Political Theology and the Theology of Politics: Carl Schmitt and Medieval Christian Political Thought[1]

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In societies where religion plays a strong and important role, the institutions of the society reflect the religion. Yet in societies where religion plays a more secondary role to say that all political concepts are secularized theological concepts is an overstatement. While Carl Schmitt does make a persuasive argument on the role of religion in political thought, he is also mistaken. In this article, I shall attempt to show that political concepts in the medieval period were built upon theological ideas but in a way different from that described by Schmitt. Toward that end I'll describe the difference between "political theology" and a "theology of politics" and focus on the revelatory political theology of the medieval period as contrasted with the "re-paganized" theology of Schmitt. Finally, by reviewing the process of papal decline with particular emphasis on the writings of Martin Luther, I shall argue that the political theology Schmitt describes reflects a post-Reformation loss of competing "exception-bearers" in the West and that this loss has had profoundly negative consequences for Western civilization.

What does the term "political theology" mean? There is no limit to what it *can* mean: all theology may be considered "political" (from a postmodern perspective), or certain modern ideologies may be termed "political religions" (as, e.g., in Voegelin's writings), and so on. The work of Carl Schmitt presents another perspective. For Schmitt, political theology is the structure of political concepts as related to their origin in theological concepts. Within Schmitt's view of the political, the theological notion of God transfers to the political sovereign a final and total authority in the person of a main decision-maker in extreme emergencies, an "exception-bearer" with whom the power of the state ultimately lies. The notion of the Absolute in religion is used in conceptualizing the Absolute in the state, starting with the "divine right of kings" and extending to the crisis of Schmitt's own time.

Is Schmitt's idea of political theology, both in itself and in connection to the rest of his thought, correct? It is partially correct, but not in the way that Schmitt believes. His understanding of the connection between theology and politics is one-sided and misleading. The problem is that he begins his examination of political theology at the time of Bodin and the absolutizing of the theory and practice of monarchy while ignoring earlier European experience. The particular historical period at which Schmitt chooses to begin his study is significant because institutional religious insight into the political and (more importantly) religious insight informing the political were much diminished by the time "divine right" doctrines held sway. This leads the reader of Schmitt to understand theology through politics rather than politics through theology. Beginning his study at an earlier point in Western history might have expanded his overly narrow view of political theology. Still, Schmitt's analysis does clarify the modern situation, but in doing so it clarifies the problematic nature of post-Reformation political theology compared with that of the time before Luther.

Although Schmitt ignores the distinction, medieval political ideas were shaped much differently than their post-Reformation counterparts. The resulting error on Schmitt's part is his failure to take sufficiently seriously the theological understanding of politics. This is where the distinction between "theology of politics" and "political theology" comes into play.[2] Political theology has at least

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[2] It should be made clear that this distinction between "political theology" and the "theology of politics" is not the author's own creation. However, the author has

two, sometimes overlapping meanings. One is the sense of Schmitt that politics begins to appropriate notions from theology as societies secularize, thus making politics a matter of theology; the other is the ideological use of theology to mask political motivations. Both forms of political theology spring from secularization. The theology of politics, on the other hand, starts from an explicitly theological framework. This theological framework can be either natural or revelatory theology, and in the medieval period it was both. Politics was seen in the context of the powers of humans and also within a larger realm encompassing objective rights, natural order, and divine obligations. Moreover, revelatory theology came to contextualize politics even more than natural theology, as Christian notions of being, existence, and charity had political ramifications that had not been anticipated by the pre-Christian thinkers. Revelatory theology of the Catholic strain adds another element as well: the institutional. To put it bluntly, the relation between politics and theology in Western history cannot be understood without a discussion of the Roman Catholic Church, which is dependent on an explicitly revelatory theology. By looking at the interactions between the church and the various political bodies during the middle ages, the theology of politics in action, or "revelatory" political theology, is clarified. Schmitt's political theology, on the other hand, having its origins after the Reformation, reflects what might best be referred to as a "natural" political theology from which virtually all traces of direct revelatory insight have been removed. Schmitt's theology is, for lack of a better term, "re-paganized."

Political Theology and the Exception

For Schmitt, political theology is an explanation of how political concepts were formed in the modern state. These political concepts are both structurally and conceptually similar to those of theological systems. In describing political theology, Schmitt writes:

> All significant concepts of the modern theory of state are secularized theological concepts not only because of their historical development—in which they were transformed from theology to the theory of state, whereby, for example, the omnipotent God became the omnipotent lawgiver—but also because of their systematic structure, the recognition of which is necessary for a sociological consideration

According to Schmitt's political theology, all significant concepts of the modern theory of state are secularized theological concepts.

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been unable to locate the article or book that initially presented this distinction.

of the concepts. The exception in jurisprudence is analogous to the miracle in theology.[3]

The God involved in this definition is rather abstract. This God is omnipotent, and miracles are possible in His system; but there is no mention of divine history, creation acts, various prophets, the Resurrection, or much else that is historically concrete. God is, in terms of anything specific, rather plain—a sociological construct really, which is a point of importance below.

Schmitt considers political theology through his sociological method, according to which society is shaped by reigning metaphysical understandings. Schmitt writes:

> The metaphysical image that a definite epoch forges of the world has the same structure as what the world immediately understands to be appropriate as a form of its political organization. The determination of such an identity is the sociology of the concept of sovereignty.[4]

With the passage of time the metaphysical image changes. When the idea of a sole sovereign reigned (Schmitt places this idea in the seventeenth and eighteenth centuries), political systems reflected this sole-sovereign notion, such as in Hobbes. Later, influenced by more diffuse ideas of God and/or metaphysical reality, politics shifted more towards democracy, or as Schmitt puts it, "[e]verything in the nineteenth century was increasingly governed by the conception of immanence."[5] However, with this immanence came an inability to make decisions in desperate times, so that, while notions of sovereignty changed, determining where sovereignty actually lay became problematic. The problematic role of immanence is reflected best in Schmitt's understanding of the emergency or "the exception."

The notion of the exception is central in Schmitt's thought. Indeed, he begins the first chapter of his *Political Theology* with the claim, "Sovereign is he who decides on the exception."[6] For Schmitt,

> [t]he exception, which is not codified in the existing legal order, can at best be characterized as a case of extreme peril, a danger to the existence of the state, or the like. But it cannot be circumscribed

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[3] Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Cambridge: MIT Press, 1985 [1934]), 36.

[4] Ibid., 46

[5] Ibid., 49.

[6] Ibid., 5.

factually or made to conform to a preformed law.

In dealing with political theology, Schmitt sees the use of the theological concept of God's sovereignty as providing the state with a model of political sovereignty. The exception is important to Schmitt, for it must be remembered that he is not concentrating on routine situations. As George Schwab explains, "[f]or Schmitt the sovereign authority not only was bound to the normally valid legal order *but also transcended it*. . . . [Schmitt's] sovereign slumbers in normal times but suddenly awakens when a normal situation threatens to become an exception."[7] While Schmitt refers to Bodin's notion of sovereignty,[8] he more accurately owes his intellectual lineage to the English author Thomas Hobbes. Schmitt says about Hobbes's formulation:

> The form that [Hobbes] sought lies in the concrete decision, one that emanates from a particular authority. In the independent meaning of the decision, the subject of the decision has an independent meaning, apart from the question of content. What matters for the reality of legal life is who decides.[9]

Schmitt sees theological concept of God's sovereignty as providing model of political sovereignty.

Schmitt is here presenting the groundwork for his political theology. As the sovereign takes on the elements of divine sovereignty the decision of this newly deified entity becomes important. For the remainder of this article, I shall refer to those with the ability to decide when there is an exception and to make a decision during it as "exception-bearers": those who have to bear the decisions during an exception, but who also bear the power to declare that an exceptional situation exists. Like God, this exception-bearer could make the needed decisions without hindrance and must be the final and sole authority. Schmitt believes liberal democracy, a system that diffused and diluted sovereignty (following the immanentizing patterns of the nineteenth century), lacks this ability to decide. When he discusses the Spanish Catholic political philosopher Donoso Cortés on the conflict between "Catholicism and atheist socialism," he takes this example:

Immanentization viewed as having brought liberal democracy, which discusses interminably and lacks ability to decide in a crisis.

> [I]t was characteristic [according to Cortés] of bourgeois liberalism not to decide in this battle but instead to begin a discussion. He straightforwardly defined the bourgeoisie as a 'discussing class,' *una*

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[7] Ibid., xvii-xviii (emphasis added).

[8] Ibid., 8-9; cf. Jean Bodin, *On Sovereignty: Four Chapters from "The Six Books of the Commonwealth,"* trans. Julian H. Franklin (Cambridge: Cambridge University Press, 1992 [1576]).

[9] Schmitt, *Political Theology*, 34.

clasa discutidora. It has thus been sentenced. This definition contains the class characteristic of wanting to evade the decision. A class that shifts all political activity onto the plane of conversation in the press and in parliament is no match for social conflict.[10]

While Schmitt attempts to give a description of the development of the theory of state, he also makes a normative pronouncement. Dealing with major emergencies, the "exception," is of key importance, and a style of governing that ignores the importance of the decision in such dread situations is not equipped for the emergency. This is clear in a different work of Schmitt's, where he explains:

> In a very systematic fashion liberal thought evades or ignores state and politics and moves instead in a typical always recurring polarity of two heterogeneous spheres, namely ethics and economics, intellect and trade, education and property. The critical distrust of state and politics is easily explained by the principles of a system whereby the individual must remain *terminus a quo* and *terminus ad quem*. In case of need, the political entity must demand the sacrifice of life. Such a demand is in no way justifiable by the individualism of liberal thought.[11]

This emphasis on the individual as against the political and the state prevents the liberal system from combating threats against the state. For Schmitt, this inability is a damning indictment of modern liberal parliamentarianism.

His critique of liberalism is also influenced by the dichotomy he sees as defining the political. For Schmitt, "[t]he specific political distinction to which political actions and motives can be reduced is that between friend and enemy."[12] Again, following Hobbes, Schmitt considers conflict the key element of the political:

Political actions and motives reduced to friend–enemy distinction.

> War is neither the aim nor the purpose nor even the very content of politics. But as an ever present possibility it is the leading presupposition which determines in a characteristic way human action and thinking and thereby creates a specifically political behavior.[13]

In Schmitt's view, a world without war would lose the friend–enemy distinction and thus be "a world without politics."[14] In this way, the "political" can also encompass other spheres. So, if religious

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[10] Ibid., 39.
[11] Carl Schmitt, *The Concept of the Political*, trans. George Schwab (Chicago: The University of Chicago Press, 1996 [1932]), 70-71.
[12] Ibid., 26.
[13] Ibid., 34.
[14] Ibid., 35.

communities go to war (whether with other religious groups or not), it "is already more than a religious community; it is a political entity."[15] "The real friend–enemy grouping is existentially so strong and decisive that the nonpolitical antithesis, at precisely the moment at which it becomes political, pushes aside and subordinates" the other elements (religion, etc.), instead turning its focus "to the conditions and conclusions of the political situation at hand."[16] Whatever else may be substantively involved, these groups become political because "[w]hat always matters [for the political] is only the possibility of conflict."[17] With this conflict-orientation, Schmitt connects his notion of the political to the exception:

> . . . in the orientation toward the possible extreme case of an actual battle against a real enemy, the political entity is essential, and it is the decisive entity for the friend-or-enemy grouping; and in this (and not in any absolutist sense), it is sovereign.[18]

For Schmitt, the political always concerns the possibility of conflict, hence the need for the exception-bearer.

Although we can see how the political dichotomy, the exception-bearer, and political theology are intertwined in Schmitt's thought, there are problems. Can there be *two* exception-bearers over one people? What happens when a religious community becomes political, especially if the conflict that makes the religious group political causes one political entity (the religion) to go against another (the state) having sovereignty over the same population? Which authority can demand the sacrifice of life?

Remembering Caesar, Remembering God

The inadequacy of Schmitt's political theology derives from neglect of certain salient scriptural passages, including "*tunc ait illis reddite ergo quae sunt Caesaris Caesari et quae sunt Dei Deo*"(Matthew 22:21); and "*at illi dixerunt Domine ecce gladii duo hic at ille dixit eis satis est*"(Luke 22:38).[19] These two passages, in particular, have illuminated the relation of theology and politics in the West for almost two millennia. Such a relation cannot be adequately explored without reference to scriptural, theological, and ecclesiastical sources. The corpus of St. Augustine,[20] for example, offers a

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[15] Ibid., 37.

[16] Ibid., 38.

[17] Ibid., 39.

[18] Ibid.

[19] The Latin text for Gospel phrases is taken from the Vulgate, located at http://www.latinvulgate.com/.

[20] Augustine, *City of God*, trans. Henry Bettenson (London: Penguin Books,

profound repository of insight into the relation of theology and politics, and historical controversies such as the Arian heresy[21] or the confrontation between St. Ambrose and the Roman Emperor Theodosius[22] further illuminate the confluence of the spiritual and temporal realms.

As shown by Gilson, the effects of Christian thinking on philosophy and religion during the medieval period were extensive and structured by revelation.[23] Considering the structuring factors, such as the two scriptural phrases above, becomes necessary in any understanding of political theology ("re-paganized" or otherwise) or the theology of politics.[24] Historically, the political theology tht Schmitt analyzes is a turning away from revelation towards a theologico-political understanding resembling that found in (Roman) antiquity.

Schmitt's error arises from his understanding of the exception. First, his attack upon liberal democracy's concept of the exception is overly specific. The exception presents a problem for any law-governed society having some notion of representation. More importantly, the exception itself becomes an issue due to a conflict that is not purely state-oriented.[25] Throughout the medieval period, who decided on the exception was itself the object of battle, fought most importantly between papal and imperial authorities. The implicit notion of the exception was fostered, aided, and grew within the framework of at least two centers of authority attempting to gain dominance, both sharing in the claim that their

Contrary to Schmitt, the exception presents a problem for any law-governed society with some notion of representation.

1984); Augustine, *St. Augustine: Writings Against the Manichaeans and Against the Donatists*, trans. Richard Stothert and Albert H. Newman. Vol. 4, The Nicene and Post-Nicene Fathers (First Series), ed. Philip Schaff (Edinburgh: T&T Clark, 1996).

[21] John Henry Cardinal Newman, *The Arians of the Fourth Century*, 3rd ed. (London: Gilbert and Rivington, 1871).

[22] Cf. Neil B. McLynn, *Ambrose of Milan: Church and Court in a Christian Capital* (Berkeley: University of California Press, 1994), 315-330.

[23] Étienne Gilson, *The Spirit of Mediaeval Philosophy*, trans. A. H. C. Downs (Notre Dame: University of Notre Dame Press, 1991 [1936]).

[24] This being said, it must be remembered that the situation under consideration is of the West and its unique circumstances. While many of Schmitt's ideas on the political and such may be more broadly applicable, his notion of political theology assumes the Western situation. The theologico-political development in other places was quite different.

[25] While Schmitt himself does not make these connections, the following argument is not inconsistent with possible implications within Schmitt's work. Cf. Carl Schmitt, *Roman Catholicism and Political Form*, trans. G. L. Ulmen (Westport: Greenwood Press, 1996), 18-22 and passim.

source of power (as well as their opponent's) was from God.[26]

The tension between these two authorities is key to understanding the notion of the exception. Without the countervailing force of the other center, an explicit notion of the exception may have been unnecessary, because one center of authority would have been presumed to be the rightful exception-bearer. Had the secular authorities lost against the papal center, the political systems of the West would have been predominantly theocratic. In actual history, however, without the tension caused by the papal authority claiming power to become involved in political disputes for "reasons of sin," the emperors could have better solidified themselves as the sole exception-bearers, citing the "divine right" of kings.

Both centers of authority, while making claims against the other, acknowledged that their counterpart had authority. As Gierke notes:

> . . . in all centuries of the Middle Ages Christendom, which in destiny is identical with Mankind, is set before us as a single, universal Community, founded and governed by God Himself. . . . [A]long with this idea of a single Community comprehensive of Mankind, the severance of this Community between two organized Orders of Life, the spiritual and the temporal, is accepted by the Middle Ages as an eternal counsel of God.[27]

This state of affairs does not mean that no conflicts between the two institutional "Orders of Life" ever occurred. Rather, it reflects the medieval concern that both powers, if not every officeholder, had divine legitimacy. This view is illustrated by Pope Boniface VIII's bull *Unam Sanctam* (1302) against King Philip IV of France when he says,

> Both [swords] then are in the power of the church, the material and the spiritual. But the one is exercised for the church, the other by the church, the one by the hand of the priest, the other by the hand of kings and soldiers, though at the will and suffrance of the priest.[28]

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[26] As in footnote 1, this idea of "two centers of authority" is not original. The notion is inspired by the discussion of "mediating institutions" and "the naked public square;" cf. Richard John Neuhaus, *The Naked Public Square: Religion and Democracy in America* (Grand Rapids: William B. Eerdmans Publishing Company, 1984). This is an extrapolation from Neuhaus's work, and any error is the author's alone.

[27] Otto Gierke, *Political Theories of the Middle Age*, trans. Frederic William Maitland (Bristol: Thoemmes Press, 1996 [1900]), 10.

[28] Boniface VIII, "The bull *Unum Sanctum* (November 1302)," in Brian Tierney, *The Crisis of Church and State 1050-1300* (Toronto: University of Toronto Press, 1964), 189.

Given that Boniface was attempting to garner greater power to the spiritual sword, his use of the two swords terminology is interesting as it illustrates the strength of the idea even with one who was attempting to go against it in practice. Holy Roman Emperor Henry IV provides another example: while in the midst of the Investiture Controversy and while accusing Pope Gregory VII of abandoning the Faith, he exhorts the German bishops to "see to it that you do not withdraw assistance from the oppressed Church, but rather that you give sympathy to the kingship and to the priesthood."[29] It is clear that in both these cases the writer claims that the other power has overstepped its authority and wishes to bring more control to himself. But that the opposing center did have importance for the same population and had legitimate authority of some type was not denied.

It was not until later, when kingship was absolutized, that the idea of either exception-bearer as beyond the authority of the other started to make an appearance. Historically, the state became the sole exception-bearer due to a number of papal defeats and internal divisions, which left the spiritual center of authority weakened. As early as the Investiture Controversy, the papacy (while still holding strong theoretical power) was showing signs of comparative weakness. This would continue over the centuries in various controversies between the spiritual center of authority and the Holy Roman Emperors (such as Frederick II) and later between the church and various national kings (especially Philip IV of France in the late thirteenth and early fourteenth centuries). Additionally, the church was suffering from internal dissensions, including theological disagreements (such as whether or not to use Aristotle's works), outright dissent (in the works of authors like Wycliff and Ockham), and outright heresies (the Cathars being the primary example). Institutionally, in the aftermath of the Consiliar Movement, the papacy itself become stronger within the church, while the Great Schism and the multitude of popes in that time diminished the church itself in the West compared to the budding states. Finally, there was the Protestant Reformation, which served as the breaking point for the spiritual center's strength against the state.

While the weakening of the church in the centuries before the Reformation is of great importance, the Reformation itself cemented the subordination of the church to the state. First, the split in the

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[29] Henry IV, "Letter of Henry to the German bishops (1076)," in Ibid., 61.

church removed the "awe" of the spiritual institution.[30] The apostolic succession, the key sacramental elements of the church's mission, and more were questioned. The political leader of a territory had the advantage of eliciting awe with his military and temporal might, but the church relied on its then rapidly diminishing spiritual authority.

The Reformation cemented the subordination of the church to the state.

Second, the church and the Reformers shared the need for temporal assistance, and temporal leaders showed themselves ready to assist. But such assistance had its costs. For the Catholic Church, quarrels with the French king and the general independence of the French Church had to be muted. For the Reformers, however, the situation was worse as, effectively, the Reformers' churches became departments of the state. This dependence had various effects. The Reformed churches lacked an explicitly separate institution that could support disagreements with the state—as it was, the churches were governed and controlled enough by state apparatuses to limit critique and, more importantly, curtail the opportunity for competing spiritual centers of authority to arise. The churches tended to become nationalized. While there are certainly many causes for this nationalization, the dependence of the churches on the state no doubt played a large role.

Third, some of the Reformed theology itself tended to promote this subordinated role of church to state. Specifically, the writings of Martin Luther on secular authority tended to support a subservient role for the Reformed churches vis-à-vis the state. This reflects Luther's primary concern with the spiritual life and individual salvation. The effect was to atomize society, rendering the individual naked before the state, without a strong, institutional church to act as a check on the state.

An effect of Reformed theology was the atomization of society.

The first justification for the re-paganized natural political theology of Schmitt can be found in Luther's notion of the "two kingdoms." Luther claims that both the kingdom of the Gospel and the secular kingdom should remain, "the one to protect piety, the other to bring about external peace and prevent evil deeds; neither is sufficient without the other."[31] As he describes it, the world itself is not hospitable towards Christianity:

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[30] For the significance of awe, cf. Joseph de Maistre, *Considerations on France*, trans. Richard A. Lebrun (Cambridge: Cambridge University Press, 1994 [1797]), 41-48.

[31] Martin Luther, "Secular Authority: To What Extent It Should Be Obeyed" (1523), in *Martin Luther: Selections from His Writings*, ed. John Dillenberger, trans. J. J. Schindel (New York: Anchor Books, 1962), 371.

. . . the world and the masses are and always will be unchristian, although they are all baptized and are nominally Christian. Christians, however, are few and far between, as the saying is. Therefore it is out of the question that there should be a common Christian government over the whole world, nay even over one land or company of people, since the wicked always outnumber the good.[32]

With this thought in mind, problems arise. There is a radical separation between the world and the spiritual in that the Christian with no need of the world pays little heed to the quality or character of its secular rulers. As such, the secular rulers are given an incredible amount of latitude. As Luther writes:

Although the secular authority must have such a law [i.e. an eye for an eye] by which to judge unbelievers, and although you yourselves might use it to judge others, still you should not invoke or use it for yourselves and in your own affairs. You have the kingdom of heaven; therefore *you should leave the kingdom of earth to any one who wants to take it*.[33]

An obvious interpretation of this passage denotes quietism as regards the state. Certainly, he does not deny that Christians can hold political power, and that political power is divinely ordained. However, this governing power is specifically to bring peace among the degenerate and evil—it is a blessing by God to help order what went wrong after the Fall. The great limitation Luther puts upon the state is that its laws can "extend no farther than to life and property and what is external upon earth."[34] Things of the soul are left to God. This introduces some confusion as well as atomizes the believer. After all, who decides what touches upon a matter of the soul and not merely the accursed earth? Also, what recourse remains against the state which has acted illegitimately?

The Christian believer, Luther seems to suggest, has little need for authority structures, whether the state or even the church:

What, then, are the priests and bishops? I answer, Their government is not one of authority or power, but a service and an office; for they are neither higher nor better than other Christians. Therefore they should not impose any law or decree on others without their will and consent; their rule consists in nothing else than dealing with God's Word, leading Christians by it and overcoming heresy by its means.[35]

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[32] Ibid.

[33] Ibid., 380 (emphasis added).

[34] Ibid., 382-383.

[35] Ibid., 392.

This doctrine, therefore, weakens the church. As Luther earlier states, "the Church commands nothing unless it is sure it is God's Word. . . . It will be a very long time, however, before they [secular leaders] prove that the statements of the councils are God's Word."[36] Considering the sheer level of assent and authority the various councils held over the centuries, this is quite radical. With every believer a priest, it is questionable whether a "middle-man" church is required at all. Indeed, Luther makes clear that the church becomes almost unnecessary: regarding the word of God, he explains, "its plainest meanings are to be preserved; and, unless the context manifestly compels one to do otherwise, the words are not to be understood apart from their proper and literal sense, lest occasion be given to our adversaries to evade Scripture as a whole."[37]

Luther explains that depending too much on philosophical insight for theological concepts results in a "Babel of philosophy," and instead calls believers over and over again to use the "words of Christ in simple faith."[38] The church as an institution is minimized, at least to the point of losing its exception-bearing status, if not beyond. In the first portion of his letter to the German ruling class, he diminishes the unique status of the church office, while in the second he minimizes the activities of the Roman curia.[39] His preference for the secular rulers emerges clearly when he writes:

> It should be decreed that no secular matter is to be referred to Rome. All such issues should be left to the secular arm, as the Romanists themselves affirm in their canon laws, which, however, they do not observe. It should be the pope's part, as the man most learned of all in the Scriptures, and as actually and not merely nominally the holiest of all, to regulate whatever concerns the faith and holy life of Christians.[40]

One is uncertain whether to be amused or amazed at Luther's naivete in this regard. While some good could come from such an understanding, given the way Luther "streamlines" and minimizes the breadth of interpretation of Scripture, it is unclear whether he does not cause more difficulties. As times before and after would

Luther diminishes the church's ability to serve as check on secular governments.

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[36] Ibid., 383.

[37] Martin Luther, "The Pagan Servitude of the Church" (1520), in *Martin Luther: Selections from His Writings*, 266.

[38] Ibid., 268.

[39] Ibid., 417-431.

[40] Ibid., 433-434.

show, whether an issue is merely a "secular matter" or a "matter of sin" is not always clear. In this removal of papal authority to address secular matters, Luther makes it difficult at best for the church to serve as a check against the overextension of power by secular rulers.

At the beginning of this section, Matthew 22:21 and Luke 22:38 were mentioned as key scriptural passages in the revelatory political theology of the medieval period. Luther strikes a major blow against the use of both these passages, and precipitates the turn from a revelation-based theology of politics to a natural political theology. Regarding the Matthew verse about duties to Caesar, Luther simply says it describes how "[h]uman ordinance cannot possibly extend its authority to heaven and over souls, but belongs only to earth, to the external intercourse of men with each other, where men can see, know, judge, sentence, punish, and acquit."[41] Note that there is no mention of the church (institutionally speaking) as a locus of authority that is of God, not of Caesar. Indeed, his statement denotes a merely personalistic approach to the matter— the state cannot judge the heart and soul of a person, only outer acts. That there might be some strong institutional power that represents these beliefs seems to be outside the realm of consideration. Commenting on a related verse (Matthew 16:19), Luther derails this institutional authority more, writing, "[w]hence does [the pope] derive 'authority'? From the possession of the keys? But the keys belong to all, and have only to do with the power of sin . . . ."[42] As for the "two swords," Luther sums up his general view of spiritual/temporal relations with the following: "It is obvious to all that [the "Romanists"], like us, are subject to the authority of the state, that they have no warrant to expound Scripture arbitrarily and without special knowledge."[43] The slide from revelatory to re-paganized political theology in Luther is best shown in a simple line regarding secular authority: "If the State and its sword are a divine service, . . . *that which the State needs in order to wield the sword must also be a divine service.*"[44] Luther meant this simply to indicate that, in the course of one's duties in the state, one could be a good Christian. But this leaves quite a bit of room for a king "by divine

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[41] Luther, "Secular Authority," 387.
[42] Luther, "Pagan Servitude," 312.
[43] Luther, "Ruling Class," 417.
[44] Luther, "Secular Authority," 381 (emphasis added).

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right" to derive what he needs "in order to wield the sword."

Luther was not alone in this conclusion: two centuries earlier, Dante's criticism of the church (connected with his hopes for a "world emperor") had tended towards a similar result.[45] No doubt, both would have been horrified by the re-paganized political theology followed by states in the aftermath of the Reformation, and they certainly would not have condoned it. But, whatever Luther's opinions might have been concerning what happened later, his considerations on the issue of church and state gave the latter the freedom to go from the dominant to the controlling and sole institutional authority. Not all Reformers followed Luther's lead. Geneva, under the guidance of John Calvin, is an example of a different route. But Calvin's system suffered the opposite problem: the state became a department of the church. An examination of the unique history of Geneva and the Calvinist views on the state, however, cannot be undertaken here.

Yet, how does this all relate to the re-paganized natural theology of Schmitt? Luther, though not intending such a result, opened the door for the developments Schmitt describes. The two powers were no longer sparring centers of authority, each exercising its exception-bearing powers against the other. Instead, Luther reduces the spiritual center to the individual's understanding of the "plain meaning" of the Scriptures, while leaving the state generally untouched, and thus unhindered. Luther's attacks on the Catholic Church would undermine its authority regarding interpretation—"its plainest meanings are to be preserved"[46]—but also in its relations vis-à-vis the state. This discussion may seem a bit far afield, since Schmitt was concerned with the "divine right of kings" notion of political theology. But to start with divine right is to exclude the phenomenon that interested him. By the time divine right had emerged as an important political topic, the problems Schmitt analyzes in modern political thought had already become entrenched. Thus, at this time theology often had political ends and politics a theological end. "Political theology" in a way, then, ceased to be politics or theology, but rather a very odd and unstable combination of the two. The origins of Schmitt's "political theology" would come after the initial chaos

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[45] Cf. Dante Alighieri, *Monarchy*, trans. Prue Shaw (Cambridge: Cambridge University Press, 1996 [1314?]).

[46] Luther, "Pagan Servitude," 266.

had passed, with the power of the state filling the vacuum left by the church.

One Sword Is Not Enough

The tension of the two centers, church and state, made the exception a necessary and problematic part of authority. This tension hardly reflected some idyllic time of cooperation and civility. But the competing spheres of authority obliged at least some consideration of reflexivity. Consequently, the two centers of authority recognized their mutual legitimacy *in some fashion or another* as exception-bearing entities. Both derived their power from God, and within their own spheres held sway. Conflicts arose in the ill-defined margins where these spheres converged. Schmitt might refer to such conflicts as "borderline cases,"[47] made more complex by the presence of two interrelated bearers over the same populace. The elimination of one "sword," as in Schmitt's political theology, upset the balance. With the removal of the spiritual center as a strong force, the relative freedom of the temporal center, and the atomizing of scriptural interpretation, two possible results emerged: On the one hand, all individuals could interpret the Bible as they preferred, including the nature and extent of their obligations and duties both to God and Caesar. Naturally, this would be chaotic. On the other hand, while order could not exist with each individual acting as his or her own ultimate judge on earth, an arrangement of secular rulers as "'every man his own pope,' of the sovereign state exempted by definition from all judgment except self-judgment,"[48] enabled states to maintain some semblance of order, as the annals of Western history record. The state, having overcome its age-old impediment to the sole possession of authority, was now free to expand itself without concerns of papal rebuke. The expansion of state power did not go unnoticed or unopposed. As one scholar puts it, after the Reformation (when the states' powers began to increase greatly) appears

> the dread of the new absolutism of the State; the determination to resist the notion of its universal authority; to assert that there are spheres of life and bonds of association which do not arise from its

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[47] Schmitt, *Political Theology*, 5.
[48] Inis L. Claude, Jr., "Just War: Doctrines and Institutions," *Political Science Quarterly* 95 (1980): 88.

fiat and cannot be dissolved by it; and the practical connection of this with some interest, real or supposed, of religion.[49]

But the Pandora's Box of state influence would not be an easy thing to close, much less reverse. Indeed, even with the revolutions from the late eighteenth century on, the state hegemony of authority remains unbroken.

After the Reformation, the application of political theology in the form of the divine right of kings begins to follow the patterns described by Schmitt. But this fact does not make Schmitt's analysis correct. Though it can rightly be said that he discusses a "natural" political theology rather than the more "revelatory" political theology/theology of politics found in Western history, political theology goes much further back in time than the rise of the divine right of kings. Thus, in this section, I will explain how the various political bodies themselves were influenced by a revelatory political theology and how the existence of competing exception-bearers better served society than the modern system described by Schmitt. I also will show where the potential difficulties in the modern system lie.

It must be remembered that, during the Middle Ages, religion profoundly influenced all elements of life. Especially during the early medieval period, political theology within nations "was still hedged in by the general framework of liturgical language and theological thought, since a Church-independent secular 'political theology' was as yet undeveloped."[50] Unlike the plain God of Schmitt's understanding, political entities took very seriously the elements of divinity that informed the Christian West. So, as Kantorowicz explains, Christological language and structures, along with notions of "mystical bodies," structured relations between the spiritual and temporal centers, while also structuring the internal conceptions of kingship within nations. While this is of great importance for understanding revelatory political theology, this article can only touch upon it in passing, in deference to the more germane exception-bearer interactions.[51]

We can say, therefore, that the revelatory notions in political

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[49] John Neville Figgis, *Studies in Political Thought from Gerson to Grotius 1414-1625* (Bristol: Thoemmes Press, 1998 [1916]), 145.

[50] Ernst H. Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology* (Princeton: Princeton University Press, 1997 [1957]), 87.

[51] But cf. Kantorowicz, *King's Two Bodies*, chapters III-V.

communities (and between the two centers) directly apply to the concept of the exception. If one is following a revelatory notion of theology, does the king resemble God the Father (above the law, or a law unto himself) or God the Son (following the law)? Is the king the vicar of God, or the Pope, or both? If he is like the Pope, can the pontiff (for reasons of sin/heresy) interfere with, or even depose, a king or emperor? The natural political theology of Schmitt does not address these questions because, in his telling of the tale, these issues do not exist at all. To view the matter as he does is a great mistake—it presents a falsely and misleadingly truncated view of Western development. But, in this regard, it betrays the most dangerous inadequacy of the exception as grounded in natural political theology: the absence of counterbalance or tension, the lack of a "check" upon the determined will of the "god-like" sovereign. Consequently, the great abuses of power historically observable in the nation-state are inherent in the self-understanding of its members.

Within a revelatory political theology, the king is often viewed as above and below the law, playing both the role of God the Father and of God the Son. Or, in other cases, the king is seen as like God the Father, while judges are like God the Son. For example, the thirteenth-century English jurist Bracton (or whoever is the author of *De Legibus*) writes regarding those using his work on English law and customs:

> . . . it ennobles apprentices and doubles their honours and profits and enables them to rule in the realm and sit in the royal chamber, *on the very seat of the king, on the throne of God, so to speak*, judging tribes and nations, plaintiffs and defendants, in lordly order, *in the place of the king, as though in the place of Jesus Christ, since the king is God's vicar*. For judgements are not made by man but by God, which is why the heart of a king who rules well is said to be in the hand of God.[52]

This is but one example of the political applications of theology in medieval times, and such applications implied a substantive, revelatory God rather than an abstract one without divine history. Relations between the temporal and spiritual frequently spawned Trinitarian concerns. The revelatory theology of politics always questioned who exactly held the place of the exception-bearer,

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[52] Henry de Bracton, *On the Laws and Customs of England*, Four Volumes, trans. Samuel E. Thorne (Cambridge: Belknap Press, 1968-1977), I.20[f.1b]. (Emphasis added; notes removed.)

prince or pope. For some, "*Dei imaginem habet rex, sicut et episcopus Christi*,"[53] and thus the authoritative power lay with the king, while the bishops served as servants. Others argued that

> [t]he sacerdotal authority . . . surpasses the royal authority, for it was created by God Himself, while the royal authority was made by man, with God's permission indeed, but not by His will, and [the writer, Cardinal Deusdedit] confirms this principle by citing the circumstances of the appointment of Saul.[54]

Both centers made claims of authority and indeed of dominance, but each grounded its legitimacy in revelatory theology and history (Trinitarian ideas, Old Testament stories, New Testament injunctions, etc.). The claims of each center served to check the powers of the other, emblematic of a battle over the ideas of the "two swords" and the vicarage of God (or, more specifically, of the Father and of Christ). This equilibrium, as long as it lasted, prevented absolutism from forming in practice and theory (except in the writings of the most extreme partisans). But a basis for shared authority is lacking in natural political theology. The latter cannot accommodate a notion of absolute unitary power in different "persons" (to use Trinitarian language) or a reliance on divine history to share power between the spheres: there is only a strict, undifferentiated unity of power. The "god" and the state become one and the same. Absolutism, whether in terms of the divine right of kings or of emergency exceptions for the Weimar Republic, becomes the clear result. The spiritual sphere becomes subsumed under the state, serving its purposes or at least showing deference. In effect, religion and state assume their pre-Christian form. As Kantorowicz writes, "We may wonder whether it is logic or irony of history that the solemn Roman cult of gods and public functions should be found at the root of modern deification and idolization of state mechanisms."[55]

As mentioned earlier, there is a difficulty in discussing "natural" political theology, which is quite similar to the problem of a "natural" theology in the medieval period. Following Gilson,[56] one can see how the use of Exodus and other scriptural references

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[53] Attributed to "Ambrosiaster" of the fourth century. Cf. Kantorowicz, *King's Two Bodies*, 161-162.

[54] A. J. Carlyle and R. W. Carlyle, *A History of Mediaeval Political Theory in the West*, Six Volumes (Edinburgh: William Blackwood & Sons Ltd., 1970 [1903-1936]), IV.259.

[55] Kantorowicz, *King's Two Bodies*, 189.

[56] Gilson, *Spirit*.

rendered medieval natural theology quite different from that of the Greeks: that the former was in some real way affected by the knowledge of revelation. The same difficulty arises with the re-paganized natural political theology of the post-Reformation era. The divine right of kings doctrine claims that all powers and principalities are ordained by God, using theology for its purposes, though rarely does it rely on a fully revelatory political theology. In other words, the specifics of church/state, spiritual/temporal relations inherent in Christianity are left to the side, while Scripture in the abstract, rather than some full-blooded belief, is used to legitimize the state. This line of thought points directly to the God of Hobbes, where "under the sovereign of a Christian commonwealth, there is no danger of damnation from simple obedience to human laws; for in that the sovereign alloweth Christianity, no man is compelled to renounce that faith *which is enough for his salvation; that is to say, the fundamental points.*"[57]

What was a revelatory theological innovation, namely that all powers are ordained by God, is shifted over to being considered a "natural" conclusion of such a political theology. This is similar to the shift in thinking that "natural" theology shows essence and existence being one in God when it actually developed by the guidance of Scripture.[58] We can understand the idea of Schmitt's natural political theology in practice only if we look at how the Scriptures are used in the time periods concerned, as well as considering their results.

By the time period for which Schmitt examines theology and the political, the revelatory political theology, even to the extent used by Luther, had passed away. While the kingdoms were still "Christian," the kingship itself had assumed a different form. Consider the following statement from an English homily of 1570:

> And as God himself, being of an infinite majesty, power and wisdom, rules and governs all things in heaven and in earth, as the universal monarch and only king and emperor over all, so has he constituted, ordained and set earthly princes over particular kingdoms and dominions in earth, both for the avoiding of all confusion, which else would be in the world if it should be without such governors, and for the great quiet and benefit of earthly men their

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[57] Thomas Hobbes, *The Elements of Law Natural and Politic: Part I Human Nature, Part II De Corpore Politico with Three Lives*, ed. J. C. A. Gaskin (Oxford: Oxford University Press, 1994 [1650]), 152-153 (emphasis added).

[58] Cf. Gilson, *Spirit*, 49-59 and passim.

subjects; and also that the princes themselves in authority, power, wisdom, providence and righteousness in government of people and countries committed to their charge, should resemble his heavenly governance, as the majesty of heavenly things may by the baseness of earthly things be shadowed and resembled.[59]

While the above might sound similar to the writings of the pro-imperial authors, there is something new here, an addition through omission. There is no longer the countervailing balance of the church, of the degrees of authority, as symbolized by doctrines such as that of the "two swords" and that of the interrelation of God the Father and God the Son. Instead, there is but the authority of the king, being preached in a national church. The homily resembles the civil religion of Hobbes that, above all else, obliges obeisance to the sovereign, since

men that are once possessed of an opinion, that their obedience to the sovereign power [in matters of faith] will be more hurtful than their disobedience, will disobey the laws, and thereby overthrow the commonwealth, and introduce confusion and civil war; for the avoiding whereof, all civil government was ordained. And therefore . . . there was no subject that could lawfully teach the people, but by [the sovereign's] permission and authority.[60]

No longer is there a tension between church and state, for church has become a department of the state. The political theology that Schmitt depicts is the political theology of a re-paganized polity.

By "re-paganized" political theology, I mean that the state has once again subsumed the religious under its auspices. So, as in Greece and Rome of old, the civic religion holds sway, at the beck and call of the state. There is no separation of what is given to Caesar and to God, but rather, Caesar reigns supreme and summons the gods to his power. Perhaps I oversimplify here, but I wish to strike at the key point. During the medieval period, even in the midst of imperial and papal disputes, there remained a mutual acknowledgment of the necessity of balance between spiritual and temporal concerns. But, by the time of the Reformation and the subsequent wars of religion, this mutual acknowledgement had dissipated. By Bodin's time, the situation had degenerated into the

In modern politics Caesar is supreme and uses God to serve his power.

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[59] "An Homily against Disobedience and Wylful Rebellion," in *Divine Right and Democracy: An Anthology of Political Writing in Stuart England*, ed. David Wootton (London: Penguin Books, 1986 [1570]), 97.

[60] Thomas Hobbes, *Leviathan: or the Matter, Forme and Power of a Commonwealth Ecclesiasticall and Civil*, ed. Michael Oakeshott (New York: Touchstone Books, 1962), 393.

single-sovereign system that Schmitt would use to illustrate political theology.

I use the term "degenerated" purposely. According to Schmitt's own understanding, this could be a degeneration from the medieval system. Schmitt is concerned with the exception, an exception that cannot really be codified in law. He sees this as a problem for liberal parliamentary systems and the "discussing class." However, it might be better to say that it is a problem for any system that is predicated on law and that has some semblance of representation. So, for instance, the Roman Republic contained a law allowing for the placing of a dictator in times of emergency. It became clear that not all dictators would be a Cincinnatus, but might rather be a Sulla or a Marius. After the rise of Augustus Caesar, this issue became moot. "Law" took on a new understanding; the *princeps* became a law unto himself in practice, though not in theory.[61] The medieval period gave rise to a new construct of authority wherein the exception would reside in two (at least) distinct centers. On the one hand, there is the emperor, who can, in exceptional cases, remove a Pope and take other measures. On the other hand, there is the Pope, who can, for reasons of sin or heresy, displace emperors and kings. While these attributes were theoretical and not universally accepted, this tension allowed for two exception-bearers while at the same time creating a check against the arbitrary power of either. The power that wielded the decision in the exception was still answerable to another exception-bearer possessing authority over the same populace, and this tension deterred either center of power from overstepping its boundaries (again, theoretically). We must keep in mind Schmitt's notion of the political. As he says of the friend–enemy distinction:

> Each participant is in a position to judge whether the adversary intends to negate his opponent's way of life and therefore must be repulsed or fought in order to preserve one's own form of existence. . . . [T]he morally evil, aesthetically ugly or economically damaging need not necessarily be the enemy; the morally good, aesthetically beautiful, and economically profitable need not necessarily become the friend in the specifically political sense of the word. Thereby *the inherently objective nature and autonomy of the political becomes evident*

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[61] Cf. Charles Norris Cochrane, *Christianity and Classical Culture: A Study of Thought and Action from Augustus to Augustine* (London: Oxford University Press, 1944), 19-26 and passim.

by virtue of its being able to treat, distinguish, and comprehend the friend–enemy antithesis independently of other antitheses.[62]

This last passage is important, because there is a dimension Schmitt does not consider. What happens when the political and another element blur? In the medieval period, the two centers faced one another as enemies, and yet both claimed authority from the same source, both acknowledged some force behind the enemy's claim of legitimacy, and both governed subjects who maintained loyalty to both (and thus could not clearly distinguish one friend, one enemy). The political, as the medieval case shows, can face situations in which its distinctions are not so clear.

Indeed, the distinctions become most problematic. There is no territorially limited, absolute exception-bearer in this case in which two exception-bearers, in effect, share power. It does not resemble an international conflict (with friends and enemies lined up, clearly demarcated), nor is it a civil conflict (because there is no major struggle for total power of the state, at least generally) nor even typical politics (because there is not one exception-bearer, nor one simple holder of legitimate authority). It is something different, beyond the categories Schmitt provides.

With the rise of the Enlightenment and various reforms, governments shifted toward representation and the eminence of law. The failure of the doctrine of the divine right of kings may be attributable to the loss of its governing idea. It was based on a re-paganized political theology, certainly, but it retained the words of the Scripture as its legitimizing force. But Scripture also provided the basis for doctrines such as that of the "two swords" which are key to understanding the Christian interrelation with politics. Added to this was Luther's atomizing of interpretation, which left the door open to different readings of the Scriptures to attack the divine right at its weak points. With the weakening influence of doctrinal Christianity, divine right of kings could not last. Instead of the "two swords," a strong individualism, both in piety and in politics, emerged. As liberal and radical reforms and revolutions proceeded, representation and rule of law began to play a more significant role. As with the Roman Republic, the problem of the exception arose again, and the difficulties described below reflect Schmitt's critique. And following Schmitt, the Germans found a "solution" to the problem of the decision with the Third Reich.

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[62] Schmitt, *Concept of the Political*, 27 (emphasis added).

This is not to say that Schmitt, a Nazi sympathizer though he was, engineered the rise of the Third Reich. But the emergence of that regime illustrates very well the dangers inherent in Schmitt's notion of political theology. The Third Reich politicized life, as do all other totalitarian systems whatever their ideology. It permitted no countervailing center of authority: indeed, such authorities were either coopted or eradicated. No other force (short of war) could arrest the exception-bearer's activities. The exception became the state.

It would be anachronistic to inquire whether previous exception-regimes such as the absolute monarchies of early modern Europe or even some of the Roman emperors of old would have followed the patterns of total politicization that the Nazi and Communist governments undertook, had they possessed the technology to do so. Still, it can be asked whether, at least in theory, there is anything that could have prevented previous regimes from doing so. In form, nothing external (short of war) would have prevented it. The church no longer served as a competing exception-bearer, and within the state itself the king "by divine right" held total sway. Nothing, except the king's own preferences, would have stopped such a progression.

Metapolitics made possible by simplistic ideological nostrums.

There is also, however, a question of substance. Nothing in the divine right doctrines could have served to motivate the mass acceptance among the populace that makes totalitarianism possible. There would have been nothing to motivate the groundswell of support necessary for radical changes. Metapolitics, described by Mussolini as "all within the state, nothing outside the state, nothing against the state," requires a widespread acceptance among the populace of simplistic ideological nostrums such as nationalism, racism, or the like.

The re-paganized natural theology analyzed by Schmitt can lead to another form of political extremism as well. Even if the totalitarian element is removed, a softer, more diffuse, but still oppressive politics can remain. The state, as the sole center of authority, insinuates itself throughout the society. The politicization of all aspects of life occurs from the bottom up rather than the top down. Absent a countervailing authority such as that provided by the medieval church, all life tends to revolve around the uncontested authority of the state, whether coerced or not.[63] The state, as "god"

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[63] Cf. Chantal Mouffe, *The Democratic Paradox* (London: Verso, 2000), 36-57.

of the temporal world, becomes "immanentized" in society's every waking moment.[64] The relations among a nation's inhabitants, their personal interactions, the way they envision life's purpose—all orient toward politics, leaving very little else to provide meaning. This effect emerges in some of the postmodern efforts to coopt Schmitt's thought: his ideas are advanced for the purpose of fostering, protecting, or preserving group identities. Yet these "identities" are posited almost invariably in terms of political, indeed state-centered, relations. At the same time, other common sources of shared identity—e.g., the historical manners, customs, and religious traditions of a people—are deconstructed to the point of meaninglessness by extremist forms of postmodernism. In the resulting cultural void, racial, ethnic, and other groups often seek to bolster their threatened sense of identity by seeking additional political power to be wielded at the expense of others.

Conclusion

Schmitt is both correct and incorrect in his discussion of political theology. He is correct that political theology was used and developed in the early centuries of modernity. He is correct that theological terminology became interspersed within the political realm in that time period. His thought is deficient, however, in failing to consider earlier uses of theology in the political discourse of the medieval period. Particularly important is his failure to take into account the original meaning of the Christian "political theology" of Europe. The political theology utilized by Schmitt was a natural, re-paganized one, started after the revelatory political theology of the medieval period had fallen from preeminence. Without the countervailing centers of authority that in the West were represented by church and state (or Empire), there was no check on the exception within the state itself. The exception unbridled came to characterize the state, whether that of Queen Elizabeth I, King Louis XIV, Chancellor Adolph Hitler, or Politburo General Secretary Josef Stalin.

Is there a solution to the problem in Schmitt? The historical changes described in this article occurred over many centuries and

Without the church's countervailing authority, the exception came to characterize the state.

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[64] To see a similar activity in modern theology, where the idea of God is immanentized to all life, cf. John Macquarrie, *Twentieth-Century Religious Thought: New Edition* (Harrisburg: Trinity Press International, 2002), 426-427 and 437-438 (on "panentheism").

were influenced by a multitude of events. This historical experience does not suggest some great plan for counteracting state influence. Certainly, the major political theories of today, many implicitly or explicitly taking cues from Schmitt, do not seem helpful. Liberalism suffers from the individual/state dichotomy, communitarianism is state-dependent, and overly skeptical forms of postmodernism are doing totalitarianism's work for it. It is unlikely that the Christian faiths will overcome centuries of division, and Islam is also fractured. Perhaps, in Heidegger's words, "only a god can save us."