions and “just deserts”, but on condemning the debasement of the theme of covenantal fidelity into legalism and compulsive ritualism. The prophetic demand for “justice” constitutes a kind of ethical as well as a political “nihilism”<sup>19</sup>, if viewed as a standard of simple *nomos*. Such a demand is founded on the faith of the finite being in the providential purpose of that Being who is *totaliter aliter*, “wholly other”, the Holy One with whom one makes an unbreakable covenant. What the sinner realizes in any forensic setting is not the necessity of finding a “just” means of compensating the affronted party, but the overwhelming violence – the divine “wrath” – that follows upon a failure to take God

seriously. Throughout the prophetic tradition there can only be one genuine modality of sin, and that is the *sin of idolatry*. Sin is tantamount to a false consciousness that leads one to act willfully in contravention of God's plan or purpose.

The problem of human finitude by Ricoeur's reckoning, therefore, turns out to be the problem of fallibility. But fallibility is not a sufficient condition for sin. Fallibility is that set of circumstances within which one comes to know one's finite condition is precarious, that one is in Hegel's phraseology *für sich* rather than *an sich*, that one literally has "options". The option of fallibility means that one can "choose" to act in a manner that is right, or wrong, holy or unholy, and that one can judge one's own conduct accordingly. Sin, or "evil," so far as Ricoeur is concerned, requires an act of will. That is true even with original sin, where individual acts replicate the sin and "fall" of the first human being whose "genetic code" we invariably carry forward with us. Sin must be willed, or "posited." Ricoeur presses the point that "to say that man is fallible is to say that the limitation peculiar to a being who does not coincide with himself is the primordial weakness from which evil arises. And yet evil arises from this weakness only because it is posited."<sup>20</sup>

The thesis of sin as a "posit", as gratuitous act of "free will", throws into relief the larger question of sin as "injustice" or *adikia*. Sin, according to this interpretation, directs our attention toward a precipitous and perilous instability in the order of things. It is a delicate situation in which lone, "proudful" behavior is capable of unleashing a disastrous chain of events. In that respect there is less of a discrepancy between the Christian and the Greek tragic portrayal of human destiny afflicted by *hamartia*. Outside, destructive consequences painfully await them. But the "posit" of sin has less to do with disrupting a balance than with a collision of wills that casts in a new light the very meaning of *sovereignty*. As Carl Schmitt underscored in his framing of a "political theology", sovereignty comes down to who has the ability, as well as the legitimacy, to will what is wholly outside the *ordo rerum*. What the sovereign "wills," according to Schmitt, is the *Ausnahmezustand*, the "state of exception." The *sovereignty of the sovereign* mirrors the illimitable power of the divine creator. Schmitt's political theology, therefore, countermands virtually everything implied in the Western historical tradition by the term "political." There can be no *dikiaosyne* that coincides, as in Plato's case, with the idealized *polis*. There can be no *politeia* of sovereignty. Sovereignty is a "constitutional" moment, an infinitely replicative authorial event that determines what we mean by the "political".

Walter's Benjamin's proposition that there is always a "founding violence" to the state (*rechtsetzende Gewalt*) turned the Greek philosophical construct of *politeia* on its head. Whereas Schmitt aimed in the wake of the collapse of the German monarchy at the end of World War I to make a case for a return to some kind of autocracy, Benjamin was far more interested in offering a *metapolitical* justification for the revolutionary violence rearing its head all across Europe in the early 1920s and signaling a massive upheaval in the world political order. In his important essay *Kritik zur Gewalt* ("Critique of Violence"), published two years after the initial edition of Schmitt's *Political Theology*, Benjamin expounded on the essential and provocative question of the role that "violence" of necessity plays in the interplay of "law and justice." Although a naïve English reader might presume

the title of the essay entails a “criticism” of violence as an act of the state, Benjamin’s motives differ considerably. For Benjamin, “violence” (*Gewalt*) is indispensable to both the origin and the preservation of the state itself. Benjamin’s own argument is sharpened when one takes into account the more complicated and nuanced semantic values that the German term *Gewalt* allows. *Gewalt* can be translated not only as “violence” but as “force.” Clearly, the formation and maintenance of the state requires a *coercive* constraint. The continuation of the state depends on what we understand as its “police” function whereby the ability of the *polis* to enforce its own laws is enabled. Whether the laws of the state are “just” remains an open question. Benjamin contends that lawfulness (*Recht*) and justice (*Gerechtigkeit*) do not necessarily overlap with each other. The justice of laws can only be ascertained through their implementation over time. In a word, justice is a long-term project. It is not inherently an attribute of the state itself which has little to do with morality and the administration of “justice”. “Violence” per se has is only a means to its maintenance. The issue remains “whether violence, as a principle, could be a moral means even to just ends.” If the matter is to be settled, one must “discriminate within the sphere of means themselves, without regard for the ends they serve.”<sup>21</sup>

At the same time, Benjamin adamantly opposes anarchic violence of any variety. “All violence as a means is either lawmaking (*rechtsetzend*) or law-preserving (*rechterhaltend*). If it lays claim to neither of these predicates, it forfeits all validity.”<sup>22</sup> Revolutionary violence, however, should not be confused with anarchic violence, since it arises from an entirely different directive. It is the directive of history itself and thus manifests as “divine violence” (*göttliche Gewalt*), which is at the same time a prerogative of “sovereign” (*waltend*) violence. It is a violence that remains “outside the law”, bringing about the very “abolition of state power” from which the force of law (*Recht*) itself emanates. Revolution is the violence upon which “a new historical epoch is founded.”<sup>23</sup>

Here Benjamin seeks to conflate his Marxism with his instinctive Jewish messianism, which serves as the locus criticus for Derrida’s later effort to identify *Recht* with what is “deconstructible” and *Gerechtigkeit*, or “justice”, with the principle of deconstruction itself.<sup>24</sup> Both Benjamin and Derrida unselfconsciously engage in their own performative hermeneutic that brings to light a curious reciprocity in Judaic thinking between *mishpat* and *tsaddik*, as the irresolvable and thus “undeconstructible” strain of vengeance versus mercy. The traditional “judicial” depiction of sin as an “injustice” (*adikia*) against God and derivatively It against other human beings hinges summarily on this very reciprocity and tension. The theological question of sin and the political conundrum of what constitutes “justice” thus fuse into the more expansive challenge concerning whether there can be any sustainable or meaningful criteria for how human beings should live together other than as a people “before God.”

In the present era when the rage for “justice” by those who have been historically wronged, as well as their contemporary advocates and allies, has spun out a burgeoning` industry of collective fault-finding and blame assignment with the aim of sanctioning what often appears to be anarchic violence, the most reasonable recourse can no longer be seen as a refurbishing of the social contract that grounds what we know as “democracy,” but as a radical new variation of a political theology that realigns *polis* with *theos* in a manner that cannot in any shape or form

be confused with a “theocracy.” We can only imagine it as a *political theology without theology*, as a cry of the heart for the realization of a new presence of God in our midst that joins justice with “loving-kindness” in response to the universal and perennial prophetic demand. Such would be a “political theology” that provides a nod to recognition for the durability of divine sovereignty without the trappings of authoritarianism, or autocracy. It would be a political theology of the *basileia to theou* in the most poignant sense of the word. It would be one in which the dialectic of sin and grace was thoroughly reconceived as the mutually facing countenances of divine justice, which at the same time would be revered in the annals of a universal political democracy as justice” for “all”, and *justice once and for all*.

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<sup>1</sup> See especially Reinhold Niebuhr, *Moral Man and Immoral Society* (Whietefish MT: Kessinger Publishing, 2006); also, Dennis L. Thompson, “The Basic Doctrines and Concepts of Reinhold Niebuhr’s Political Thought,” *Journal of Church and State* 17 (Spring 1975): 275-299; Matthew Sitman, “How to Read Reinhold Niebuhr”, After 9-11, *Society* 49 (2012): 353-59.

<sup>2</sup> The notion of *hamartia* as “tragic flaw” is discussed by Aristotle in chapter 13 of his *Poetics*.

<sup>3</sup> See Michael L. Satlow, *Creating Judaism: History, Tradition, Practice* (New York: Columbia University Press, 2006), 158; Alan L. Mittleman, *A Short History of Jewish Ethics* (Malden MA: Wiley-Blackwell, 2012), 153

<sup>4</sup> A trenchant and ingenious argument making this kind of link can be found in Theodore W. Jennings, Jr., *Outlaw Justice: The Messianic Politics of Paul* (Stanford CA: Stanford University Press, 2013).

<sup>5</sup> Romans 3:22b-23, NIV.

<sup>6</sup> See Steve Mason, “Josephus’s Pharisees: The Philosophy,” in Jacob Neusner and Bruce Chilton (eds.), *In Search of the Historical Pharisees* (Waco TX: Baylor University Press, 2007), 41-66; Steve Mason, *Flavius Josephus on the Pharisees: A Composition-Critical Study* (Leiden: Brill, 2001).

<sup>7</sup> Flavius Josephus, *Antiquities*, 13:5 § 9.

<sup>8</sup> Philippians 3:4b-6, NIV.

<sup>9</sup> Jacques Ellul, *On Being Rich and Poor: Christianity in a Time of Economic Globalization* (Toronto: University of Toronto Press, 2014), 56.

<sup>10</sup> *Ibid.*, 57.

<sup>11</sup> Philippians 3:7, NIV.

<sup>12</sup> Philippians 3:8, NIV.

<sup>13</sup> Philippians 3:11, NIV.

<sup>14</sup> Philippians 3:9-10, NIV.

<sup>15</sup> See Jacques Derrida, *Specters of Marx: The State of Debt, the Work of Mourning, and the New International*, trans. Peggy Kamuf (New York: Routledge, 1994). See also William Barbieri, Jr., *Constitutive Justice* (New York: Palgrave Macmillan, 2015); Clayton Crockett, *Derrida after the End of Writing: Political Theology and New Materialism* (New York: Fordham University Press, 2018).

<sup>16</sup> Immanuel Kant, *Metaphysical Elements of Justice*, 2<sup>nd</sup> (ed.), trans. John Ladd (Indianapolis IN: Hackett Publishing, 1999), 30.

<sup>17</sup> Ernest Klein, *A Comprehensive Etymological Dictionary of the English Language*, vol. 1 (Amsterdam: Elsevier Publishing Company, 1965), 1447

<sup>18</sup> Romans 6:23, NIV.

<sup>19</sup> Paul Ricoeur, *The Symbolism of Evil*, trans. Emerson Buchanan (Boston: Beacon Press, 1967). 62.

<sup>20</sup> Paul Ricoeur, *Fallible Man*, trans. Walter J. Lowe (New York: Fordham University Press, 1986), 146.

<sup>21</sup> Walter Benjamin, *Reflections: Essays, Aphorisms, Autobiographical Writings*, trans. Peter Demetz (New York: Schocken Books, 1978), 277.

<sup>22</sup> *Ibid.*, 287.

<sup>23</sup> *Ibid.*, 300.

<sup>24</sup> See Jacques Derrida, “Force of Law: The ‘Mystical Foundation of Authority’”, in *Acts of Religion* (ed. Gil Andijar), New York: Routledge (2002), 228-98.