

FROM THE MEDIEVAL CHURCH AS A MYSTICAL BODY TO THE MODERN STATE AS A MYSTICAL PERSON: ERNST KANTOROWICZ AND CARL SCHMITT

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Carl Schmitt

To talk about a ‘mystical *body*’ of the Church and a ‘mystical *person*’ of the State is, straight away, to ask about the interpenetration and, sometimes, osmosis of two opposing, but complementary, juridical formations: the Church and the State. In this essay, I will attempt a comparison of Carl Schmitt’s and Ernst Kantorowicz’s theories of sovereignty — perhaps more on the ecclesiastic sovereignty than that of the State. From the vast and prolific collection of works by the first author, I will focus mainly on two texts: *The Visibility of the Church: a Scholastic Consideration*¹ and *Roman Catholicism and Political Form*;² of the latter author, I have selected a core chapter — ‘Polity-Centered Kingship: *Corpus Mysticum*’ — of that unequalled work titled *The King’s Two Bodies*.³

The point of connection which simultaneously brings together and distances the two authors in these texts is the manner in which each of them deals with what I would call, more or less provisionally, the *political economy*

¹ Carl Schmitt, ‘Die Sichtbarkeit der Kirche. Eine Scholastische Erwägung’, in *Summa*, 1917. Whenever I thought it appropriate, I confronted the German original with the available English translation and sometimes quoted directly from the English version titled ‘The Visibility of the Church: a Scholastic Consideration’, in *Roman Catholicism and Political Form*, translation by G. L. Ulmen (Connecticut: Greenwood Press, 1996).

² Carl Schmitt, *Römischer Katholizismus und Politische Form* [1923] (Stuttgart: Ernst Klett Verlag, 1984). English version: *Roman Catholicism and Political Form*, translation by G. L. Ulmen (Connecticut: Greenwood Press, 1996).

³ Ernst Kantorowicz, *The King’s Two Bodies. A Study in Mediaeval Political Theology* (Princeton: Princeton University Press, 1957).

of the theologico-political concept of '*corpus mysticum*'. I will begin with Carl Schmitt's *The Visibility of the Church*:

An arrangement making the invisible visible must be rooted in the invisible and appear in the visible. The Mediator descends, because the mediation can only proceed from above, not from below. Salvation lies in that God becomes man (not that man becomes God). Just as Christ had a real body, so must the Church have a real body. This often repeated metaphor assumes an argument of the highest dignity because it refers to an identity in the logical structure of both processes and concretely manifests the marvellous of this same 'mediation', which constitutes the essence of the Church. One cannot believe God became man without believing there will also be a visible Church as long as the world exists. Every religious sect which has transposed the concept of the Church from the visible community of believing Christians into a *corpus mere mysticum* basically has doubts about the humanity of the Son of God. It has falsified the historical reality of the incarnation of Christ into a mystical and imaginary process.⁴

Besides an initial observation about the specific character of ecclesial mediation, which is done from 'from above to below', in opposition, it is understood, to the type of mediation configured by the State, which is operated 'from below to above', the intimate nucleus of this reflexion by Carl Schmitt lies in the manner in which the author opposes the concept of the Church as a '*corpus mere mysticum*' to the notion of the Church as a '*visible body*'. Insofar as Carl Schmitt admits the simile of the body to designate the ecclesiastic political body, I will focus on the opposition between a '*mystical body*' of the Church and a '*visible body*' of the Church. I examine whether the Church as a juridical formation can simultaneously hold the titles of authorized *mediator* of the *body* of Christ in the world, and of political *representative* of his *person*, without bringing the *body* and the *person*, that is, the *mediation* and the *representation*, into conflict. This search also involves inquiring whether there is an effective historical continuity between the concepts of *mediation* and of *representation*, or if, on the contrary, these concepts have, been overlapped resulting in an antithesis without any possibility of a synthesis.

⁴ Carl Schmitt, 'The Visibility of the Church: a Scholastic Consideration' [1917], in *Roman Catholicism and Political Form*, translation by G. L. Ulmen (Connecticut: Greenwood Press, 1996), 52. Original: 'Die Sichtbarkeit der Kirche. Eine Scholastische Erwägung', in *Summa*, 1917, 75.

Mediation is an imminently theological concept, while *representation* is a fundamentally legal concept. In fact, in representation, — the *representative* — exists for the other, in place of the other, or instead of the other: the *represented*. I recall, pertaining to this question, a synthetic definition of the legal signification of representation elaborated by Schmitt in his *Constitutional Theory*:

To represent means to make an invisible being visible and present through a publicly present one. The dialectic of the concept is that the invisible is presupposed as absent and nevertheless is simultaneously made present.⁵

In spite of the existing similarities between the Schmittian definition of the ‘concept’ of ‘representation’ in a ‘purely’ juridical text like *Constitutional Theory* (1928), and the reference to ‘representation’ which was previously stated from *Roman Catholicism and Political Form* (1923), the truth is, however, that in the first text⁶ the ‘idea’ of ‘representation’, more than a strictly or merely legal term, is intrinsically influenced by a theological halo, perceptible mainly through the frequent use of formulas of ‘authority’ and ‘personification’:

The idea of representation is so completely governed by conceptions of personal authority that the representative as well as the person represented must maintain a personal dignity — it is not a pragmatic concept. To represent in an eminent sense can only be done by a person, i.e., not simply a ‘deputy’ but an authoritative person or an idea which, if represented, also becomes personified. God or ‘the people’ in democratic ideology or abstract ideas like freedom and equality can all conceivably constitute a representation. But this is not true of production and consumption. Representation invests the representative person with a special dignity because the representative of a noble value cannot be without value.⁷

⁵ Carl Schmitt, *Constitutional Theory*, translated by Jeffrey Seitzer, foreword by Ellen Kennedy (Durham and London: Duke University Press, 2008), 243. Original: ‘Repräsentieren heisst, ein unsichtbares Sein durch ein öffentlich anwesendes Sein sichtbar machen und vergegenwärtigen. Die Dialektik des Begriffes liegt darin, dass das Unsichtbare als abwesend vorausgesetzt und doch gleichzeitig anwesend gemacht wird’. Carl Schmitt, *Verfassungslehre* [1928] (Berlin: Duncker & Humblot, 1993), 209–10.

⁶ *Roman Catholicism and Political Form* is clearly a booklet of anti-protestant apologetics, deeply marked by an anti-liberal *pathos*, as much in the political sense as in the economic sense of the liberal term.

⁷ Carl Schmitt, *Roman Catholicism and Political Form*, translation by G. L. Ulmen (Connecticut: Greenwood Press, 1996), 21. Original: ‘Die Idee der Repräsentation ist dagegen so sehr von dem Gedanken persönlicher Autorität beherrscht, das sowohl der Repräsentant wie der Repräsentierte eine persönliche Würde behaupten muss. Sie ist kein dinghafter Begriff. Repräsentieren im

Nevertheless, unlike *representation*, in *mediation* there is no substitution of a term by another, but rather the simultaneous presence of two terms by means of the intervention of a third which, while not annulling the opposition and tension between the two initial terms, places them in a necessary relation. What this change means is that in the passage from *mediation* to *representation*, we go from a *ternary* model to a *binary* model, and from a *theological* concept to a *juridical* one. Therefore, it can be said that, *grosso modo*, a *body* or a *corporification* corresponds to *mediation*, while a *person* or a *personification* corresponds to *representation*. This change means that the passage from the *body* of Christ to the *person* of Christ, or the passage from the *corporification* of Christ to the *personification* of Christ is a passage from the *theological* to the *juridical* which cannot be realized without some friction. And it is precisely here that the core issue of the historical problem of the so-called church's 'visibility' emerges which is, as we shall see, the problem of the invisibility of the *body* of Christ in the *person* of Christ. It is a question of the incompleteness or insufficiency of the *juridical* in regards to the *theological*, or, in other words, of the dependence of *representation* in regard to *mediation*. To a certain extent, the appearance of the medieval notion of the 'mystical body' of Christ as an eminently theologico-political problem is a reaction or a response to the loss of visibility of the 'historical' and 'sacramental' *body* of Christ in the juridical *person* of the Church. In this regard, the 'mystical' is a response to the loss of visibility of the historical, communitarian 'body' of the Church, which is substituted by the juridical 'person' of the State.

In fact, during the first moments of the Church's constitution, and in accordance to theological tradition, the three bodies of Christ — the *historical* body, the *sacramental* body and the *ecclesial* body — suffer a separation between the first and the second bodies while, some centuries later — already during the twelfth century — this division is operated between the second and third bodies. Catholic theologian Henri de Lubac very well captures and analyzes this problem in the work *Corpus mysticum. L'eucharistie et l'Eglise au Moyen Age*:

eminenter Sinne kann nur ein Person und zwar — zum Unterschiede von der einfachen "Stellvertretung" — eine autoritäre Person oder eine Idee, die sich, sobald sie repräsentiert wird, ebenfalls personifiziert. Gott, oder in der demokratischen Ideology das Volk, oder abstrakte Ideen wie Freiheit und Gleichheit sind denkbare Inhalt einer Repräsentation, aber nicht Produktion und Konsum. Die Repräsentation gibt der Person des Repräsentanten eine eigene Würde, weil der Repräsentant eines hohen Wertes nicht wertlos sein kann. Carl Schmitt, *Römischer Katholizismus und Politische Form* [1923] (Stuttgart: Ernst Klett Verlag, 1984), 35–36.

Of the three terms [...] the question of which was to articulate them with each other [...], the *historical* body, the *sacramental* body and the *ecclesial* body, before the division was created between the first and the second, having afterwards been placed between the second and the third. Such is, in short, the fact which dominates all evolution of Eucharistic theories.⁸

The result is a new *binary* formula, translated into a relation of opposition between the '*corpus verum*' (or the *real body* of Christ) and the '*corpus mysticum*' of Christ, slowly substitutes the *ternary* formula; while, simultaneously with that substitution, the content of the opposition between '*corpus verum*' and '*corpus mysticum*' is intensified and doubled by the opposition between *invisible* and *visible*.

The Church now stops signifying the '*corpus verum*' and starts signifying the '*corpus mysticum*' of Christ. Paradoxically, from then on, the Church will be as much more '*visible*' as it claims and identifies itself with the '*corpus mysticum*' of Christ. Nevertheless, that body which the Church signifies, the '*corpus Christi*', is always a vanished *historical* body and a *real* invisible and absent body that only the sacrament and the consecration of bread and wine make visible and present. The *originary invisibility* of this body is a ghost that haunts all who suffer from the pain of an absence of body and who, in that pain, found or establish their communion or community — the Church.⁹

Having disappeared, the *real* body of Christ has become *invisible*. And the invisibility of the Church is nothing but the invisibility of Christ's '*corpus verum*'. For this reason the Church must, precisely as the '*mystical body* of Christ', be highly visible; and this is also the reason for its obsession with the visible: *to make see the invisible to make believe in the visible*. In fact, one can say that from the middle of the twelfth century, in a progressive but irreversible manner, the binary structure of the *real body* vs. *mystical body* of Christ takes over the ternary structure of the *historical*, *sacramental* and *ecclesial* bodies of Christ.

Before moving forward to the analysis of this thesis, and trying to derive all consequences from it, I shall first say some words about the medieval

⁸ Henri de Lubac, *Corpus mysticum. L'eucharistie et l'Eglise au Moyen Age* [1944] (Paris: Les Éditions du Cerf, 2009), 288.

⁹ As Franz Kafka observed one day regarding the relationship martyrs have with the body, surely thinking of Jesus of Nazareth's crucifixion: 'Martyrs don't despise the body. They let it be elevated on the cross. In this point, they are in agreement with their adversaries'. Franz Kafka, *Considerações sobre o pecado, o sofrimento, a esperança e o verdadeiro caminho* (Lisboa: Hiena Editora, 1992), 19.

evolution of the expression '*corpus mysticum*' of Christ. According to the authors who dedicate themselves to the study of this theme and, above all, after the monumental work of synthesis and erudition that is *The King's Two Bodies* by Ernst Kantorowicz, it has become somewhat conventional to recognize that, until the middle of the twelfth century, the expression '*corpus mysticum*' qualified the *Eucharist*. However, from that time onwards, '*corpus mysticum*' became synonymous with the *Church* itself. Reciprocally, the '*corpus verum*', which until then had signified the *Church*, is identified with the *Eucharist*. In this complex operation of properties' trading, the adjectives '*mysticus*' (occult) and '*verum*' (true, real and, as such, knowable) exchange positions. This problem, while initially appearing simple is, really, a relatively complex issue. Thus we have the following scheme:

Until 1150:	<i>Corpus mysticum</i> of Christ = Eucharist
	<i>Corpus verum</i> of Christ = Church
After 1150:	<i>Corpus mysticum</i> of Christ = Church
	<i>Corpus verum</i> of Christ = Eucharist

But what does this chiasmus really mean? If we look properly, the expression '*corpus verum*' of Christ or the 'real body of Christ' is neither less 'mystical' nor less 'fictitious' than the expression '*corpus Christi mysticum*'. And it is also not about knowing how many persons fit in a body, nor about how many bodies a person needs in order to be a juridical person. What is interesting — and problematic — is to discover what happens when we go from the political '*body*' to the political '*person*'.

Let us first consider the concept of the '*corpus Christi mysticum*'. What does the theological analysis tell us about the 'mystical body of Christ'? In the first place, that this body, which shines in its absence, is the object of a permanent pursuit. In fact, the doctrine begins by calling our attention to that there is a body missing that is obsessively sought. The quest for this body occurs in a type of pilgrimage towards a place marked by a disappearance. We can say that 'there is a speech — a *Logos*, a theology, etc. — but there is a missing body'¹⁰ from that speech. It is necessary, after all, that the spirit finds a body; it is necessary that the speech incarnates and gives forth a truth, hence the formula *Hoc est corpus meum* ('This is my body'). In the end, this

¹⁰ Michel de Certeau, *La fable mystique, I (XVI-XVII siècle)* (Paris: Gallimard, Paris, 1982), 108.

affirmation of the Eucharist remembers a disappearance while, at the same time, claims an effectiveness — liturgical and sacramental — that rises from and is founded in that disappearance.

What this affirmation means is that the initial problem of the ‘mystical’ comes with a question: *where* is the body of Christ? This is the question which mobilizes the ecclesiological doctrine of the ‘mystical body of Christ’. Facing the empty grave, Mary Magdalena says: ‘*They have taken away my Lord, and I do not know where they have laid him*’. And, not knowing she is addressing the resurrected himself, she asks someone who goes by: ‘*Sir, if you have carried him away [the body], tell me where you have laid him, and I will take him away*’.¹¹ One could say that the *body* of Jesus suffers from the problem of ‘having existed before’, of ‘being momentarily inaccessible somewhere’, and ‘returning’ later.

Consequently, it is never too much to insist that the mystical body of the apostles, or the *corpus Ecclesiae mysticum*, is, therefore, a body that is missing and that, as such, should be sought. As was already said, this missing body, this body that is lacking, configures *in itself*, a founding disappearance. As Michael de Certeau observes:

Christianity was instituted around a missing body, the loss of Jesus’ body, duplicated by the loss of the ‘body’ of Israel, of a ‘nation’ and its genealogy. [...] In Christian tradition, an initial lack of body does not cease evoking institutions and speeches which are the effects and the substitutes of that absence: ecclesiastic bodies, doctrinal bodies, etc.¹²

¹¹ *The Gospel According to John*, 20, 13–15, Greek-English New Testament [Nestle-Aland] (Stuttgart: Deutsche Bibelgesellschaft, 1981), 315. The writer D. H. Lawrence is the author of a prodigious short story, called ‘The man who died’, in which he imagines a Christ resurrected in body, wondering, moribund, on the outskirts of Jerusalem. Lawrence’s fiction deals with the days that immediately followed Jesus’ survival after crucifixion. His executioners had taken him off the cross too early: “Don’t be afraid”, said the man in the shroud [to the peasant who had taken him home and taken care of his wounds and helped him changing the bandages]. “I am not dead. They took me down too soon. So I have risen up. Yet if they discover me, they will do it all over again...” In this tale, Lawrence deals with a recovering Christ who, having survived crucifixion, looks, from then on, for solitude and anonymity among men, firmly refusing the cupidity of Christian love: the fervor and impetus to give while receiving nothing — refusing, in the end, the core of what his teachings had been. D. H. Lawrence, *The Man who Died*, accessed October 2013, in <http://gutenberg.net.au/ebooks07/0700631h.html>.

¹² Michel de Certeau, *La fable mystique, I (XVI-XVII siècle)* (Paris: Gallimard, 1982), 109–11.

This opposition between the ‘*corpus verum*’ and the ‘*corpus mysticum*’, already perceptible in the Low Middle Ages is reinforced and intensified with the Reform: ‘Jesus has a *real* body and a *mystical* body on earth... We adhere to his *real* body through communion in *Eucharist*, and to his *mystical* body through communion in *Church*’ — says Pierre de Bérulle, the oratory French cardinal and theologian who was dedicated to the conversion of protestants in the seventeenth century. ‘This opposition’ — as Michel de Certeau underlines — ‘is present even in catholic contexts which, driven by the anti-protestant apologetics, either emphasize the *exterior and visible character of the Church*, or search for a counterpoint in “spiritualism”, to the politicizing of the State or the “world”’.¹³

But what does, after all, constitute the core of the historical problem of the Church’s ‘visibility’ which Carl Schmitt focuses on in the above mentioned essay? To answer this question, it is necessary to situate Schmitt’s anti-protestant apologetic in a simultaneously vaster and more concrete epochal context, unfolding it, first, in the problem of the relation of Christianity with the political sphere in the new institutional configuration founded by Weimar Republic and, then, in the theologico-political questions which emerge with Adolf Hitler’s rise to power.

Besides Rudolph Sohm, with whom Schmitt openly polemicizes in *The Visibility of the Church*, it is Adolf von Harnack who is the great historian of the Church and Lutheran theologian, author of a monumental *Lehrbuch der Dogmengeschichte* (1889–1900) and of a collection of sixteen conferences about Christianity given at the University of Berlin during 1899–1900, and edited in book form as *Das Wesen des Christentums*. In my point of view, Carl Schmitt’s entire argumentative structure in *The Visibility of the Church* is a detailed reply to the way in which Adolf von Harnack presents and criticizes Roman Catholicism use of the Gospel:

What modifications has the Gospel here undergone, and how much of it is left? Well, — this is not a matter that needs many words, the whole *outward* and *visible* institution of a Church claiming divine dignity has no foundation whatever in the Gospel. It is a case, not of distortion, but of total perversion. Religion has here strayed away in a direction that is not its own. [...] To contend, as it does, that Christ founded a kingdom; that this kingdom is the Roman Church; that he equipped it with a sword, nay, with two swords, a spiritual and a temporal, is to *secularise the Gospel*; nor can this contention

¹³ Michel de Certeau, 127.

be sustained by appealing to the idea that Christ's spirit ought certainly to bear rule amongst mankind. The Gospel says, 'Christ's kingdom is not of this world', but the Church has set up an earthly kingdom; Christ demands that his ministers shall not rule but serve, but here the priests govern the world; Christ leads his disciples away from political and ceremonious religion and places every man face to face with God — God and the soul, the soul and its God, but here, on the contrary, man is bound to an earthly institution with chains that cannot be broken, and he must obey; it is only when he obeys that he approaches God. There was a time when Roman Christians shed their blood because they refused to do worship to Caesar, and rejected religion of the political kind; to-day they do not, indeed, actually pray to an earthly ruler, but they have subjected their souls to the despotic orders of the Roman papal king. [...] As an *outward* and *visible church* and a *state founded on law and on force*, Roman Catholicism has nothing to do with the Gospel, nay, is in fundamental contradiction with it. That this state has borrowed a divine lustre from the Gospel, and finds this lustre extraordinarily advantageous, cannot avail to upset the verdict.¹⁴

After this clarification, we must now mention that it is directly from the work of the protestant Adolf von Harnack that Schmitt receives the concept of a '*complexio oppositorum*' as a political form of Roman Catholicism. Adolf von Harnack explains:

In its organization this Church [Roman Catholicism] possesses a faculty of adapting itself to the course of history such as no other Church possesses; it always remains the same old Church, or seems to do so, and is always becoming a new one. [...] Thus arose the astonishing '*complexio oppositorum*' which we see in Western Catholicism: the Church of rites, of law, of politics, of world-dominion, and the Church in which a highly individual, delicate, sublimated sense and doctrine of sin and grace is brought into play. The external and the internal elements are supposed to unite! To speak frankly, this has been impossible from the beginning; internal tension and conflict were bound to arise at once; the history of Western Catholicism is full of it. Up to a certain point, however, these antitheses admit of being reconciled; they admit of it at least so far as the same men are concerned. That is proved by no less a person than Augustine himself, who, in addition to his other characteristics, was also a staunch Churchman; nay, who in such matters as power and

¹⁴ Adolf Von Harnack, 'The Christian Religion in Roman Catholicism', in *What is Christianity? Lectures Delivered in the University of Berlin during the Winter-Term 1899–1900*. XIV and XV Lectures, accessed October 2013, <http://www.ccel.org/ccel/harnack/christianity.pdf>, 129–30.

prestige promoted the external interests of the Church, and its equipment as a whole, with the greatest energy.¹⁵

‘*Complexio oppositorum*’ and ‘*visible Church*’. As is known, these are two expressions to which Carl Schmitt will try to give a very peculiar meaning in those apologetic texts: *The Visibility of the Church* and *Roman Catholicism and Political Form*.

In fact, in ‘*complexio oppositorum*’,¹⁶ which, according to Carl Schmitt, characterizes the political form of Roman Catholicism, there is a ‘multilateralism’, an ‘ambiguity’, and even a ‘hermaphroditism’ that reach far beyond any mere effort of a illusory ‘synthesis of antithesis’.¹⁷ As Harnack correctly observed, what best characterizes this concept is, without a doubt, its indetermination and ‘elasticity’, its capacity, at last, to give a juridical shape to oppositions. Hence, the reason why Carl Schmitt, giving credit to his astuteness, presents it as the condition of possibility for a juridical *theory of representation*. Schmitt binds this theory, taking a certain interpretative liberty, a dogmatic *theory of decision*. In truth, the use Schmitt gives to the notion of ‘*complexio oppositorum*’ is an ingenious way of transforming the *ternary* into *binary*, when, from a strictly theological point of view, the dogmatic truth of *incarnation* — ‘the most astounding *complexio oppositorum*’,¹⁸ says Schmitt — is nothing other than the very originary structure of ‘*mediation*’. Carl Schmitt thus transforms what is originally of the order of *mediation* into something that is captured and instrumentalized in a pure logic of *representation*. It remains to be known, however, if the juridical concept of *representation* (binary in its structure) is concomitant to what Schmitt, in *The Visibility of the Church*, calls ‘the marvellous of this same “mediation”, which constitutes the essence of the Church’.¹⁹

Christ, Carl Schmitt argues, is the mediator: only he can validate the invisible in the visible; Christ is rooted in the invisible and yet, manifests in the visible. Therefore, the ‘visibility’ of the Church as ‘visibility’ of the

¹⁵ Adolf Von Harnack, 126 and 128.

¹⁶ Carl Schmitt, *Römischer Katholizismus und Politische Form* [1923] (Stuttgart: Ernst Klett Verlag, 1984), 11.

¹⁷ Carl Schmitt, 19.

¹⁸ Carl Schmitt, 24. Original: ‘Das ist wohl die erstaunlichste *complexio oppositorum*’.

¹⁹ Carl Schmitt, ‘The Visibility of the Church: a Scholastic Consideration’ [1917], in *Roman Catholicism and Political Form*, translation by G. L. Ulmen (Connecticut: Greenwood Press, 1996), 52. Original: ‘die Grossartige Struktur derselben “Vermittlung” enthält, die das Wesen der Kirche ausmacht’, Carl Schmitt, ‘Die Sichtbarkeit der Kirche. Eine Scholastische Erwägung’, in *Summa*, 1917, 75.

original *mediation* of Christ is born of Jesus' human *incarnation*. In this way, it can also be said that the Church as an institution is the *medium* of the conditions of visibility of Jesus' own *incarnation* — which Schmitt qualifies as a 'concrete historical event'.²⁰

The truth is, however, that it is not enough to declare that the 'visibility' of the Church is born — directly, magically... — of Christ's human *incarnation*. In parallel, that the 'body of the Church', similarly to the 'body of Christ', makes visible the invisible does not mean the vindication of the visible at any price and without conditions. Let's recall, in this respect, the words of Carl Schmitt himself:

The visibility of the Church is based on something invisible. The concept of the visible Church is itself something invisible. Like all reality, it loses its actuality in relation to God because God is the only true reality. Thus the true visibility of the Church is invisible. There is no invisible Church that is not visible and no visible Church that is not invisible. Thus the Church can be *in* but not *of* this world.²¹

The truth is that we can always put the Schmittian problems of the *invisibility of the visible* and of the *visibility of the invisible* in another way: with the mediation of the Church, which is already, in itself, the *mediation of a mediation*, that is, *the mediation of Christ incarnated*. The question is not so much *to make visible the invisible*, but *to prevent the complete disappearance of the invisible through the visible*. In fact, it is from the mediation of this invisibility — and, in the first place, from the mediation of the invisibility of the 'body of Christ' — that the Church acquires all its authority and dogmatic competence. For this reason we can assert that there is not a genuine authority and a specifically ecclesial authority, without some kind of invisibility.²²

²⁰ Carl Schmitt, 52. Original: 'Die Sichtbarkeit der Kirche. Eine Scholastische Erwägung', in *Summa*, 1917, 76.

²¹ Carl Schmitt, 52–53. Original: 'Die Sichtbarkeit der Kirche. Eine Scholastische Erwägung', in *Summa*, 1917, 75.

²² At the same time, the doctrine of the 'visible Church' by Erik Peterson — a protestant who converted to Catholicism in 1930 — captures in an accurate and rigorous manner the atmosphere and spirit of the time that mark the theological debates between protestants and Catholics in pre-Hitler Germany: 'The authority of the Church, which represents Jesus Christ after his ascent, is an authority borrowed from Jesus'. 'If the Church can represent Christ it's because Christ is absent and because the Church, in its essence, is visible, as visible as, precisely, the body is visible'. See Erik Peterson, 'Was ist Theologie?' [1925], in *Ausgewählte Schriften*, Band 1 (Würzburg: Echter Verlag, 1994), respectively p. 15, footnote 24, and p. 22. Note that it is while he is fighting against Hitlerism that Erik Peterson converts to Catholicism and calls for a 'visible Church'.

Finally, we are left with the question of investigating whether the binary of *representation* can be adjusted to the ternary of *mediation*, and whether we are speaking of the same Christ when we speak of his identity in the declension of the form of a theological *body*, or in the form of a juridical *person*. In our point of view, such an assimilation is only possible with an inadequate and *ad hoc* use of the concepts, which were made operative outside the scope that determines their semantic validity, respectively theology and jurisprudence. Because there is one thing which is the *person* of Christ, and another, quite different, which is the *body* of Christ. Clearly, there is no *personification* without some type of *representation*, in the same way that there is no *mediation* without some type of *corporification*. Indeed, precisely because it is imminently theological, the language of mediation cannot avoid implying, in one way or another, a being of twinned nature — *Christ*. The point is that Carl Schmitt claims that the Church ‘represents in every moment the historical connection to the incarnation and crucifixion of Christ. It represents the *Person* of Christ himself, the God that becomes man in historical reality’.²³ From this perspective, it is significant that Carl Schmitt, the jurist, declares that the Church ‘represents “from above”’,²⁴ instead of holding, as would have been fair to expect if he was here presented in the guise of a theologian, that the Church ‘mediates “from above”’. After all, ‘*Corpus Ecclesiae Mysticum*’ means exactly ‘*mediation*’.

In fact, the Church becomes more ‘visible’ as its performance gets closer to its essence: ‘*mediation*’. That is perhaps the reason why one should invert Carl Schmitt’s saying and the ‘visibility’ of the Church today demands, not so much ‘the limitations of the pneumatic in the juridical’ (*die Einengung des Pneumatischen ins Juridische*),²⁵ but precisely the opposite, the limitation or ‘the compression of the juridical in the pneumatic’.

Finally, some words regarding the sense of the correspondence between the so-called ‘political theology’ and the Christian model of revelation we know under the term ‘incarnation’. In this respect, it should be referred that without the Christian dogma of ‘incarnation’ (God becoming man), the

²³ Carl Schmitt, *Roman Catholicism and Political Form*, translation by G. L. Ulmen (Connecticut: Greenwood Press, 1996), 19.

²⁴ Carl Schmitt, 59. Original: ‘Sie [die Kirche] repräsentiert konsequent “von oben”’, 43.

²⁵ Carl Schmitt, ‘The Visibility of the Church: a Scholastic Consideration’ [1917], in *Roman Catholicism and Political Form*, translation by G. L. Ulmen (Connecticut: Greenwood Press, 1996), 59. Original: ‘Die Sichtbarkeit der Kirche. Eine Scholastische Erwägung’, in *Summa*, 1917, 79.

very 'secularization' of 'political theology', which Carl Schmitt speaks about regarding the conceptual structure of the modern State, would become unintelligible in its most decisive aspects, since the very determination of Carl Schmitt's 'political theology' dips the roots of its theological paradigm in the 'incarnation' of Christ as the condition of possibility of the 'visibility of the Church' itself. It was left to the French historian Alain Boureau, in his monography about Ernst Kantorowicz, and precisely in a chapter in which the author asks about the possibility of establishing a *nexus* of relation between Ernst Kantorowicz and Carl Schmitt's concepts of 'political theology', to affirm with conviction — and in our view, with reason — the following:

Between 1952 and 1957, political theology, for Kantorowicz, acquired a vaster sense and doesn't limit itself to the process of absolutist gathering of the Church's resources in terms of power; in the long run, it designates, even for Kantorowicz himself, man's capacity to make alive on earth the cohesion given by a revelation and particularly by the dogma of incarnation, which is itself founding of theology; only a religion of God-man can create a theology, an immanent science of divinity that does not originate from an other (mystical) revelation. In fact, Kantorowicz inverts the sense of the schmittian notion: political theology doesn't give the authoritarian weapon to profane sovereigns, since they already have it; it makes them play on the basis of the model of incarnation (the co-presence of the immortal and the mortal) to give a thoughtful appearance to their power. Political theology uses the moment of incarnation as a model of a liberating fiction which affirms the inalienable and sacred dignity of man before and beyond his natural existence.²⁶

This sense of causality between, on the one hand, 'medieval political theology', to which Ernst Kantorowicz alludes in the subtitle of *The King's Two Bodies*, and the Christian model of 'incarnation', on the other, leads us to believe that Carl Schmitt's famous definition, according to which 'all significant concepts of the modern theory of the state are secularized theological concepts',²⁷ only acquires its full political meaning in light of the medieval juridical fiction which establishes that the *rex iustus* governs *more angelico*. Such a fiction, as Ernst Kantorowicz well observed, is intrinsically connected

²⁶ Alain Boureau, *Histoires d'un historien. Kantorowicz* (Paris: Éditions Gallimard, 1990), 166–67.

²⁷ Carl Schmitt, *Politische Theologie. Vier Kapitel zur Lehre von der Souveränität* [1922] (Berlin: Duncker & Humblot, 1996), 43. Original: 'Alle prägnanten Begriffe der modernen Staatslehre sind säkularisierte theologische Begriffe'.

to the medieval image of 'perfection' of power, whether that image arises in its 'spiritualized' form, or whether in its 'secularized' form:

Whether the *rex iustus* or *rex angelicus* is more workable or less workable than the *rex imago Christi* or the King as *lex animata* is, of course, not at all the question, since for a modern 'political platform' those ideals are all equally useless. What matters here is the change of the metaphor of 'Perfection' which, in the thirteenth century, entered into a new phase: the image of perfection was either *spiritualized* (*rex angelicus*, *papa angelicus*, messianic emperor) or *secularized* (*lex animata*, *Iustitia animata*, Crown, Dignity, etc.), which did not exclude mutual overshadowing. I do not believe that any mediaeval political theory could work without some fiction or some 'metaphor of perfection', and there is every reason to wonder whether modern one can.²⁸

In this perspective, and taking into account all that was said before about the 'incarnation' and the 'visibility' of the Church, perhaps we can dare affirm that if the secularization of the metaphor of political 'perfection' already exists in an operative manner in modernity, then perhaps it has its beginning precisely with the primordial dogma of 'incarnation'. If per chance this hypothesis is revealed to be correct and adequate, then also what we call — not without some ambiguity — 'secularization of theological concepts', should coincide exactly with what could perhaps be called the generalized 'Christianization' of political power in the West. In other words: 'all significant concepts of the medieval Christian theology are theologised political concepts'.

Ernst Kantorowicz

Ernst Kantorowicz's effort in introducing us in a novel manner to the theological meanderings which presided over the formation and organization of the modern State as we still recognize it today was not of little value. The monumental work that is *The King's Two Bodies* remains, in this regard, an irreplaceable guide which will be difficult to surpass.

Before we describe the way in which the ecclesiastic and corporatist concept of the Church's '*corpus mysticum*' was relocated to the sphere of the State, forming, first, a secular '*corpus mysticum*' and, later, a proper '*persona mystica*', we should investigate and clarify the political presuppositions underlying the constitution of the concept of '*Corpus Ecclesia Mysticum*'.

²⁸ Ernst Kantorowicz, *The King's Two Bodies*, 144.

This notion has its beginnings in the *Unam sanctam* bull, synthesized and dogmatized, in 1302, by Pope Boniface VIII:

Urged by faith we are bound to believe in one only Church, Catholic and also Apostolic [...], without which there is neither salvation nor remission of sins [...], which represents one mystical body, the head of which is Christ, and the head of Christ is God.²⁹

For Ernst Kantorowicz, the concept of the Church as '*corpus Christi*' goes back to Saint Paul. However, the concept of the Church as '*corpus mysticum Christi*' — the head of which was Christ and the visible head of which was the vicar of Christ, the Roman pontiff — was relatively new in the twelfth century. In fact, until its appearance in the twelfth century, the expression '*corpus mysticum*' had no trail in the biblical tradition. According to Kantorowicz, the term gained prominence with the controversy about the Eucharist when, in the twelfth century, theologians suggested that the body in which Christ had suffered was his real and proper body (*proprium et verum corpus*), while the Eucharist was his '*mystical body*'. In this manner, as the real presence of Christ in the sacrament was progressively emphasized — a doctrine that finally culminated in the dogma of transubstantiation of 1215, according to which the Eucharist was officially designated as '*corpus verum*' —, there occurred the development of the term '*corpus mysticum*' as designating the Church in its institutional and ecclesiological aspects. We were then at the beginning of the so called '*secularization*' of the medieval Church, at a critical moment of the history of the Church. Let's see the way in which Kantorowicz presents the issue:

Here then, in the realm of dogma and liturgy, there originated that notion whose universal bearings and final effects cannot easily be overrated. *Corpus mysticum*, in the language of the Carolingian theologians, referred not at all to the body of the Church, nor to the oneness and unity of Christian society, but to the consecrated host. This, with few exceptions, remained, for many centuries, the official meaning of the '*mystical body*', whereas the Church or Christian society continued to be known as the *corpus Christi* in agreement with the terminology of St Paul. It was only in the course of a strange and perplexing development — *un curieux chassé-croisé* — that finally, around the middle of the twelfth century, those designations changed their meaning. [...] That is to say, the Pauline term originally designating the Christian Church now began to designate the consecrated host; contrariwise, the

²⁹ Ernst Kantorowicz, *The King's Two Bodies*, 194.

notion *corpus mysticum*, hitherto used to describe the host, was gradually transferred — after 1150 — to the Church as the organized body of Christian society united in the Sacrament of the Altar. In short, the expression ‘mystical body’, which originally had a liturgical or sacramental meaning, took on a connotation of sociological content. It was finally in that relatively new sociological sense that Boniface VIII defined the Church as ‘one *mystical* body the head of which is Christ’.³⁰

According to Kantorowicz, it was only at this time that the theologians and the canonists began to distinguish between the ‘*Lord’s two Bodies*’ — one, the individual ‘*corpus verum*’ on the Altar, the host; and the other, the collective ‘*corpus mysticum*’, the Church.

This transformation is complex and full of theologico-political subtleties, and a full explanation is beyond the scope of this article. Nevertheless, it was, according to Kantorowicz, Thomas Aquinas who first applied the term ‘*mystical body*’ to the Church considered as a social phenomenon. In the footsteps of John of Salisbury and Isaac of Stella, the ‘angelic doctor’ compared the ‘*corpus mysticum*’ to man’s natural body. Although he respects the tradition according to which the mystical body belonged to the liturgical and sacramental sphere and, in this manner opposes the ‘*corpus verum*’ represented by the consecrated host, Aquinas allows himself a certain interpretative liberty when he speaks of the two bodies of Christ — the true and the mystical — without any reference to the Eucharistic bread. What this interpretation means is that the ‘*corpus verum*’ gradually stopped signifying exclusively the ‘real presence’ of Christ in the sacrament. In fact, in Kantorowicz’s interpretations of some passages of *Summa Theologica*, the ‘real body’ of Christ no longer means the Eucharistic Christ on the altar, but Christ as an individual being, physical and incarnate, whose ‘natural body’ was becoming, sociologically, the model of the mystical supra-individual and collective body of the Church. However, the anthropomorphic simile between the Church and its members to a human body was accompanied by an even more specific comparison: the Church as ‘*corpus mysticum*’ was compared to the individual body of Christ, to his ‘*corpus verum*’ or ‘*natural*’. Consequently, the individual natural body of Christ was understood in this anthropomorphic image as an organism acquiring social and corporative functions.

The development of this metaphor and the terminological and conceptual transformation that are established in it did not stop here. In fact,



³⁰ Ernst Kantorowicz, *The King’s Two Bodies*, 195–96.

Kantorowicz considers that with the elevation (or debasement, depending on one's perspective) of the mystical to the juridical, it is the very notion of '*corpus mysticum*' — as until this time a strictly sacramental notion — that is secularized. Now, the political meaning of this 'secularization' could only be a desacramentalization or, so to speak, the 'State-ification' of Christ's '*corpus mysticum*', that goes from being a simple '*body*' to being a '*corporation*':

Hitherto it had been the custom to talk about the Church as the 'mystical body of Christ' (*corpus Christi mysticum*) which sacramentally alone makes sense. Now, however, the Church, which had been *the* mystical body of Christ, became *a* mystical body in its own right. That is, the Church organism became a 'mystical body' in an almost juristic sense: a mystical corporation. The change in terminology was not haphazardly introduced. It signified just another step in the direction of allowing the clerical corporational institution of the *corpus ecclesiae iuridicum* to coincide with the *corpus ecclesiae mysticum* and thereby to 'secularize' the notion of 'mystical body'.³¹

This coincidence between the *juridical* body of the Church and the *mystical* body of the Church, that could perhaps be understood — if we want to invert the terms in a formula used by Carl Schmitt in his anti-protestant polemic — as a 'compression of the juridical into the mystical',³² was only possible because the previous liturgical concept of '*corpus mysticum*' had been transformed into a relatively neutral organological or juridical notion. In fact, the French theologian Henri de Lubac, whose study — *Corpus mysticum. L'eucharistie et l'Eglise au Moyen Age* (1944) — was used profusely by Kantorowicz,³³ has called this transformation of the liturgical into the juridical precisely a 'degeneration' of the concept of '*corpus mysticum*', a 'degeneration' which he attributes to the strong political influence of the theologians of Pope Boniface VIII:

It is known the use — perhaps it should be said the misuse — which, in the field of claims to power, some of the theologians gathered around Boniface VIII will give to the expression [*corpus mysticum*]. [...] However, in

³¹ Ernst Kantorowicz, *The King's Two Bodies*, 201.

³² Carl Schmitt, 'Die Sichtbarkeit der Kirche. Eine Scholastische Erwägung', in *Summa*, 1917, p. 79. The German expression used by Carl Schmitt is '*die Einengung des Pneumatischen ins Juridische*', that we can translate by 'the compression of the pneumatic in the juridical'.

³³ 'An excellent evaluation with regard to the history of ideas is owed to Henri de Lubac, *Corpus mysticum* (2nd ed., Paris, 1949); in the following pages I have merely ransacked the wealth of his material (much of which was inaccessible to me) and his ideas'. Ernst Kantorowicz, *ibid.*, note 4, p. 194.

applying in this way to the juridical and social order a word the resonances of which were all ‘mystical’ and spiritual, their doctrine will mark a type of degeneration of *corpus mysticum*, exposing the ecclesiastic power to the resentments of princes and to the polemics of its theologians.³⁴

However, until that ‘compression of the juridical into the mystical’ became effective and, so to speak, canonical, it was necessary to wait for the twist Aquinas operated onto the liturgical and sacramental aspect that the concept of ‘*corpus mysticum*’ had acquired since the primitive Christian Church until practically the middle of the thirteenth century, the so called ‘century of legal experts’. As Kantorowicz observes:

That last link to the sphere of the altar, however, was severed when Aquinas wrote: ‘It may be said that head and limbs together are as though one mystical person’. Nothing could be more striking than this *bona fide* replacement of *corpus mysticum* by *persona mystica*. Here the mysterious materiality which the term *corpus mysticum* — whatever its connotations may have been — still harbored, has been abandoned: ‘The *corpus Christi* has been changed into a corporation of Christ’. It has been exchanged for a juristic abstraction, the ‘mystical person’, a notion reminiscent of, indeed synonymous with, the ‘fictitious person’, the *persona repraesentata* or *ficta*, which the jurists had introduced into legal thought and which will be found at the bottom of so much of the political theorizing during the later Middle Ages.³⁵

It is particularly significant that Ernst Kantorowicz, in order to reinforce his thesis, would quote a passage from a work by Rudolph Sohm, *Das altkatholische Kirchenrecht und das Dekret Gratians* (München and Leipzig, 1908, p. 582). But what does Sohm say, after all, in this short sentence Kantorowicz isolates and quote in the middle of a commentary to Saint Thomas Aquinas? We have said it: ‘*Aus dem Körper Christi hat sich die Kirche in eine Körperschaft Christi verwandelt*’.

But who is Rudolf Sohm? Sohm is a Lutheran author to whom Carl Schmitt refers to twice in *Roman Catholicism and Political Form* (1923) — without, however, quoting the above mentioned work — in the following way: i) ‘In opposition to the liberal grounding based on the private, the juridical formation of the Church is public. That also belongs to its representative essence and allows it to embrace the religious, in that regard, also in juridical fashion.

³⁴ Henri de Lubac, *Corpus mysticum. L'eucharistie et l'Eglise au Moyen Age* [1944] (Paris: Les Éditions du Cerf, 2009), 130.

³⁵ Ernst Kantorowicz, *The King's Two Bodies*, pp. 201–02.



Hence the reason a noble protestant, Rudolf Sohm, was able to define the catholic church as something essentially juridical, with which he considered Christian religiosity as essentially juridical';³⁶ ii) 'The grand betrayal the Roman Church is accused of is that it does not understand Christ as a private man, and Christianity as a private thing and as a pure interiority, but instead configures a visible institution. Rudolf Sohm thought he recognized original sin in the juridical; others saw it, more grandly and profoundly, in the will for world domination'.³⁷

In a recent study, Jennifer Rust sees in this reference of Rudolf Sohm by Kantorowicz an 'anti-Schmittian agenda',³⁸ and a subliminal answer by the author of *The King's Two Bodies* to Carl Schmitt's 'political theology'. In fact, Rust claims that Sohm, in the part of the text which Kantorowicz quotes, is not referring to Thomas Aquinas, and doesn't even address the concept of '*corpus mysticum*' explicitly. Instead, Sohm would have only emphasized the way in which an originally 'sacramental' and 'mysterious' Christian church had changed, at the end of the twelfth century, into a structured church like any other secular community. Jennifer Rust argues:

Kantorowicz's citation of Sohm, a controversial figure whom Schmitt sharply critiques at length in several important works in the 1920s, strongly reinforces the notion that in this section of *The King's Two Bodies*, as in other places, Kantorowicz is engaged in a subterranean riposte to Schmitt's account of political theology. While Kantorowicz relies more heavily on a newer, Catholic source unknown to the Schmitt of the twenties to develop his own account of 'mediaeval political theology' [the author refers to the work of Henri de Lubac *Corpus mysticum. L'eucharistie et l'Eglise au Moyen Age* (1944)], the reference to Sohm, a figure vehemently opposed in several ways to Schmitt, reminds us that Schmitt is a long-term target of this account. Kantorowicz is not simply presenting a disinterested history in invoking the name of Sohm, for Sohm enables Kantorowicz to further dissolve Schmitt's claims for the personalistic authority of the church into matter of mere fictions.³⁹

³⁶ Carl Schmitt, *Römischer Katholizismus und Politische Form* [1923] (Stuttgart: Ernst Klett Verlag, 1984), 49.

³⁷ Carl Schmitt, *ibid.*, 53–54.

³⁸ Jennifer Rust, 'Political Theologies of the *Corpus Mysticum*: Schmitt, Kantorowicz, and de Lubac', in *Political Theology & Early Modernity*, edited by Graham Hammill & Julia Reinhard Lupton, with a Postscript by Étienne Balibar (Chicago: The University of Chicago Press, 2012), 103.

³⁹ Jennifer Rust, *ibid.*, 116.

Kantorowicz's thesis in *The King's Two Bodies* on this particular issue is that with the juridical reformulation of the sacramental basis of the '*corpus Christi*' the Church becomes a juridical *person*, no longer being a mere sacramental *body*. In other words, in reaching for the *status* of '*corpus mysticum*', the '*corpus Christi*' of the High Middle Ages is transformed and, with that transformation, it is the Church itself which, in the Low Middle Ages, is transformed into a '*persona mystica*'. The gradual use of the notion of '*corpus mysticum*' as synonymous with '*corpus fictum*', '*corpus imaginatum*', '*corpus repraesentatum*' and others similar, paved the way, according to Kantorowicz, towards the description of the Church as a corporation or juridical *person*:

The jurists, thereby, arrived, like the theologians, at a distinction between *corpus verum* — the tangible body of an individual person — and *corpus fictum*, the corporate collective which was intangible and existed only as a fiction of jurisprudence. Hence, by analogy with theological usage as well as in contrast with natural persons, the jurists defined their fictional persons, not seldom, as 'mystical bodies'.⁴⁰

The practical consequences of this terminological shift are clear for Kantorowicz. To the extent as the Church begins to be considered as a government similar to any secular corporation, it is the very concept of '*corpus mysticum*' that is loaded with a secular political content. The '*corpus mysticum*', originally a liturgical concept, which previously signified the Sacrament of the Altar, starts from then on to signify the political body, or the '*corpus iuridicum*' of the Church, and to be used in the hierarchical Church mainly as a means to exult the Pope's political position: 'Just as all the limbs in the body natural refer to the head, so do all the faithful in the mystical body of the Church refer to the head of the Church, the Roman Pontiff'.⁴¹

Steadily, the concept of '*corpus mysticum*' loses great part of its transcendental meaning, becoming 'secularized' and 'politicized' by the very Church and from within the Church, until, finally, it becomes a convenient metaphor that the theoreticians of the blooming secular State appropriated, manipulating it, in such a way as to grant the *Leviathan* institutions with a certain religious aura and magnificence. Therefore, it is no surprise that it has become a convenient and desirable prey to the thought of statesmen, jurists and academics that began, at that time, to build and develop the bases of the new doctrines of emerging secular and territorial States. From the '*corpus ecclesiae*'

⁴⁰ Ernst Kantorowicz, *The King's Two Bodies*, 209.

⁴¹ Ernst Kantorowicz, *The King's Two Bodies*, 203.

mysticum' to the '*corpus reipublicae mysticum*', from the '*mystical body of the Church*' to the '*mystical body of the State*', was a short leap. But it was, clearly, a necessary leap and certainly a far-reaching leap, full of consequences. Once the idea of a political community rooted in a '*mystical body*' was articulated by the Church, all was left for the secular State was to follow up and develop that notion to the extreme, responding through the establishment of a counter-type. Thus, as Kantorowicz significantly observes, the theologico-political formula of 'the mystical body of the *Church* the head of which is Christ' was substituted by the juridical formula the '*mystical body of the respublica* the head of which is the Prince'.⁴²

Nevertheless, in spite of the existing analogies between the Church and the State, or in spite of the appropriations of the ecclesial formulas by the State, it is important to clarify that even until the end of the thirteenth century, the idea of a State existing only for itself was a strange idea, an idea without feet to walk on, so to speak. Although Thomas Aquinas used, as an alternative to '*corpus mysticum*', the expression '*persona mystica*', already anticipating the substitution of the liturgical nomenclature for the juridical, it will be necessary to wait almost three centuries until the State, namely under the Hobbesian formula of *Leviathan*, is finally *personified*. In fact, as Kantorowicz argues, until then the State was not a fictitious person, but an organic or organological whole, and the passage from the '*corpus mysticum*' of the Church to the '*persona mystica*' of the State was not free of problems or difficulties:

To put it succinctly, the *regnum* or *patria* was not 'personified' — it was 'bodified'. Mainly because the state could be conceived of as a 'body', could there be constructed the analogy with the mystical body of the Church. The parallel hinged, as it were, upon the word *corpus*, and not of the word *persona*, just as the theologians reflected on the *duplex corpus Christi*, and not on the *duplex persona Christi* — which would have been *Nestorianism* anyhow.⁴³

We will conclude by saying that it was not minor the effort of Ernst Kantorowicz when introducing us in an unprecedented way in the theological intricacies that governed the formation and organization of the modern State, as today we can still recognize it in some of its most decisive aspects. The monumental work *The King's Two Bodies* remains, as such, an indispensable guide and difficult to overcome.

⁴² Cf. Ernst Kantorowicz, *The King's Two Bodies*, p. 261.

⁴³ Cf. Ernst Kantorowicz, *The King's Two Bodies*, pp. 270–71.



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