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The Iconic Essence of Sovereignty

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Abstract. *This essay aims to investigate the relation between the dawn of the National State in the early Renaissance and the concepts of crisis/apocalypse on one side and visible power on the other. The hypothesis is that without representation there is no State at all. Furthermore we will suggest that the role of the visibility of the state is related to its capability to be the “cement of society”, that is to say to face the risk of the anomy. This study is based on the research of one of the most important Italian philosophers, Massimo Cacciari and on the work of the well-known German historian Ernst Hartvig Kantorowicz, and in particular of his masterpiece, *The King’s Two Bodies*.*

Keywords: *sovereignty, iconocracy, Kantorowicz, Renaissance.*

The Icon and the *Imperium*

The *katèchon* (treated not only by Schmitt, but thoroughly analysed in at least two works by Massimo Cacciari, *Dell’inizio* and *Geofilosofia dell’Europa*) presents itself in neutral terms (τό κατέχον, Latin translation: *quid detineat*) or subjectivised terms (ὁ κατέχον, Latin translation: *qui tenet*). Cacciari says that “the only, true political *form* conceivable in this Christian scope seems to be the *kat’èchon*. The term, which dates back to the *second epistle to the Thessalonians* (2, 6 and following), identifies the Power that

hinders the full epiphany of the *anomos*, the Adversary. Hippolytus too gave a political interpretation of the *kat’èchon* as image of the Empire, and so did Schmitt: to him, *kat’èchon* is also the medieval Empire, whose function would consist in keeping the Century in-shape, while waiting for its End, against the Devil’s “seductions”. Until the XIV Century, the king’s figure would represent the custodian of the man’s “rights” *in statu viatoris*, and only within these boundaries his sovereignty would appear legitimate. However, what Schmitt doesn’t see is that the *kat’èchon*, just to perform

such function, must assimilate, internalize the same anomie. To ‘restrain it’, it can only ‘hold it’ within itself. Its law is nothing else but the prison where the *filius perditionis* lives – a prison that his power will inexorably end up by demolishing it. So, not only the precariousness and artificiality of this ‘containment’ work is clear, but much more it is the impossibility for the Christian to truly acknowledge it, as it reaffirms *in toto* the original bond between law and sin. Not only the *kat’èchon*’s order eventually turns out to be impotent (hence, also for this reason it is impossible to rely on it), but it is also intrinsically connected to the principle that it should fight, because it hosts it within itself (the *filius perditionis* is *hostis* and *hospes* of the *kat’èchon*). Sure, the Middle Ages knew also ‘heroic’ attempts to found the autonomy of the *imperium* and conceive its godly origin (just think of Dante’s *duo ultima*). But, to define its own order, the law of the earthly city will come only by giving up any transcendent justification, thus truly representing that space that the man can fully inhabit¹.

In both cases “what/who restrains” is a force that fights the world’s nihilistic annihilation by the Antichrist, that is, by a pure destructive force whose aim is the destruction of everything that Christianity represents. Again, Cacciari says, “does the *kat’èchon* [...] holds in itself the Anomos? It surely does *too*; it is totally wrong to

translate *katéchein* as if it were a simple external opposition; we have seen that not even the *adversari*, the *antikèisthai* of the “homo iniquitatis” is so. The *kat’èchon* holds the Anomos from manifesting itself in full, from fulfilling its apocalypse – but only by holding it tight in itself, by *detaining it*. Therefore, we cannot consider, in any way, the *kat’èchon* as mere *enemy* of the anomie; to prevent it from manifesting itself, it must *safeguard it* within itself; to prevent its full realization, it must become its prison. The *kat’èchon* is inhabited by the anomie; but, in letting being inhabited, in making room within itself for the anomie, it also prevents it from appearing apocalyptically, hence it fights it – but to fight it, it can only take it in. It cannot deny its principle, but it can restrain its full expression²”. The paradoxical characteristic of this force is properly highlighted by Cacciari, since the fact that it can only contain within itself and delay the epiphany of Evil but not dissolve it, induces a process that can only take on a ‘passive’ role in the relentless flow of man’s destiny. “But what indeed is the sense of this *katéchein*? Of the ‘process’ that it indicates, ‘before’ the ultimate battle? Its sense is equally clear and decisive. The *kat’èchon* is nothing else but the time of hesitation, of a suspended progress that must be read *in* the same Future [...] When the *kat’èchon* will be removed, this Age will end. It is ‘kept’ in its shape ‘thanks to what’ holds, delays – and

by holding, *preserves* the very iniquity. Who will eliminate it? [...] It cannot be intended differently: its 'custody' falls to pieces under the anomie's impetus; the blows of the *apostates* must eventually make it crumble; [...] The *kat'èchon's* prudent cunning is powerless before the Adversary's marvels, signs, prodigies, *en-érgeia* – rather: against the power of its own shrewdness: to 'disguise' as God, to take His form³". Note that this process of dissolution in fact is nothing more than the intimate constitution of sovereignty: its crisis has already begun with its appearance, since its own statute is that of crisis.

Mysteries of State

What kind of relation is there between the representable and the not-representable in the analysis of the political representation? This visible power, which is the political power that, alone in its historical significance, is unable to exhaust what it represents, how can it be even only understood, and by how many, and through which mechanisms?

So far political philosophy has insisted on the issue of the paradoxical nature of all of the expounded mechanisms: rule and exception, salvation and apocalypse, restraining power and anomie, indicating however a *mythical* element (as Badiou says⁴) that presents itself as element that represents the unity of what can't be united, which means that it represents the not-representable. This

knowledge, which matures through the *para-ousia* (the presence) in the world of those who want to understand the mechanisms of visibilization of the *kairòs* in the *chrònos*, seems to be, for the entire group of authors analyzed so far, not for everyone.

The visibility relation between the State and its subjects, according to Kantorowicz, is a relation based on *mystery*⁵. In fact, we could even record a diachronic development where to a first period – approximately from Constantine and through the entire Lower Empire, most of the representative charge (in terms of attributions, functions and rhetorical apparatuses) are transferred from the empire's officials to the bishops – succeeds another period, which reaches the eve of the birth of modern sovereignty, in the late Middle Ages and Renaissance, where the transfer of those apparatuses goes in the opposite direction. Kantorowicz says that "under the Pope, *princeps* and *verus imperator*, the hierarchic apparatus of the Roman Church [...] showed a tendency to become the perfect prototype of an absolute and rational monarchy founded on a mystical basis, while at the same time, the State tended more and more to become a quasi-Church and, for certain aspects, a mystical monarchy founded on a rational basis"⁶. It is mostly on the juridical terrain that Kantorowicz's analysis unravels, even if the subject presents continuous osmotic points, at least with the medieval art and depiction,

with special reference to the commentators' practice and the commentaries that from time to time were produced in that exercise that partly was tending towards the creation of a jurisprudential and public law discipline that would lay the foundations of a new way to intend the subject of the representation of sovereignty, and partly trailed after the political requirements that were constantly changing. The 'State Mysteries' discipline is in reality the great lab that produces the so-called Political Theology in the modern age. The very term of *mysterium*, initially attributed to the sphere of exercise of the sovereign jurisdiction, ends up by acquiring a meaning relevant, in a much broader way, to a personal attribution, that is, more similar to a dignitary prerogative than to a functional activity. To this regard, a good example is represented by the practice, reported by Kantorowicz, relevant to the official documents of Frederick II, where "it is true that the emperor himself, in his Sicilian Constitutions, did not mention that the *ministerium Iustitiae*, or rather the *sacratissimum ministerium Iustitiae* that he assigned to his officials. But these two terms – *ministerium* and *mysterium* – were almost interchangeable since the early times of Christianity and were always mixed up in medieval times⁷". The content of these two terms, *mysterium* and *ministerium* is rather ambiguous, but, in a Schmittian way, it is attributed to a difference of political content, where the second of the two terms

refers directly to the theological-political function of the decision, as it has been recently pointed out⁸.

However, we must articulate this assimilation in some successive passage, and the first step consists in materialising that organicistic metaphor that we have previously seen growing. There is a double vector in the translation from spiritual organicism to secular organicism: the former is founded on the marriage metaphor. This theological-juridical metaphor identifies the monarch as the prelate to a groom who marries the mystical body of which he is part. In particular, Luca da Penne, under Andrea d'Isernia's influence – who, however, kept the prelate/prince parallelism within a generically organicistic metaphor of the head-body type–, maintained that "a moral and political marriage is contracted between prince and *respublica*. Therefore, as a spiritual and divine marriage is contracted between Church and prelate, so an earthly and secular marriage is contracted between Prince and State. Therefore, as the Church is in the prelate, so the prelate is in the Church..., and so the Prince is in the *respublica* and the *respublica* in the Prince⁹". This last sentence was so popular to resist until the Elizabethan age when, first the Crown's jurists and then the very Sir Francis Bacon talked of the king's body as a "corporative body in a natural body, and a natural body in a corporative body" (*corpus corporatum in corpore natural, et corpus natural in corpore corporato*)¹⁰. The

theory, mentioned in other parts, of *the two bodies of the king*, which was the true absolute foundation of the absolute State, i.e. the baroque theological-political State, finally muscled in through this gash¹¹.

The other vector of the passage from spiritual organicism to political organicism is that of the comparison of the Pontiff first and of the Sovereign later, to the Christ. Again, Luca da Penne maintains that “as men are spiritually reunited in the spiritual body whose head is the Christ..., so, men are morally and politically reunited in the *respublica*, which is a body whose head is the Prince”. In this way, the theory by which “the *corpus reipublicae mysticum*, led by the Prince” is “compared to the *corpus ecclesiae mysticum*, led by the Christ” is confirmed¹².

Then the issue of the papal *dignitas* came, and became the motor of the absolutist political theology. The Pontiff had already maintained the difference between his mortal body and his mystic body, tied to the *dignitas*, namely the office carried out by him in the Ecclesia as *corpus mysticum*. In this sense, the death of a single Pope could not nullify the *dignitas* of the papal office without refuting the necessary continuity in the representation of the entire Church of the believers. Just think of the ancient tradition that kept – until Leo XIII’s pontificate in the XX Century – the principle by which the duration of a pope in life could not exceed the length of Saint Peter’s papacy (that is, twenty-five years) as

a principle of faith¹³. Also the sovereign, from the XIII Century onward, begins to transfer his immortality, or his double body if you wish, to the supposed *dignitas* that he gets from being, like Christ, the ‘leader’ of the great *corpus reipublicae mysticum*. One ancient motto says: *le roi ne meurt jamais*, so much to borrow also the symbol of this supposed immortality, a symbol that for the Pope was the Phoenix. This mythical bird had been selected for its ability to return to life every time after its death, but it had at least two more qualities that made it interesting in the eyes of the new political theology: the first was its uniqueness, because there could be one, and only one phoenix; the other was its *autopoiesis*, meaning that the phoenix would revive from its own ashes, thus providing the most evident form of empowerment of politics known in the modern age. The Renaissance Queen who made the largest use of this symbol – but she was not the only one – was certainly Elizabeth I Tudor, who often got herself portrayed in that form. So, it is certainly not a case that it was just in the Elizabethan period that the *corporation* theory grew: the Tudor’s jurists maintained exactly what follows: “The King has two bodies: one is a natural Body ... subject to Passions and Death like any other man; the other is a political body whose limbs are the subjects. With them, he forms the corporation, he is incorporated in them as they are in him; he is the Head and they are the Limbs; and this body is not

subject to Passions and Death, because in this body the King never dies¹⁴.

So, the mystery of the State, or better, the mystic content of the theological-political foundation of the modern State is unveiled. To this idea is connected the *pactum ad excludendum* that separated the fate of absolute sovereigns from that of their subjects, forbidden *ab origine* to judge the choices and decisions – initially only with regard to justice, but little by little extended to all matters of sovereign governance – of their monarch. Like in the case of Erasmus's *asynus portans mysteria*¹⁵ if the model had to be the exposure of the Son's divine mystery taken from the entry of the Christ in Jerusalem riding a donkey, to whom the entire community of the believers bowed, its updating in a theological-political key seems to be that of an ass that carries on its back nothing more than a simulacrum of Jesus Christ, a weak reflection of the original. And in the Renaissance symbolism this image is recurrent, starting from the most important and popular collection of emblems of that time, the *Emblematica* by Andrea Alciato that Erasmus cited explicitly¹⁶.

The double body of Sovereignty

Hence, the duplicity character of modern sovereignty derives just from the mystical origin of its foundation and cannot disregard it in any way. That paradoxical aspect that we have

observed in the course of this entire reconstruction is already contained in the critical element that forms the genetic matter of the modern State. The double, intended as positive and negative side of the same face, but most of all its resistance, deceptively cohesive of the entire national community, could only cause horror in those who, like Carl Schmitt, had identified and feared this character from the start. Identified through a careful and extremely clear analysis of its development, but feared in an apocalyptic perspective such as the one that Franco Volpi shows to be one of the peculiar traits of his thought after the end of the Second World War. Indeed, Volpi says that to Schmitt “there is another kind of knowledge, by which ‘truth is what that can never, and should never be expressed. It is ‘secret’ by nature. The knowledge related to it cannot be communicated in a direct way. What is known and said in public does not deserve to be known. Truth is not conquered through the logical-conversational thought, but it can be “grasped” once we reach the necessary level of maturity. It is a sacrilege to talk about it in public. Truth is the secret monopoly, jealously kept, of a limited élite of ‘initiated’ people, and the introduction to it is the ‘initiation’, which is not for everyone. You must be called ‘elected’. The means to communicate it (to transmit the inexpressible) is the mythical image”¹⁷.

Whether the mythical images are those of the Leviathan or of the

Behemoth, whether they are the edifying images of the XVI and XVII Century symbolism, whether they are normative or rhetorical, allegoric or lithographic figures, the important thing is to reconstruct the secret threads of the power issue. "According to Schmitt, neither a doctrine of power nor a theory of sovereignty were enough to unravel that secret. It was essential to discover the indirect power techniques and penetrate the *arcana imperii*"¹⁸.

In the early '30, Kantorowicz frequented the *George Kreis*, an exclusive club whose point of reference was Stefan George, a German poet well known between the two wars who, thanks to his natural charisma, was able to attract the best minds among the conservative and moderate circles of Germany, defeated in the First World War. However, we would like, right from the start, to dispel any possible dispute that directly invests his intellectual involvement with the rising Hitler's national socialist party, which had yet attracted other influential members of the *George Kreis*, like Ernst Bertram, Woldemar Uxkull-Gyllenbad and especially, although he was not an official member of the *Kreis*, another medievalist historian, Kantorowicz's friend and point of reference, namely Percy E. Schramm. Kantorowicz was surely a committed and voluntary Wehrmacht fighter in the First World War, and sure enough, in many occasions he bragged about his participation in the repression of the Spartakists uprising in Germany;

however, his possible sympathy for a movement that, in the '30, was presented as a strong wind of renovation for the German nation was prevented from the start by the racial content that was at the centre of it. Kantorowicz's Jewish origins placed him in an intellectual context that was totally the opposite of Nazi barbarity, and this was just what prevented him from continuing teaching in Frankfurt and eventually forced him to leave his beloved Germany.

Recently, it was repropounded the opening lesson of Kantorowicz's 1933 course, held in Frankfurt on 14 November of that year, entitled *Das Geheime Deutschland* [Secret Germany], dedicated to George's poem *So will der Fug* [So Wants the Law] that recites "You can exterminate us, but what blossoms will blossom richer" (George, 1914). The issue of a universal destiny of the German nation is recurrent in a time of extreme frustration for the German national spirit, but in this proslusion Kantorowicz defines once for all the true limits within which this revived cultural and national pride moves without exceptions. To him, the German culture moves within a tradition that dates back to the Classical Age and is interpreted as the most modern expression of the will of preservation of this inheritance. From the Greek-Latin classics to the highest thought expressed in the spiritual years of formation of Christian Europe, to the great Dantesque tradition, up to the subterranean per-

sistence, in times of growing secularization of the European cultural structures, of this hidden spiritual energy that occasionally surfaces in the great romantic poetry, the thin red line of the conservative cure resists the rising wave of barbarity imposed by the historic achievement of the invasive structures of the national States. The prolusion's high point, beyond the rhetorical nuance aimed at causing a strong and visceral reaction in the students of his course, is in the insistence with which Kantorowicz connects the German culture to a broader, European, almost unhistorical, but surely universal dimension; an insistence that stands alone from the start against any attempt by the rising Nazi order to seize this ancient tradition and bend it to the tragic interests of a racist and totalitarian State. Faithful to his frame of reconstruction of the continuities between the Classical world and the medieval world, Kantorowicz says that "from Christianity arose a sole Europe, from an *imperium sacrum* arose the

community of western nations. A unique world, a universal world, just like every Olympus and mythical kingdom represented it¹⁹."; but the secularization connected to the Renaissance rift – the creation of national States– does not prevent this universal tension from giving life to "underground currents that, dragging with them substances from Europe's original spaces, keep on running under the surface of the kingdom, visible from time to time, to erupt later and unexpectedly here and there from the Earth's crust and gather in a basin prepared to collect them²⁰". These Carsic basins are the places of those *arcana imperii* within which the historic development of the secularization process has confined sovereignty and the destiny of the Western World. They are also that *mysterium* by now incomprehensible of that power that keeps the key of that well where it has fallen, "the man of sin, the son of perdition" [ὁ ἄνθρωπος τῆς ανομίας, ο υἱὸς τῆς ἀπλείας] (Paul, *Thessalonians II*, 2,3).

Notes

¹ See M. Cacciari, *Geo-filosofia dell'Europa*, Adelphi, Milano, 1994, pp.116-118.

² See M. Cacciari, *Dell'inizio*, Adelphi, Milano, 1990, pp. 623-624

³ Id., pp. 624-625.

⁴ See the conception of *myth* in the classical tradition in A. Badiou, *La Repubblica di Platone*, Ponte alle Grazie, Firenze, 2013.

⁵ See E. H. Kantorowicz, *Misteri di Stato*, Pensa Multimedia, Lecce, 2004.

⁶ Id., pp. 58-59.

⁷ Id., p. 66.

⁸ See M.S. Barberi, *Mysterium e Ministerium. Figure della sovranità*, Giappichelli, Torino, 2002.

⁹ See E.H. Kantorowicz, *Misteri...*, cit. p. 76.

¹⁰ Id., p. 79.

¹¹ See E.H. Kantorowicz, *The King's two Bodies. A Study in Mediaeval*

- Political Theology*, Princeton 1957; it. tr. *I due corpi del re. L'idea di regalità nella teologia politica medievale*, Einaudi, Torino, 1989.
- ¹² See E.H. Kantorowicz, *Misteri...*, cit. p. 79.
- ¹³ See A. Paravicini Bagliani, *Il corpo del Papa*, Einaudi, Torino, 1994
- ¹⁴ See E.H. Kantorowicz, *Misteri...*, cit. p. 93.
- ¹⁵ See Erasmo da Rotterdam, *Colloquia*, Einaudi, Torino, 2003, pp. 450-455.
- ¹⁶ See introduction by D. Mansueto, *L'asino il re e la meretrice. Di alcuni emblemi teologico-politici*, in E.H. Kantorowicz, *Misteri...*, cit.
- ¹⁷ See the comment by F. Volpi in C. Schmitt, *Land und Meer. Eine weltgeschichtliche Betrachtung*, Stuttgart 1954; it. tr. *Terra e mare. Una riflessione sulla storia del mondo*, Adelphi, Milano, 2002, pp. 136-137.
- ¹⁸ Id., p. 140.
- ¹⁹ See E.H. Kantorowicz, *Das Geheime Deutschland* (1933), in "George Jahrbuch", 3 (2000-2001), pp.156-175; it. tr. in "Filosofia dell'arte", n.2, 2002, p. 180.
- ²⁰ Ibid.

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