Elizabeth Shakman Hurd: *Beyond Religious Freedom: The New Global Politics of Religion*. (Princeton, NJ: Princeton University Press, 2015. Pp. 200.)

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Elizabeth Shakman Hurd's *Beyond Religious Freedom* makes the case that promotion of tolerance, interreligious dialogue, and the institutionalization of religious minority rights are not pure and unalloyed goods. They can obscure forms of marginalization and the repression of particular individual and group identities. Moreover, when wedded to, and promoted by, powers of a modern, Western *machstaat*, they quickly ramify into subtle forms of domination and the interests of state building. Indeed, Hurd diagnoses precisely these dynamics in the United States' International Religious Freedom Act of 1998, ensuing work by the Office of International Religious Freedom, efforts by USAID to export moderate religion, and interventionist uses of military chaplains, among numerous other examples. The positive categories liberal states deploy in determining what counts as "religion" and which religious groups warrant protection (and which must be repressed) leave some identities silenced or altogether anomalous occluded "nonreligious" others who end up unrecognized and outside the sphere of the protections of religious liberty. Nearly as insidious, though less conspicuous, are the scholars of religion who, by accepting legally and academically authorized definitions of religion (which place a premium on "belief" as a hallmark of religiousness and rely on institutional and elite accounts of religion) contribute to the above dynamics of occlusion and domination (13). This is a danger especially for scholars who focus on "the realization of religious freedom, religious peacemaking, religious tolerance, interfaith understandings, and so on" (118).

Hurd's book offers important cautions and critical interventions in all these regards, though these are not entirely novel. To her credit, Hurd herself has been, among several others, at the helm of a research program now sometimes referred to as "secularism studies." This program has emerged largely in the wake of the widely influential work of the anthropologist Talal Asad and his distinctive appropriation of Michel Foucault's writings (e.g., *Formations of the Secular* [Stanford University Press, 2003]). This well-organized, Henry R. Luce Foundation–funded research program has produced genealogies of how manifestations of religion and secularization came to be seemingly stable, self-evident categories and phenomena in the modern, liberal, nation-state-centric world. Multiple journal issues and edited volumes, books by her fellow program directors, and blog posts for a Social Science Research Council blog to which Hurd is a frequent contributor (The Immanent Frame) precede Hurd's book and afford it the luxury of brevity (it concludes at a terse 127 pages, followed by endnotes).

Chapter 1 frames the polemic. Chapters 2–5 treat the cases of religious minorities in Morocco (Sahrawi), Burma/Myanmar (Rohingya), Albania, and Turkey (Alevis) respectively. The cases are illustrative, though Hurd

owes her readers an account of how this research program avoids becoming a mirror reflection of the "religious freedom industry" that it devotes itself to debunking. Though admittedly a cottage industry compared to the policy, legal, and increasingly cultural precincts of "religious freedom" discourse in the worlds of modern liberal nation-states, it is an industry nonetheless, and one intent on the manufacture of a discourse on the *impossibility* of religious freedom.

The book prompts but does not answer the question, Could there be any positive value to religious freedom and its protection in law, policy, and human rights discourse and activism? Is it possible that religious freedom (and human rights more generally) provide some legitimate and important protections of vulnerable groups and individuals? Or is religious freedom (and rights) always and already an insidious register on which nation-states in effect manufacture and protect what they deem to be acceptable "religion"? Hurd's conclusion (following Asad) moves unequivocally in the direction of the latter position. "The modern idea of religious belief (protected as a right in the individual and regulated institutionally) is a critical function of the liberal-democratic nation-state but not of democratic sensibility" (108). This strikes me as an unnecessarily hard and fast bifurcation between state/government institutions, policies, and procedures, on one hand, and plural possibilities of engaging and holding accountable those institutional operations through democratically articulated agency, on the other.

It is possible (and some argue) that a better framing of these concerns is in a "both/and" configuration. The naive presumption of the unequivocal good of liberal tolerance, of state initiatives to export religious tolerance, and of unself-critical invocations of rights and freedoms do need to be historicized and critiqued for the ways that they can (as any positive, normative construct can) become complicit in exclusionary, marginalizing, repressive ends (however inadvertently). But these normative constructs also can (and do) provide important protections, languages, and modes of discourse with which people who are excluded and/or repressed (and some who seek solidarity with them) might resist and work to change those situations. More importantly, it is possible to conceptualize modern rights discourse as a fallible yet correctible, self-reflexive discursive enterprise. In the latter conceptualization, critical-theoretical analysis such as Hurd's would serve an indispensable yet ultimately constructive purpose, rather than a terminally deconstructive one. Indeed, Michel Foucault himself claimed that tolerance and rights often provide meaningful, unironic moments and spaces in which significant creative resistance could be opened, and freedom conceived as innovative ethical practice could occur (e.g. "Sex, Power, and the Politics of Identity," in *Ethics*, ed. Paul Rabinow [New Press, 1994]). Hurd does not take up the latter possibility.

Hurd positions the book largely within the precincts of religious studies. This comes most notably in her recruiting into her analysis the concept of "lived religion" developed perhaps most influentially by the American religious historian Robert Orsi (along with others). Yet the analytical lens of

"lived religion" works somewhat differently in Hurd's hands than in Orsi's. Orsi uses the category to open up thickly described religious practices and understandings, often micro and mundane, that would otherwise elude attention and analysis. These tend to complicate, and sometimes challenge, institutionalized and "officially authorized" accounts of religion, though without setting up hard and fast dichotomies ("institutions *and* persons… practice *and* theology," Orsi writes). The critical tendencies of such analyses are delicate, curious and inquisitive, and colorful, and often gesture in the direction of religious innovation, imaginativeness, and creativity. They open outward toward critically enriching and constructive possibilities. They foreground messy partialities, ambivalences, and putatively errant innovations of workaday religio-spiritual experiences, understandings, sense-making practices of everyday people (e.g., *The Madonna of 115th Street* [Yale University Press, 2010]). So practiced, analyses of lived religion need not buy whole-hog into the agenda of theorists convinced of the intrinsic incoherence and sociological indefensibility of "religion" as a category conceptualized in other than "lived" ways (a trend answered recently by Kevin Schilbrack's *Philosophy and the Study of Religions: A Manifesto* [Wiley-Blackwell, 2015]).

Hurd treats "lived religion" as an affirmative manifestation precisely insofar as it contrasts helpfully with the "official," "expert-driven," institutionalized forms of religion which she argues are symbiotically parasitic upon the powers (and political-theological operations) of the modern liberal state, a primary target of Hurd's critique. As Hurd has it, "lived religion" exhibits a kind of charismatic unmanageability (e.g., local and transient) vis-à-vis both formal, institutionalized religion and the liberal state (13–21). Hurd affirms the line that the very notion "religion" in the abstract is too conceptually unstable and incoherent—too tacitly overdetermined by the power dynamics of its own unarticulated Protestant culture and history—to provide a basis for a policy or legal program (111). In my view, Hurd's analysis risks pulling the otherwise imaginative, critical, and productive attention to lived religion into the quicksand of terminally reductive power-analysis. Perhaps "lived religion" needs to engage dialectically with an analogous approach to "lived politics" (including equally textured attention to the very human partialities of the inner workings of state institutions and policy applications). At present, she casts the former against a reified figure of "states, courts, and other authorities" which become transmuted into "arbiters of orthodoxy" through their political-theological exertion of its powers of state sovereignty (112).

As with much critical-theoretical analysis, historicizing, destabilizing, and disaggregating concepts can become so relentless that it devolves into a "paralysis of analysis" if it makes no effort to turn toward critically self-reflexive but nonetheless constructive counterproposal. To what is it that Hurd impels us when she calls her readers *beyond* religious freedom? This is the point at which appending one or two perhaps somewhat more constructive chapters to her book would have been helpful. Perhaps Hurd has

a constructive project in the works. If so, it will be illuminating to see how any such constructive proposal will navigate the very power analysis she wields so relentlessly in the present text. Ultimately, the positive "beyond" toward which the present text beckons its readers remains, as yet, unexplored and undiscovered.

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Jeffrey A. Bernstein: *Leo Strauss on the Borders of Judaism, Philosophy, and History.* (Albany: State University of New York Press, 2015. Pp. xxix, 228.)

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Leo Strauss was a Jew and a philosopher. But for this "citizen of Athens," as Jeffrey Bernstein calls him (taking over a phrase from Stanley Rosen), what was the importance of Jews or Jewishness? In one of the few autobiographical passages he published in his lifetime, the preface to the 1965 publication of the German original of his book on Hobbes, Strauss famously wrote that "the theological-political problem has remained the theme of my investigations." Others called this problem "the Jewish question," and Strauss himself once observed, in a 1962 lecture, that "since a very, very early time the main theme of my reflections has been what is called the 'Jewish question.'" Is the fate of the Jews or the truth of the Torah simply one particular instance of the clash between the claims of reason and the claims of revelation? Or is there something in the Torah or the claim of the people who live by it that is of fundamental and irreplaceable importance for all who think? Is the Jewish question only a question for philosophers who happen to be Jews? And if it is not, does that not open up Strauss to the charge of historicism? For if all who think need to think about the Jews, then the encounter of thought with Judaism would somehow change the possibilities of understanding for all whose primary impulse is to understand.

In *Leo Strauss on the Borders of Judaism, Philosophy, and History,* Jeffrey Bernstein presents Strauss as a Jew thinking and writing about might and right in the critical period of modern Jewish history. This critical period begins after the First World War with the rejection of Reform and of Hermann Cohen's claim in particular that the philosophical importance of Judaism came from its unique status as the "religion of reason." This period comprehends the Holocaust, that is to say, the destruction of the principal Jewish communities of Europe, and the rebirth of the Jewish state in the Promised Land. It concludes with the 1967 Six Day War, in which Israel demonstrated to its enemies that the Jewish state's existence could no longer be