

THE LEGITIMACY OF POLITICAL THEOLOGY REPLY TO MY CRITICS

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ABSTRACT

This article argues that the category of legitimacy stands to benefit from a politico-theological analysis and development. The article engages discussions on the methodology of political theology, and shows what contributions the discourse of political theology can bring to recent debates in the political theory of democracy, anarchism and postcolonialism, and on the nature of the modern state and the modern corporation.

KEYWORDS

Legitimacy, representation, democracy, anarchy, corporation

I want to begin by thanking Daniel McLoughlin for his generous initiative to assemble these engaging responses to my book. I also want to express my sincere gratitude to all the respondents for their patient, critical and creative engagement with the large expanse of the history of political and legal thought that this book takes on. In what follows, I attempt to draw out some of the main themes that run across these essays and join the conversation that they have started, more than respond to the punctual critiques and questions that the essays raise.

DEFINING POLITICAL THEOLOGY

I take “political theology” to be a discourse that examines the grounds of the legitimacy of power. Introduced by Max Weber and rendered popular lately by so-called “realist” political theory (one thinks of Bernard Williams), the term “legitimacy” refers to what “induces men to obedience and to the acceptance of the exercise of power as ‘just and proper.’”¹ In this sense, legitimacy is not to be confused with morality: for the use of power may remain legitimate even when it employs violent means and is used for immoral or unjust ends (which, for “realists”

¹ I refer to the famous discussion of the distinction between legitimacy and legality in Alexander Passerin d'Entreves, “Legality and Legitimacy,” *The Review of Metaphysics* 16, no. 4 (1963): 688.

like Schmitt, means most of the time). Since justice, to cite Xenophon's Socrates, generally speaking what is legal, legitimacy is also to be distinguished from legality. Such a distinction is unavoidable unless one wants to reduce politics "to the mere respect of the rules of the game, without any concern for the game itself," that is, for "whatever political, social or moral aims are embodied in that legal system."² Schmitt is credited with reviving the distinction between legitimacy and legality in the 20th century in his famous book with the homonymous title. His definition of the "concept of the political" is grounded in the distinction between legitimacy and legality. Likewise for his equally famous definition of sovereignty as the "decision on the exception," which is always a decision on the enemy, and thus also a decision on war. What "induces men to obedience" and allows them to experience the use of power as something "just and proper" is authority. Legitimacy is the "ultimate foundation of authority."³ Authority is not based on coercion or the threat of violence, but it is what allows their legitimate use. Thus, Charles de Gaulle, during World War II, exiled from France and without a state or even an army, nonetheless proclaimed himself to be the "incarnation of national legitimacy" because "legitimacy does not depend on legality, and legality is not necessarily a proof of legitimacy."⁴ Schmitt's basic claim is that these conceptions of legitimacy, of authority, of the "political" and of sovereignty cannot be articulated apart from the discourse of political theology.

Legitimacy is a paradoxical concept. It contains a dimension that is related to transcendence. One can call this its "theological" component. But since legitimacy is inseparable from the exercise of power, it contains a relation to immanence, to a concrete normative order or institution that generates authoritative commands. One can call this its "political" component. Schmitt says that it was in considering the Roman Catholic Church as a concrete normative order which fused Roman law with Christian theology that he developed the idea of political theology.⁵ He then set out the hypothesis that all political concepts related to the modern state were secularized theological concepts. Methodologically, political theology refers to the study of the systematic analogies between theology and jurisprudence, analogies that can be first discerned in concrete form in the Roman Catholic Church and were then, per Schmitt's hypothesis, translated to the "secular" State. Although Schmitt is best known for his politico-theological definition of sovereignty, I argue in this book that, when considering the politico-theological legitimacy of modern democracy, a more important category is that of representation. Given these preliminary remarks, I begin my response by considering Mulieri's essay.

² d'Entreves.

³ d'Entreves.

⁴ d'Entreves.

⁵ Carl Schmitt, *Political Theology II. The Myth of the Closure of any Political Theology* (Cambridge: Polity Press, 2008).

ON THE METHODOLOGY OF POLITICAL THEOLOGY

Mulieri's first question is whether I may have misapplied Schmitt's meaning of political theology to other ways of understanding relations between religious and political concepts or realities. I do try to remain true to the definition of political theology as the study of structural analogies between theology and law rather than "as an attempt to find a theological foundation of politics or apply theology to politics." Mulieri, however, suspects that the authors I take to be developing a "democratic" political theology like Voegelin, Maritain or Habermas, may instead be involved in a different type of exercise, which he associates with Lefort, and is related to Voegelin's concept of "political religion." I shall discuss Voegelin and Lefort shortly.

I think Mulieri has a valid point when he questions my attempt to define more or less precisely the meaning of "political theology" through Schmitt, while at the same time subsuming under the concept other discourses that did not understand themselves as contributing to what Schmitt called "political theology." There exists a plethora of terms that refer to an intrinsic connection between politics, law and religion, but that do not all carry the methodological commitments of Schmitt's "political theology." For instance, in Orrego's essay, she brings into play recent work on "theopolitics" (which actually is a term that is owed to Buber originally). Others, myself included, also speak of "civil religion." There is of course the whole tradition of "liberation theology," and so on. The family resemblance of all these terms probably is to blame for the current "inflationary" application of the term "political theology," and perhaps my book is contributing to this inflation. Be that as it may, in this book I take the line that authors like Voegelin, Maritain and Habermas examine the secularization of Christian theological concepts but do so primarily in relation to modern democracy, rather than monarchy, and they shift the focus of their politico-theological analysis from the state to the people. Whether correctly or incorrectly, they claim that Schmitt's political theology is designed to account for the theory of the modern state, not for modern democracy. Schmitt himself understood the conception of democracy that developed starting in the 19th century as a challenge for political theology, because late modern democracy claimed an entirely immanent and atheistic basis for its legitimacy, where the 17th century had adopted a theistic, and the 18th century a deistic discourse for the legitimacy of the state. If political theology requires, structurally speaking, an opening to transcendence, then modern democracy, with its radically immanent framework, seems to be hostile to any political theology. But my point is precisely that thinkers like Voegelin, Maritain or Habermas attempt to provide to democracy this opening to transcendence, even if, in the case of Habermas, it is meant to be an "immanent" and "methodologically atheist" form of transcendence.

Let me take up the distinction between Voegelin's "political religion" and Schmitt's "political theology." Do they reflect different approaches to the relation

between politics and religion as Mulieri suspects? In a sense, they clearly do. For Voegelin, political religion denotes in the first place the sacred kingship prevalent in pagan empires, in which religious salvation was political, and politics and law were sacred in so far as they were enacted by a king who was, in some way, divine and a “son” of god. Political religion is always an “imperial” religion; it is centered on “sovereignty” as a concept that unites salvation and government, church and state. Voegelin discerned continuities between Egyptian pharaohs, Hobbesian absolutist kings, and modern totalitarian regimes based on the cult of a leader. Against this “imperial” theology, he pitted the “separation” between religion and politics that he found in Platonic philosophy and in Christian theology: in both, the human soul is capable of transcending time, space, and matter and attaining a symbolic and separate plane of immaterial ideas that prohibited the equiparation of truth and goodness with the reality of the cosmic order, and of the king as the political representative of cosmic order (I will return to this question of separation or transcendence in discussing Ogden’s essay). In so doing, the influence of Platonism and Christianity kept western society “open” to transcendence and, in this sense, these philosophical and theological discourses maintained a “free” society. Something not entirely dissimilar is found in Maritain as well, namely, the insight that the protection of the “spiritual” freedom of human beings – manifest in their capacities to think philosophically but also to “believe” or have “faith” – is fundamental for “open” liberal democratic societies as opposed to “closed” totalitarian ones. (I shall return to the question of democratic faith in Brown’s essay). Polemically, both Voegelin and Maritain want to enclose Schmitt’s political theology in the framework of an “imperial” pagan “political religion,” despite Schmitt clearly saying that his paradigm for political theology always remained the Roman Catholic Church. Here the crucial conflict of interpretation between Schmitt and Voegelin takes place over Hobbes’ Leviathan as point of union between state and church: is his absolutism a recovery of Egyptian political religion or is it rather a case of secularized Pontificalism?⁶

Voegelin’s approach to “political religion” has been adopted and adapted by Jan Assman and, more recently, Peter Sloterdijk. For Assman, Judaism represents the ancient exception to the traditions of sacral monarchy because Moses advances the claim that the radically transcendent YHWH is the true lawgiver and no monarch can represent or incarnate this radically unknowable and transcendent God. This meant that politics began to turn around the “Mosaic distinction” between a “true religion” and “idolatry,” against which politics must go to war.⁷ There is a

⁶ On these issues, see now Robert Yelle, *Hobbes the Egyptian: The Return to Pharaoh or the Ancient Roots of Secular Politics*, in *Sacred Kingship in World History: Between Transcendence and Immanence*, ed. A. Azfar Moin and Alan Strathern (New York: Columbia University Press, 2022).

⁷ Jan Assmann, *The Price of Monotheism* (Stanford: Stanford University Press, 2009).

monotheistic “theologization” of politics, rather than the polytheistic “politicization” of religion.⁸ Polemically, Assman understands the Enlightenment as a secularized continuation of this “religious” war, not its end. It underpins his claim that secular liberal democracies may be far more “Judeo-Christian” in their outlook than their “neutral” veneer shows, a point that is taken up also by more recent critics of secularization.⁹ But in all these alternative genealogies I do not see a radical difference with the Schmittian problematization of political theology: rather, they provide more evidence of the inherently “political” and “legal” character of all religion.

Voegelin’s narrative is also important for explicitly thematizing, indeed giving pride of place, to Gnosticism within the discourse on political theology - a feature that Blumenberg would make much of in his own work on legitimacy in modernity. Gnosticism radicalizes the separation of the divine from the world and from power into a discourse of misarchy, hatred of power. Voegelin thought that Gnosticism’s critique of the Creator as a “false” God, matched with an interpretation of divine Sonship that pits it against every worldly Caesar, in the end prepared the way to a divinization of humanity, and a belief that salvation could only occur when Man overcomes itself in a Super-man. For Voegelin, when Gnosticism is “immanentized” in the 19th century, it takes the form of atheistic mass movements, and leads directly to totalitarian regimes. In this sense, one can perhaps say that what is shared by Schmitt’s “political theology” and Voegelin’s “political religion” is the belief that the legitimacy and authority turn on what meaning one gives to the idea of the incarnation or worldly realization of the divine. But the problem of incarnation, when phrased in secular terms, is the problem of representation.

REPRESENTATION

As Mulieri says, despite divergent meta-narratives, Voegelin and Schmitt share the idea that the fundamental role of political theology consists in determining the form of representation in which the divine appears in the world. In this book, I argue that both share the Hobbesian insight that the unity of a People is given by their representer, not by the represented. If the representer of God is a “spiritual” being, then the People will be analogous to the “mystical” body of this being. Democratic political theology then refers to the claim that the construction of a “mystical” body of the people is more fundamental than any formal electoral process of selecting the representatives of this body.

⁸ Eckart Otto, *Theologisierung und Säkularisierung von biblischen Recht im Horizont Politischer und Ökonomischer Theologie von Carl Schmitt bis Giorgio Agamben*, *Beihefte zur Zeitschrift für Altorientalische und Biblische Rechtsgeschichte* 29 (2022).

⁹ Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity* (Stanford: Stanford University Press, 2003).

The problem of representation becomes that aspect of democratic politics which is inherently theological. Hannah Pitkin's classic *The Concept of Representation*, whose rediscovery animates the recent "representative turn" that Mulieri also alludes to, begins with a critique of symbolic representation in Voegelin, which she claims failed to understand the properly "political," that is, parliamentary conception of representation. Mulieri is right that, in this book, I defend Voegelin's point that there is a priority of symbolic representation (which Schmitt defines as the making visible of what is invisible) over the political activity of representing someone's interests ("acting-for" in Pitkin's terminology), which for Pitkin is the ultimate role of parliamentary representation. But is Mulieri right when he says that the importance given by Voegelin to the problem of representation betrays "a symbolic, quasi-Lefortian understanding of political theology rather than Schmittian political theology which rests on structural analogy of legal-political and theological discourses"?

A great deal of recent debate on political theology has been inspired by how Lefort, and also Kantorowicz (whom I discuss below in relation to Peters' essay), articulate the discourse in apparent rejection of Schmitt. On the standard interpretation of Lefort, the French Revolution, with the decapitation of the king's head, opened up the breach between the real and the symbolic dimensions of the political. On this view, the guillotine not only sought to kill the physical king but symbolized the end of the King's "second" and "immortal" body, a "mystical" body that represented the identity of people with state, something which Schmitt calls the "monarchical principle" of representation. From the French Revolution onwards, democracy was defined as the "empty space of power," where no part of the people has a "natural" title to rule, and politics means the unending struggles for recognition and pursuit of interests carried forth in parliamentary institutions by political parties as "representatives" or "advocates" of the interests of the *dissecta membra* of the once-mystical body of the People.¹⁰ Democracy is then defined in terms of the prohibition to "incarnate" One God-People, while totalitarianism is the consequence of the viral spread of a faith in the Leader who incarnates the ideology. From this perspective, Schmittian political theology is what happens whenever the gap between real and symbolic is denied, and the phantasm of "One People" is conjured out of a disparate population by authoritarian (populist) or totalitarian leaders.¹¹ In short, on this supposedly Lefortian interpretation, a "democratic" political theology is a contradiction in terms.

¹⁰ Claude Lefort, *Democracy and Political Theory* (Minneapolis: University of Minnesota Press, 1988), 226.

¹¹ For these motifs, see Andrew Arato, *Post Sovereign Constitution Making* (Oxford: Oxford University Press, 2016) and Martin Loughlin, "The concept of constituent power," *European Journal of Political Theory* 13, no. 2 (2014). On totalitarianism in the current debate in democratic theory and its relation to political theology, see Emilio Gentile, *Politics as Religion* (Princeton: Princeton University Press, 2006).

Clearly, my book is intended as a critique of this widespread critique of political theology: it can be read as a long argument against this current opposition between “democratic theory” and “political theology.” Perhaps, as McLoughlin shows, I do not go far enough in this direction (I return to this point later). Here I shall simply mention two points. The first is that Lefort’s idea of an “empty place of power,” which gets rid of the monarchical principle of representation as *conditio sine qua non* of democratic politics, is evidently based on his adoption of a Mosaic scenario and imperative. Lefort works from premises that derive from a Jewish political theology based on the Hebrew rejection of the Egyptian and Mesopotamian traditions of sacred kingship and on giving God the shape of the original lawgiver.¹² It is relatively transparent that Lefort’s understanding of democracy as a prohibition of incarnating peoplehood in a political unity, thereby mythically attempting to recompose what is a primary and irreconcilable social division, is modelled on a Mosaic prohibition on idolatry, the idolatrous constitution of a human sovereign in the image of the divine one.¹³ Furthermore, as Lefort clearly acknowledges in several places, the “empty place of power” itself requires the establishment of the transcendence of the Law with respect to government.¹⁴ Lefort’s conception of democracy is anything but radically immanent.

The second point is that the late modern understanding of democracy evidently depends on conjuring the unity of a people (*demos*) which, however, *cannot be derived* from the unity of the state. That is why the democratic unity of a people is tendentially revolutionary and anarchic. And since it is also premised on the break with the analogy between state and God (whether in its theist or deist forms), the unity of a democratic people is tendentially atheistic. And yet, this does not mean that such a unity can somehow be conjured without principles of representation (I return to the problem of “direct” democracy through acclamation later) or without a “democratic” political theology. Hobbes’s point that the unity of a people depends on the unity of the representer holds true, just as much as this representer requires a politico-theological articulation. Except that these “representers” of a democratic people are no longer to be “incarnated” by Church, State, or Nation but rather by a series of institutions that seek to realize, inter alia, a cosmopolitan understanding of human rights, a form of legitimacy based on public reason, an idea of economics

¹² I discuss Jewish political theology in Miguel Vatter, *Living Law. Jewish Political Theology from Hermann Cohen to Hannah Arendt* (New York: Oxford University Press, 2021). For the formulation of the argument, see Martin Buber, “Koenigtum Gottes,” in *Werke. Zweiter Band. Schriften zur Bibel* (Muenchen: Koesel verlag, 1964) and Eckart Otto, *Das Deuteronomium. Politische theologie und Rechtsreform in Juda und Assyrien* (Berlin: De Gruyter, 1999).

¹³ On this motif, see also James Martel, *The One and Only Law. Walter Benjamin and the Second Commandment* (Ann Arbor: University of Michigan Press, 2014).

¹⁴ As I pointed out in Miguel Vatter, “The Quarrel between Populism and Republicanism: Machiavelli and the Antinomies of Plebeian Politics,” *Contemporary Political Theory* 11, no. 3 (2012).

based on the “free market” as spontaneous order of uncoerced exchanges, etc. These are the concrete orders of democratic political theology.

I think that by saying this, I am agreeing with Mulieri’s claims that representation is necessary “for conceiving the very idea of a people,” that representation is presupposed by democratic participation (as held by the advocates of the “representative turn” in democratic theory), and even – following the important work of Hasso Hoffmann – that Christian ideas of representation already envisage participation and pluralism, as for example in Conciliarism (a point that was already made by Figgis and Oakley). However, I am not entirely sure about his claim that “Schmitt’s theory of existential representation prepares the ground for an anti-authoritarian and potentially democratic reading of political theology.” It all depends on what we mean by “existential representation.” If, as Mulieri says, the adjective “existential” in Schmitt refers to the priority of the decision on enmity as a condition for the identification into a people or *demos*, then “existential representation” will be “democratic” if enmity is understood “agonistically”. So-called “agonistic democracy” being a species of democratic political theology. But if enmity is understood in “eliminationist” terms, then “existential representation” is no longer democratic but, I would say, fascistic. This, of course, raises a host of questions that McLoughlin poses in his intervention: isn’t there a risk that democracies, in their desire to “eliminate” what is deemed “fascist” or “authoritarian,” end up being just that? Our current controversies on the uses, misuses and limits of “free speech” rehearse the paradoxes of a “militant” democracy.

DEPROVINCIALIZING POLITICAL THEOLOGY

Orrego’s essay thematizes the “global contexts of political theologies” and offers some suggestions on the “future trajectories” of the discourse of political theology. I am grateful to Orrego for homing in on the question of what kind of “Christian” political theology is “democratic.” And subsequently for pressing me on the “imperialist” and “colonial” character of this same political theology. I will address these two points in turn.

As mentioned above, my hypothesis about what makes the discourse of political theology, after Schmitt, both “democratic” and “Christian” is a shift in the analysis of the normative orders of the Church away from its Petrine foundations, which accentuate the question of Papal (spiritual and temporal) sovereignty, and towards the question of the Church as a “mystical” body of Christ, where law and rights are, so to speak, conceived in the “ascendant” or “conciliarist” mode rather than in a more “theocratic” descendent mode, to employ Ullmann’s well-known typology. The Second Vatican Council, which was the occasion that crystallized much of the Christian discourse on political theology in thinkers like Metz or Gutiérrez, clearly

shifted the stance of the Catholic Church towards a more affirmative attitude about universal human rights, freedom of religion, preference for the poor, openness to reconcile with Protestant and Orthodox churches, rejection of antisemitism, and even gestures towards gender equality. I think Orrego is right to suggest that, in my readings of Voegelin, Maritain and Kantorowicz, the openness of Catholicism to democratic political theology is prepared for by a recovery by these thinkers of the more “mystical” aspects of Christianity, tied to Pauline foundations (witness the more recent revival of Paul as a radical politico-theological thinker in Badiou, Agamben and others) and simultaneously a recovery of Hellenistic motifs (many of them Gnostic) tied to the belief that Socratic philosophy (in its three branches of Platonism, Aristotelianism and Stoicism) somehow “anticipated” the Christian teachings. In many ways, these 20th century political theologians recovered the early Church Fathers’ attempts to articulate Christianity as a “philosophical religion,” where “philosophy” also entails Socratic “political philosophy,” whether this be Voegelin’s Platonism, Maritain’s Aristotelianism, or Kantorowicz’s recovery of the Hellenistic conception of messianic kingship. The point is, as Orrego says, by accentuating the “charismatic, mystical and spiritual dimensions” of Christianity, which stand in tension with the Roman Catholic concrete legal orders, the discourse of Christian political theology tried to engage political mass movements, while at the same time it sought to contain the “atheistic” mass movements associated with fascism and communism.

IMPERIALISM AND COLONIALISM

Orrego also rightly presses me on the lack of discussion in this book of the “imperial aspects inherent in European and liberal democratic representation.” This is indeed an important limitation of my treatment of the Schmittian discourse of political theology, which avoids a full-blown engagement with Schmitt’s late masterpiece, the *Nomos of the Earth*. In that book, Schmitt argues that the Christian normative order was always already an “imperial” one, despite the post-Augustinian doctrine of Two Cities, and the consequent “civil war” in the *respublica Christiana* between Church and Empire. For Schmitt argues that the Christian conception of *libertas* (that is, the Church’s freedom from the Holy Roman Emperor) was always a freedom for “mission,” for the evangelization of the rest of the world, and the function of the Christian emperors and kings was that of acting as *katechon* (or, restraining power) against the forces of “disorder” (the *anomos* associated with the Antichrist). While the Pope could not assign to a Christian king the spiritual mission to conquer another Christian king, “for those lands whose prince or people were not Christian, the Pope could grant mandates for mission or crusade, and these gave grounds for the justice of the war, and thus for a legitimate

territorial appropriation.”¹⁵ Indeed, Schmitt is quite clear that the confessionally “neutral” idea of the *justum hostis* (the “just enemy”) of the early modern *jus publicum Europeum*, viz., the so-called Westphalian system of sovereign nation-states and their balance of power, was made possible on the intra-Christian agreement that the rest of the world was to be conquered and divided up between the Christian sects, on the grounds of a racialized distinction between Christian and non-Christian. In this sense, Schmitt anticipates many of the hypotheses mentioned by Orrego in relation to contemporary critical international relations theory, according to which the “neutralization” of oppositions (especially religious ones) within modern Europe was conditional on the construction of “settler colonial and imperial origins of race relations.” I agree with Orrego when she suggests that an important current development of the discourse on political theology turns on shifting attention towards the political theology of settler colonial states, with particular attention paid to the connection between Protestantism, imperialism, and modern racism.

Orrego points out in this context the peculiar role played by the concept of “freedom of religion” after the Universal Declaration of Human Rights. It is known that Maritain, Malik, Cassin and Eleanor Roosevelt as the main drafters of the UDHR wanted human rights to be based on an overlapping consensus between the main world religions, hence it is obvious that “freedom of religion” was to be an essential, perhaps even the key, right in the overall structure of the Declaration. What is less known is the genealogy of this push towards “world constitutionalism” and “cosmopolitanism” which draws back to the medieval struggles for the “freedom of the Church” (*libertas ecclesia*) in relation to the Empire while simultaneously acting as motive force behind European nation-state imperialism and colonialism. The same motivation for freedom of religion, advocated by Protestant sects against established religions in the English colonies of North America, reappears as a politico-theological legitimation of chattel slavery and the genocidal “conquest of the West” in the United States. While Orrego refers to the important recent body of work analyzing the post 9/11 articulation of United States’ foreign policy in relation to the protection of “freedom of religion,” it seems to me that even more urgent work needs to be done in relation to political theology of resurgent “isolationist” and “nationalist” conceptions of Christianity in the United States (with parallels in right-wing movements in Europe as well) that wish to abandon entirely the framework of universal human rights, and which advocate for the (mainly “white”) “masses” that have been left behind by so-called “globalist” elites.

Orrego ends her essay by pointing to a new variant of politico-theological discourse, which she calls “theopolitics,” that is articulated from decolonial and

¹⁵ Carl Schmitt, *The Nomos of the Earth in the International Law of Jus Publicum Europaeum* (New York: Telos Press, 2003), 27.

postcolonial perspectives. “Theopolitics” analyses the function of theological categories in constituting peoples and commons on the basis of shared histories of bodies, affects and the materiality of lived religious experience. Again, this discourse seems to me to radicalize the shift I analyse in this book towards a Christian-democratic political theology in Voegelin, Maritain and Kantorowicz which, as mentioned, is centered on the problem of constituting the “mystical” body of the people endowed with constituent power, while at the same time thematizing and criticizing the colonial and imperial deployment of Christianity. The discourse of “theopolitics” is more open to an understanding of this “mystical” body politic out of the spiritual resources of animism and polytheism, the “influence of ancestral cosmologies and theologies that recognize the divine significance of nature,” against which Christianity went to war throughout the modern age of globalization.

CORPORATE BODIES: POLITICAL AND ECONOMICAL

I thank Peters for focussing his essay on the Kantorowicz chapter, which as he says is the longest of the book, and is, for me, particularly significant given the consolidated practice of employing Kantorowicz’s account as an alternative political theology to Schmitt’s. Peters makes the argument that Kantorowicz’s account can help us get a better grip on business corporations and the enormous corporate power they wield, with “tech giants” like Apple or Amazon having market capitalization above most countries in the world, and closing in on those of G8 countries. There are a number of factors that account for why these corporations have been allowed to accumulate this much power, but several explanations have to do with the discourse of neoliberalism (of which, for instance, Milton Friedman’s argument that the managers of corporations ought to prioritize exclusively the interests of shareholders rather than the good of the corporation itself and its members, or even less of society at large, is simply a part of the picture). By neoliberalism is meant the concerted effort to empower markets and other social networks that operate on the basis of “laissez-faire” economic principles and the “spontaneous” generation of normative orders, as ways to “govern” the conduct of citizens, before and beyond this conduct is governed by laws made by the state. In my opinion, neoliberalism can most effectively be understood from out of a mixture of biopolitical and politico-theological discourses. In this response I shall focus on what the latter perspective can bring to this question.

My hypothesis regarding Kantorowicz is that he reevaluates the role played by Norman imperial political theology (of Hellenistic derivation) in the English common law tradition and as this resurfaces in Hobbes’s theory of incorporation, giving a different basis to modern state theory than the one emphasized by Schmitt, which turns on the “secularization” of the concrete normative orders of the Roman Catholic Church. If I understand the gist of Peters’ remarks, he suggests that

corporate personhood and power might best be unpacked by going through this English (by way of Norman Sicily) development of political theology and what I take to be its critique in the English pluralist school, not the least because one owes to English jurisprudence the first development of the jurisprudence of business corporations, having in mind the global corporations like the East India Company, even if the most radical developments of this jurisprudence were to come into full effect in the 19th and 20th century in the United States.

To make the discussion somewhat clearer, I shall take as my foil the recent book by Philip Pettit on *The State* which is essentially structured around the necessity of “incorporation” of groups into artificial legal persons like states and business corporations or firms. What is most remarkable, from my point of view, is that Pettit reconstructs a normative theory of the state based on incorporation without appealing to any politico-theological discourse. For Pettit, the modern state is a “sovereign” corporate agent or person that is structured along three possible relations of “incorporation” of group of individuals (the Hobbesian “multitude”) into a people. Thus, in the most basic sense possible, for Pettit the state “is” its people: it is composed of pre-incorporated individuals (a population in a given territory), which once incorporated become the “membership” of the state (or “constituted power”) that acknowledges and follows the laws of the sovereign corporate person (and only the commands of this sovereign can be law), and, thirdly, this membership can also be conceived as an “incorporating” people with the capacity to withdraw its support of the laws of the state and effect changes to its constitution, thereby establishing itself as a “constituent” power.

For Pettit, the function of the state is to bring individuals under the rule of law, and it can only do so if the state is understood to be a corporate and sovereign person whose authoritative commands are laws for the incorporated people, and who has been authorised to utter these commands by the pre-incorporated people. The differences between the corporation of the state and business corporations are various. The state incorporates, in principle, “all” people, while a business corporation only a group of owners or, in the later development of limited incorporation, shareholders. For a long time, the incorporation of business partners required the permission of the sovereign (the state). This began to change in the 19th century in the United States when there emerges the analogy between an individual with “rights” or “immunities” against its government, and a business corporation understood as “private associations that people had the right to form and maintain under common law, with the protection of the courts.”¹⁶ But above all, the finality of the incorporated state and the incorporated business is different: for the state, the purpose is to bring interactions between all individuals under general laws (laws that structure the agency of decision-makers in government and of decision-takers in civil society) in the interests of peace and justice, while the purpose of business

¹⁶ Philip Pettit, *The State* (Princeton: Princeton University Press, 2023), 296.

incorporation is to pursue the substantive economic interests of a group of people. Pettit's book is also an argument as to why the incorporation of businesses presupposes the incorporation of a people into a state and hence rejects the claim by neoliberal theorists that both businesses and people will be better off if the state does not intervene with its laws into their affairs but rather "let's them free" to pursue their interests as they best think (*"laissez-faire"*).

Before tackling the question of neoliberalism, it is incumbent on me to explain where I see political theology fitting into this debate on incorporation. Pettit utilizes Blackstone's 18th century theory of corporate bodies which sets out the characteristics shared, in principle, by both political and business corporations. The first of these is that corporations enjoy "perpetual succession," that is the members may live and die, but the corporation is "immortal;" second is that the corporation is both under laws (in so far as it stands under a constitution) and above laws (in so far as it governs its members by making laws); and thirdly, the corporation holds dominion (ownership) over the relevant properties (territory, land, machinery, capital, etc.). Peters and I both think that Kantorowicz is of interest precisely because he shows that Blackstone's theory of the corporation is a "secularization" of a theory of incorporation that is modelled on the possibility of divine incarnation (what Hobbes, perhaps ironically, called the idea of a "mortal God," that is, of a God-man who also "dies" at the Cross). Essentially, all the characteristics of corporations listed above were found already in Bracton's theory of the King's "two bodies," one physical and mortal, the other spiritual and immortal (to this day, the so-called sovereignty of the Australian state over the Country of its Indigenous guardians still hangs on a political theology of the Crown as "corporation sole" that dates back to Bracton). Kantorowicz's hypothesis is that Bracton himself articulated a Norman, imperial political theology that was designed to countervail the claims of Papal sovereignty and liberty. Peters makes the very interesting suggestion that contemporary discussions about the political legal status of the board of directors remain divided between a Roman law theory of the head of a corporation as tutor acting in place of the ward (the incorporated members), what Schmitt calls the *auctoritas interpositio* and Pettit designates as the "single authorized voice" of the corporation that speaks for the membership, and a modern idea of directors as merely the "agents" of the shareholders.

Behind this discussion there is a long-running dispute as to what the "ontology" of the corporation really is. In his treatment of corporations, Pettit outlines three possible ontologies. The first one turns on the belief that the incorporation of a group generates a body and a person that is other and autonomous with respect to the individual members of the corporation. Pettit speaks of the belief that "a corporate body like a firm or corporation is a natural or real entity... that exists in some obscure sense over and beyond its members."¹⁷ In the terms developed in

¹⁷ Pettit, *The State*, 307.

this book, this view of the corporation as having a “real personality” over and beyond its membership corresponds to the secularization of the mystical body of the Church. For Kantorowicz, Hobbes’s notion of the Leviathan adopts both the theological idea of a *corpus mysticum* and the medieval theories of the *persona ficta* of corporations. Curiously, Pettit associates this doctrine of the “real personality” of groups with the German and English theories of pluralism tied to the thought of Gierke and Maitland. What is odd about this claim is that both Gierke and Maitland were far from being advocates of sovereign incorporation. Instead, they were advocating for an idea of the state as a “community of communities,” where the latter were conceived precisely as “unincorporated” bodies with “real” group-personalities: trusts, not corporations.¹⁸ Examples of these autonomous associations that developed laws of their own, which a pluralist or federalist state ought to recognize, were non-established churches/charities and labor unions, in short, precisely the kinds of associations that would have the most to say against increasing the power of both business corporations and the centralized state.¹⁹

The other ontology of the business corporation favors shareholder theory: it claims that corporations are “simply legal fictions which serve as a nexus for a set of contracting relationships among individuals.” Here, corporations have no “real” personality whatsoever but are epiphenomena of transactional flows of capital. Group agency is negated entirely. Pettit’s own preferred ontology is what he calls a “moderately realist theory of the corporate agent” whereby “individuals will incorporate as a single agent insofar as they rally effectively behind a single authorized voice.”²⁰ But for my part I fail to see how this theory can account for the requirements of corporate bodies outlined above, principally how an association of mortal individuals can form an immortal corporation, and how such an association can be both above and below its laws. I do not see how this can be conceived outside of political theology. I agree with the Berman/Brunkhorst claim that the modern rule of law was first conceived when the Church understood itself as both the concrete mystical *and* the abstract legal body of Christ, but I follow Kantorowicz’s hypothesis that this unity of mystical body and Roman legal corpus is articulated into the state corporation by the imperial discourse rather than the ecclesiastical one. The politico-theological realization of Trinitarianism is found in the profane, economic government of the state.

¹⁸ For a discussion of the difference, see Miguel Vatter, “Law and Life Beyond Incorporation. Agamben, Highest Poverty and the Papal Legal Revolution,” in *Agamben and Radical Politics*, ed. Daniel McLoughlin (Edinburgh: Edinburgh University Press, 2016).

¹⁹ For the debate on churches and corporations in US constitutional law, see now Winnifred F. Sullivan, *Church, State, Corporation: Construing Religion in US Law* (Chicago: University of Chicago Press, 2020).

²⁰ Pettit, *The State*, 303.

TRINITARIANISM

As Peters discusses, I read Kantorowicz as providing the political theology of corporations. This political theology turns on the secularization of Trinitarian theology. The discourse of Trinitarianism is the only one that accounts for the divinization of the People as a political body, or corporation, over and against the divinization of the sovereign. Trinitarian theology is also the only discourse that accounts for how a corporation can be both above and below its laws. I shall not revisit the argument since Peters captures them perfectly. I simply want to conclude with a comment on my relation to Agamben's work on economic theology. For Agamben, Trinitarianism is directly secularized in the form of the modern capitalist economy: the *oikonomia* that rules the relations between the three persons of God is secularized into the "mystery" of the economy and its "invisible hand." I am of the view, instead, that Kantorowicz shows how the application of Trinitarianism, as developed by the Norman and then English political theology of corporations, accounts for what Foucault calls the "economic rule of law" and provides a genealogy for Hayekian and Ordoliberal discourse. According to this discourse, free markets, while not requiring interventions from the state, nonetheless do require a *nomos* or legal framework, which is precisely a *non-state law* that limits states from intervening through their legislation in the "economic" activity of individuals. This *nomos* is distinct from state legislation; it is conceived as a "spontaneous" product of society (both nationally and globally) modelled on judge-made law rather than sovereign-made law. The existence of such *nomos* – which is of course connected to processes of imperialism and colonialism that I spoke to above in relation to Orrego's essay – offers a counter-argument to attempts like Pettit to salvage the sovereignty of the state.

SEPARATION

I am indebted to Ogden for his effort to draw out some of the connections between this book on political theology and my other research on republicanism and anarchism. Ogden sets out from the same point of departure employed by Schmitt, namely, the politico-theological legitimacy of monarchy based on the analogy between One God and One King, which he calls the dispositive of theism. Ogden then makes a very interesting and productive move by using Alexandre Kojève's discourse on theism and atheism to tackle some of what is at stake in political theology. Since his legendary *Introduction to the Reading of Hegel. Lectures on the Phenomenology of Spirit* through to his last published work, the *Essai d'une histoire raisonnée de la philosophie païenne*, Kojève has consistently argued that a philosophy which places truth in the realm of eternity is a theism,

whereas a philosophy that places truth entirely in time is in reality an atheism.²¹ Plato and Hegel represent for him the two paradigmatic articulations of these two discursive possibilities. If atheism is the determinate negation of theism, then one can say that philosophy can never quite leave behind its other, theology. If, in addition, as he famously maintains, the only truly legitimate state is the universal and homogeneous (egalitarian) state in which all social struggles are reconciled in the form of a thorough-going social recognition, then Ogden is right to suggest that Kojève may articulate what could be called an “atheistic” and “democratic” political theology.

For Kojève the “dispositive” of theism is based on the belief in the “separation” (Plato’s *chorismos*) between the “real world” and “this world.” In several of his works, Kojève defines the “religious attitude” as one characterized by the conviction that satisfaction cannot be found in “this world.” Satisfaction (or salvation) is to be found only in traversing the separation and attaining (usually after death, hence the need to posit the immortality of the soul) the “real world,” or alternatively in extinguishing ourselves (our capacity for action and transformation) already in “this world,” attaining the state of *nirvana*.

From this perspective Ogden raises several, crucial questions. The first of these concerns Trinitarianism as a discursive dispositive based on the incarnation of the “separate” God. On this model, Trinitarianism is thus a form of theology that undermines theism, if the latter is understood as maintaining the radical separation of the “real world” and “this world”, of eternity from time (I shall return to this problem in the discussion of Brown). Now, two options are possible here: one can understand Trinitarianism as a dispositive that maintains the immanent frame of “this world” open to transcendence, and in this way perhaps figures a “secular” path to (religious) salvation or satisfaction. I think that Voegelin and Maritain, as much as Charles Taylor, may all fit in this category. The other possibility, which I think is closer to what Kojève has in mind, is to understand Trinitarianism as a dispositive that, by denying the radical separation of “real world” from “this world” through the incarnation of God, prepares the advent of atheism, that is, the belief that truth and being *are* time (and space), and that discursive truth and objective being only makes sense from within a radically spatio-temporal conception of reality, which also entails the radical finitude and mortality of all beings. There remains the question of whether this political theology of atheism corresponds to communism or anarchism. I shall return to this question below. For now one can say that the legitimacy of communism and/or anarchism – that is to say, the legitimacy of radically egalitarian and democratic political organizations – depends on accepting that all being and all truth is purely spatio-temporal, and everything that is and utters meaningful discourse can do so because it is radically finite, destined to die, and

²¹ Alexandre Kojève, *Essai d'une histoire raisonnée de la philosophie païenne. Platon-Aristotle*, Vol. 2 (Paris: Gallimard, 1972).

indeed, in every moment, already dying.²² But according to Kojève this also implies that, at some point in time and space, the whole truth has been known by some finite person (this is Hegel's absolute knowledge, and the person who knows is the Sage), and everything else is mere repetition. To me, this sounds like a religious belief. In my book, although I do not discuss Kojève, I do take up views that have a certain family resemblance, above all Ernst Bloch's idea that to be a true Christian is to be an atheist, and vice versa, which means that some version of atheistic communism is the effective truth of Christianity. Where I would distinguish Bloch from Kojève is that Bloch's conception of immanence requires a minimal transcendence within time and space based on the claim that spatio-temporal reality is never "complete" and thus a "wholly true" discourse about it is impossible. Bloch associates this thought with the "principle of hope," whereas for Kojève immanence, and philosophical truth, is entirely "hopeless."

ANARCHISM

The other key idea in Ogden's essay is that theism is a dispositive, in the technical sense of the term introduced by Foucault and adopted by Deleuze and Agamben, among others. For Foucault a dispositive establishes a network of power relations through the rational disposition of things, through a veridical "order of things," which is therefore consented to and willingly adopted by its subjects. In his "archeologies" of power, Agamben connected this Foucaultian concept of dispositif to the idea of divine *oikonomia*, so that one can say that liberal governmentality is "economical" because it governs through dispositifs that do not stand under a sovereign power. Here we touch again on the problem of Trinitarianism and its relation to theism. Because if theism is necessarily related to separation, dispositives only work in and through immanence. To use Kojève's duality, one could say that while ontology is necessarily theistic, dispositives are necessarily practical and atheistic. Dispositives entail a conception of reality as a web of relationality, while theism requires the being of something (often denoted by the term One, *Hen*) which stands apart, radically un-relatable.

On this note, Ogden introduces the thought of Reiner Schürmann who offers an original take on henology and anarchism, transcendence and immanence, government and resistance, which has influenced also my work, as Ogden rightly points out. For Ogden, theism is a dispositive that depends on the "separate" status of the origin(s), of principle(s) (*arche*, *principium*), in relation to that which they "govern" in and through the "order" that they make possible. The question that

²² I take it that something like this Kojévian standpoint is nowadays represented by Hagglund, who bases himself on a Derridean discourse: Martin Hagglund, *Radical Atheism. Derrida and the Time of Life* (Stanford: Stanford University Press, 2008) and Martin Hagglund, *This Life. Secular Faith and Spiritual Freedom* (New York: Anchor, 2019).

Schürmann's deconstruction of metaphysics allows one to pose is thus the following: are principles of Being always phantasmatic, necessary but illusory "ultimate referents" whose function is that of allowing for the production of dispositives to "carry out" the order (and satisfaction) that such principles promise to subjects? Agamben makes a very similar point when he argues that the "separation" of God from "this world" – the very basis of "theism" – is already an atheism, in the sense that this separation is purely and exclusively functional to the creation of a world that is perfectly governed in and through the absence of God. In this sense, ontology is always functional to a practice of control or "operativity." Contrariwise, what would action look like if it were to be deprived of such onto-theo-logical principles, if it were to be an-archic or "inoperative" to employ Agamben's term? At times Agamben has employed the term "profanation" to signal the term for an anarchic praxis, a "free" use of things that were rendered "separate" through sacralization, private property and one's own body being examples of such *res sacra* in capitalism that one should now "profanate." It seems to me that Ogden gestures in this direction as well in order to resist the dispositive of theism. However, in this book I gesture toward another possibility that was also discussed by Schürmann, namely, to recover within ontology the distinction between the "principle" or One of Being, which is beyond or otherwise than Being, and Being as onto-theological principle or *arche*. An an-archic conception of action can also be attained by "returning to beginnings," where the beginning as One is impossible to locate spatio-temporally, and is indeed what occasions a break or interruption in the network of power, and at the same time all spatio-temporal reality and experience is not-One, that is, it is constituted by repetition as the matrix of difference and identity.

AUTHORITY

I am thankful to Brown for bringing up Kierkegaard's thought in relation to political theology. It is entirely apposite since the Danish thinker found his moment of legibility in the Weimar Republic, when everyone, from Jaspers and Heidegger to Benjamin and Schmitt, were drawing from his thinking about repetition and exception. Schmitt's citation in *Political Theology* of a passage from Kierkegaard's *Repetition* relies on Kierkegaard's authority, rather than on an argument, to support his point that the sovereign decision makes possible the law, and not vice versa. The gesture is quite certainly meant ironically, and in more ways than one, not only because Kierkegaard is the author of the "The Concept of Irony" – perhaps alluded to by Schmitt's own "The Concept of the Political;" not only because Kierkegaard's authorship is "pseudonymous" (can authority be pseudonymous?), but it also doubles on Schmitt's point that political theology turns on the distinction between authority and legality, as I mentioned at the start. Kierkegaard's citation also

supports Schmitt's use of the analogy between exception and miracle to illustrate his methodological understanding of political theology. Lastly, Kierkegaard's citation is there to show that Schmitt's political theology, as Mulieri mentioned, is an "existentialist" discourse: both in the sense that the decision on the exception is a life and death decision, but also because Schmitt seems to think that political decisions are the ones that "reveal" most about who we are "authentically." In this respect, there is a commonality with Jaspers, and later with Arendt, for whom decisions and actions are "revelatory" of "who" one is in truth, precisely by breaking with routines and roles that define "what" we are. Kierkegaard is the one who first asserted that "truth is subjectivity."

There are two questions that interest me in this context: first, Brown's point that despite the common reference to Kierkegaard, Schmitt and Jaspers (who Arendt considered to be a true democratic thinker) draw two different politico-theological consequences from the theory of exception and authority. For Schmitt, to make authentic political decisions – such as decisions on who is the enemy – grants authority to utter commands that meet with obedience. Since law, on Schmitt's Hobbesian model, is an authoritative command (law is the sovereign's will, *quod principi placuit legis habet vigorem*) the exception is always functional to the rule of law. Very much as Agamben already pointed out, it is not so much that miracle interrupts the law, but rather that miracle is the law's self-abrogation *in order to maintain its authority*, which is why the state of exception is always functional to the end of restoring law and order. But conversely, this is also why law and order are not ends in themselves, but functional to the conduct of conflict, for life is war. For Jaspers, instead, the point of "revealing" who one is truthfully, and in so doing break with convention, opinion, tradition, in short "revealing" who one truly is by embarking on a Socratic, philosophical form of life, is not functional to conflict but to communication with others. One cannot communicate unless one's utterances claim to say something truthful, or raise a universal validity claim for others to consider and test. Likewise, laws are legitimate only on condition that those who make them can justify it to those who are subject to them in terms that the latter could accept; if those reasons are not convincing, then one can "refuse [to obey] the command," as Brown says. As I try to show in the last chapter of the book, Jaspers is one of the inspirations, along with Arendt, for Habermas's "communicative theory of action." And that is why I claim that Habermas's recent "postsecular" turn is not a break with his early philosophical convictions, as is often repeated by his younger pupils, but follows quite directly from Jaspers' account of the fundamental harmony-in-dissonance of reason and faith/authority. The point here is that "communicative reason" is part and parcel of a democratic political theology.

REPETITION

But can reason stand up to authority? Brown offers an interesting argument that Kierkegaard's authorship may be undecidable on this point. As she says, Kierkegaard pens both *Fear and Trembling* and *Repetition* in the same year. In the first text, Abraham is confronted with God's completely exceptional command to sacrifice his only son Isaac, who was himself a miracle in the strict sense of being the confirmation of a prophecy/promise made by God. What is God "revealing" about Himself with this command that makes "murder into a holy and God-pleasing act"? Read along Schmittian lines, one could say that what is revealed to Abraham is God's sovereignty and power, beyond reason and justification. Brown points out that this reading of Abraham in light of a command theory of authority is favored in Protestantism. Equally, it is this Schmittian reading of *Fear and Trembling* that was adopted by Derrida, even if only to deconstruct the sovereign decision in the paradox that the condition of possibility of a decision, namely that there exist the undecidable, is also the condition of impossibility of such a decision.

What is of course interesting about Brown's discussion is her claim that *Repetition* offers not a command-structure to the exception, but a communicative-structure to exception. Brown points out that when Schmitt cites from *Repetition* he leaves out Kierkegaard's formulation of a "legitimate exception" that "is reconciled in the universal." Here she returns to Jaspers's idea that the exception is for the sake of communication, and so "always returns to universal" and so to reason. On this picture, God is trying to communicate "authentically" with Abraham through His seemingly "absurd" command. What is the truth that God is communicating? For Jaspers, it is not the "Catholic" truth of *credo quia absurdum est* (I believe it because it is absurd). If I understand Brown, she claims that God is performatively communicating that truth or subjectivity comes about through "indirect communication" - a communication that cannot be shared with others because its point is to separate, isolate or singularize the self in such a way that they can "make a decision in relation to their faith," free from the authority exerted by society or others. In a sense, the sacrifice of Isaac becomes a parable of religious freedom. In this sense, too, for Brown, indirect communication offers a model of "exception without sovereignty." I find this interpretation of great interest, especially when connected back to what Orrego says in relation to the current role of religious freedom. In my book, however, I argue a slightly different point, namely, that the "exception" that God commands can be "reconciled with the universal" if one understands it as Derrida does in *Faith and Knowledge*, when he argues, with and against Habermas, that a condition of possibility for being open to the give and take of reasons, for communicative action, is an irreducible act of faith or trust in the other, that they are in themselves part of the truth that is revealed, which lies beyond anything true or false, rational or mad, that the other may say. This is the sense in which I argue that Jaspers is Derridean, and Derrida is repeating Jaspers' wish to

see what is counter-rational as “rational” and “truth as plurality.” Without this structure of faith, public reason remains a pious wish.

IN-DISTINCTION

McLoughlin’s essay picks on one of the guiding threads of my analysis of “democratic” political theology after Schmitt, namely, my claim that such a political theology was employed to criticize the “political religion,” “paganism,” or “atheism” of totalitarian movements. I argue that Schmitt, spurred by Peterson’s criticism of his political theology, did evolve his thinking from a political theology based on the God/King analogy to one based on the Trinity/People analogy, where the latter was centered on the legitimacy awarded a leader through “direct” popular acclamations or plebiscites, which has its theological analogon in the mechanism of glorification of the Christ through the prayers of the faithful. However, I distinguish the Christian glorification that gets secularized in liberal democratic institutions from the kind of popular acclamation of the Führer, whereas McLoughlin argues that Agamben has a point when he provocatively suggests that the use of acclamation plunges liberalism and totalitarianism into a zone of indistinction rather than opposition.

McLoughlin is not the only one who uses Agamben’s idea of glorification to understand the role of consent shared by both liberalism and fascism.²³ Indeed, the rise of populist leaders who are not literally “fascist” leaders, but seem precisely to linger in an ambiguous zone that overlaps democracy and authoritarianism, has now become a significant analytical tool to capture the “new despotism.”²⁴ I think McLoughlin raises excellent points: if totalitarian governmentality is indeed characterized by terror and ideology, as Arendt argues, Trumpism seems to generate acclamatory processes without relying on either, and equally Trumpism has an ambiguous relation to militarism and foreign interventionism. McLoughlin refers to Wilhelm Reich’s analysis of mass appeal of totalitarian leaders to indicate that consent to government is not only a liberal democratic linchpin. Indeed, the study of totalitarianism has always had to contend with the paradox of working classes seemingly voting against their class interests and participating, often enthusiastically, with “the system that dominated them.”²⁵ Pace Voegelin and

²³ See for instance Mitchell Dean, “Three Forms of Democratic Acclamation,” *Telos*, no. 179 (2017).

²⁴ See here John Keane, *The New Despotism* (Cambridge, Mass.: Harvard University Press, 2020) for example. But already Sheldon S. Wolin, *Democracy Incorporated. Managed Democracy and the Specter of Inverted Totalitarianism* (Princeton: Princeton University Press, 2017) and William E. Connolly, *Aspirational Fascism. The Struggle for Multifaceted Democracy Under Trumpism* (Minneapolis, MN: University of Minnesota Press, 2017) had similar insights.

²⁵ For recent hypotheses on totalitarian government that employs the resources of biopolitics and political theology, see Simona Forti, *New Demons: Rethinking Evil and Power Today* (Stanford:

Maritain, McLoughlin argues that even Hitlerism could be seen to fit within a “democratic” political theology and a “political secularisation of Christian theology.” The relation between Christianity, atheism and totalitarianism is very complex. As discussed above in relation to Kierkegaard, there is a way to read Christian exceptionalism as conducive to a politics of blind obedience and “willing executioners.” And it is after all an old trope of studies of totalitarianism to connect the cult of personality with messianic and Gnostic elements, which are inevitably vehicled through Trinitarianism.²⁶ But overall one must also not lose sight of the fact that neither Hitler nor Stalin identified as Christian in any sense. It seems to me that whether liberalism and totalitarianism are opposed or collapse into indistinction depends on whether the Trinitarian Incarnation is believed to be a symbol for the reality of transcendence in “this world” or whether it is interpreted as the necessary transitional moment that leaves behind theism and points towards a radically immanent and atheist form of salvation, in the last instance through the glorification of an atheist leader. Ultimately, my intention in the book was much more modest: I simply pointed out how the opposition between liberalism and totalitarianism was mobilized by “Christian democratic” political theology.²⁷ But I do not exclude the possibility that Christian democracy, unwittingly, may have planted the seeds for the kind of populism found in contemporary liberal democracies. So, McLoughlin may be right that “figures like Trump and Bolsonaro are not the other of a liberal democratic commitment to public reason, because their populist authoritarianism exploits the political apparatus that the Church and liberal democratic politics both use to produce their legitimacy.” But to show this falls outside the scope of my book, and would require more nuanced studies that would take up several of the insights voiced by the other authors in this special issue.

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Stanford University Press, 2014) and Simona Forti, *Totalitarianism: A Borderline Idea in Political Philosophy* (Stanford, CA: Stanford University Press, 2024).

²⁶ See Jacob L. Talmon, *The Origins of Totalitarian Democracy* (London: Secker & Warburg, 1952) and Jacob L. Talmon, *Political Messianism. The Romantic Phase* (New York: Frederick A. Praeger, 1960) and the discussion it has given rise to. For the discussion on messianism and Gnosticism in Schmitt and Taubes, see Bruce Rosenstock, “Palintropos Harmonie: Jacob Taubes and Carl Schmitt ‘im liebenden Streit’,” *New German Critique* 41, no. 1 (2014).

²⁷ This use of the opposition between liberalism and totalitarianism is now understood as a function of “Cold War” liberalism, for instance in Samuel Moyn, *Liberalism against Itself: Cold War Intellectuals and the Making of Our Times* (New Haven: Yale University Press, 2023), but also see already Slavoj Žižek, *Did Somebody Say Totalitarianism? Five Interventions in the (Mis)use of a Notion* (London: Verso, 2001).

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