Political Theologies

PUBLIC RELIGIONS IN A POST-SECULAR WORLD

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Church, State, Resistance

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The separation of church and state is the French expression, linked to the dominant Catholic Church in that country, used to signify the complete differentiation between the laws [*droits*] and powers of the religious order (whether ecclesiatical or constituted in another way) and the political order. In any civil or public matter, the political order is understood to prevail; whereas in any religious matter—henceforth considered to be private or having to do with an intimacy of conscience—the authority exercised is defined by a religious instance to which anyone is free to adhere.

Today this separation is recognized as a given of democracy, whatever the precise form in which it is enunciated in public law (even where, as in England, there exists a very particular situation that may seem to be, but is not really, one of nonseparation). The constitutional and/or institutional affirmation and imposition of a consubstantiality of religion and state contravenes the general rules of democracy and the rule of law—law being charged precisely with assuring, among other things, the independence of religions and the appropriate conditions to be placed upon this independence, in the same way that it is charged with assuring the conditions for freedom of thought and of expression.

We are accustomed to consider this separation between church and state to be an achievement of modern democracy. This is not wrong, insofar as the juridical inscription of this separation is historically recent (notwithstanding certain details that we will consider later). But it is no less necessary to recall that such a separation, or at least its principle and condition of possibility, appears at the very beginning of politics: in Greece. It is necessary to recall this because, to go straight to the point, it means that the separation of church and state is not one politi-

cal possibility among others, but a constitutive element of politics as such—if we agree to give this term the sense derived from its Greek origin, rather than a vague and rarefied sense that would encompass any possible way of organizing the collectivity.

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Though the *polis*, the city, has its own religion, celebrates its own rites, and also makes room for other less public or less "civic [*citoyens*]" forms of worship [*cultes*], it nonetheless presupposes, in its principle, its very being as *polis*, a fundamental rupture with any kind of theocracy, whether direct or indirect. Starting with Aristotle and even Plato, up to Machiavelli and Jean Bodin, even before the more official and modern "separations," this principle is borne out: politics encompasses any kind of "cracy" except theocracy. Reciprocally, theocracy encompasses any kind of societal organization that rests on a religious principle, except for politics—even where the latter seems to call for a religious dimension. The stakes are considerable: in principle, religion and freedom of thought have very different implications. Religion is not a "private" preference; it is a mode of representing and organizing both personal and collective existence. Therefore, religion is nothing more or less than the collective or communitarian possibility other than that constituted by politics. The separation of church and state should be considered as the one true birth of politics.

The *polis* rests, first, on the fact that it gives itself its own law [*loi*]. It can invoke a prescription or a divine guarantee for this law, but it is nonetheless to the *polis* itself that the determinate establishment, the formulation, the observation, and the implementation of law belongs. In this respect, nothing is more instructive than, on the one hand, the displacement and progressive abandonment of various forms of trial by ordeal and, on the other, the development, predating the *polis* (in Babylon in particular), of codes of property and exchange (trade, inheritance, etc.), which themselves anticipate part of the general *auto-nomy* upon which the city will be based.

The political [*le politique*]—if we can use this term to designate an essence or principle—is autonomy by definition and by structure. Theocracy, in the sense we have just given it as the other of politics, represents heteronomy by definition and by structure. Manifestly, autonomy cannot but resist heteronomy, and vice versa. In general, we can even say that any form of political or moral resistance implies a relation between an autonomy and a heteronomy; for us its most authentic form (perhaps even its only authentic form) is the resistance of autonomy—individual as well as collective—to any kind of heteronomy.

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Under these conditions, the religion proper to the city—where there is one—has a double aspect. On the one hand, it appears as a remnant of and a substitute for theocratic religion. Everything takes place as if the *polis* did not yet know very well how to regulate its relationship to the very principle of its institution—let us say, to its founding authority—without giving it the customary form, which in reality is not political, of a recourse to the divine. From this perspective, and whatever its precise form, one might consider the separation of church and state to be the logical outcome—however remote in time it is or might seem to be—of the invention of politics. Civil autonomy here is separated without ambiguity from religious heteronomy.

On the other hand, the religion of the *polis* tends to constitute itself as a specific religion, distinct from the "religion of the priests," to use the expression by which Kant seeks to distinguish religion in the ordinary sense from the sense he puts in play "within the limits of reason alone." This religion purports to be political *and* religious, but religious insofar as it is political, and not the other way around.

In some respects, at least, this is already the case with the religion of Athens, a city that does not by chance bear the name of its tutelary goddess. It is even more visibly the case with Rome, which probably provides the most fully realized example in Western history of a religion that is somehow consubstantial with the city and the state—to the point that the Latin word *religio*, which we inherit to name a phenomenon that only Rome named as such, offers a sense that is consubstantially juridico-political and religious, whether we understand this according to the etymology of scrupulous observance or according to the more uncertain etymology of establishing a bond.

What does the Roman religion signify as a political, civic, or civil religion? It signifies the inclusion of autonomy in a heteronomy that, without subverting this autonomy, gives it the double dimension of a transcendence and a fervor. "Rome" transcends its own autonomous immanence; the Roman body politic (*Senatus Populus que Romanus*) is something more and other than the effective existence of the assembled Romans, of their laws and their institutions. Thus, for example, the Roman Republic is able to take up the legendary heritage of the kings who preceded it: it is by virtue of the same truth—that of "Rome," precisely—that the Republic prides itself on having supplanted royalty and that the kings are venerated as ancestors and precursors of republican law.

Rome has at its disposal a heteronomy *of* its own autonomy, or a transcendence of its own immanent principle. Whether this Roman model does or does not strictly conform to the reality of history matters less here than the fact that Rome was able to create this image of itself and to leave its effigy to posterity as an exemplary figure: Roman civic virtue, a close combination of juridical observance and the cult of patriotism, the representation of the Senate as an "assembly of kings" (Friedrich Schlegel), together with an urban administration that was both social and economic, an army more national than

ever before in antiquity, and finally, in a general manner, the *exemplum* par excellence, that of the magistrate-priest whose name, *pontifex*, carries a double meaning, a dual sacral and civil genius—this exemplary figure has been regularly invoked, as much by the French Revolution as by Italian fascism, to mention only the most famous and representative cases.

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The importance of the Roman example reveals how much we have wanted to associate the image of Greek democracy—essentially represented by the agora and the free discussion concerning justice that, for Aristotle, constitutes the *politikōn* character of the human *zōon*—with the image of a religious reality of the public thing or *res publica*, anterior to any space and any articulation of a relation. What does it mean that we have "wanted" this? Have we desired it, and why? Have we felt it as a need inherent to the public thing itself from the moment that it makes itself autonomous—and where does this need come from? It is probably not possible—at least not now—to answer all these questions. But to broach the political question in all its breadth—as it is revealed to us today—it is necessary to underline the extent to which the image, idea, or scheme of a "civil religion" more or less consciously underlies our principal representations of the political.

This is how one should understand the Schmittian motif of a "political theology." Even if Carl Schmitt himself does not ask the question of civil religion—irrespective of the fact that he felt entitled to find some suitable equivalent of his "theological" model in Nazism—or perhaps precisely because he does not ask this question as such, his rigorous thought of sovereignty shows that recourse of a religious sort remains or obscurely returns on the horizon of modern politics. Failing such recourse, which the idea of a "Republic," in its French form in particular, will have kept alive until only recently (to say nothing of the model of the United States, of Habermas's "constitutional patriotism," or of everything that could be analyzed in Japanese and Chinese actualities, in the constitutional monarchies of Europe, etc.), it seems that the political is destined to withdraw [*retirer*] the essence we assumed it to have, leaving this essence to dissolve into "administration" and the "police," which henceforth appear before us as the miserable remnants of what politics could or should have done.

Marx was thus right to link the critique of religion to that of politics. The point for him, at least according to his first and founding inspiration, was to undo the specificity of politics and suppress its separate existence ("the state"), much as the critique of religion was supposed to eliminate the separation of heaven and earth: but this was in order to arrive at a world that would no longer be a world "devoid of spirit and heart." In other words, the true spirit and heart, the spirit and heart of the true human community at

work in the production of man himself, were to substitute their immanent authenticity for the false transcendences of the political spirit and the religious heart.

As we can see, politics and religion were to be sublated (*aufgehoben*) together, in the same unique movement, itself arche-political and—in consequence—arche-religious, the movement of real social being, beneath and beyond its politico-religious representations.

Thus everything happens as if the great alternative of modernity had been either definitively to emancipate politics, so that it is entirely separate from religion, or to expel them both from the effectivity and seriousness of the autoproduction of humanity. Either politics is conceived as the effectivity of autonomy (personal as well as collective); or politics and religion together are represented as heteronomous, and autonomy consists in freeing oneself from them. Either resistance of the political to the religious, or resistance to the politico-religious. (In the latter case, resistance of what, of whom? Let us leave this question in suspense.)

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This alternative had its condition of possibility in the second Roman event, the one that was the successor to the republic and the empire insofar as the latter retained something *republican* about it. This event is none other than Christianity, and Christianity brings with it nothing other, from the point of view that interests us here, than an essential separation between church and state. In fact, this separation is so fundamental that it is even foundational: for it is in Christianity that the conceptual couple "church/state" is properly formulated. It is formulated with the constitution of the *ekklēsia*, a term taken from the institutions of the Greek city, which now designates an "assembly" and a specific mode of being together, distinct from the social and political mode.

Before the creation of the Church, or even the local churches, Christianity already presented two major features: the distinction between two kingdoms and the correlative distinction between two laws. The Kingdom of God and the kingdom of Caesar, the law of Moses ("the law of sin," according to Paul) and the law of Jesus or the law of love ("the law of freedom," according to James). Heir to a dehiscence that appeared within Judaism, Christianity constitutes a major political event, as I indicated above—or an event in relation to the political. In a single operation, it rigorously, ontologically separates the political from the religious, on the one hand (since there are two "worlds," and this division has great religious consequences), and, on the other, in a paradoxical gesture, it constitutes the religious itself on the political model of the kingdom or the city ("kingdom" in the Gospels, "city" for Augustine).

The origin of this entirely new formation in the religious order is to be found in what messianism signified: the Messiah had been expected as the one who would restore the

kingdom of Israel, but he becomes instead the instaurator of an entirely different Kingdom, one that totally escapes nature and the laws of the human kingdom. Or rather: only in this way is the political unveiled as a human order, only human and "all too human" . . .

From then on, civil religion becomes impossible. All manner of alliances will become possible between church and state—and as we know, it is by way of the conversion of the empire to the new religion that a new age begins, an age that will recognize the double destiny of the empire between the Orient and the Occident, according to a double articulation of the relation between the two kingdoms—yet the fundamental principle of the heterogeneity of the two orders will never be fundamentally called into question.

(In passing, this is also why an important aspect of the tradition or diverse traditions of Islam concerns, as we know, the relation between temporal and spiritual authorities—a formulation that is not possible, *stricto sensu*, save in a Christian terminology.)

The separation of church and state that democracy eventually produced is more or less the direct consequence of the double regime inaugurated by Christianity, a double regime that displaced the order of the city and the order of religion at the same time. This displacement came about as the consequence—here, too, more or less direct—of the precarious and always newly destabilized situation of the city endowed with civil religion in the ancient world.

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It is not surprising, under these conditions, that the modern thought of the political should have passed through two decisive stages with regard to the relationship between the state and religion.

The first stage is the invention of sovereignty. From Machiavelli to Bodin—though we should not place too much emphasis on the motif of a certain continuity from one to the other—it is clear that the center of gravity of the problem of the political has ceaselessly shifted toward a profane, temporal (even atheist, to use Pierre Bayle's word about Bodin) condition of the state. The very notion of the "state," with its value of establishment and stability, testifies to the need to find a principle of grounding and solidity where an absolute foundation is definitively lacking. The expression *absolute monarchy*, although it is applied to regimes encompassed with ecclesiastical and theological guarantees, speaks for itself: the sovereignty of the monarch, that is to say, of the state, cannot by definition depend upon any authority other than itself, and, notwithstanding appearances, its religious consecration does not constitute its political legitimacy.

The sovereign state is the state that must derive its legitimation from itself. Without emphasizing the essential character, in this context, of the right to decide the state of exception from law (by which Schmitt defines sovereignty), we must acknowledge that

autonomy, as the principle of the political, makes its major demand here: the state must or should, in one way or another, found, authorize, and guarantee its own law by its own means. Is this possible in any other way than by invoking the need for security born of the weakness and hostility of men? But can such necessity found more than an expedient—even, in some cases, an authority usurped for the sole good of some? Thus we see delineated the general scheme of the political problematic from the classical age on.

The second stage is none other than the demand for a civil religion, as formulated by Rousseau. What is this about? Rendering "perceptible to the hearts of citizens" all the rules and conditions deduced from the transcendental deduction of the social contract. Why this need for a specific affectivity? Why, if not because affect was excluded from the contract—whose very notion implies rationality, but not fervor, desire, or sentiment?

Appearances notwithstanding, Rousseau's civil religion is not something added, in the manner of a more or less gratuitous ornament, onto the edifice constructed by the contract. On the contrary, it seeks to repair the intrinsic flaw of the contract, which does not know how to bring about a regime of assembly except on the basis of interest—even though this contract forms man himself in forming the citizen. (The Protestant filiation or provenance of this civil religion obviously deserves further development, but there is no room for that here.)

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As we know, Rousseau's civil religion remained a dead letter. At any rate, it remained a dead letter, or very nearly so, as far as the execution of Rousseau's program is concerned. It nevertheless left two traces at once enduring and problematic, under the double guises of "fraternity" and "secularism [*laïcité*]."

Like the "separation of church and state," *fraternity* and *secularism* have political senses that are specifically French. Yet, like *separation*, one must interpret them broadly and as designating notions of general value for the current representation of democracy. (I leave the task of justifying this affirmation in more detail for another time.)

With "fraternity"—added, as we know, as an afterthought to the motto of the French Republic—one might say that we are dealing with the residual minimum of political affect. Which is to say that we are also dealing with the minimal form of a latent question, more or less clearly resurgent, concerning the force of affect supposed by the simplest being-with. It is not that the idea of "fraternity" necessarily accounts for this very well—that is another debate, one Derrida reopened several times in opposition to Blanchot and myself. What matters to me here is that, even if we disagree about the term, this only leads us to substitute for it other terms with an affective denotation or connotation: *friendship* for Derrida, or elsewhere *solidarity* or even *responsibility*, terms that cannot be entirely divested of an affective tonality—and, in the final analysis, this also applies to the

term *justice*, if we think about it. To say it as briefly as possible, what resists in *fraternity* is affect, and something of affect thus resists, under one term or another, at the heart of the political order considered as an order of integral autonomy—supposing the latter to be thinkable without affect (or thinkable at all, which perhaps amounts to the same thing).

With "secularism," another aspect of the same resistance manifests itself: namely, not the mere possibility of holding the politico-social order exempt from any religious interference, nor that of charging this order with organizing the free practice of worship according to necessary conditions, but beyond this—and somewhat contradicting the two preceding propositions—the necessity of conceiving and practicing something like the observance and celebration of the values, symbols, and signs of recognition that attest to everyone's adherence to the community as such.

To be sure, the previous sentence cannot fail to arouse the suspicion that what is being defined here is a kind of vague fascism . . . But I would like to point out that fascisms, and with them "real" communisms, as well as some types of dictatorship, have well and truly seized upon an unutilized desire to celebrate community, and that if this desire has remained unutilized—and remains so today—that is because politics has not been able to put it to work. That is to say, because politics has not known how or was unable to fulfill the intentions or expectations that the words *fraternity* and *secularism* designate as best they can. Or, to put this in an inverted form, because the general idea of tolerance, and of the state as a space of tolerance, remains inferior or even foreign to what is rightfully expected of the political: namely, to take charge of a force of affect inherent in being-with.

8

If autonomy resists heteronomy throughout all representations of democracy, heteronomy resists autonomy in the force of affect. Affect is essentially heteronomous, and perhaps we should even say that affect *is* heteronomy.

Christianity put into effect a division [*partage*] that was implied in the Greek foundation of the political: the dividing of two orders and two cities: on the one side, the order and the city of the useful and the rational (in the restricted sense that we most often give to this word) and, on the other side, the order and the city of a law that does not call itself the "law of love" by accident.

Throughout the duration of what has been called Christian civilization, love has not failed to return, at least as a question, an exigency, or a concern—which is to say, also and fundamentally as a resistance—in connection with the political. Thus the subjects of kings were supposed to love their sovereigns, and thus Hegel thinks love as the very principle of the state; thus have fraternity, patriotism (including Habermas's "constitu-

tional patriotism"), national liberations, democracy itself—or else the Republic (European style) or the Nation (American style)—thus have all these, along with a number of generous representations of Europe, amounted to so many efforts to employ and reactivate something of this love. The inventors of democracy have always known, like Rousseau and along with him, that democracy cannot abandon love to the other kingdom and that it should perhaps even recapture love for itself without remainder, because, failing that, it will be merely . . . a democracy, that is to say, a simple order of the useful and rational management of a world in itself devoid of affect, which is also to say of transcendence.

Democracy is thus by birth (we could even say by its double birth, Greek and modern) too Christian, and not Christian enough. Too Christian because it fully assumes the separation between the two kingdoms; not Christian enough because it fails to rediscover in its kingdom the force of affect, which the other kingdom has reserved for itself. At the same time, Christianity, deprived of the public positions through which it recuperated with one hand the material power it had abandoned with the other—and through which it also continued to instill a little bit of love or the semblance of love into the political order—this Christianity has dissolved itself as a social religion, and because of that has tended to dissolve itself as a religion *tout court*, taking with it—again, as a tendency—all religions.

Neither of the two kingdoms resists the other any more—except under the brutal form of fanaticisms, whether they be of church or of state. In reality, this is not a relation of resistance, it is a relation between wills to dominate and to absorb one kingdom within the other, a relation of a conquering and destructive hostility, pure and simple.

9

We no longer live in a time of resistance, but in one of confrontation. We no longer live in a time of difference in nature between two kingdoms, but in a time of difference in force between empires. If it is certain that we will return neither to a Christian civilization, nor to the Roman republic, nor to the Athenian city, and if it is certain that it is not in any way desirable that we return to any of these forms, it is just as certain that we must now invent a new way to replay the political institution itself, by henceforth clearly formulating its exigency as that of *the impossibility of civil religion*. If civil religion is impossible—and if we know only too well where its realizations lead, by default (republican celebrations . . .) or by excess (fascist celebrations), while its "just measure" is precisely the impossible itself—then we must rethink, from top to bottom, the whole question of the affect according to which we co-exist. After that, we will have to ask ourselves how we should truly separate church and state—or, rather, how we should henceforth give up not only the seizure of politics by any given religion but also the desire for a politics that

could put to work this affect and its heteronomy. It seems too much to ask for the two things together. Yet this is what we must give ourselves at least as an exploratory and heuristic rule.

We could start (again) as follows:

Being in common, or being together—or even more simply, and in the barest form, being several—is being in affect: being affected and affecting. It is being touched and touching. "Contact"—contiguity, brushing together, encountering, and clashing—is the fundamental modality of affect. What touch touches is the limit: the limit of the other—of the other body, because the other is the other body, that is to say, what is impenetrable (penetrable only by a wound, not penetrable in the sexual relation, where "penetration" is only a touch that pushes the limit to its farthest point). What is at stake above all in being-with is the relation to the limit: How can we touch and be touched there without violating it? And we desire to violate the limit, for the limit exposes finitude. The desire to merge and the desire to murder constitute the double modality of an essential trouble that agitates us in our finitude. Wanting to swallow or to annihilate others—and yet at the same time wanting to maintain them as others, because we also sense the horror of solitude (which is properly the exit from sense, if sense is essentially exchanged or shared). That being said, humanity regulates or has regulated the relation to the limit in two ways: either by some modality of sacrifice, which consists in crossing the limit and thus establishing a link with totality (more generally still, I would say, a modality of consecration, since bloody sacrifice is not the only one at stake); or by means that lie outside of consecration—and that is the West, that is politics and the law, in other words, and essentially the recourse to an autonomy of finitude. The city may want to be regulated according to some cosmic, physical, or organic model, but the very fact of this will and this representation indicates that it is totality, "consecration to the whole," that is felt to be lacking.

Thus the city establishes itself, if I may put it this way, in a problematic situation with respect to affect: the relation to limits, the relation of limits among themselves, is no longer taken charge of by a virtually total "consecration." From the outset, the political is born as a regulation of affects. It is not by chance that Christianity appears in a context in which the city that will soon be called the "human city" finds itself at an impasse with regard to personal relations and in which the empire testifies to a check or a halting of the *polis* and of *autonomia* for the benefit of a model of domination (the *imperium*) that, despite its efforts, will not succeed in capturing affect (because it is no longer truly sacred: it itself issues from civil law, from "dictatorship" in the Roman sense). And it is not by chance that Christianity—that is to say, prophetic Judaism and the Judaism of the diaspora (I mean the two figures of a certain separation between the kingdom of Israel and Israel as the people of God), having arrived at a decisive point of transformation in the midst of and in the face of empire (in the same way as, in a convergent mode, Stoic and Epicurian philosophy were seeking to regulate affect)—should respond with both the

"law of love" and the "kingdom of God." At the same time, Christianity proposes the distinction between two kingdoms or two cities, and the distinction between the legal law and the law of love, that is also to say, the other of law or its reverse. Christian love signifies above all the reverse of law: its inversion or its subversion, its hidden side also—that is to say, that from which the law comes from without being able to recognize it, namely, the very sense of being-with.

Under these conditions, it is no more a question of the church resisting the state than of the state resisting the church—rather, it is being-with itself that resists *itself* and refuses to be fulfilled under any form of hypostasis, configuration, institution, or legislation. What resists is being-with in its resistance to its own gathering [*rassemblement*]. This resistance touches the truth of being's "with," of this proximity of the *with* that is forever impossible to effectuate as a being and is always resistant. Neither autonomous nor heteronomous: but rather anomic in the mutual resistance of the autonomous and the heteronomous.

—Translated by Véronique Voruz