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**THE MONOLITHIC VIEW: ON THE PLURALITY OF POLITICAL THEOLOGIES IN
THE WRITINGS OF ERNST KANTOROWICZ**

By

Andrew Mallory

B.A. University of Maine, 2017

A THESIS

Submitted in Partial Fulfillment of the

Requirements for the Degree of

Master of Arts

(in History)

The Graduate School

University of Maine

May 2020

Advisory Committee:

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**THE MONOLITHIC VIEW: ON THE PLURALITY OF POLITICAL THEOLOGIES IN
THE WRITINGS OF ERNST KANTOROWICZ**

By Andrew Mallory

Thesis Advisor: Dr. Joel Anderson

An Abstract of the Thesis Presented
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Degree of Master of Arts
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“The Monolithic View: On the Plurality of Political Theologies in the Writings of Ernst Kantorowicz” is an argument in favor of a reevaluation of the concept of “political theology” as it appears in the writings of the twentieth-century German-Jewish medievalist Ernst H. Kantorowicz (d. 1963). First, I consider the ways in which the appearance of this term in Kantorowicz’s writings has been interpreted by scholars in the last three decades, and critically examine the origins of this interpretation. The tendency has been to see Kantorowicz as engaged in a critical dialogue with the German juridical scholar and Nazi party member Carl Schmitt, in spite of the fact that Schmitt’s name never appears in Kantorowicz’s writings. Second, I examine the appearances of “political theology” in Kantorowicz’s published and unpublished writings. I argue that the pluralistic use of this term as it appears in his work is incompatible with the dominant historiographical trend that sees him as being in dialogue with Carl Schmitt.

DEDICATION

For EKa, one of the most fascinating minds of the twentieth century, and for Virginia and Charlie, who I wish could have seen the final result of the work that has gone into this project.

ACKNOWLEDGMENTS

I would like to thank my advisor, Joel, with whom I have had the pleasure of working for nearly five years, as an undergraduate as well as a graduate student, and with whom I have engaged in countless fruitful discussions of politics, theology, and everything in between. Thank you for introducing me to the fascinating and (sometimes) intimidating world of medieval studies, and to the writings of Ernst Kantorowicz in particular, for encouraging my interest in unorthodox ideas by introducing me to one of the least orthodox but most provocative thinkers of the last hundred years. I would also like to thank my other committee members, Michael and Nathan, whose feedback on dozens of projects has made me a better writer, a better thinker, and whose deep engagement with theory has opened countless doors for my own scholarly imagination.

Thanks again to Michael, and to Kirsten and Don, whose philosophical and professional help, depth of perspective, and friendship has made for the most plentiful and memorable conversations, and to whom I am infinitely indebted.

Thanks to my mother and father, whose unconditional love and inexhaustible encouragement has helped me past every roadblock and every obstacle.

Thanks to my sister Evelyn, whose growth and depth of empathy inspire me every day.

Thanks to Morghen, “for every encouragement and every tenderness.”

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CHAPTER 1

INTRODUCTION

Part I: The Pedant of Posen

Ernst Hartwig Kantorowicz, a German-Jewish-American intellectual and medieval historian, among the most widely read and widely discussed European historians of the 20th century, was born in 1895 in Posen (Poznań), modern Poland, to a family of internationally successful wine merchants. Kantorowicz spent his early childhood afloat within the German school system, where he demonstrated a profound interest in classical learning, a natural aptitude for languages, and a precocity unmatched by most of his classmates. He fought for the German army in the First World War, where he took part in several major engagements on the Western Front as a member of the German army's artillery. Kantorowicz eventually fought alongside the Freikorps during the German Revolution (1918-1919) in the aftermath of the First World War, joining the country's nationally funded right wing paramilitary units in their violent suppression of the German communists — specifically the Spartacists, in the case of Kantorowicz — who were attempting to establish Soviet-inspired governments in Germany as well as other parts of east-central Europe. Through a gradual expansion of his social, educational, and military connections, Kantorowicz eventually became involved with the famous — or perhaps infamous — artistic “Circle” surrounding the enigmatic and iconoclastic late-Romantic German poet Stefan George, wherein he sharpened not only his philosophical and historiographical tool kit, but also his aristocratic, quasi-Nietzschean sensibilities regarding German culture and European culture more generally. It was in this context that Kantorowicz researched and wrote his first major historical work, a provocative and incendiary biography of the Holy Roman Emperor Frederick II (r. 1220-1250); from within these dark, poetical depths of his *George kries*

membership, Kantorowicz would publish the fascinating, electrified, highly controversial biography of the eponymous thirteenth century German emperor, *Kaiser Freidrich der Zweite* (1927). While it was ridiculed by many within the German historical establishment at the time, it was highly praised by many others, including (eventually) Albert Speer and Hermann Göring of Nazi infamy. In its reliance upon myths, legends, and art for its evidence, this text would eventually prove to be foundational from the point of view of Kantorowicz's historical thinking.

Ernst Kantorowicz continued thusly wise — intellectually and spiritually engulfed by the George Circle and its sense of Germanness, various parts Teutonic and Hellenic, shifting between the two — through the 1920s and early 1930s, honing his historical mind and perpetually challenging the historiographical status quo. He spent a brief time at Oxford during the tumultuous mid-1930s, where his work was first introduced to an academic, English speaking audience, although he soon returned to Germany. In 1938, for reasons owing to his Jewish heritage and its relation to the recently ascendant Nazi regime, Kantorowicz was finally forced to flee Germany against his own desires and proclivities. He eventually emigrated to the United States, where he accepted a lecturing position at the University of California, at Berkeley. The years that Kantorowicz spent at Berkeley were some of the most productive of his life. Here, he gave several of his most famous lectures on medieval history, produced his second major monograph, *Laudes Regiae* (1946), and was eventually embroiled in controversy over his refusal to submit his signature to the university administration's "loyalty oath", designed to 'expose' professors and researchers whose views were considered "politically subversive". Within this period, Kantorowicz became an influence upon the progenitors of the "San Francisco Renaissance," including Robert Duncan and Jack Spicer, who sat-in on his classes.¹

¹ Lerner, Robert. *Ernst Kantorowicz: A Life* (New Jersey: Princeton. 2017). See chapter 21, "Land of Lotus-Eaters," for Lerner's exposition on this topic.

After his involvement in the famous “Loyalty Oath Controversy”, which ended with his resignation from Berkeley, Kantorowicz accepted a research position at the Institute for Advanced Study in Princeton, New Jersey, where he would remain until the end of his career. It was here that Kantorowicz produced his final historical work, *The King’s Two Bodies*, recognized today by certain scholars as one of the foundational texts of “new historicism”, and generally regarded by most as a masterpiece of intellectual history and medieval political theory. This text, controversial for reasons owing to its authorship — Kantorowicz was a controversial intellectual figure — as well as its historical methodology, has been subjected to a prolific host of scholarly interpretations, from medievalists as well as anthropologists, art historians as well as political theorists; it is this seminal work that will be the primary object of analysis in the present thesis. Ernst Kantorowicz, after decades of innovation in the realm of medieval scholarship, died in New Jersey in 1963. His legacy, indisputably powerful, can still be felt in the world of historical and medieval studies to this day.

Part II: The Spectre of Political Theology

For many reasons, Ernst Kantorowicz has remained a polarizing figure within the tumultuous worlds of intellectual history and medieval studies. At the time of its initial publication in 1957, *The King’s Two Bodies* was both sharply criticized and highly lauded: the prominent German medievalist Theodor Schieffer began his review of the book with the phrase: “Eine unglückliche Verkettung von äußeren Hindernissen hat die Würdigung dieses überaus interessanten Buches in unserer Zeitschrift über Gebühr verzögert.”² William Huse Dunham Jr, an American medievalist from Yale University, wrote of it in his 1958 review “Kantorowicz has

² Theodor Schieffer, review of *The King’s Two Bodies: A Study in Medieval Political Theology*, by Ernst H. Kantorowicz. *Historisches Jahrbuch* 80:1 (1961). 334. This passage can be translated into English as ‘An unfortunate chain of outside hindrances unduly delayed the appreciation of this extremely interesting book in our journal.’

written a great book. Its greatness, apparent on well-nigh every page, results from the author's erudition and his artistry... The completeness of this book is matched by its artistry, and its structure resembles a Gobelin tapestry."³ The appreciation and celebration of *The King's Two Bodies* was, however, also hemmed-in by numerous critics. In his 1961 review from *Romance Philology*, the Oxford historian Cecil Grayson, commented on some of the more unflattering aspects of the book's erudition: "In this broad and yet detailed excursus it is extremely difficult to recognize the sort of continuity that enables the reader in the end to be sure exactly where he has been."⁴

In the six decades since its publication, neither the exaltation nor the controversy concerning the text has abated. For reasons that will be made clear in the present thesis, the controversy has actually heightened, particularly in the past three decades. *The King's Two Bodies* slowly but surely gained recognition throughout the 1960s, 1970s, and 1980s, as Kantorowicz's own former students began occupying prominent positions at universities in the United States and abroad — and thus exposing their own students to his work — and as prominent intellectuals such as Michel Foucault began to give the text their attention, however marginal.⁵ In another example of such attention, Natalie Zemon Davis titled her 1988 address to the American Historical Association "History's Two Bodies" in homage to Kantorowicz.⁶

³ William Huse Dunham Jr, review of *The King's Two Bodies: A Study in Medieval Political Theology*, by Ernst H. Kantorowicz. *Speculum* 33 (1958). 550

⁴ Cecil Grayson, review of *The King's Two Bodies: A Study in Medieval Political Theology*, by Ernst H. Kantorowicz. *Romance Philology* 15:2 (1961). 180

⁵ Michel Foucault. *Discipline and Punish: The Birth of the Prison*. Trans. Alan Sheridan (New York: Vintage. 1977). In the book's introduction (p.28-29), Foucault, somewhat humorously misspelling Kantorowicz's name, gives a well-known and highly quoted homage: "Kantorowitz gives a remarkable analysis of 'The King's Body': a double body according to the juridical theology of the Middle Ages... We should analyse what might be called, in homage to Kantorowitz, 'the least body of the condemned man!'"

⁶ Natalie Zemon Davis, "History's Two Bodies," *The American Historical Review* 93:1 (1988). 1-30.

Dozens of similar examples abound.⁷ With this heightened interest in Kantorowicz's masterpiece came a concomitant interest in the historian himself and his work prior to the publication of *The King's Two Bodies*, an interest that began to develop in the world of anglophone scholarship in the early 1990s. Naturally, an interest in his early career led scholars squarely to his involvement in the George Circle and the book, *Kaiser Friedrich der Zweite*, that it produced.

The subject of the politics of Kantorowicz's work — and that of the meaning of his involvement with the George Circle — demarcates the chronological beginning of the story that will constitute the first part of the present thesis. From the early 1900s until his death in 1933, George gathered around him dozens of prominent male youths from Germany's aristocratic families in a poetic and artistic circle. During the Weimar years in particular, one prominent topic of interest within the Circle was that of the future of Germany; this interest intersected with George's fascination with the ancient and medieval past, and the Circle members' generally aristocratic backgrounds, to produce a milieu of far-right ideals of culture and political representation. That being said, Kantorowicz's personal political 'alignment,' while a fascinating subject, and a subject that has already been the topic of numerous extensive analyses, is not of primary interest here.⁸ Rather, what is of interest is the way in which the subject of his politics has intersected with the corpus of scholarly analysis of his work.⁹ More prosaically, the primary subject of discussion in the following thesis will be the historiographical nature of the reception

⁷ For an extensive, more thorough catalog of such homages to the work of Ernst Kantorowicz, see Brett Edward Whalen's recent article, "Political Theology and the Metamorphoses of *The King's Two Bodies*." *The American Historical Review* 125:1 (2020). 132-145

⁸ Lerner. *Ernst Kantorowicz: A Life*. Lerner's biography is of primary interest with regard to this subject; his analysis of the politics of *Kaiser Friedrich der Zweite* will be employed for extensively in later chapters of the present thesis.

⁹ See also Martin A. Ruehl, "In This Time without Emperors: The Politics of Ernst Kantorowicz's *Kaiser Friedrich der Zweite* Reconsidered," *Journal of the Warburg and Courtauld Institutes*. Vol. 63 (2000). 187-242

of the work of Ernst Kantorowicz, specifically those works of his that are concerned with his uses of the term “political theology.” Since the early 1990s, this reception has focused primarily upon the supposed relations of Ernst Kantorowicz to the prominent Weimar political theorist and juridical scholar Carl Schmitt, whose 1922 *Politische Theologie* represents the first scholarly, analytical deployment of the term. For numerous anglophone authors, whose work will constitute the subject of a lengthy analysis in the second chapter of the present thesis, Kantorowicz’s use of this term in his magnum opus represents an effort on his part to address the claims of Schmitt concerning the nature and permutations of various secularized theological concepts of the state. The Schmittian thesis that “Alle prägnanten Begriffe der modernen Staatslehre sind säkularisierte theologische Begriffe” has become an organizing principle around which anglophone scholarship of Ernst Kantorowicz has, in numerous ways, revolved.¹⁰ The overwhelming trend in this scholarship has been to attempt to defend or reject the analytical relation of Kantorowicz to Schmitt on the basis of the former’s use of the term “political theology” in *The King’s Two Bodies*. Out of this particular trend has grown the concomitant tendency of scholars to interpret Kantorowicz’s uses of political theology in the singular. What this means is that said scholars have had a tendency to read Kantorowicz’s uses of this term as signifying either X or Y meaning: ‘*This* is what Kantorowicz means by political theology;’ ‘Kantorowicz uses political theology for *this* purpose,’ ‘Kantorowicz rejects Schmitt on the basis of his *use* of political theology,’ et cetera. Simply put, the tendency has been to read Kantorowicz’s political theology as only having one stable meaning, although the specific form

¹⁰ Carl Schmitt, *Politische Theologie: Vier Kapitel Zur Lehre von der Souveränität*, (München und Leipzig: Verlag von Duncker & Humblot. 1922). 37. George Schwab translates this as “All significant concepts of the modern theory of the state are secularized theological concepts.” See Carl Schmitt. *Political Theology: Four Chapters on the Concept of Sovereignty*. Trans. George Schwab. Chicago: University of Chicago Press. 1985. Print. 36

that this meaning takes has been a matter of interpretation by the individual scholars. Several specific examples of this tendency/inclination will form the basis of the second chapter of the present thesis, which will trace this historiographical development in detail.

This tendency to interpret Kantorowicz's use of the term political theology in a singular form — a disruptive tendency that has harmed Kantorowicz scholarship — can be addressed by way of textual archaeology. When one examines his work outside of *The King's Two Bodies*, from his other published articles to his unpublished lecture notes, one finds that Kantorowicz not only used the term prior to this book, but that he used the term in several different, sometimes competing ways in this context. Essentially, Kantorowicz's use of political theology was pluralistic rather than singular, from his first uses of the term in the early 1940s to the publication of his final major work in 1957. Furthermore, if one reads *The King's Two Bodies* itself very carefully, one notices that even within this text, which has been the primary object of analysis within the monolithic interpretive tendency outlined above, Kantorowicz does not use the term “political theology” in such a way as to invoke a singular, stable meaning. While the term only appears in the book a handful of times (apart from the book's subtitle), Kantorowicz employs it in a plurality of analytical contexts.

Therefore, the present analysis will exposit and defend two central, concomitant sets of claims regarding Kantorowicz scholarship and political theology, and these claims will form the basis of the two core chapters of the thesis. The first set is historiographical, while the second is historical/textual.

First, the dominant trend in anglophone Kantorowicz scholarship in the past three decades has been to read his work either with or against the work of Carl Schmitt.¹¹ This

¹¹ Lerner, *Ernst Kantorowicz: A Life*. Lerner points out that Schmitt's name is never once invoked in all of Kantorowicz's writing, nor in his personal writings. Having now read all of

trajectory has compounded with — and, in certain ways, has resulted from — a heightened interest in Kantorowicz’s biography beginning in roughly the early 1990s, an interest that revealed his associations with the political right in early twentieth century Germany, and thence elicited in scholars a desire to explore his potential connections to one of the most prolific exponents of the political right within this context, Carl Schmitt. It must be made clear from that outset that this scholarly track has been a specifically anglophone one: German scholars, and to a lesser extent French ones, have long maintained interest in the details of Kantorowicz’s biography.¹² Of course, the trajectory of this historiographical trend was motivated in part by Kantorowicz’s deployment of one of the central terms in Schmitt’s analytical vocabulary: political theology. Nevertheless, this thesis argues that Kantorowicz’s uses of this term were unique to his own, peculiar ways of thinking and writing about the medieval world and late antiquity.

Second, there are several distinct ways in which Kantorowicz deployed the concept of political theology in his published as well as unpublished writings, through the entirety of the high point of his career (1940s and 1950s). While his uses of the term are sometimes elusive or esoteric, I have organized them here according to three basic categories: political theology as a discipline, political theology as an ideological force (both medieval and extra-medieval), and political theology as an analytical, organizing principle for the modern historian of medieval history and late antiquity. In the first case, Kantorowicz uses political theology to signify an approach that contemporaneous jurists and theologians of the medieval world used when articulating their cosmologies and their relations to law. In the second case, he uses the term to

Kantorowicz’s published works and several hundred pages of his lecture notes, I have to agree with this, although this specific issue will be explored in greater detail later in this thesis.

¹² For an introduction to this extra-anglophone scholarship, see Ruehl, “In This Time without Emperors: The Politics of Ernst Kantorowicz’s *Kaiser Friedrich der Zweite* Reconsidered”

refer to a tendency in populations, modern as well as medieval, to defer to certain “religious” structures of authority; at several points in his writings he seems to suggest that the ideological mechanisms at work in fascism are “political-theological,” as are other shades of modern politics. In the third case, Kantorowicz refers to a shared language, or a system of shared signs, between political and theological ways of thinking to which the modern historian can turn when studying the past. Interestingly, he does not restrict this use to the medieval world, wherein it is commonly located by modern scholars; rather, for Kantorowicz this use can include studies of the ancient world and late antiquity. In certain cases, particularly within the late Roman world, Kantorowicz saw fit to refer to a “political theology” in this analytical sense. As will become clear rather quickly, however, this framework of the three “types” of political theology is not categorical or rigid; certain uses of the term that appear in Kantorowicz’s writings are somewhat boundary-defying, although these cases are still evidence that Kantorowicz meant several things by the term “political theology,” and employed the concept in several different ways.

In examining Kantorowicz’s uses of political theology, it becomes clear rather quickly that it is possible to discuss the term within the context of his work without ever once referring to the work of Carl Schmitt. That being said, in articulating Kantorowicz’s pluralistic use of political theology, it will become necessary to address the question of the connection between the two thinkers. This will be done in greater detail as part of the fourth and final chapter of this thesis, but in anticipation of this, the short “answer” is one that is basically in agreement with Robert Lerner: Kantorowicz’s use of political theology is quite distinct from that of Schmitt, and the two were never in dialogue with one another, either literally or metaphorically.¹³ While

¹³ The specific use of “dialogue” to describe the “relationship” between the ideas of Kantorowicz and those of Schmitt is quite common within the scholarly literature that will be analyzed in the second chapter of this thesis.

Kantorowicz clearly thought about fascist ideology frequently, and while he was aware of the debates in Germany in the 1930s regarding political theology, he never engaged critically with the work of Carl Schmitt. Where this thesis departs from Lerner is in furnishing this negation with positive explanatory content. How is it possible that such a prolific movement within Kantorowiczian scholarship and historiography could flourish in spite of Kantorowicz never once citing Schmitt in his published or unpublished writings? This is an historical and textual question that is addressed in the second chapter of this thesis, then again in the fourth chapter. To summarize, then, the aim of the present work is as follows: to present evidence of the ‘monolithic trend’ in Kantorowicz scholarship (while explaining its possible origins), and to address the flaws in this trend by examining Kantorowicz’s published and unpublished writings, which demonstrate that he used the term pluralistically in at least three distinct ways from the early 1940s through the end of his career. Educated speculation as to how Kantorowicz’s understanding and use of political theology evolved as it did will be reserved for the fourth, concluding chapter of this thesis.

Part III: A Brief Exposition of the Approach and Structure of the Present Analysis

This analysis is organized into four chapters, in the following order: this introduction, an historiographical chapter on the ‘monolithic trend,’ a textual/historical chapter on Kantorowicz’s pluralistic use of political theology, and finally a conclusion.

Chapter two begins with an analysis of what I hypothesize to be the origins of the monolithic trend in anglophone scholarship, which resulted in large part from a biographical turn towards Kantorowicz in the early 1990s. This turn appears to have originated, at least in large part, in two sources: first, Alain Boureau’s short 1990 biography of Kantorowicz, originally

published in French as *Histoires d'un historien: Kantorowicz*.¹⁴ Second, the turn owes a great deal to Norman Cantor's 1991 historiographical book *Inventing the Middle Ages*.¹⁵ This latter book, problematic for numerous technical reasons, contains a provocative chapter called "The Nazi Twins," in which Cantor compares and contrasts Ernst Kantorowicz with Percy Ernst Schramm, a prolific historian of actual Nazi infamy. From here the chapter proceeds more or less chronologically to the present moment, analyzing prominent works of scholarship that constitute the monolithic view, and demonstrating the historiographical conditions for the emergence of this view. While the monolithic tendency as a scholarly thread has been peculiarly and particularly anglophone (from what my research has been able to gather), there are numerous points during which these anglophone scholars have idiosyncratically pulled from extra-anglophone works. This is true specifically in the respective cases of Boureau's 1990 biography — translated from French into English in 2001 — and Giorgio Agamben's 1995 book *Homo sacer: Il potere sovrano e la nuda vita*, translated from Italian into English in 1998.¹⁶

Chapter three addresses the monolithic view by pointing to the pluralism of political theology in Kantorowicz's published and unpublished writings. This pluralism is already present as such in *The King's Two Bodies*, but furnishing my own reading of this erudite and esoteric book with more prosaic evidence from the author's other writings will be helpful in solidifying and concretizing the existence of the pluralistic view. Kantorowicz's 1957 masterpiece will mark the point of departure in this phase of the study because this text represents not only the

¹⁴ For the purposes of the present work, I will be taking advantage of the 2001 translation of this text into English. See Alain Boureau, *Kantorowicz: Stories of a Historian*, Trans. Stephen G. Nichols and Gabrielle M. Spiegel (Baltimore: Johns Hopkins University Press, 2001).

¹⁵ Norman F. Cantor. *Inventing the Middle Ages: The Lives, Works, and Ideas of the Great Medievalists of the Twentieth Century* (New York: Harper Perennial, 1991).

¹⁶ I will also be taking advantage of the 1998 English translation of Agamben's book. See Giorgio Agamben. *Homo Sacer: Sovereign Power and Bare Life*, Trans. Daniel Heller-Roazen (California: Stanford University Press, 1998).

culmination of his thinking as a medieval historian generally, but also the mature form of his deployment of “political theology” as an analytical tool, his *thinking* as a political theologian. While *The King’s Two Bodies* does not mark the first appearance of the term “political theology” in Kantorowicz’s published writings, it is this text that has generated the most effervescent scholarly debates concerning his work; those scholars who concern themselves with his connection to Carl Schmitt tend to emphasize his treatment of the topic of political theology in this text, as will become clear in the second chapter of this thesis. Thus, as the ultimate testament to the later thinking of Kantorowicz, *The King’s Two Bodies* will serve as the first bookend in a conceptual lineage that, as it turns out, leads back several years. This analysis of the uses of “political theology” in *The King’s Two Bodies* will be followed by an analysis of the term as it appears in Kantorowicz’s other published writings, namely his 1946 monographical study of liturgical acclamations, *Laudes Regiae*, as well as several shorter articles that were written and published primarily during his tenure at the University of California at Berkeley. It was during this middle period of Kantorowicz’s career as a historian that he began to utilize “political theology” as a tool for categorizing juridical and ideological transferences of concepts and terminologies between the ecclesiastical and “secular” authorities of medieval Europe. After his flight from Berkeley in 1950 — following the Loyalty Oath Controversy — and subsequent landing at the Institute for Advanced Study in Princeton, New Jersey, Kantorowicz continued to employ political theology as a conceptual tool in his research and writing, elaborating upon its instantiations and their meanings in numerous articles that, in certain instances, functioned as precursors to *The King’s Two Bodies*. Finally, this exegesis of Kantorowicz’s published works will be followed by a deeper examination of his unpublished writings, primarily in the form of lecture/course notes and unfinished essay drafts, mostly dated to the time of his position at

Berkeley, although with some earlier and later examples. While these notes are qualitatively different from his published works — Kantorowicz insisted in his will that his unpublished fragments *remain* unpublished after his death — they nonetheless offer valuable insight into the personal and pedagogical milieu in which his scholarly uses of political theology were produced.¹⁷ It will need to be emphasized in this section that these fragments do not constitute statements or pronouncements of Kantorowicz’s on the possible uses of political theology; rather, they offer a supplementary glimpse into the more fluid and less concretized permutations of his thinking on the potential uses of political theology as a tool for historical analysis, specifically with regard to medieval studies.

The aim of this third chapter is to understand Kantorowicz’s various uses of political theology *on their own terms*. That is to say, the appearances of the concept in his writings will be contextualized in terms of the writings themselves, in order to understand the function of the concept as it illuminates the specific topics that Kantorowicz is dealing with at any particular point—for example, certain eleventh-century antecedents to later dualistic legal fictions in the fourth chapter of *The King’s Two Bodies*. This chapter will systematically catalog numerous deployments of political theology *as they appear* and solely within the context of the writings within which they appear, in order that the function of the term *for* the writings may be rendered as unambiguous as possible. In order that the meaning of political theology in Kantorowicz’s texts might eventually be described and analyzed in terms of its historical evolution, its textual uses must first be dissected *qua* the texts, inasmuch as this is a possibility. This third chapter will

¹⁷ See Kantorowicz’s last will and testament. “Last will of E.K.” *Ernst Kantorowicz Collection, 1908-1982*. AR 7216 / MF 561. Box I. Folder 1. Leo Baeck Institute Center for Jewish History, New York.

conclude with commentary that re-addresses these points, in light of what is discovered through a systematic textual analysis of the concept of political theology.

Finally, the fourth chapter of this thesis will serve as a conclusion. It is possible that Kantorowicz first encountered the concept of political theology during his scholarly stay in Berlin at the *Monumenta Germaniae Historica* in the late 1920s and early 1930s, during which time he composed the supplementary volume to his first book on Frederick II, the *Ergänzungsband*. Nonetheless, the term does not appear to have entered his scholarly vocabulary until his time at Berkeley in the 1940s, at which point it begins appearing in his lecture notes for undergraduate courses in medieval history. In addressing the Schmittian question, this chapter will also look briefly at the early history of Kantorowicz's career, during his tenure with the *George Kries*. It was during this time that some of his formative ideas about the study and writing of history took place. These merit exploration to the extent that they illuminate Kantorowicz's historical writing from around the time of the composition of *The King's Two Bodies*, and thus the mature form of his pluralistic use of the concept of political theology.

It is worth considering what is essentially at stake in this analysis. Ernst Kantorowicz was not only a prolific medievalist in his own time: his work has become the topic of discourse for dozens and dozens of scholars now, not all of whom work exclusively in the field of medieval studies. Contemporary discourses on political theology and secularization in particular — *id est*, the field of historical, political, philosophical, and legal thought that has emerged out of the groundwork established by Carl Schmitt in the 1920s — is a scholarly field that has become highly saturated, often with the work of thinkers who are themselves quite brilliant and/or prolific. Whether or not the work of Ernst Kantorowicz ought to be included within the canon of twentieth century political theology is a question that requires understanding his use of the

concept, or rather his *uses* of it. Robert Lerner is correct to call attention to the lack of material evidence linking Kantorowicz to Schmitt. That being said, Kantorowicz *did* use political theology, and his most brilliant publications and lecture materials are infused with the term. Understanding exactly how and why he used it is a goal of which much historiography up to this point has fallen short, either by over-simplifying his multifarious deployments of the term or by insisting on connections where none exist. In reading and interpreting Kantorowicz *qua* Kantorowicz, and in comparing the results of this reading to the scholarly work that attempts to link him to the broader intellectual tradition of political theology, the present thesis will hopefully illuminate the thinking of one of the twentieth century's most profound historians. It is the goal of this thesis to address these concerns systematically.

During a lucid moment in the early history of historical studies as a discipline, Leopold von Ranke prefaced his book on “the Latin and Germanic Peoples” by insisting that, whatever “lofty” goals are given to the function of the discipline of history, its practitioners aim to represent the past “wie es eigentlich gewesen.”¹⁸ To study, interpret, and represent Kantorowicz's use of political theology *eigentlich*, in its ‘*eigen*-ness,’ or ‘*own*-ness,’ has been the essential task of the research and writing that has gone into the following thesis.

¹⁸ Leopold von Ranke, *The Theory and Practice of History*, (London: Routledge. 2011). 86

CHAPTER 2

A POLITICO-THEOLOGICAL MONOLITH

Part I: The Emergence of a Persistent Discourse

It is neither desirous nor efficacious to present a prolonged history of the publication and its aftermath of Kantorowicz's 1927 *Kaiser Friedrich der Zweite*: such work has already been done elsewhere.¹⁹ It is merely necessary at present to point towards some key elements of this history as a means of setting the stage for the emergence of the monolithic view in the early 1990s.

At the time of its initial German publication in 1927, *Kaiser Friedrich der Zweite* was primarily of interest to German historians.²⁰ While the book was published in several German editions in the 1930s, and while it was treated to an authorized English version in 1931, with a translation by the Irish journalist and translator Emily O. Lorimer, this English edition went largely unnoticed, at least initially: "Possibly a small amount (of money) may have come for the rights to the English translation that appeared in 1931. But such bits and pieces would not have been sufficient for EKa to continue living in his grand style."²¹ Even during his brief stint at Oxford in 1934, the attention that Kantorowicz received from his anglophone colleagues was centered upon this scholarly shift in attention towards liturgical acclamations (a subject that appeared in *Kaiser Friedrich der Zweite*, but without a critical lense).²² In Lerner's estimation, "... once across the Channel Kantorowicz became an Anglophile... the six months in England

¹⁹ See Ruehl, "In This Time without Emperors," along with Lerner, *Ernst Kantorowicz: A Life*. Lerner's biography offers a clear and detailed analysis of this period of Kantorowicz's career, while Ruehl, in a lengthy but thorough analysis, situates *Kaiser Friedrich der Zweite* within the longer trajectory of "Ghibelline" historiography in early twentieth century Germany.

²⁰ *Ibid.* See Chapter 7 of Lerner's book for further details.

²¹ Lerner, *Ernst Kantorowicz: A Life*, 149-150

²² *Ibid.*, 180-181

offered him the opportunity to engage in new research endeavors that issued into his second book.”²³ It was not until later in Kantorowicz’s career that his biography of the German emperor received any major attention in the English world, and when his students and colleagues at Berkeley and Princeton inquired about the book, he typically refused to talk about it.²⁴ Kantorowicz’s work did not begin to receive such attention in general — in the anglophone world — until after his death, and even then most of this was focused on his work from *The King’s Two Bodies*.²⁵ For example, Quentin Skinner’s groundbreaking first book *The Foundations of Modern Political Thought* (1978) employs Kantorowicz as a secondary source, although Skinner does not draw from *Kaiser Friedrich der Zweite*.²⁶ It was not until the late 1970s that systematic scholarly attention from anglophone scholars seems to have been directed towards Kantorowicz first book. Until recent decades, such attention appears only scantily. In 1977, David Abulafia published an article in *History* on “Kantorowicz and Frederick II,” an article that focuses primarily on Kantorowicz’s connection to the George Circle.²⁷ While concerned with Kantorowicz’s potential relations to Nazism, this article makes mention neither of Carl Schmitt nor “political theology.”

To my knowledge, the first example of a scholarly work that attempts to form a link between Carl Schmitt and Ernst Kantorowicz — while also being frequently cited in works by anglophone scholars — is Alain Boreau’s short 1990 biography, *Kantorowicz: Stories of a*

²³ *Ibid*, 172

²⁴ *Ibid*. Lerner’s biography mentions this particular idiosyncrasy numerous times.

²⁵ See Whalen, “Political Theology and the Metamorphoses of The King’s Two Bodies,” for details. Also see above points (n. 5-6) on Foucault and Davis.

²⁶ See Quentin Skinner, *The Foundations of Modern Political Thought: Volume I: The Renaissance* (New York: Cambridge University Press, 1978), and *The Foundations of Modern Political Thought: Volume II: The Age of Reformation* (New York: Cambridge University Press, 1978). Kantorowicz appears multiple times in volume one, and once in volume two.

²⁷ David Abulafia “Kantorowicz and Frederick II,” *History*, 62:205 (1977). 193-210

Historian. While the book was not translated into English until 2001, the original French edition was employed by numerous anglophone scholars in the mid-to-late 1990s, although more will be said of this later. The contents of this biography that are of interest to the present analysis are contained within the book's sixth chapter, called "Two Bodies." The central orientation of this chapter regarding the Schmittian connection is best summarized by the author himself:

Is it possible to establish a connection between the idea of political theology in Schmitt's sense and that of Kantorowicz? The question does not arise merely out of curiosity about sources and influences. Rather, it entails discovering whether Kantorowicz's reactionary politics under the Weimar Republic crystallized and determined his historical practice, if his thought, in this case, constituted a way of pursuing political struggle by other means.²⁸

Boureau elaborates upon this in successive passages:

The term *political theology* was first employed by Kantorowicz in an article of 1952... entitled "*Deus per naturam, Deus per gratiam: Note on the Political Theology of the Middle Ages.*" No citation within the body of the text justified the use of the expression. The idea returned more explicitly shortly later, in a lecture that Kantorowicz... published in 1955... called "Mysteries of State: An Absolutist Conception and Its Late Medieval Origins."²⁹

As will be demonstrated in the next chapter of this thesis, the claim that Kantorowicz "first employed" the concept of political theology in his 1952 article is false, although this fact is not in itself significant at the moment. What is significant is the interest being devoted by Boureau towards a Kantorowiczian intellectual archaeology of sorts, particularly as concerns a potential connection between Kantorowicz and Carl Schmitt. Boureau begins with a pronouncement on the significance and potential payoff of posing this question: to reveal the potential influences of Kantorowicz's "reactionary politics under the Weimar Republic" upon his writing and thinking, his "historical practice." In other words, Boureau's interest in the early biography of Kantorowicz is framed within the context of a potential connection to Carl Schmitt. For Boureau,

²⁸ Boureau, *Kantorowicz: Stories of a Historian*, 104

²⁹ *Ibid*, 105

at least within this biography, the politics of Carl Schmitt and the politics of Ernst Kantorowicz are a bridge connecting the use of political theology in the works of both.

In elaborating upon and defending this connection, Boureau points towards some interesting evidence. Calling attention to a footnote of Kantorowicz's in the latter of the two articles on "Mysteries of State," in which he (Kantorowicz) elaborates on his use of the term "political theology," Boureau claims the following:

A note comments on the use of the term: "This expression, much discussed in Germany in the early 1930s, has become more popular in this country, unless I am not mistaken, by a study of George La Piana, 'Political Theology,' in *The Interpretation of History* (Princeton, 1943)." Kantorowicz, despite his usual discretion, thus clearly knew of Carl Schmitt's use of the term. The allusion to the debates of the thirties doubtless evokes the violent denunciation, in 1935, of Schmitt's book by the theologian Erik Peterson... A reference to Schmitt's work thus seems indisputable... did Kantorowicz, despite exile, despite his experiences over the oath of loyalty at Berkeley, remain fundamentally an admirer of the strong state, the eternal child of the Prussian father?³⁰

Beyond the quote taken from Kantorowicz's footnote, Boureau provides no further documentary evidence for the subsequent claims concerning Kantorowicz, Schmitt, and Peterson.³¹ While the connection to Schmitt by way of Peterson seems to be referenced rather clearly in this particular footnote, it is nonetheless worth keeping in mind Robert Lerner's observation that "Schmitt's name does not appear in *The King's Two Bodies*, nor in any other of Kantorowicz's published writings, nor in any of his many hundreds of letters."³² Nonetheless, despite their questionable accuracy, Boureau's claims here are significant because they help to establish what has become a persistent historiographical trend within Kantorowicz scholarship: namely what I have been

³⁰ *Ibid*

³¹ One scholar has recently made the Schmitt-Kantorowicz connection, by way of Erik Peterson, the topic of two lengthy articles: see Montserrat Herrero. "On Political Theology: The Hidden Dialogue between C. Schmitt and Ernst H. Kantorowicz in *The King's Two Bodies*." *History of European Ideas*, 41:8 (2015): 1164-1177, and "Acclamations: a theological-political topic in the crossed dialogue between Erik Peterson, Ernst H. Kantorowicz and Carl Schmitt." *History of European Ideas*, 45:7 (2019). 1045-1057. Herrero's work will be examined in more detail later in this chapter.

³² Lerner. *Ernst Kantorowicz: A Life*. 347. Having myself now spent dozens and dozens of hours combing through Kantorowicz's writings, published and unpublished, I must agree.

referring to as the “monolithic view” or “monolithic trend,” which not only involves an insistence on the hidden connections between Kantorowicz and Schmitt, but also a homogenization and analytical simplification of Kantorowicz’s uses of the concept of political theology. The final element of this view as articulated in Boureau’s biography is constructed in the following successive passage:

Between 1952 and 1957, political theology took on, for Kantorowicz, a much larger meaning, one not limited to the process of the absolutist state’s appropriation of the church’s resources in matters of power. Instead, it designated, over the *longue durée*, down even to Kantorowicz himself, man’s capacity to make live on earth that sense of the oneness granted by revelation... In fact, Kantorowicz inverted Schmitt’s understanding of political theology. Political theology did not furnish an authoritarian arm to secular sovereigns because they possessed it already... Political theology used the moment of the Incarnation as the model of a liberating fiction that affirmed the inalienable and sacred office of man above and beyond his natural existence.³³

Thus, the ingredients for the emergence of a persistent mode of consciousness are brought together. Boureau, while insisting upon a connection between Schmitt and Kantorowicz, and while maintaining that the importance of this connection is in its synergizing of the political theology of Kantorowicz with his early biography and younger politics, nonetheless argues here that the political theology of Kantorowicz is distinct from that of Schmitt. This political theology, as demonstrated in the above passage, is rendered singularly. In effect, the aim of Kantorowicz’s political theology is to function as a negation of the authoritarian political theology of Schmitt; this specific line or argument is one that will eventually proliferate in much of the scholarly literature on Kantorowicz. One thus sees a kernel of the monolithic view emerging from Boureau’s biography. In this sketch, Kantorowicz employed the concept of political theology singularly; the argument for this employment (Boureau’s own argument) appears to have grown out of the attempt to connect the work of Kantorowicz to that of Schmitt; this supposed connection is derived not so much from documentary evidence within

³³ Boureau, *Kantorowicz: Stories of a Historian*, 105

Kantorowicz's work as from a connection between the two thinkers by way of biography, specifically their "reactionary politics." As will be demonstrated in the analysis below, the essential architecture of Boureau's arguments was eventually replicated in numerous ways throughout the 1990s and 2000s and has continued through the present.

Apart from Boureau's 1990 biography, the second early pillar in the establishment of the political-theological monolith is Norman F. Cantor's 1991 book, *Inventing the Middle Ages*. Cantor's book functions essentially as a biographically oriented overview of the historiographical development of medieval studies in the twentieth century; it provides a mosaic of numerous significant medievalists and medieval historians of the early-to-mid twentieth century in particular, with a focus on France, Germany, England, and the United States. Among the medievalists discussed in Cantor's book is Ernst Kantorowicz who, along with Percy Ernst Schramm, constitutes the primary subject matter of the book's third chapter, which bears the provocative title "The Nazi Twins."

This chapter of Cantor's book is divided into four sections: "Old Heidelberg," "In Hitler's Shadow," "The Imperial Destiny," and finally "The Lost World of German Idealism." While this last section attempts to connect the work of Schramm and Kantorowicz to an eponymous "lost world" of German historical thought, the first three sections are dedicated to an exegetical examination of the two historians' "Nazi credentials," which Cantor claims, in the case of Kantorowicz, "were impeccable on every count except his race;" Kantorowicz was, furthermore, "the ideal Nazi scholar and intellectual."³⁴ Consequently, the chapter's final section is the only part of the text wherein Cantor discusses *The King's Two Bodies* at any length;

³⁴ Cantor, *Inventing the Middle Ages*, 95

sections one, two, and three, when and where they actually discuss Kantorowicz's scholarly work, focus mostly on his biography and his first book, *Kaiser Friedrich der Zweite*.

A sense of the orientation of this chapter of Cantor's book can be gathered with reference to a small handful of key passages in addition to the passages above, such as the following from section two: "The German professoriat as a whole was sucked into the vortex of nazism partly for ideological reasons but mostly because its members were too unworldly, naive, timid, lazy, and selfish to resist the Nazis."³⁵ Percy Ernst Schramm, whose "Nazi credentials" are much more obvious, is of course included within this professoriat, but so is the more elusive Ernst Kantorowicz:

The two young German medievalists who in 1925 were preparing their masterpieces for publication, Schramm and Kantorowicz, both were far-right in outlook, and this despite Eka's being very visibly a Jew. Hitler's shadow fell upon them ideologically and politically. They were swallowed up in the demonic turmoil, as were so many others. This was the dark, almost inexplicable moment of the German soul. These two learned, sensitive humanists became involved fundamentally, centrally in the Hitlerian story.³⁶

For Cantor, Kantorowicz's biography, politics, background, and "involvement" with Nazism converged with the publication of *Kaiser Friedrich der Zweite*, which he claims was "... a perfect complement to George's visionary poetry... a tocsin for militant nationalism and faith in the great leader."³⁷

The first three sections of this chapter of Cantor's book are constructed more-or-less according to the above architecture, focusing on Kantorowicz's first book and its status as a functional expression of Nazi ideology. According to Cantor, *The King's Two Bodies* fits into the trajectory of Kantorowicz's status as a medievalist inasmuch as it "... may be regarded as the end of an era in the humanistic tradition of Central Europe, the last products of the culture of German

³⁵ *Ibid*, 88

³⁶ *Ibid*, 90

³⁷ *Ibid*, 96

idealism in medieval studies,” as well as “... a confluence of medieval and modern German idealism.”³⁸ For Cantor, *Kaiser Friedrich der Zweite* was an exemplar of this culture of thought in the Germany of the late 1920s, while *The King's Two Bodies* remains a late expression of the same cultural and historiographical thread:

Kantorowicz wants to show that the common law constitutionalism that we in the United States of America live upon as much as the British comes not from the thin, largely unintellectual judicial stream out of the Inns of Court and the British legal profession but out of the vast panoply of Continental culture, out of Roman, Byzantine, scholastic, and humanistic traditions.³⁹

To this he adds:

Kantorowicz's point has much merit. He argued that the divine right of kings and its ostensible opposite, the English common law idea of the separation of the king's political and personal bodies, arise from the same linguistic and cultural context. This is medieval idealism in extended impact — not vague but concrete, objectified, specific, tactile in its derivations from millenia of learned heritages of the Mediterranean world. Modern German idealism has the same qualities.⁴⁰

Thus for Cantor, a line can be drawn between Kantorowicz's first book and his last, a line connecting his exposition on the two bodies of medieval rulers to his authoritarian biography of a thirteenth-century German emperor.

Norman Cantor's book is less important for what it purported to represent in the early 1990s as it is for how it represented it, and for the intellectual context in which it represented it. The chapter on Schramm and Kantorowicz never uses the term “political theology,” and never opines a connection between the work of Kantorowicz and that of Carl Schmitt. Nonetheless, it traces an explicit connection, albeit a dubious one, from Kantorowicz's late work to his early career, with emphasis placed almost exclusively on the ways in which Kantorowicz's writing functioned as an expression of his “authoritarian” politics. Here, the worlds of biography,

³⁸ *Ibid*, 112-113

³⁹ *Ibid*, 114

⁴⁰ *Ibid*

historiography, and medieval theory-crafting conjoined with one another in a book that was both widely-read and widely-disagreed-with.

Thus the core element of historiographical significance in Cantor's book is the conjunction of its content — specifically the orientation of this content, i.e, towards the connection between Kantorowicz's biography and his scholarly work — with this reaction that it stirred from medievalists with an interest in Kantorowicz. In addition to its strange and — in some ways — disagreeable rendition of the tradition(s) of German idealism, the book itself is, perforce, inundated with technical errors, factual inaccuracies, and misinformation, as numerous scholars have pointed-out laboriously since its initial publication.⁴¹ Despite this, the book created a significant splash in the anglophone world of medieval studies, eliciting dozens and dozens of reviews from popular newspapers/magazines as well as academic journals. Furthermore, it received attention, most of which was negative, specifically for its treatment of the biography of Ernst Kantorowicz. The numerous strong reactions against the book's third chapter, many of which came from people who knew Kantorowicz personally or who were otherwise associated with him, marked the consummate beginning of a turn in Kantorowicz scholarship that would, throughout the 1990s and into the 2000s, constitute the central sustenance of a heightened interest in the author's personal biography, his politics, and the connection of both to his scholarly work.

The antithetical response to Cantor's thetical statements proceeded in dialectical fashion, with the eventual synthetic works of the 1990s and 2000s — combining biography with theory to

⁴¹ See, for the most prominent example, Robert L. Benson's thorough dissection of the book: "Norman Cantor and 'The Nazi Twins': On Inventing the Middle Ages," in *Law, Rulership, and Rhetoric: Selected Essays of Robert L. Benson* (Indiana: Notre Dame. 2014). This piece, republished as an essay in 2014, was originally delivered as a lecture months after the publication of *Inventing the Middle Ages*.

constitute a connection between Kantorowicz and Schmitt by way of the concept of political theology — often drawing from, or at least citing, Boureau. In fact, nearly every example that will be encountered below (with exceptions noted when necessary) cites Boureau’s 1990 biography when constructing claims and arguments concerning the connection between Kantorowicz and Schmitt. Furthermore, nearly all of them make a point of refuting Norman Cantor’s 1991 biography. Finally, Boureau’s 1990 biography is the earliest example that I have been able to find of a scholar attempting to forge a connection between the work of Ernst Kantorowicz and that of Carl Schmitt. Both Boureau’s and Cantor’s biographies, released at nearly the same time, thus constituted the moment of germination in anglophone Kantorowicz scholarship for the Kantorowicz-Schmitt discourse that bloomed in the aftermath of these biographies, from the mid-1990s through the early 2000s. It is to this historiographical moment that we now turn.

Part II: Dialectic in Action, or, the Concretization of a Way of Thinking

An appropriate starting location for this section is Robert Benson’s response to Norman Cantor’s book, “Norman Cantor and ‘The Nazi Twins’: On Inventing the Middle Ages,” initially delivered as a lecture less than a year after the book’s release. Here Benson offers a detailed but concise exposition on the “Nazi Twins” chapter, calling attention to its more gratuitous factual errors and some general problems with its methods. The essay’s opening sections are worth quoting at length, as they not only anticipate Benson’s general argument, but also create a vivid image of the reception of Cantor’s book at the time:

Last fall, Norman Cantor published his book *Inventing the Middle Ages: The Lives, Works, and Ideas of the Great Medievalists of the Twentieth Century*. It arrived under impressive auspices and quickly became a best-seller: the Book-of-the-Month Club adopted it as an alternate selection, and the History Book Club promoted it as its main selection for the month. On receiving this news, my first reaction was to welcome the book’s appearance... Still, Norman Cantor is a man of strong and erratic opinions, and his previously published views on the topic disquieted me... Most of the book concerns the members — some of them dead, but largely the living members — of the medievalist communities of England and North America. If

you read those chapters, you will find, as I did, friends and colleagues as well as scholars whom you know in print but not in person.⁴²

Cantor's book addressed, in a popular format, the topic of Ernst Kantorowicz's personal biography within the context of a discourse and a world of medieval scholarship that was still alive with many individuals with personal connections to Kantorowicz himself or at least to other individuals with such connections. Furthermore, it did so very poorly, as the remainder of Benson's account is dedicated to elucidating. In particular, Benson addresses five repeated claims of Cantor's that constitute his charge against Kantorowicz for Nazism: That he (Kantorowicz) practiced "the methods characteristic of Nazis;" that he helped define and share the "ideas, ideals, and goals of the Nazis;" that he helped to prepare "the way for the Nazi victory in 1933;" that he had "close associations with Nazis and with men who later became Nazis;" and finally, that he was "favored by the Nazis."⁴³

By the time the essay's conclusion is reached, Benson has not only pointed out a number of minute factual errors of Cantor's (such as naming the year of publication of *Kaiser Friedrich der Zweite* as 1928, when it was actually published in 1927), he has also elaborated upon more provocative charges, such as Cantor's general ignorance of modern German history and apparent proclivity towards inventing facts and sources of information where none exist:

... he asserts that he came to know Kantorowicz "quite well" in Princeton (95), and that his information on both Schramm and Kantorowicz "is derived heavily from my conversations with Theodor E. Mommsen, Ernst H. Kantorowicz, and Michael Cherniavsky" (423). By coincidence, all three of these men are dead. Professor Cantor describes in great detail Joseph R. Strayer's reactions to Kantorowicz — and Strayer too is dead. "Fragments of conversation" with six other people also helped him. Now, I am one of the six, and I do not ever recall ever discussing Kantorowicz with Professor Cantor. One of the six is unknown to me (Vincent Carosso), and one refused to discuss the question because of his personal relation with Professor Cantor. But three of the six categorically deny contributing any of the "information" or views that I have challenged... they disagree with Professor Cantor's views as strongly as I.⁴⁴

⁴² Robert L. Benson, "Norman Cantor and 'The Nazi Twins': On *Inventing the Middle Ages*," 318

⁴³ *Ibid*, 323

⁴⁴ *Ibid*, 330

Thus, Benson concludes, Cantor's account of Kantorowicz is highly questionable as far as its veracity is concerned, and is primarily (and only) significant "... for what it tells us about Professor Cantor, and not for what it reveals about Kantorowicz."⁴⁵

I would add to this that Cantor's account is also of interest for the following historiographical reasons, particularly when paired with Benson's incendiary response. Apart from his dubious "personal" sources on Kantorowicz, Cantor cites a 1982 monograph by Eckhart Gr newald on Kantorowicz's early biography and his connections to the George Circle; otherwise, Cantor gives no sources for his information.⁴⁶ Benson, in an endnote to his lecture/essay, cites this same book by Gr newald, in calling attention to "the rapidly growing literature on Kantorowicz's life and scholarship."⁴⁷ Along with Gr newald, Benson cites studies by Yakov Malkiel and Ralph Giesey, and in addition to this he names the 1990 biography by Alain Boureau, the recent (at the time) German edition of which he considers a boon.⁴⁸ Of all of these studies, only Boureau's discusses the work of Kantorowicz in relation to that of Schmitt, although this is not a subject that Benson discusses in his takedown of Cantor.⁴⁹ Nonetheless, this worth noting as an early testament to the popularity of Boureau's work in anglophone Kantorowicz scholarship, even before its translation into English in 2001. As we will see, most

⁴⁵ *Ibid*

⁴⁶ Eckhart Gr newald. *Ernst Kantorowicz und Stefan George: Beitr ge Zur Biographie des Historikers Bis Zum Jahre 1938 und Zu Seinem Jugendwerk "Kaiser Friedrich Der Zweite"*. Wiesbaden: Steiner. 1982

⁴⁷ Robert L. Benson "Norman Cantor and 'The Nazi Twins': On *Inventing the Middle Ages*." 333

⁴⁸ *Ibid*

⁴⁹ For the studies by Malkiel and Giesey, see Malkiel, Yakov, "Ernst H. Kantorowicz," in *On Four Modern Humanists: Hofmannsthal, Gundolf, Curtius, Kantorowicz*. ed. Arthur R. Evans Jr. (New Jersey: Princeton. 1970. 146-219); and Giesey, Ralph E, "Ernst H. Kantorowicz: Scholarly Triumphs and Academic Travails in Weimar Germany and the United States," *Publications of the Leo Baeck Institute Yearbook*, 30 (1985): 191-202

of the scholars in the following examples cite both Boureau and Cantor; the former in agreement or as evidence of a connection to Carl Schmitt, the latter in disagreement.

One prominent early example of the political-theological monolith in action is a 1994 article by Carl Landauer, “Ernst Kantorowicz and the Sacralization of the past.”⁵⁰ Apart from Boureau’s biography, Landauer’s article is an early instance of a scholarly attempt to rigorously trace a lineage from Kantorowicz’s early career to his final book. Whereas Cantor’s biography and Benson’s response to it were mostly biographical, with little elaboration upon Kantorowicz’s ideas themselves, Landauer’s article is biographical-theoretical. The article’s explicit purpose is to construct a conceptual genealogy leading from *The King’s Two Bodies* to *Kaiser Friedrich der Zweite*, mostly in order to elaborate upon the meaning of the former. Landauer signals this in the article introduction, where he cites a remark by Kantorowicz in the introduction to *The King’s*

Two Bodies:

Kantorowicz... traced the origins of his magnum opus to an amusing tale about a mailing from an American Benedictine abbey and a stimulating conversation between two scholars on the Berkeley campus. But what Kantorowicz accomplished with this opening — in part by reminding his reader of his European erudition — was to place his study in a realm very different from that occupied by his first immense volume of 1927, *Kaiser Friedrich der Zweite*.⁵¹

The significance, for Landauer, of the role played by Kantorowicz’s biography in his scholarly work is further elaborated upon in another passage that swiftly follows the first:

There is a great distance between Kantorowicz's mythologizing biography of Frederick II and the demythologizing study of legal theology in *The King's Two Bodies*, published thirty years later on a different continent... just as the two bodies of the king was a medieval legal fiction, so too the "two Kantorowiczes" is a modern fiction, for there were not so much two Kantorowiczes as one man who may have gone through a political odyssey but who nevertheless maintained many of the attachments and values of his past.⁵²

⁵⁰ Carl Landauer, “Ernst Kantorowicz and the Sacralization of the past,” *Central European History*, 27:1 (1994). 1-25

⁵¹ *Ibid*, 1

⁵² *Ibid*, 3

The remainder of the article is devoted to unpacking the logic of the connections between *The King's Two Bodies* and *Kaiser Friedrich der Zweite* by pointing towards key similarities and differences between them, such as the prominent roles played by the eponymous German emperor and by Dante Alighieri in both works.⁵³ This work is undertaken by Landauer with an aim towards defending his article's thesis, which signals the title of the article, and which he announces towards its conclusion after a discussion of the significance of the appearance of Dante in *The King's Two Bodies*:

It is important to recognize that the Jewish historian who devoted himself to the political theology of the Christian Middle Ages has here depicted a religion of the universal. But it is equally important that Kantorowicz has extolled religion, a fact that is essential to understanding his work as a whole. If Kantorowicz sometimes constructs a religiosity that transcends Christianity, religion remains central to almost all of his work. As Kantorowicz himself asserts, his work gives the sacred an important role in the history of the profane... Kantorowicz's historical work is largely about the place of the sacred, even in secularized form, in Western political history and theory.⁵⁴

Thus, according to Landauer, Kantorowicz's magnum opus can be read within the context of the entirety of his career as an expression of his interest in the sacred and the secular.

Landauer's article is of interest for numerous reasons, not the least of which is that it is cited by several prominent scholars of the 2000s in their own readings of Kantorowicz's work, as will become apparent later. At present, it is necessary to call attention to the ways in which this article fits into the dialectic of the political-theological monolith, or "monolithic view." To begin, arising from Landauer's biographical reading of Kantorowicz's scholarly work is an explicit connection between Kantorowicz and Carl Schmitt:

... despite the changes in Kantorowicz's style, there are certain preoccupations that can be traced back to his work of the 1920s... These traces are, however, no more than frail signals of the true kinship of Kantorowicz's first and last books. That kinship may best be traced by paying close attention to the subtitle of Kantorowicz's last book: *A Study in Medieval Political Theology*. The genealogy of the term "political theology" leads us back to a slim volume written in 1922 by Carl Schmitt, the right-wing political theorist who made himself useful to the Third Reich... Can we ignore the potential *Wahlverwandtschaft* that exists between Schmitt's essay of 1922 and Kantorowicz's great work of the 1950s, which is finally about a

⁵³ *Ibid*, 19

⁵⁴ *Ibid*, 24

political and secular application of a christological concept?... Kantorowicz knows that part of the genealogy of “political theology” is “politische Theologie.”⁵⁵

As evidence for the connection to Carl Schmitt, Landauer cites Boureau’s biography, along with the same passage from the 1955 article that Boureau himself cites as evidence.⁵⁶ Additionally, the connection to Schmitt, derived from a biographical reading of Kantorowicz’s theories of rulership in *The King’s Two Bodies*, further leads Landauer to a singular reading of the meaning of “political theology” in Kantorowicz’s work, and in particular a reading that will repeat itself in future scholarship: “Although Kantorowicz states... that it would be an overinterpretation of his book to view it as a reaction the political theologies of the twentieth century, he has established his own opposition to them. The book, he implies, should be read from the perspective of the Anglo-American world.”⁵⁷ In conjunction with the earlier-quoted passage in which Landauer concludes his argument, this present passage elucidates the meaning of “political theology” for Kantorowicz, as Landauer understands it. For Landauer, Kantorowicz’s use of the term/concept constitutes, in essence, a rejection of his early career, and a rejection of the right-wing politics of his younger years. *The King’s Two Bodies*, in this interpretation, represents an effort by Kantorowicz to develop a theory of medieval rulership that is opposed to the authoritarian interpretation of “political theology” offered by the term’s progenitor, Carl Schmitt. Whereas *The King’s Two Bodies* seeks to soberly investigate the transposition of christological concepts upon the world of secular politics (although even this reading will be challenged in the next chapter of this thesis), Kantorowicz’s early work, wrapped-up as its author was in the conflagration of right-wing German politics in the 1920s and 1930s, embodied such a

⁵⁵ *Ibid*, 18-19

⁵⁶ *Ibid*, 19

⁵⁷ *Ibid*

transposition, such a ‘myth-making.’ Apart from this, “political theology” as such does not appear in Landauer’s article: the axis of its revolution is fixed firmly upon Schmitt.

In summary, Landauer’s article effectively constitutes an early example of the historiographical dialectic that was launched by Alain Boureau and Norman Cantor. An attempt at biographical theory-crafting, inspired by and/or derived from Boureau’s 1990 biography, results finally in a reading of Kantorowicz’s use of political theology that is singular, and that represents a reaction on Kantorowicz’s part to the work of Carl Schmitt. Regarding the so-called ‘second pillar’ of this historiographical development, a final point that is worth noting is that Landauer cites Norman Cantor in this article, in a footnote wherein he delivers exposition on Cantor’s misunderstanding of the untimely swastika that appeared on the cover of the first edition of *Kaiser Friedrich der Zweite* in 1927.⁵⁸

Another, slightly more pronounced example of the dialectic in action comes from the well-known Italian political theorist and philosopher, Giorgio Agamben. In 1995, Agamben published the first book in his “Homo Sacer” series, *Homo Sacer: Sovereign Power and Bare Life*, first published in Italian as *Homo Sacer: Il potere sovrano e la nuda vita* and translated/published in English in 1998.⁵⁹ While the text of this book is somewhat complicated, Agamben is primarily concerned with uncovering the relationship (c. 1995) between vital subjects (biopolitics) and State sovereignty; he relies primarily upon Michel Foucault, Hannah Arendt, and Walter Benjamin, while often openly targeting the political/juridical theories of Carl Schmitt, specifically those elaborated in *Political Theology* and *The Concept of the Political*.⁶⁰

⁵⁸ *Ibid*, 5

⁵⁹ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, Trans. Daniel Heller-Roazen (California: Stanford University Press. 1998).

⁶⁰ The core of the book’s orientation can be summarized neatly with reference to the following passage from the introduction: “Carl Schmitt’s definition of sovereignty (“Sovereign is he who decides on the state of exception”) became a commonplace even before there was any

What is of primary interest presently is the fifth section of the book's second part, called "Sovereign Body and Sacred Body," which opens with a reference to Kantorowicz. After commenting on the initial reception of *The King's Two Bodies* in the 1950s, Agamben calls for a moment of "reflection" (his wording) on the hidden meaning of the book's subtitle:

In his preface, Kantorowicz himself notes that the book, which was born as an inquiry into the medieval precedents of the juridical doctrine of the king's two bodies, had gone beyond the author's first intention and had even transformed itself – as the subtitle indicates – into a "study in mediaeval political theology." Kantorowicz, who had lived through and intensely participated in the political affairs of Germany in the 1920s, fighting alongside the Nationalists in the Spartacist Revolt in Berlin and the Republic of Councils in Munich, could not have failed to intend the reference to the "political theology" under whose insignia Schmitt had placed his own theory of sovereignty in 1922. Thirty-five years later, after Nazism had marked an irreparable rupture in his life as an assimilated Jew, Kantorowicz returned to interrogate, from a completely different perspective, the "Myth of the State" that he had ardently shared in his youth.⁶¹

Thus this section of Agamben's book opens with a condensed, cryo-frozen simulacrum of the theses initially put-forth by Boureau and Landauer. Kantorowicz "could not have failed to intend a reference" to Carl Schmitt. The justification for this hidden dialogue is biographical:

Kantorowicz, an intellectual, experienced the tumultuous days of early twentieth century right-wing politics in-the-flesh. Naturally, so the argument goes, his use of the term "political theology" in the subtitle of his final book was intended to constitute a reaction to the authoritarian political theology of Carl Schmitt. Curiously, Agamben cites neither Boureau, nor Cantor, nor Landauer in his interpretation; the closest direct connection to the larger world of Kantorowicz scholarship is the repeated reference to the work of Kantorowicz's student, Ralph Giesey. However, Agamben does elaborate on the use of Kantorowicz with respect to his own analysis:

... anyone who has followed the patient work of analysis that leads from the macabre irony of *Richard II* and Plowden's reports to a reconstruction of the formation of the doctrine of the king's two bodies in medieval jurisprudence and theology cannot fail to wonder if the book really can indeed be read as only a demystification of political theology. The fact of the matter is that while the political theology evoked by

understanding that what was at issue in it was nothing less than the limit concept of the doctrine of law and the State, in which sovereignty borders (since every limit concept is always the limit between two concepts) on the sphere of life and becomes indistinguishable from it." *Ibid*, 13

⁶¹ *Ibid*, 57

Schmitt essentially frames a study of the absolute character of political power, *The King's Two Bodies* is instead exclusively concerned with the other, more innocuous feature that, according to Jean Bodin, defines sovereignty (*puissance absolue et perpétuelle*) – the perpetual nature of sovereignty, which allows the royal dignitas to survive the physical person of its bearer (*Le roi ne meurt jamais*, “The king never dies”). Here “Christian political theology” was, by means of analogy with Christ’s mystic body, directed solely toward the task of establishing the continuity of the state’s *corpus morale et politicum* (moral and political body), without which no stable political organization could be conceived.⁶²

Following this passage, Agamben’s argument deviates from Kantorowicz *qua* Kantorowicz, as Agamben elaborates on Kantorowicz’s discussion of the ceremonies surrounding the treatments of effigies of French kings, and the relation (or un-relation) of these ceremonies to similar pagan practices in late antiquity, specifically imperial Rome. What is significant is that, inasmuch as Agamben employs the insights of Kantorowicz, he does so exclusively and specifically in relation to the work of Carl Schmitt. “Political theology” in this formula similarly flattens into a singular usage; effectively, the meaning of the term within Kantorowicz’s analysis is as a reaction to Carl Schmitt. Kantorowicz does not appear at any other point in this book, and Agamben offers no further elaboration as to the link between Kantorowicz and Schmitt. Given the conspicuous form and content of Agamben’s use of Kantorowicz, it seems likely that Agamben was familiar with the sources previously mentioned in this thesis (namely Boureau), although without footnotes or endnotes to verify the matter, this is speculation.⁶³ Agamben’s book, and his references to Kantorowicz, are significant to the present study inasmuch as this particular text’s use of Kantorowicz echoes those of the progenitors of the monolithic view, and inasmuch as it has since been frequently referenced by scholars working in the domain of Kantorowicz studies, particularly anglophone scholars.

By the mid-1990s, the Kantorowicz Renaissance was in full swing. In 1993 and 1994 (respectively), Goethe University and the Institute for Advanced Study held academic

⁶² *Ibid*

⁶³ Ironically, the logic of this is similar to that of the Schmitt-Kantorowicz interlocutors against which this thesis is, in certain respects, reacting.

conferences to assess the work of Ernst Kantorowicz. In 1997, the papers delivered at these conferences were organized and published into a split anglophone-germanophone book, edited by Robert Benson and Johannes Fried.⁶⁴ The entire contents of this volume are too vast to summarize here, but it will be worthwhile to call attention to several of its general features that are prominent with respect to the present analysis, along with a handful of the essays contained within it that are of note.

First, Boureau's biography is cited five times within this volume; three of these come from Peter Schöttler's article, "Ernst Kantorowicz in Frankreich," on the reception of Kantorowicz's work in France.⁶⁵ Schöttler, concerned primarily with a critique of the uses and abuses of Kantorowicz's work in France, says of Boureau's biography: "Mit diesem in vieler Hinsicht symptomatischen Buch erreichte die Kantorowicz-Rezeptionwelle in Frankreich ihren vorläufigen Höhepunkt."⁶⁶ For Schöttler, the reception of Kantorowicz in France (c. 1994) lacked, in many ways, a critical element, and Boureau's biography is "symptomatic" of this trend. Schöttler discusses the trajectory of Kantorowicz's work beginning with *Kaiser Friedrich der Zweite*, but he does not discuss the Kantorowicz-Schmitt connection with which Boureau's chapter on *The King's Two Bodies* was concerned. Boureau's name is also listed in an article by David Abulafia — who wrote on Kantorowicz and *Kaiser Friedrich der Zweite* in 1970 — again

⁶⁴ Martin A. Ruehl published a slightly critical review of this volume in 1999, which offers a summary of the occasion and circumstances of its publication. See Martin A. Ruehl. Review of *Ernst Kantorowicz: Erträge der Doppeltagung/Institute for Advanced Study, Princeton; Johann Wolfgang Goethe-Universität, Frankfurt*, edited by Robert L. Benson and Johannes Fried. *German History*, 17:3 (1999). 442–445

⁶⁵ Peter Schöttler, "Ernst Kantorowicz in Frankreich," in *Ernst Kantorowicz: Erträge der Doppeltagung/Institute for Advanced Study, Princeton; Johann Wolfgang Goethe-Universität, Frankfurt* (Stuttgart: Steiner. 1997).

⁶⁶ "With this in many regards symptomatic book the wave of Kantorowicz reception in France reached its preliminary climax." *Ibid*, 152

in connection with *Kaiser Friedrich der Zweite*.⁶⁷ Abulafia's article also contains many of the anthology's numerous references to Norman Cantor, who Abulafia is swift to denounce for inaccurately representing Kantorowicz's early biography.⁶⁸ Most of the other references to Cantor's biography come from Robert Lerner, whose articles in the collection are equally swift to denounce, and for many of the same reasons (echoing Benson, who also contributed to this collection).⁶⁹ Finally, Carl Landauer returns in this anthology, with an article that discusses the uses and permutations of narrative in *The King's Two Bodies*, with particular attention paid to the connections in this regard between Kantorowicz's late work and his early career.⁷⁰ In all of these cases, the attempt is made to read Kantorowicz's theoretical work in relation to his early life and his first book. Boureau's and Cantor's books of 1990 and 1991 are cited numerous times with the aim of refuting one or more of their readings of the biography-theory connection. This volume thus functions as an episodic window into the Kantorowicz revival of the mid-to-late 1990s (published in 1997, based on conference papers from 1993 and 1994).

One more prominent example from the early 2000s will suffice to demonstrate the persistence of the biographical orientation towards Kantorowicz's theoretical work, and this example specifically attest to the Schmittian connection.⁷¹ The example comes in the form of a

⁶⁷ David Abulafia, "Kantorowicz, Frederick II and England," in *Ernst Kantorowicz: Erträge der Doppeltagung/Institute for Advanced Study, Princeton; Johann Wolfgang Goethe-Universität, Frankfurt* (Stuttgart: Steiner. 1997). 132

⁶⁸ *Ibid.* See pages 124, 138, 139, and 141.

⁶⁹ See Robert Lerner, "Meritorious Academic Service," and "Kantorowicz and Continuity." *Ernst Kantorowicz: Erträge der Doppeltagung/Institute for Advanced Study, Princeton; Johann Wolfgang Goethe-Universität, Frankfurt* (Stuttgart: Steiner. 1997).

⁷⁰ Carl Landauer, "The King's Two Bodies and Ernst Kantorowicz's Constitutional Narrative." *Ernst Kantorowicz: Erträge der Doppeltagung/Institute for Advanced Study, Princeton; Johann Wolfgang Goethe-Universität, Frankfurt* (Stuttgart: Steiner. 1997).

⁷¹ Although it will not be discussed at length in this thesis, another example comes in the form of an article, in dialogue with Agamben and with the prolific anglophone literature on conceptions of sovereignty in renaissance and early modern drama, by Anselm Haverkamp, "Richard II, Bracton, and the End of Political Theology," *Law and Literature*, 16:3 (2004). 313-326

chapter from Philippe Buc's 2001 book *The Dangers of Ritual*.⁷² At the core of this book is an argument concerning the meaning and history of the term "ritual" as developed and practiced by twentieth century medievalists. Half medieval history, half historiography/theory, the book argues that the mainstream theories for the interpretation of medieval political ritual that developed in the twentieth century — Buc specifically targets *Begriffsgeschichte* and hermeneutical approaches, and repeatedly returns to the general turn towards "anthropology" in medieval studies at this time — themselves developed within a historical context that ensured that they had their own political baggage, which in many cases was left unexamined or at least insufficiently examined. Furthermore, according to Buc, the early-medieval documentary sources analyzed by these twentieth century medievalists were themselves, contemporaneously to the time of their authorship, concerned heavily with the meaning of the interpretation of rituals. Thus Buc can say: "That sources owe their being to purpose and circumstance means that the historian cannot establish a linear relationship between ritual and political order."⁷³

Ernst Kantorowicz occupies an interesting position within Buc's text. The book's sixth chapter, "Medieval History and the Social Sciences," which is its historiographical chapter proper, contains a large section on the indebtedness of mid-twentieth century medieval scholarship to the work of Carl Schmitt, specifically. The peculiar permutations of the use of Kantorowicz in this chapter should come as no surprise:

Schmitt's thought influenced, and continues to influence, German historians. It also crossed the Atlantic. While not uncomplicated, Kantorowicz's debt to the German jurists is clear. Along with Stefan George... they had shaped his intellectual and professional milieu. The subtitle of *The King's Two Bodies, A Study in Political Theology*, was a direct allusion to Schmitt's *Political Theology*.⁷⁴

⁷² Philippe Buc. *The Dangers of Ritual: Between Early Medieval Texts and Social Scientific Theory* (New Jersey: Princeton University Press. 2001).

⁷³ *Ibid*, 9

⁷⁴ *Ibid*, 233

Buc then elaborates on this connection, which exists both by way of allusion to the title of Schmitt's 1922 text and by way of Kantorowicz's use of the work of Erik Peterson, which is a point of access to this interpretation that will be repeated in future scholarship:

Kantorowicz, after the war, rejected the far right's politics and the nationalism that had presided to the writing of his *Frederick II*. This conversion, however, manifested itself through silences, not through engagement. Peterson was explicitly quoted — but as a secondary source for the antique theology, not as a theorist of modern politics. As for Schmitt, he never appears. Yet the *King's Two Bodies* is, fundamentally, a historical illustration of Schmitt's dictum that "all the key concepts of the modern theory of the State are secularized theological concepts."⁷⁵

Thus, Buc connects Kantorowicz to Schmitt by way of the conjunction between theory and biography. The theory, referring to Kantorowicz's "secularized" use of political theology, which Buc considers a recapitulation of Schmitt's secularization thesis, is here rendered in the singular: Kantorowicz in this interpretation is precisely using political theology in the singular, and this use echoes that of Carl Schmitt's *Politische Theologie*. Simultaneously, biographical information grants further access to this interpretation: Kantorowicz's indebtedness to Schmitt "is clear" not only because the subtitle of his last book shares the term "political theology" in common with Schmitt's 1922 text, but because Kantorowicz's "milieu" was deeply affected by the right-wing political culture of Germany in the 1920s and 1930s, a culture in which Schmitt held a prominent position. As for sources with regard to this interpretation, Buc refers only to Boureau's 1990 biography, and to the same 1955 article on "Mysteries of State" to which Boureau himself referred in this biography.

Thus, to summarize, one can clearly register the contours of the biographical-theoretical, Kantorowicz-as-respondent-to-Schmitt thread of scholarship that proliferated in the 1990s and early 2000s and that, I argue, can be traced primarily to Alain Boureau's 1990 biography of Kantorowicz, and whose progression was expedited by the general return to Kantorowicz's early

⁷⁵ *Ibid*

life in this period that was provoked by Norman Cantor's chapter on Kantorowicz and Schmitt in *Inventing the Middle Ages*. The trajectory of the persistence of this view from the early 2000s to the present deserves now deserves some attention.

Part III: The Twenty-First Century Kantorowicz

In the first decade of the twenty-first century, there was something of a lapse in anglophone scholarship addressed to Kantorowicz specifically, a cooling-off of the fires that were ignited by the biographical debates and the return of political theology in the 1990s. This was interrupted in 2009 with the publication of the spring issue of the journal *Representations*, most of the space of which is dedicated to a "special forum" on "fifty years of *The King's Two Bodies*," a re-examination of the text by four anglophone medievalists and renaissance scholars, with an introduction by the Shakespearean scholar Stephen Greenblatt.⁷⁶ It will be worthwhile to call attention to the arguments of these articles, the sources from which they draw, and the relationship of both to the biographical-political-theological thread in scholarship that developed in the 1990s.

The first article in this forum, Richard Halpern's "The King's Two Buckets: Kantorowicz, *Richard II*, and *Fiscal Trauerspiel*," sets the stage for the remaining three.⁷⁷ The introduction to this article deserves to be quoted at length:

Commentators as diverse as Alain Boureau, Victoria Kahn, and Anselm Haverkamp have explored the ways in which Ernst Kantorowicz's book *The King's Two Bodies: A Study in Medieval Political Theology* (1957) engages in a critical dialogue with the work of German jurist Carl Schmitt. Here I want to argue that Kantorowicz's engagement with Schmitt is both sharply polemical (in intention if not in rhetoric) and conducted on the level of form as well as method... *The King's Two Bodies* not only constitutes a retrospective critique of Kantorowicz's earlier study of Frederick the Second, a work that had garnered the admiration of Hitler and Goering, but in effect also represents a kind of counterpart to the loyalty oath that Kantorowicz had refused to take.⁷⁸

⁷⁶ Stephen Greenblatt, "Introduction: Fifty Years of *The King's Two Bodies*," *Representations*, 106:1 (2009): 63-66

⁷⁷ Richard Halpern, "The King's Two Buckets: Kantorowicz, *Richard II*, and *Fiscal Trauerspiel*," *Representations*, 106:1 (2009): 67-76

⁷⁸ *Ibid*, 67

The work of Victoria Kahn referenced in the opening line comes from the same issue of *Representations*; both Kahn's and Haverkamp's articles cite Boureau's 1990 biography for evidence of the literal connection between Kantorowicz and Schmitt. Already in the opening passages this article echoes not only the central themes of the political-theological monolith, but also utilizes one of its main sources. With reference to the chapter of *The King's Two Bodies* on "Continuity", Halpern offers a rendition of his central thesis with greater clarity and specificity, when he opines that, in this chapter, "Kantorowicz offers a kind of anti-Schmittian parable in which the sovereign's power to decide states of emergency cedes to bureaucratic regularity and continuity long before the modern era. Here the narrative of *The King's Two Bodies* seems implicitly to invert Schmitt's vector of influence from the theological to the political."⁷⁹ Here Halpern, in his own 'inversion,' reverses the thesis of Philippe Buc, who read political theology in the work of Kantorowicz as following the vector set by Carl Schmitt. As for Halpern's understanding of Kantorowicz's use of political theology, it is similarly singular inasmuch as it attempts to reverse this vector: "... Kantorowicz 'performs' the very distinction between political history and political theology by refusing to claim intellectual or authorial sovereignty over the materials he collects... When Kantorowicz employs the phrase 'ideological gossamers' to describe the fascist deformation of political theology, I take this as a pointed reference to Schmitt."⁸⁰ In his final elaboration of the meaning of the term for Kantorowicz, Halpern cites Giorgio Agamben's earlier thesis on Schmitt, *Homo Sacer*.⁸¹

The remaining articles from this forum proceed more or less along the same trajectory, employing most of the same sources. Victoria Kahn's article "Political Theology and Fiction in

⁷⁹ *Ibid*, 71

⁸⁰ *Ibid*, 69

⁸¹ *Ibid*, 73

The King's Two Bodies,” a nuanced historicization of this book, and an elaboration on Kantorowicz’s connection to the debates between Ernst Cassirer and Martin Heidegger, puts forward the thesis that “... for Kantorowicz, political theology is inseparable from the work of legal and literary fiction,” and that “*The King's Two Bodies* is Kantorowicz’s effort to come to terms with this recent history of political theology” (referring to the historical development of the term in Germany after the end of the Second World War).⁸² With an architecture similar to Halpern’s essay, Kahn’s article similarly argues that Kantorowicz’s use of the term constitutes an indirect response to Schmitt, in that Kantorowicz seeks to understand the mechanisms of the “myth of the state” that Ernst Cassirer observed, and that Nazi Germany embodied.⁸³ Citing Boureau’s biography, Kahn further corroborates her reading:

In his reading of the legal and literary fiction of *Richard II*, and of English legal thought more generally, Kantorowicz exposed what Alain Boureau has called the liberating function of Roman law, “its power to create fictions that allow man to escape from the direct influence of nature, force, and the group.” And Kantorowicz did so in order to bring out the constitutionalist implications of royal charisma.⁸⁴

In this reading, the authoritarian political theology of fascism is countered by Kantorowicz’s extrapolation of ‘constitutionalism,’ the sort of political theory to which Schmitt’s work was directly opposed, from royal charisma. Thus Kantorowicz, when he uses the term “political theology,” is referring to the Schmittian thesis against which his own work is reacting.

Bernhard Jussen’s contribution to the forum, an article titled “*The King's Two Bodies Today*,” is essentially an assessment of the historical methods employed in the book.⁸⁵ While Jussen’s article is mostly technical, we get a sense of his understanding of Kantorowicz’s use of the term political theology from the one passage of the article in which the term appears:

⁸² Victoria Kahn. “Political Theology and Fiction in *The King's Two Bodies*.” *Representations*, 106:1 (2009): 77-101. 77

⁸³ *Ibid*, 79

⁸⁴ *Ibid*, 87

⁸⁵ Bernhard Jussen, “*The King's Two Bodies Today*,” *Representations*, 106:1 (2009): 102-117

Kantorowicz's idea of the two bodies is famous: He detected the "theory" or "tenet" of the king's two bodies perfectly formulated in Tudor England and perfectly ritually performed in early modern France, and he claimed these early modern phenomena to be late expressions of what he thought to be at the core of medieval political theology.⁸⁶

Whether or not this singular rendering of the concept of political theology (in Kantorowicz's work) necessarily comes at the expense of other renderings, as it seems to in several of the interpretations encountered thus far, is an open question. While Jussen does not elaborate on this term specifically, he references the works of both Alain Boureau and Norman Cantor, although with a chiding tone in the latter case.⁸⁷

Finally, Lorna Hutson's article, "Imagining Justice: Kantorowicz and Shakespeare," is similar to Jussen's in its focus on technique and historiography, although with a different emphasis. Whereas Jussen is interested in demonstrating the uses and abuses of "constitutional semantics" in *The King's Two Bodies*, Hutson is interested in the hermeneutic dynamics of twenty-first century Renaissance scholarship and Kantorowicz's place within them. While neither political theology *qua* political theology nor the Schmitt-Kantorowicz connection constitute the primary objects of Hutson's analysis, the concept does emerge in the course of her argument, which draws from Kahn's article from the same forum:

The importance of acknowledging Kantorowicz's interest in juristic fictions and in juristic interpretative autonomy (his pleasure in the freedoms that civilians, canonists, and common lawyers take with Roman law maxims, while "merely quoting" them) lies in understanding both how the medieval political theology traced by Kantorowicz relates to the later dominance of constitutionalist assumptions in English common law in the sixteenth and seventeenth centuries, and how such legal constitutionalism is formally expressed in Shakespearean drama.⁸⁸

⁸⁶ *Ibid*, 105

⁸⁷ "American colleagues tend to assume that Norman Cantor's chapter 'The Nazi Twins,' in his *Inventing the Middle Ages*, on Percy Ernst Schramm and Kantorowicz, may be better known in the United States than is Kantorowicz's book on the king's two bodies." *Ibid*, 103

⁸⁸ Lorna Hutson, "Imagining Justice: Kantorowicz and Shakespeare," *Representations*, 106:1 (2009): 118-142. 122

Furthermore, in her own words, "... I am following Victoria Kahn's powerful account of the distinction between Kantorowicz's and Schmitt's notions of juristic personhood."⁸⁹ Thus Hutson echoes the interpretation of Kantorowicz's understanding of the uses of the term political theology as constituting a reaction to Carl Schmitt. Further echoing the other facets of this historiographical trajectory, Hutson cites, among numerous shakespeareans and Renaissance scholars, Alain Boureau's 1990 biography.⁹⁰

This thread of anglophone Kantorowicz scholarship has persisted through the present. Jennifer Rust, in a 2012 essay titled "Political Theologies of the *Corpus Mysticum*: Schmitt, Kantorowicz, and de Lubac," published in the anthology *Political Theology and Early Modernity*, argues that "... via Roman Catholic sources, Kantorowicz develops a concept of the *corpus mysticum* as a mode of communal organization that implicitly counters the authoritarian tendencies of Schmittian decisionism."⁹¹ Rust's reading of Kantorowicz's deployment of political theology is rendered in the following passage:

To the extent that Kantorowicz constructs a political theology alternative to Schmitt's personalist and decisionist model of sovereignty, he finds in de Lubac an interpretation of Catholic tradition that is not so easily collapsed into authoritarianism. Kantorowicz's adaptation of the *corpus mysticum* demonstrates that the seemingly disinterested historiography of *The King's Two Bodies* is in fact interwoven with a polemical agenda: to defend the enabling fictions of the liberal constitutional state against the "idols of modern political religions."⁹²

In this reading as in others, Kantorowicz's final book develops a singular political theology, one that reacts against the political theology of Carl Schmitt. As far as sources are concerned, in addition to her readings of Schmitt and de Lubac, Rust cites the contributors to the issue of *Representations* analyzed above, although she does not cite Boureau or any of the interlocutors

⁸⁹ *Ibid*

⁹⁰ *Ibid*, 122

⁹¹ Jennifer Rust, "Political Theologies of the *Corpus Mysticum*: Schmitt, Kantorowicz, and de Lubac," in *Political Theology and Early Modernity* (Chicago: University of Chicago Press, 2012). 102-123. 102

⁹² *Ibid*. 104

of the Kantorowicz-Schmitt connection from the 1990s. Her reading, while concerned with Kantorowicz's early career and politics, is functionally a purely textual reading: Kantorowicz engaged "in a subterranean riposte to Schmitt's account of political theology."⁹³ He did so in order to "reconstruct a political theology that contradicts Schmitt in crucial ways... keen to show that the theological aspect of the political should actually be understood to reside in perpetuity, the *longue durée*, of the institution."⁹⁴ Kantorowicz, for Rust, uses political theology in the singular; he does so with an aim towards counteracting Schmitt; this reading is rendered accessible through knowledge of Kantorowicz's early career.

This thread of Kantorowicz scholarship has remained active through the present, in works that address Kantorowicz specifically as well as works that address larger issues in which Kantorowicz's work can be incorporated.⁹⁵ Montserrat Herrero has recently published two articles, in 2015 and 2019 (respectively), that specifically analyze the relation between Kantorowicz and Schmitt by way of the work of Erik Peterson, who debated with the latter and who was cited by the former.⁹⁶ While less categorical in their interpretations of Kantorowicz's use of the concept of political theology than many of the above examples, Herrero's articles nonetheless figure into the same conceptual geometry. The first of these, in particular, devotes a great deal of space to an elaboration of Boureau's 1990 biography and its initial

⁹³ *Ibid*, 116

⁹⁴ *Ibid*, 112

⁹⁵ For an example of the latter, see Stephanie Elsky, "Ernst Kantorowicz, Shakespeare, and the Humanities' Two Bodies," *Law, Culture and the Humanities*, 13:1 (2017): 6-23. While Elsky is concerned with analyzing a larger trend in the humanities away from "ideology critique," her use of Kantorowicz and the debates surrounding his work, as an exemplar of this trend, utilizes the work of the scholars from *Representations*.

⁹⁶ See Montserrat Herrero, "On Political Theology: The Hidden Dialogue between C. Schmitt and Ernst H. Kantorowicz in The King's Two Bodies." *History of European Ideas*, 41:8 (2015): 1164-1177, and "Acclamations: a theological-political topic in the crossed dialogue between Erik Peterson, Ernst H. Kantorowicz and Carl Schmitt." *History of European Ideas*, 45:7 (2019). 1045-1057.

conceptualization of Kantorowicz as pivoting from Carl Schmitt, a point with which Herrero essentially agrees, while adding that “Bureau speaks about irony rather than about inversion. I argue that, methodologically, Kantorowicz's attempt is perhaps the best example of a theological-political work in Schmitt's sense, even if the latter applies to analogies to early modernity and the former to the Middle Ages.”⁹⁷ Furthermore, Herrero cites Norman Cantor in reference to the Boureau analysis of Kantorowicz as secretly maintaining a connection to his earlier Weimar politics, claiming that “This suspicion was nourished in the 1990s by Norman F. Cantor in ‘The Nazi Twins: Percy Ernst Schramm and Ernst Hartwig Kantorowicz’.”⁹⁸

In summary, a historiographical trend that began in the early 1990s has persisted through the present, slightly transmuted but maintaining most of the core features. This trend has tended to see a reduction of the meaning of “political theology” in the work of Kantorowicz into a single/singular form; often, the meaning is as a reaction on the part of Kantorowicz against Carl Schmitt. This trend derived primarily from the resurgent interest in the 1990s in Kantorowicz’s early life and career, an interest that led naturally to the study of his first book, *Kaiser Friedrich der Zweite*, and to the study of the political orientation that (partially) produced this text.

It should be noted presently that the goal of this chapter has not been to necessarily “disagree” with the scholars whose work has been mentioned: each of the essays/articles analyzed above offers its own idiosyncratic reading of the prolific and often dense work of Ernst Kantorowicz, and it would be impossible to rigorously address the complex and nuanced arguments of each outside of a book-length project. Rather, the goal of this chapter has been to isolate and point specifically towards the origins of a single thread — albeit a prominent one —

⁹⁷ Herrero, “On Political Theology: The Hidden Dialogue between C. Schmitt and Ernst H. Kantorowicz in *The King’s Two Bodies*,” 1176

⁹⁸ *Ibid*, 1175

within the vast world of Kantorowicz scholarship, and even more specifically the anglophone corner of this world. All that is “disagreeable” here, in a scholarly sense, has been precisely this common tendency: to compress and simplify the image of the otherwise vivid and multifarious uses of the concept of political theology in Kantorowicz’s work.

The question of the origins of this trend leads back to Alain Boureau, whose book on Kantorowicz was the first work analyzed in this chapter. Recall that Boureau’s single documentary source for the connection between Kantorowicz and Schmitt by way of the concept of “political theology” was a single footnote from an article written by Kantorowicz in 1955: “The expression much discussed in Germany in the early 1930s, has become more popular in this country, unless I am mistaken through a study by George LaPiana, “Political Theology,” *The Interpretation of History* (1943).”⁹⁹ What are we to make of this? How do we square Kantorowicz’s complete omission, across all of his writings, published and unpublished, of any references to Carl Schmitt, with his awareness of the German debates of the 1930s?

An answer to this question will be reserved for the fourth and final chapter of this thesis. First it will be necessary to ascertain, by way of a rigorous textual exegesis, the various uses of the concept of “political theology” in Kantorowicz’s published and unpublished writings.

⁹⁹ Ernst H. Kantorowicz, “Mysteries of State: An Absolutist Concept and Its Late Mediaeval Origins,” *The Harvard Theological Review*, 48:1 (1955): 65-91. 67

CHAPTER 3

ERNST KANTOROWICZ AND POLITICAL THEOLOGY

Part I: Political Theology in *The King's Two Bodies*

Our textual examination begins with *The King's Two Bodies*. Researched and written in the decade between 1945 and 1955, this text represents the culmination of Kantorowicz's thinking on the subject of political theology. In many ways a collection of "Kabinettstücke" (the phrase with which Kantorowicz referred to his output of scholarly work in the United States, as Lerner points out), this text can be read as an ensemble of related but ultimately distinct threads under the heading of a single "study," namely one of "medieval political theology."¹⁰⁰ What is meant by this must be unpacked within the parameters set by the text itself, which will be summarized in order that the uses of "political theology" that appear within it can be understood in the context of Kantorowicz's larger set of arguments. This section will not assess the technical accuracy of Kantorowicz's arguments with reference to current medieval scholarship, as this has been done elsewhere.¹⁰¹

While *The King's Two Bodies* is given the subtitle of "a Study," it can be more precisely understood as a collection of studies of separate but interrelated topics. The book's first two chapters define "the problem" of the early-modern fiction of the king's two bodies in terms of two of its significant manifestations, namely Elizabethan jurisprudence and Shakespeare's *Richard II*, respectively. This is followed by three chapters that describe and analyze, in the chronological order of their practice, three discursive moments in European medieval history that potentially antedate this fiction: "christ-centered kingship," "law-centered kingship," and

¹⁰⁰ Lerner, *Ernst Kantorowicz: A Life*, 346

¹⁰¹ For an analysis of the technical problems of Kantorowicz's arguments and sources, see Bernard Jussen's "*The King's Two Bodies Today*."

“polity-centered kingship,” respectively. What these discursive moments had in common with one another — as well as with the later Tudor fiction — was a shared emphasis, in juridical form as well as its legal/political expression, on the dualistic nature of the figure of “the king.” In the first era, the king was seen as manifesting a *gemina persona* (“twinned-person”), both human and “Christ-like,” while in the second era the king’s association with Christ was replaced by an association with divine law, and in the third era this association with law was finally replaced by an association with the “realm” (*patria*, “polity”). These chapters on specific discursive moments are followed by two chapters dealing with various manifestations of the medieval problem of “continuity” (transferences of power, secular as well as ecclesiastical), which in-turn are followed by the book’s final chapter on “man-centered kingship;” this last chapter aims to trace the medieval origins of modern humanism and its early interactions with political and ecclesiastical dogma through an interpretation of the writings of Dante Alighieri. Kantorowicz pulls sources primarily from contemporaneous commentators on legal practices and their theoretical exponents (the Norman Anonymous, Aristotelians and Averroists within the Church, Henry de Bracton, et cetera). However, Kantorowicz also turns to cultural artifacts and material culture generally for examples of broader expressions of the discursive circles he identifies and analyzes; he offers an interpretation of the frontispiece to the Aachen Gospels as a complex signifier for “christ-centered kingship,” for example.

These “discursive circles,” collections of actual legal/political practice and the metaphysical assumptions underlying them, are referred to by Kantorowicz as “political theologies” (emphasis on the plurality). The overlap in these assumptions between ecclesiastical and “secular” languages — secular meaning political apparatuses of power “outside” of the Church, in practice if not always in semiotic essence — operated together with an overlap in

political and legal practice; at times, one “sphere” borrowed from the other, and at times practical administrative and political needs preceded the discursive frameworks that justified their deployment.¹⁰² The use of “political theology” in *The King’s Two Bodies*, in all of its manifestations, describes this overlap. It is a general referent for the shared terminologies and practices of secular and religious politics, and legal and theological theory, although in individual cases the term also bears other theoretical significations. Kantorowicz uses the term both nominally — in reference to medieval practices of shared influence between secular and religious politics — and analytically, in reference to his arrangement of evidence. At the same time, the term is used rather *ambiguously* at points, and it is not always entirely clear what is meant apart from a very general description of the shared concepts of ecclesiastical and non-ecclesiastical politics. Nonetheless, the uses of the term that appear in this text tend to fall within one of three categories/types, initially outlined in the introductory paragraph of this thesis. These are: political theology as a discipline, political theology as an ideological force (both medieval and extra-medieval), and political theology as an analytical, organizing principle for the modern historian of medieval history and late antiquity.

Apart from the title, the phrase “political theology” appears as such in *The King’s Two Bodies* exactly eleven times: twice in the preface, eight times in the text proper, and once in the footnotes. That the term should appear so few times in an analysis of more than five-hundred pages, especially when the term appears in the book’s title, is certainly an anomaly that is worth investigating in detail. The two appearances of the term in the book’s preface are written-in

¹⁰² Kantorowicz, *The King’s Two Bodies*. The discussion of *rex iustus* and its changing uses by Frederick II in service to specific, practical needs (Chapter IV, page 140) provides one good example — of many — of political practice preceding its theoretical articulation.

together, in the context of Kantorowicz's delineation of the aims and scope of the text. The relevant passage in which the term appears reads as follows:

In its present, final form, this study has considerably outgrown the original plan, which was merely to point out a number of mediaeval antecedents or parallels to the legal tenet of the King's Two Bodies. It has gradually turned, as the subtitle suggests, into a "Study in Mediaeval Political Theology," which had not at all been the original intention. Such as it now stands, this study may be taken among other things as an attempt to understand and, if possible, demonstrate how, by what means and methods, certain axioms of a political theology which *mutatis mutandis* was to remain valid until the twentieth century, began to be developed during the later Middle Ages.¹⁰³

The early-modern Tudor legal and literary fiction of the "King's two bodies", the description of which inaugurates Kantorowicz's study, is here referred to as "a political theology" — potentially one of many — in its own right, with "axioms" and "antecedents" that extend into the pre-modern, specifically medieval world.¹⁰⁴ The fiction as a concept is given a past in the form of a conceptual lineage, however tumultuous or disjointed this lineage might actually have been in its various manifestations. "Political theology," then, is a description of this conceptual lineage as well as its eventual manifestation in the form of the fiction of the king's two bodies. Both the fiction and its legal/literary appearances "until the twentieth century" are considered "a political theology."

This passage, as well as the general aim of *The King's Two Bodies* (according to Kantorowicz himself) is further clarified in the preface:

Since in this study a single strand of a very complicated texture has been isolated, the author cannot claim to have demonstrated in any completeness the problem of what has been called "The Myth of the State" (Ernst Cassirer). The study be may none the less a contribution to this greater problem although it is restricted to one leading idea, the fiction of the King's Two Bodies, its transformations, implications, and radiations... The tenet of the King's Two Bodies and its history served in this case as a unifying principle easing the assemblage and selection of facts as well as their synthesis.¹⁰⁵

¹⁰³ Kantorowicz, *The King's Two Bodies*, xxxiv

¹⁰⁴ For a discussion of the way(s) in which the legal/literary distinction is complicated by Kantorowicz's analysis, see Lorna Hutson's article "Imagining Justice."

¹⁰⁵ Kantorowicz, *The King's Two Bodies*, xxxv

The fiction of the king's two bodies, as a "unifying principle easing the assemblage and selection of facts," is understood as an element — one of many — in the "complicated texture" of the medieval origins of modern states, although Kantorowicz is clear that the analysis he is about to present does not in itself constitute an origin story for these states, merely the articulation of one of its possible antecedents.¹⁰⁶ Thus by extension, the "political theology" of the king's two bodies, both a description of the fiction itself and of its medieval-to-modern procession, is also understood as a method of inquiry for the modern historian: "political theology" refers *descriptively* to the semiotic sphere of a particular fiction, its historical predicates and evolution, and the orientation of its articulation by the historian.

After the preface, the term "political theology" does not appear again until the book's fourth chapter, on "law-centered kingship," where Kantorowicz uses it four times across three passages. The first of these, the opening passage of the chapter, reads as follows:

The king as *gemina persona*, human by nature and divine by grace: this was the high-medieval equivalent of the later vision of the King's Two Bodies, and also its foreshadowing. Political theology in that early period was still hedged in by the general framework of liturgical language and theological thought, since a Church-independent secular "political theology" was as yet undeveloped.¹⁰⁷

Although it is located at the beginning of the chapter on law-centered kingship, this passage actually — and somewhat confusingly — refers to the era of "christ-centered kingship" analyzed in the previous chapter. The transition between the two is not decisively marked until several pages later, with an anticipatory comment that "As usual, many strands of political, religious, and intellectual life concurred to bring about the general shift and to dissolve the image of Christ-centered kingship."¹⁰⁸ Political theology in this passage is employed in multiple ways. It

¹⁰⁶ For a discussion of the connections between Kantorowicz and Ernst Cassirer, see Victoria Kahn's article "Political Theology and Fiction in *The King's Two Bodies*."

¹⁰⁷ Kantorowicz, *The King's Two Bodies*, 87

¹⁰⁸ *Ibid*, 90

is once again given general treatment in the form of a descriptive device; the shared legal/theological languages of the era of “christ-centered kingship” are described as political-theological. What is interesting to note is the second appearance of the term, closed-off by quotation marks. There is no explanation given for this, and it never occurs again in *The King’s Two Bodies*. All other uses of the term in this text are fully, syntactically integrated into Kantorowicz’s different analyses. The term is also used here to anticipate future concrete historical developments. Quoting the eleventh century Italian Benedictine monk Peter Damian (among others), Kantorowicz paints a picture of fully liturgical kingship, wherein “... truly, Christ is recognized to reign’.”¹⁰⁹ There is an implied potential for demarcation between “theology” and “political theology:” where the language of the former is employed *politically* does not necessarily entail a ‘politico-theological’ relationship. There is thus actually a significant theory at work here, one that calls back to the earlier pluralistic uses of the term and clarifies some of its troubling ambiguities. While “political theology” *can* be used to describe a general relationship between legal and theological language as they manifest historically in politics, both secular and ecclesiastical, it is also treated here as an *entity*, an object that manifests in different, specific historical contexts in potentially dissimilar ways. A “Church-independent secular ‘political theology’” did not exist in the era of the *gemina persona*, although it is implied that this would *eventually* appear. “Political theology” is thus a descriptive device for shared language, employed as an organizational tool for the historian’s own benefit, *as well as* a set of historical objects, whose historical qualities are contingent and can be apprehended in their difference. There is “political theology” as a general term referring to the organizing principles of the historian/semiotician, and there are “political theologies” that are particular,

¹⁰⁹ *Ibid*, 87

contingent, and historical. These latter fall into the categories of political theology as discipline and political theology as ideology: for the Norman Anonymous, there was, as yet, no disciplinary structure for a “church-independent” political theology, although such structures would eventually emerge.

These “types” of political theology are echoed later in this same chapter, in the section on the thirteenth-century Sicilian emperor Frederick II (the same Frederick II that served as the eponymous subject of Kantorowicz’s first book).¹¹⁰ In the context of an analysis of the gradual intensification and proliferation/borrowing of theological language and its use for describing jurists in the twelfth and thirteenth centuries (the Sicilian high court as a *sacratissimum ministerium*), a prolonged moment in the disintegration of “Christ-centered kingship” and its replacement by “law-centered kingship,” Kantorowicz makes the following series of connected claims:

Within this political theology, or politico-religious hybridism, the words of the *Liber augustalis*, written by the Bologna-trained jurist and stylist Petrus de Vinea — have their definite place. However, Frederick’s imperial “theology of rulership,” though pervaded by ecclesiastical thought, touched by Canon-Law diction, and infused with quasi-christological language to express the arcana of government, no longer depended on the idea of a Christ-centered kingship. The chief arguments of Frederick and his legal advisers derived from or were determined by Law — more accurately by Roman Law.¹¹¹

Here, “political theology,” or rather a *specific* political theology — namely that of the idiomatically sacralized rule of law in thirteenth-century Sicily following the rule of “Christ-centered kingship” — is alternatively referred to as a “politico-religious hybridism” and as an “imperial ‘theology of rulership’.” This analysis is supplemented by a footnote in which the term “political theology” appears once again:

Hans Niese... stresses that Vinea “has formulated all the laws incorporated in the *Liber augustalis*,” and I agree with him today even more than in former days. The rhetorical “hybridism” with its tendency towards

¹¹⁰ Kantorowicz, *Frederick the Second: 1194-1250*

¹¹¹ Kantorowicz, *The King’s Two Bodies*, 101-102

building up “theologies” of all sorts (political theology as well as theology of science or rhetoric) was actually taught in Bologna.¹¹²

In the first passage, political theology appears as a referent for a particular object of analysis, a particular “political theology.” Kantorowicz elaborates by alternatively referring to this political theology as a “hybrid” of political and religious concepts: the political theology in question is an entity, constituted by a mixing of concepts borrowed from the two spheres, presumably separate, of political and religious language-use. In the second passage, he refers to a “theology of science or rhetoric,” as possible permutations (historically actualized, apparently, at the University of Bologna) of a general theological hybridism, sharing conceptual space with ‘theology of politics.’ Kantorowicz therefore presents his readers with two possible uses of the term “political theology.” There are not only political theologies that exist as actual, historical constructions in the past, but theologies of other sorts, and these can be political as well as scientific (or rhetorical). The term is used once again as a very general descriptive device, but is simultaneously used to refer to a type of discursive sphere, and to a set of disciplinary practices within which such a sphere develops; to the latter, the specification of “political theology” as a conjoining of separate spheres is articulated. There is, thus far, a plurality of uses for the term political theology, and what these uses have in common with one another are a general overlapping of “politics” and “theology” as well as an articulation of the ways in which this overlap manifests in historical disciplines, the conjunction of material practices and the discourses that permeate them.

Central to Kantorowicz’s chapter on “polity-centered kingship” is his analysis of the concept of a *corpus mysticum*. The first section of this chapter, on the concept of *corpus*

¹¹² *Ibid*,

ecclesiae mysticum, ends with a summary that recalls the Norman Anonymous from previous chapters:

... the notion of *corpus mysticum*, designating originally the Sacrament of the Altar, served after the twelfth century to describe the body politic, or *corpus iuridicum*, of the Church, which does not exclude the lingering on of some of the earlier connotations. Moreover, the classical christological distinction of the Two Natures in Christ, still powerfully alive in the political theology of the Norman Anonymous around A.D. 1100, has all but completely disappeared from the orbit of political discussions and theories. It has been replaced by the corporational, non-christological concept of the Two Bodies of Christ: one, a body natural, individual, and personal (*corpus naturale, verum, personale*); the other, a super-individual body politic and collective *corpus mysticum*, interpreted also as a *persona mystica*.¹¹³

While locating the evolution of a dualistic, metaphysical/ontological conception of the “nature of Christ” at the crossroads of ecclesiastical and juridical thought after the twelfth century, where the concept of a *corpus mysticum* would begin to refer to something like “the Church as a body politic,” Kantorowicz employs political theology once again.¹¹⁴ What is interesting and novel in this use of the term is its *possessive*, or at least distributive, nature. Here, the Norman Anonymous is referred to as having *had* a “political theology,” as being in possession of one, the “political theology of the Norman Anonymous” (my emphasis). As Kantorowicz earlier emphasizes the original and somewhat iconoclastic ideas of the Norman Anonymous, we can surmise that the above passage is intended similarly to invoke the originality of a set of ideas. Hence, the political theology, the interpretive framework at the crossroads of political and religious concepts, *of* the Norman Anonymous.¹¹⁵ Instead of referring to an objectively existing, intersubjectively-shared set of conceptual conjunctions, political theology here refers to the ideas of a single individual, although one who is — as all individuals are — situated historically within an intersubjective world. It is here that one permutation of the ‘ideological’ sense of “political

¹¹³ *Ibid*, 206

¹¹⁴ *Ibid*

¹¹⁵ Although, at the same time, Kantorowicz also emphasizes that the Norman Anonymous functioned as a representative or exponent of ideas that *preceded* him, hence his ideas being used as evidence for the proliferation of “Christ-centered kingship.” For an analysis of the technical problems of this specific example, see Jussen, “*The King’s Two Bodies Today*.”

theology” begins to emerge: the Norman Anonymous had a set of beliefs and practices, and Kantorowicz names these as his (the Norman Anonymous) “political theology.”

This is echoed somewhat in Kantorowicz’s next use of the term in this text, which appears in the next section of chapter five, on the concept of *corpus reipublicae mysticum*. Rounding out his analysis of the fourteenth century Italian jurist Lucas de Penna, a discussion which also launches Kantorowicz’s study of the quasi-origins of modern states, is the following series of claims:

His model for the relations between Prince and state was — on the basis of Gratian’s *Decretum* — the bishop in his relations to his church, patterned after the model of Christ in his relations to the universal Church. The Church as the supra-individual collective body of Christ, of which he was both the head and the husband, found its exact parallel in the state as the supra-individual collective body of the Prince, of which he was both the head and the husband... the jurist transferred to the Prince and the state the most important social, organic, and corporational elements normally serving to explain the relations between Christ and the Church... Strange though this kind of political theology may appear to us, it was not the result of a personal whim of Lucas de Penna. The analogy of the *corpus mysticum* served to clarify the relations between the estates of the body politic and their king...¹¹⁶

While political theology is not explicitly used here in the possessive sense of the previous passage, its meaning is rendered in the relationship between the individual and the historical, discursive context of this individual: it is described as a procedure of thought in which an individual — Lucas de Penna, in the case — was engaged. The term is applied individually at the same moment that it is divorced from such individual character: Lucas de Penna articulated a “kind of political theology” that was clearly strange and unique, but the existence of this kind was not a mere function of a “personal whim of Lucas de Penna.” Rather, Lucas de Penna was engaged in political theology as a mode of thinking; he came to grips, in a novel fashion, with ideas that were already in place, namely those of the theorizes of what would become nascent “states” (Kantorowicz’s word). Thus in this passage, political theology appears as a *thing* or conceptual object — a set of conclusions regarding political theory that borrowed from

¹¹⁶ Kantorowicz, *The King’s Two Bodies*, 217-218.

theological as well as secular sources — and as a mode of engagement with existing ideas, with the ideological foundations of what will eventually become a more persistent mode of consciousness situated at the conjunction of political and theological concepts. Political theology, in other words, as a kind of ideology, as a measured space between the ideas of an individual and the historical sphere of signs in which this individual is situated.

Three uses of “political theology” in this text remain to be explored. In the book’s final chapter on Dante and “man-centered kingship,” Kantorowicz opens his discussion of the theoretical and metaphysical novelty of Dante’s thinking with the following passage:

Dante’s metaphysical surgery exceeded that of others who before him had separated the empire from the embrace of the Church, distinguished philosophic reason from theology, and questioned the oneness of the “intellectual soul” by appropriating, as it were, the intellect for the state and leaving the care of the soul to the Church. Dante did not turn *humanitas* against *Christianitas*, but thoroughly separated the one from the other; he took the “human” out of the Christian compound and isolated it as a value in its own right — perhaps Dante’s most original accomplishment in the field of political theology.¹¹⁷

This passage provides the only example in *The King’s Two Bodies* of Kantorowicz referring to political theology as a “field,” but hints at the use of political theology to describe a kind of discipline. Into this “field” enters Dante Alighieri, whose original contribution was to ‘separate *humanitas* from *Christianitas*,’ to provide a space in Christendom’s conceptual sphere of secular-theological overlap for a distinct ‘human’ category, “valuable” in its own-ness as distinct from christological notions of value. What is most interesting to note about the use of political theology here is the implied extension of the category “field,” as Kantorowicz employs it. The term is used earlier in the text several times to signify something like an area of study or inquiry, as in its contemporary use.¹¹⁸ Kantorowicz’s conception of a *field*, if its use in conjunction with

¹¹⁷ *Ibid*, 465

¹¹⁸ The word appears eleven times throughout *The King’s Two Bodies*: of these deployments, five, including the above passage on Dante (pages 42, 164, 446, 465, 478), I take to be making use of the word in the contemporary sense of ‘area of inquiry,’ as one might say “the field of sociology” or “the field of abnormal psychology.”

“political theology” has been properly understood, extends far beyond the parameters of what other modern, scholarly subjects might consider a “field,” raising questions as to Kantorowicz’ hypothesized connections to other major figures employing the term “political theology.” That a “field” might reach back as far as the late Middle Ages, despite not having received its first explicit articulation until the 20th century, is a curious phenomenon, the implications of which might be explored with reference to the last use of “political theology” in this text.

The tenth and penultimate usage of the term “political theology” in *The King’s Two Bodies* arrives in the epilogue. After articulating and analyzing the possibility of pre-medieval “political theologies,” and thus delineating the significance of his own study for medieval scholarship, Kantorowicz offers the following conclusion:

To summarize, it cannot be denied that isolated features are recognizable in classical political philosophy and political theology which would suggest that the substance of the idea of the King’s Two Bodies had been anticipated in pagan Antiquity. Moreover, it sounds plausible enough that one or another of those antique theorems became effective in the High Renaissance when, in addition to the literary sources, the archaeological and numismatic material also became available again.¹¹⁹

It is appropriate that *The King’s Two Bodies*, Ernst Kantorowicz’s last major work and his most mature statement on the subjects of political theology and medieval history more generally, should end with an analysis of the nature of ‘classical political theology.’ This analysis itself concludes with the final appearance of the term in the text, which is also the final passage of the text: “Notwithstanding, therefore, some similarities with disconnected pagan concepts, the king’s two bodies is an offshoot of Christian theological thought and consequently stands as a landmark of Christian political theology.”¹²⁰ In his biography of Kantorowicz, Robert Lerner describes this epilogue as “actually a prologue placed at the end.”¹²¹ Chronologically, the book’s ending serves

¹¹⁹ Kantorowicz, *The King’s Two Bodies*, 505

¹²⁰ *Ibid*, 506

¹²¹ Lerner, *Ernst Kantorowicz: A Life*, 352

as an appropriate footnote for a prolific analysis, the chronology which is anything but “linear,” in a historical sense. In terms of political theology, it is appropriate that the text should *end* not only with its closest approximation to a thesis statement — that the “king’s two bodies” is a “landmark” of Christian political theology — but also with a reiteration of the text’s initial formulation of “political theology,” albeit with a slight variation. While there might exist political theologies in *any* historical context, the eponymous Tudor legal (and literary) fiction of the king’s two bodies represents a culmination of particularly *medieval*, particularly *Christian* politico-theological discursive and political practices.

It should be clear at this point that while Kantorowicz’s various uses of the term “political theology” in *The King’s Two Bodies* are not always analytically consistent with one another, their common thread is a unification of “political” and “theological,” or more accurately *religious*, concepts into disciplinary and ideological manifestations. The term “political theology” can refer to a set of analytical tools for use by the historian, and also to concretely existing historical conditions and contexts. Indeed, if the same term is to be applied to Tudor England as ancient Athens, its potential uses must by necessity be open to profound *difference*. As it appears in *The King’s Two Bodies*, “political theology” thus represents a broad potential for the unification of political and theological concepts, whether by contemporaneous historical subjects or by the historian analyzing them. As it turns out, the somewhat confusing pluralism of Kantorowicz’s deployments of the term “political theology” is consistent with the appearances of the term in his other writings, which will be the primary subject of analysis for the remainder of the present chapter. That Kantorowicz struggled with the meaning of the term did not prevent him from using it, and the general matrix of toolbox/discipline/ideology has its foundations in his earlier writings, published and unpublished.

Part II: Political Theology in Kantorowicz's Other Published Works

Kantorowicz's published uses of political theology neither began nor ended with the term's appearance in *The King's Two Bodies*; its uses here had their antecedents and consequents in other writings. It is to these other published materials that we will now turn.

Kantorowicz's earliest published use of the term "political theology" appears in his lengthy 1946 monograph on liturgical acclamations, *Laudes Regiae*, where he employs the term once in the text's second chapter on "The Gallo-Frankish Laudes," in discussing and refuting the Roman origins of the Carolingian (and "last") formulation of the *Laudes Regiae*, "Christus vincit, Christus regnat, Christus imperat" (Christ conquers, Christ reigns, Christ commands). The relevant passage — and its analytical context — reads as follows:

It is difficult to believe that the litany acclamation which concerns us, the *Christus vincit, Christus regnat, Christus imperat*, could have received its last touch and definite form in surroundings others than those of the early Carolingian court... It is not unimportant to realize that these solemn acclamations to the ruler depended upon the Anglo-Irish Litany of the Saints and its adoption by the Franks... The laudes thus seem to fall in with the tradition peculiar to the Carolingian court, a tradition which was Biblical and Anglo-Irish in the first place and which, although it was about to amalgamate with the Roman ecclesiastical currents, was Roman-Imperial only in a lesser degree. There remains one more point to be stressed: the function of the Litany with its well-organized files of saints in the Carolingian political theology.¹²²

This passage, making reference to "*the Carolingian political theology*" (my emphasis) is the only such usage of the term that appears in this text. It is interesting to note that this use of political theology seems to antedate some of its later manifestations in *The King's Two Bodies*, namely as a naming device for a system of shared signs. This use is clarified in the passages that follow:

... in the eight century, and in Gaul, liturgy was subjected not only to the judgement of priest and bishop; it was in the last resort the business of the king. Ecclesiastical rites as well as ecclesiastical organization became political matters above all once the substance of kingship itself became churchified... Liturgy, in the Carolingian age, was like an additional "Law of the Constitution," and the "Department of Religious Affairs and Public Worship" was kept by the ruler in his own hands.¹²³

¹²² Kantorowicz, *Laudes Regiae*, 59

¹²³ *Ibid*, 60

Kantorowicz's ironic reference to modern bureaucracies is not merely humorous: it functions as a framing and explanatory device for his particular formulation of political theology in its "Carolingian" form, while also highlighting his scholarly fascination and preoccupation with the emergence and medieval origins of states. According to Kantorowicz, the Carolingian permutation of the *Laudes Regiae* that evolved in the eighth century was symptomatic of a more profound relationship between "politics" and "theology" generally, a relationship that saw the lines between the two categories blurred in the forceful manipulation of "Ecclesiastical rites as well as ecclesiastical organization" by Carolingian kingship, the "substance" of which "became churchified." It is difficult to distinguish between "secular" and "religious" authority within the context that produced the *Laudes Regiae*, because the two literally shared a language, overlapping in a complex system of mutually shared signs (according to Kantorowicz). The use of "political theology" in *Laudes Regiae* is given its own title, "Carolingian," to name one of a plurality of political *theologies*, each one of which might potentially be objectified and categorized in a similar fashion. Kantorowicz's use of the term here thus functions, in a way, as an antecedent of his ideological use of the term in *The King's Two Bodies*.

This appearance of political theology is followed by its use in a 1952 article of Kantorowicz's published in *The Harvard Theological Review*, titled "Deus Per Naturam, Deus Per Gratiam: A Note on Mediaeval Political Theology." In this article, Kantorowicz attempts to trace, somewhat puzzlingly, the *classical* origins of the political formula "God by nature, god by grace," a formula that Kantorowicz claims was "thrown into focus" by the Norman Anonymous' discussion of its implications in the twelfth century (the same Norman Anonymous that he analyzes extensively in *The King's Two Bodies*). This formula, Kantorowicz claims, had its origins in the Platonic — and eventually Pythagorean — metaphysical antithesis of *physis* and

mimesis, a distinction that was applied “by the Pythagoreans to political theory as a means of harmonizing the state with the cosmos, of attuning men to the king, and the king to God, and thereby also of exalting the king and making him for cosmic reasons as similar as possible to the godhead.”¹²⁴

Apart from its appearance in the article’s title, the term “political theology” appears once, near the conclusion:

The Christian version of the *physis-mimesis* contrast had originally nothing whatever to do with political ideas. The attuning of earth to heaven was achieved by other means, chiefly through the liturgy, whereas the new *physis-charis* formula served different purposes. Origen, who may have introduced that formula to explain those puzzling *dii* of the Old Testament, used the contrast of nature and grace for apologetic ends... The formula then served, above all, to demonstrate that Christ was truly “God by nature” and not identical with that plurality of “gods” who, if they were gods at all and not by name only, were Christian “sons of adoption” or “gods by grace.” Only through the adaption of *dii* to a restricted group of men, to kings or bishops, did the *natura-gratia* formula become available also for political theory and political theology.

Here, Kantorowicz uses political theology similarly to several of its eventual uses in *The King’s Two Bodies*, namely as a general reference to a kind of *discipline*. Political theology is not analyzed or described here in terms of its object-oriented content, as any one of a plurality of political *theologies*. Rather, it is employed in naming a more profuse and historically dispersed practice of combining political and theological concepts in ways that produce politically — or religiously — useful results. In this particular historical case, the result was a metaphysical and political formula signifying the quasi-deification of powerful dignitaries, ecclesiastical as well as secular. Kantorowicz’s use of political theology here therefore anticipates his deployment of the concept in *The King’s Two Bodies* — specifically the later uses in the text — by signifying a general practice that is politico-theological, a disciplinary structure for the elaboration of a set of ideas and beliefs. One “does” political theology; concepts are made available “for political theology.”

¹²⁴ Kantorowicz, “Deus Per Naturam, Deus Per Gloriam,” 274

Kantorowicz's next and final published use of political theology before *The King's Two Bodies* comes from an interesting and characteristically idiosyncratic article called "Mysteries of State: An Absolutist Concept and Its Late Medieval Origins," published in 1955, and like the previous article also published in *The Harvard Theological Review*. This is, of course, the article cited by Alain Boureau and numerous others as evidence of Kantorowicz's connection to Carl Schmitt, with its footnote indicating Kantorowicz's knowledge of the debates in Germany surrounding the term "political theology" in the 1930s. While once again signalling Kantorowicz's preoccupation with states, the title of this article suggests a connection to the German neo-Kantian philosopher Ernst Cassirer, a connection that Kantorowicz makes explicitly in the preface to *The King's Two Bodies*.¹²⁵ Interestingly, Cassirer's name is never actually mentioned in this article, and his work is never cited. This is a strange phenomenon in that Kantorowicz's use of the term "mysteries of state" also anticipates — nearly verbatim — a passage from the opening of the fifth chapter of *The King's Two Bodies* (the chapter on "polity-centered kingship"): "Mysteries of State as a concept of Absolutism has its mediaeval background. It is a late offshoot of that spiritual-secular hybridism which, as a result of the infinite cross-relations between Church and State, may be found in every century of the Middle Ages and has deservedly attracted the attention of historians for many years."¹²⁶ This passage not

¹²⁵ For a more in-depth analysis of the connections between *The King's Two Bodies* and the work of Ernst Cassirer, see Kahn, "Political Theology and Fiction in *The King's Two Bodies*," 81. Kahn sees Kantorowicz as "positioning himself" in a larger debate/critique regarding "existential historicism," in which Kantorowicz takes from Cassirer "the persona of the rational, secular demystifier of historical and contemporary myth."

¹²⁶ Kantorowicz, "Mysteries of State," 65. Compare this to the opening lines of the fifth chapter of *The King's Two Bodies*, page 193: "Infinite cross-relations between Church and State, active in every century of the Middle Ages, produced hybrids in either camp. Mutual borrowings and exchanges of insignia, political symbols, prerogatives, and rights of honor had been carried on perpetually between the spiritual and secular leaders of Christian society."

only anticipates Kantorowicz's eventual analysis of "polity-centered kingship," but also frames his use of political theology in the article itself.

Kantorowicz deploys the concept once in the article on page 67, while setting-up his analysis of the complicated and multifarious cross-relations between Roman and Canon law as they manifested politically at various points during the Middle Ages. The relevant passage reads as follows:

... both Laws were influenced by scholastic method and thought, as well as by Aristotelian philosophy; finally, the jurists of all branches of Law applied freely, and without scruples or inhibitions, theological metaphors and similes when expounding their points of view in glosses and legal opinions. Under the impact of those exchanges between canon and civilian glossators and commentators — all but non-existent in the earlier Middle Ages — something came into being which then was called "Mysteries of State," and which today in a more generalizing sense is often termed "Political Theology."¹²⁷

Interesting to note here is that Kantorowicz quotes the term, as though borrowing it from another source. In the footnote to this passage (the same footnote of Boureau fame), Kantorowicz states that "The expression, much discussed in Germany in the early 1930s, has become more popular in this country, unless I am mistaken, through a study by George LaPiana, 'Political Theology,' *The Interpretation of History* (Princeton, 1943)."¹²⁸ Here the category of political theology is used interchangeably with the category "mysteries of state," which in turn is used to name a specific historical phenomenon of the later Middle Ages, the emergence of which can be traced to the proliferation of "civilian" commentaries on Roman and Canon law. The term is treated as a category of objects (a category of "mysteries"). To articulate this in another way, "political theology," rather than one of a potential number of political *theologies*, is here treated as a broad concept into which other concepts — *specific* "mysteries" — can be subsumed.

¹²⁷ *Ibid*, 67

¹²⁸ *Ibid*. Giorgio La Piana, whom Kantorowicz calls "George," was an Italian theologian and historian who wrote about modernism and the Catholic Church, and who was involved in anti-fascists movements in Italy before emigrating to the United States and teaching at Harvard. For an overview of his work, see Daniela Saresella, "Giorgio La Piana and the religious crisis in Italy at the beginning of the twentieth century." *Harvard Theological Review* 110:1 (2017)

The use of the concept here is distinct from its use in the earlier article “Deus Per Naturam, Deus Per Gloriam.” In this earlier article, political theology names a process, and a *discipline*; in “Mysteries of State,” it names a set of concepts that penetrates the subject, an *ideology*. In both cases, the term is employed in reference to the borrowing and sharing of political and theological signs; in the latter case, however, it refers to a *specific and particular system* of shared signs, namely that which emerged in the later Middle Ages out of “civilian” legal commentaries, rather than an overlap of concepts existing in a discipline (lowercase “political theology”). Both deployments anticipate the uses of the concept in *The King’s Two Bodies* in the disciplinary and ideological senses, respectively. In both senses, the term is used to refer to a sphere, a web of interconnected concepts borrowed from political and theological languages: it refers to a system of thought that existed historically. However, whereas the disciplinary use entails political theology as a skill or art to master by way of engagement with a web of concepts, the ideological use entails a web of concepts that penetrates thought and motivates action.

The famous footnote from the “Mysteries of State” article is connected to the ideological sense in which Kantorowicz deploys the concept of “political theology” and the two deserve special attention here. In *Laudes Regiae*, Kantorowicz uses the term in the ideological sense. In the same work, the book’s last chapter begins:

In spite of its serious background, the latest development of the laudes seems somewhat like a caricature of a former life. Ancient forms and rites might be restored; but the rhythm of life that had vouched for the inner truth of ceremonies in bygone days cannot be conjured up again... The laudes reappeared when in Europe the modern dictators established a new ruler or “leader” cult and when the Church rejoined the cult by instituting the feast of “Christ the King.”¹²⁹

¹²⁹ Kantorowicz, *Laudes Regiae*, 180

After a brief journey through the revival of the laudes in the late 19th and early 20th centuries, with a specific aim towards fascist Italy, Kantorowicz concludes the book: “Political acclamations have been resuscitated systematically in the authoritarian countries. They are indispensable to the emotionalism of a Fascist regime.”¹³⁰ As both Robert Lerner and Martin Ruehl indicate, while *Laudes Regiae* was published in 1946, it was mostly based on research and writing that Kantorowicz had already completed in Germany in the 1930s (at the time towards a book on the German *Interregnum* following the death of Frederick II), after his brief stay at Oxford and before his final flight to the United States.¹³¹ It is clear that during most of the production of *Laudes Regiae*, Kantorowicz had fascism on his mind. It is equally clear that both the “Mysteries of State” article of 1955 and *The King’s Two Bodies* were at least conceived in a similar state of mind, as evidenced by Kantorowicz’s use of Ernst Cassirer in the introduction to the latter.¹³² Thus Kantorowicz’s footnote referring to the debates of the 1930s, in conjunction with this other evidence, indicates that Kantorowicz was certainly aware of the uses of political theology in ideologically oriented discourses; he elsewhere cites Erik Peterson, as has been pointed out. Does this, then, constitute a critical engagement with the work of Carl Schmitt, despite the fact that Schmitt’s name is never mentioned in any of Kantorowicz’s writings? To provide a short answer, no, it does not. As will become apparent in the examples below, it is possible for Kantorowicz to have engaged critically with the concept of political theology (as he already has in the examples above) without ever having read a word of Schmitt’s writing, given the vast uses to which he (Kantorowicz) deploys the concept.

¹³⁰ *Ibid*, 185

¹³¹ See Ruehl, “‘In This Time without Emperors’: The Politics of Ernst Kantorowicz’s Kaiser Friedrich der Zweite Reconsidered,” and Lerner, *Ernst Kantorowicz: A Life*, chapters 13 and 17.

¹³² See Kahn, “Political Theology and Fiction in *The King’s Two Bodies*.” Kahn’s exposition on Cassirer’s work illuminates Kantorowicz’s reference to him in the introduction of his own book.

Kantorowicz used the term “political theology” twice more in his career within his published writings: both uses date to the 1960s after the publication of *The King’s Two Bodies*. These are worth spending time with because they further concretize Kantorowicz’s uses of the term in his earlier writings of the 1940s and 1950s. The first of these comes from an article titled “The Sovereignty of the Artist: A Note on Legal Maxims and Renaissance Theories of Art,” published in 1961. At its core, this article is an elaboration upon several themes that Kantorowicz discussed previously in *The King’s Two Bodies*, namely those pertaining to Dante and “man-centered kingship.” Kantorowicz’s purpose here is to delineate and explain several conceptual chains leading from medieval political theory to renaissance artistic theory. The article ends with the following passage:

No one aware of the late medieval development of political theories will be surprised to find an analogical development within the field of artistic theories. The supreme human authority no longer was vested in the officer alone, be he emperor, king, or pope. It was invested in man as well... It may therefore not have been amiss to raise the question here to what extent and in what respects the artistic theology of the Renaissance followed certain trails first marked out by the political theology of medieval times.¹³³

Kantorowicz here uses the term “political theology” to refer to a very general process of sign-sharing between secular and ecclesiastical conceptual spheres in the Middle Ages. The term’s extremely vague use confounds the more technical ways in which he has employed the term up to this point in his career. There are no references to any specific political theologies, but rather simply “political theology.” This idiosyncratic use of the term thus seems to defy these other ways in which Kantorowicz has tended to use it up to this point. In any case, though, the use of the term here is evidence of the plurality of meanings that it clearly had for Kantorowicz. It would be difficult indeed to read into this passage any other interlocutors of political-theological

¹³³ Kantorowicz, “The Sovereignty of the Artist,” 279.

theory in a deep or rigorous sense; Kantorowicz has made the term his own, to be employed when and where he sees fit.

Finally, the last appearances of political theology in Kantorowicz's published writings come from an article of his in the seventeenth volume of the *Dumbarton Oaks Papers*, published in 1963. The paper, titled "Oriens Augusti - Lever du Roi," was written on the basis of a paper delivered at the 1951 *Dumbarton Oaks Conference*; of the original, unpublished transcript for this paper, more will be said in section IV. In this article, actually a series of complicated arguments, Kantorowicz attempts to trace a lineage from Napoleon Bonaparte to 1st century Rome through an analysis of memetics and iconography surrounding the term *oriens* (Latin, "east") as it appears in art and on coins.

Political theology appears in this article twice: once near the end of the first section, on *Oriens Augusti* (old Roman uses of *oriens*), and once at the very beginning of the third section, on the Byzantine appropriation and deployment of *oriens* from old pagan and new Christian sources beginning in the fourth century. The first relevant passage, from an analysis of two third-century Roman coins depicting *Sol invictus*, reads as follows:

Sunrise poses here as a vengeful *pacator orbis* (fig. 19). Himself ever unconquered, *Sol* triumphantly defeats by his rise, by his mere appearance, the evil spirits and chases away the demons of darkness who, politically, would be identical with the barbarians and other military foes of the *pater* and *restitutor generis humani*, the Roman emperor. Beginning at the latest under Probus, the emperor himself would be shown on coins in the attitude of kicking a captive (fig. 20) or dragging a captive behind him, a type found very often on coins of Valentinian and Theodosius. All of this implied, in the language of imperial political theology, that *Oriens* was an antitype, a double of the imperial *pacator orbis*. The emperor, decorated with the *corona radiis distincta*, defeats by his rise the political enemies of the empire and of mankind.¹³⁴

The second relevant passage, from an analysis of several metaphors employed by Saint Ephrem the Syrian, is quoted below:

In one of his hymns on epiphany, Saint Ephrem the Syrian (303-373) pointed out that *Semha* and *Denha* had ruled simultaneously. *Semha*, in Syriac, is the "Splendor" and perhaps the equivalent of Latin *Claritas*.

¹³⁴ Kantorowicz, "Oriens Augusti - Lever du Roi," *Dumbarton Oaks Papers*, XVII (1963), 119-177. 124.

Denha means the “Rise,” especially Sunrise... Splendor or *Claritas* was identified by the Syrian Church Father with the “king on earth,” more specifically with Emperor Augustus; and the “Rise” he identified with the “Son in heaven,” with Christ. Hence, *Claritas* (Augustus) and *Oriens* (Christ) ruled together at the same time. The underlying political theology of this synchronism — based upon Luke 2:1 — is well known. It eventually culminated in the concept that the universal monarchy on earth and the universal monotheism in heaven were interdependent.¹³⁵

In the first passage, political theology is deployed once again in the pluralistic and specific sense of naming one political theology — in this case “imperial” — among others. In the second passage, the concept is used similarly in a syntactical sense, although with a slight analytical difference in the use of the word “underlying;” there were politico-theological forces at work “under” the surface, beneath the appearance of a seemingly unrelated historical and semantic shift. In both cases, then, the term means something like an ideology, a sociological force beneath the “surface” of historical subjectivity, motivating actions, and with particular historical features depending on the context (“imperial” political theology as against other types). Additionally of interest in both cases is the deployment of the concept of political theology as an analytical tool in the description and dissection of a *pre-medieval* context. For Kantorowicz, while “political theology” is most often found in medieval, Christian contexts, these contexts are not necessary for different “political theologies” to proliferate, for the term to be applicable elsewhere, as in late antiquity and the classical period. These uses also recall Kantorowicz’s use of the term in the epilogue to *The King’s Two Bodies* and in his article on the classical origins of the Deus Per Naturam / Deus Per Gloriam formula. The meaning of the term in this article is thus primarily descriptive, and primarily pluralistic. It gives a name to several particular semantic/semiological spheres — or systems — of overlapping political and theological signs. It follows from Kantorowicz’s deployment of the term in *The King’s Two Bodies*, where it is

¹³⁵ *Ibid*, 149

primarily used to name the phenomenon of linguistic and conceptual exchange between secular and ecclesiastical fonts of power.

Thus, Kantorowicz's use of political theology in his other published writings more-or-less corroborates his uses of the term in *The King's Two Bodies*. That is to say, these other uses contribute to the ongoing argument that Kantorowicz used the term in a plurality of ways, rather than any one, single way. This is significant because, as was argued in the second chapter of this thesis, one of the dominant trends in Kantorowicz scholarship has been to reduce his use of the term into singularity, rather than to grapple with the actually existing plurality of ways in which he employed the term. Most of these have fallen into one of three categories: it has been used to refer to something like an ideology, to something like a field or discipline, and it has been used to refer to a set of analytical tools for use by the historian. Kantorowicz thought constantly about the subject matter of his published texts, and his uses of the term in these texts came at the heel-end of numerous intellectual struggles as to the term's meaning and possible permutations. In order to get a sense of these pre-published, pre-finalized uses of the concept of political theology, it will be necessary to turn towards these uses as they manifest in Kantorowicz's unpublished writings.

III: Political Theology in Kantorowicz's Unpublished Writings

Before launching into an investigation of Kantorowicz's unpublished writings, it will be necessary to preface such an investigation with a brief — but important — digression. In his last will and testament, Ernst Hartwig Kantorowicz requested that none of his unpublished or otherwise private writings be subjected to publication.¹³⁶ The reasons for this are likely multiple, but in any case his wishes — or at least the spirit of his wishes — will be respected. It is felt here

¹³⁶ "Last will of E.K." *Ernst Kantorowicz Collection, 1908-1982*. AR 7216 / MF 561. Box I. Folder 1. Leo Baeck Institute Center for Jewish History, New York.

that many of his unpublished materials, primarily his lecture notes, offer valuable insight into his conception of political theology. It must be understood that these unpublished materials do not in themselves constitute — and they ought not be taken to constitute — any formalized, finalized statements of Kantorowicz on the subject matters discussed. However, it is precisely in their informal status that these materials offer the potential for a radical revision of the story of Kantorowicz’s connection to the realm of political theology. With all of this in mind, the present analysis attempts to represent, with as much accuracy as possible, Kantorowicz’s understanding of the concept of political theology as he *struggled* with it, prior to its inclusion in any of his formal writings/analyses.

The first use of “political theology” that I have been able to find in Kantorowicz’s writings, published or unpublished, comes from his lecture notes from a course delivered at Berkeley in the spring semesters of 1940 and 1942, titled “Medieval Institutions II.”¹³⁷ In the transcript for the first, introductory lecture of the course, we find the following passage, which occurs immediately after a description as to the differences between the present course and its predecessor (“Medieval Institutions”):

It was then my intention to demonstrate not so much the historical facts as the development of the politico-religious ideas of these five centuries, say, from 300 to 800. That is, I have tried to present to you what may be called the Theology of Rulership or an outline of Political Theology. I tried to explain jointly the development of Rulership and Christian doctrines as well as rites and emphasized very strongly the theologic side of the problem. For to my opinion, Christianity does not always mean the same thing and rulership therefore stands out in a different way against the changing background of changing interpretations of the Christian Faith.¹³⁸

¹³⁷ Robert Lerner also calls attention to these particular lecture notes. See *Ernst Kantorowicz: A Life*, 347. More will be said of Lerner’s specific interpretation of this passage in chapter 2 of the present thesis.

¹³⁸ Kantorowicz, “Medieval Institutions II,” *The Ernst Kantorowicz Collection: 1908-1982*. Section III, Box 9, Folder 2. 1-2.

The underlines beneath “Theology of Rulership” and “Political Theology” exist in the primary source document itself. This deployment of political theology has continuity with a later use of the term that appears in a subsequent passage from the same transcript:

The general idea of 125B, which after all is a continuation of the A section, is a similar one. I again want to discuss mainly the Political Theology. But the task is somewhat more difficult than it was last semester. In the earlier period, from 300-800, the great problems and contrasts always were perceptible very clearly, contrasts such as PAGAN and CHRISTIAN, ARIAN and ORTHODOX, WESTERN and EASTERN RITUALS, FRANKISH DAVID KINGSHIP and ROMAN CAESARIAN EMPIRE. In the period which we are going to discuss in this semester, the period from 800-1300, the contrasts or the dialectic of development are not drawn as clearly as they were in the earlier period.¹³⁹

The capitalized terms in this quoted passage occur thusly in the original document. While “Medieval Institutions II” was offered in the spring semesters of 1940 and 1942, its prequel course, “Medieval Institutions,” was offered in the fall semesters of 1939 and 1941; thus, there was overlap between the two, in terms of the categories of Kantorowicz’s thinking as well as the actual sequence of delivery of the courses. It is interesting to note that, while the first of the above two passages calls attention to the aims and intentions of the prequel course, the term “political theology” does not actually appear in Kantorowicz’s notes for said course, as far as I have been able to gather from trolling these notes. The term appears only retrospectively, as a *post-hoc* framing device for the content covered in the prequel course.

What perhaps might have been meant by “Political Theology” in the first passage can be gathered from its explicit connection to “Theology of Rulership.” The two terms are treated interchangeably, thus establishing a connection between political theology generally and the specific political locus of rulership (as opposed to any other loci of politics, such as a ruled subject). Theology of *rulership*, the “theological side of the problem,” the problem being one of “doctrines as well as rites,” *is* political theology. In any case, it is clear from the underlining and use of proper nouns in this passage that the use of political theology as a framing device was

¹³⁹ *Ibid*, 2-3

meant to be seriously analyzed in a discussion of “medieval institutions.” The second passage represents a continuity in these respects, while also elaborating on the complications and limits of the analysis being proposed by the course “Medieval Institutions II” as they manifest in the difference in subject-matter between this course and its prequel. The use of “dialectic” — a term that appears throughout Kantorowicz’s work, used in numerous ways and in a number of different contexts — is of further interest. The web of “Political Theology” in the period from 800 to 1300, the “dialectic” of its “development,” is less “clear” than in the period from 300 to 800. If “Political Theology” here is understood as a *thing*, specifically a web of theological doctrines and rites pertaining to rulership, then “dialectic” might be understood simply as a change in the theological-cultural mechanisms underlying the changes in this object’s character; political theology then appears as an object for reference, an ideology or a discipline, or some historically-specific structure, rather than a set of tools for analysis. Furthermore, it is clear from these passages that the distinction between early medieval and high medieval political theology, one of the core distinctions introduced and elaborated in *The King’s Two Bodies*, was already on Kantorowicz’s mind in the early 1940s. This is a use of the term that carries later into Kantorowicz’s published work — as we have already seen — and into his other unpublished materials, as we shall presently see.

The next unpublished appearances of political theology come from the lecture notes for a course titled “Italian History,” taught from December of 1943 to March of 1944, once again at Berkeley. The term first appears here in the opening passage of the notes for a lecture titled “The Empire,” which reads as follows:

There is an old saying... that “The Roman Empire was born in the Eastern Mediterranean.” Of course, all of us know that the actual conquest of the then known world proceeded from the city of Rome, extended from Latium to Italy, to the Italian Isles, to North Africa, Spain and Macedonia, and finally to all the lands in between and beyond these earlier conquests. Yet the idea, the spirit, the political theory, and the political

theology of the Roman Empire were Hellenistic, that is a blending of Greek and Oriental elements; and these Hellenistic ideas were integrated into Rome, beginning with Caesar and Augustus.¹⁴⁰

This appearance and use of political theology, the next after its employment as a proper noun in the course(s) on medieval institutions, is interesting for its explicit divorcing of the term from exclusively medieval contexts. The term is used here in the sense of its being-an-object — that is, it is a “thing” to be analyzed, rather than a method for analyzing — to point towards “classical” institutions, and in a rather informal manner. It is treated separately from “political theory,” and in referring to the classical, “Hellenistic” world is separated from its potential (and actual, in later writings) deployment as an ecclesiastical category. The remainder of this lecture is dedicated to analyzing various religious organizations in North Africa and the eastern Mediterranean sphere, such as the cults of Isis and Mithras, and their influences on Roman political doctrine. Political theology appears again later in the same lecture:

This is the moral justification of the Roman conquest of the world. The Romans — like the Kipling’s English nation — believed in their mission of world-unification by means of the Imperium Romanum. This doctrine now is commonly called the Political theology of the Roman Empire, and this political theology was eventually integrated into the theology of the Church.¹⁴¹

As in the previous lecture passages, the underlining here appears in the original document. Here political theology is treated once again as a *thing* or *entity*, but specifically it is used with reference to a particular “doctrine,” namely that of Roman world-expansion and “world-unification,” a doctrine that eventually evolved into the Church. That Kantorowicz refers to this doctrine as being “commonly called the Political theology of the Roman Empire” is interesting in that there is an implied reference to an existing body of scholarship on this particular subject, although there are no footnotes in the lecture notes themselves. It is possible that the historiographical meaning of this reference can be gathered from Kantorowicz’s bibliography for

¹⁴⁰ Kantorowicz, “Italian History,” *The Ernst Kantorowicz Collection: 1908-1982*. Section IV, Box 9, Folder 6. 80

¹⁴¹ *Ibid*, 85

this course, but in any case, the notes for this lecture end surreptitiously with the plea “I do not want to discuss, as yet, Christian Rome. I merely wanted to illustrate the continuation of Roman political theology within the Xian [Christian] teaching.”¹⁴²

Political theology reappears in this course in the notes for a lecture titled “Germans, Rome, and Byzantium,” in the context of a discussion of Frankish settlement on the Italian peninsula prior to the ninth century:

The equation of Universal Roman Empire and Universal Roman Church was not acceptable to the Franks. They payed homage to the Prince of Apostles, but refused to be tied up to a Byzantine-Roman Church. The Franks had thus developed a Gallican Church of their own and a political theology of their own. The Gallican Church had a ritual different from that of Rome. Her bishops were nominated by the king... Ecclesiastical administration was not tied to Rome and there was not the question of a Frankish hierarchy dependent upon the Pope.¹⁴³

The relation between political theology and *rulership* is made explicit once again, this time in connection to a specific institution, namely the Gallican Church. The association between the two would not appear remarkable except that the potential uses of political theology become much more wide-ranging and inclusive in Kantorowicz’s later, published writings. The use of the term with reference to rulers specifically is natural, in that rulers form a significant part of the most textually visible strata of medieval history. However, Kantorowicz is clear elsewhere, as in *Laudes Regiae*, that this strata is informed by lower, more diffuse strata; the flow of interconnections between theological and political concepts can rise from these lower strata in affirming (or *confirming*, in the case of the *Laudes Regiae*) ways. It is clear that the appearance of the term here is an example of the active tension between its potential uses.

Finally, the term appears towards the end of this course, in the lectures on nineteenth century Italian history, and Italian unification more specifically. In his lecture on Giuseppe Mazzini, Kantorowicz demonstrates once again that political theology as a historical object

¹⁴² *Ibid*, 86

¹⁴³ *Ibid*, 184

(either pluralistically or monolithically) is not limited to the Middle Ages. In a moment quoting and analyzing Mazzini, the following passage appears:

Expulsion of Austria, and if necessary war against Austria, was the political premiss of Mazzini, whose watchword for the Young Italy and the central republican government to be established was Dio e il popolo, God and the people. Most remarkable in Mazzini's thinking is that line with which we are very familiar and which I called the pseudo-religious or politico-religious strain in Italian politics, an emotionalism centering in a political theology. "Ours," writes Mazzini, "was not a political association, but a patriotic religion. Political associations may die under violent treatment: religions never do."¹⁴⁴

An "emotionalism centering in a political theology" is the phrase used here in the assessment of a "pseudo-religious," "politico-religious" *strain* of politics; politics *qua* politics is thus taken on its own to be *secular* politics. Here political theology is used descriptively in naming a historically specific web of linguistic and semiotic interconnections; it is used to name something like an *ideology*. Here, in the context of 19th century history, this usage perhaps makes more sense. This reveals that this conception of the potential uses of political theology reaches back at least as far as 1943/1944 for Kantorowicz.

The next appearance of political theology in unpublished form also marks its final appearance as such in the lecture notes. This comes from the notes to a Berkeley course titled "Byzantium," offered in 1947. Antecedents to this course can be traced to elements of Byzantine history that were covered by Kantorowicz in earlier courses, namely those on medieval institutions. The offering of this course apparently arose from a desire to treat the subject of Byzantine history as significant on its own terms, rather than as an analog to Western European history, although with an emphasis on the necessity of Byzantine history for a history of the Middle Ages in Europe: "A course on Byzantine History, on Eastern Europe in the Middle Ages, no longer is in need of special justification. The times are gone when it was possible to exclude

¹⁴⁴ *Ibid*, 368

Byzantium from European History.”¹⁴⁵ This emphasis on Byzantium as a necessary element for understanding medieval European history generally will play into the uses of political theology that appear in these lecture notes. During a discussion of the fourth century Byzantine bishop and theologian Eusebius of Caesarea, in a lecture on the continuities between the Constantinian period of Roman history and medieval history, the following passage appears in Kantorowicz’s notes:

To link together... the names of Augustus and Jesus was of course not a matter of Eusebius’ own invention. He himself quotes others to have said the same or a similar thing about the [?]; and after all, in the Gospel of St. Luke, 2:1, we find the two names in juxtaposition. But Eusebius establishes on that basis his political theology which may be described by two equations: Polyarchy = Polytheism; Monarchy = Monotheism. That is to say, he brings the plurality of kings on one denominator with the plurality of gods, whereas Monarchy and Monotheism are placed together on another denominator.¹⁴⁶

The [?] in the passage is an unknown, handwritten word that appears in the margins of the printed text. Once again, as will be repeated in later published writings, the term political theology is deployed here in a possessive form, as something like an ideological category. Eusebius “had” a political theology — a system of shared, overlapping political and theological signifiers — that took shape in a specific formula relating Christian and pagan theology to different conceptions of ἀρχή.¹⁴⁷ Whether this interpretation of Eusebius is historically tenable is not a matter of overt significance here. Rather, this use of political theology is representative of an evolution of thought concerning the concept’s uses, the continuity of which can be traced from as early as 1943 to 1947. In the notes from a later lecture on “Christianity and the Late Empire,” in the context of a discussion regarding Christianity’s unique relationship to the concept of a political “people” in late antiquity, political theology is deployed once again in a

¹⁴⁵ Kantorowicz, “Byzantium,” *The Ernst Kantorowicz Collection: 1908-1982*. Section IV, Box 9, Folder 5. 1.

¹⁴⁶ *Ibid.* 36.

¹⁴⁷ “Arkhē,” ancient Greek meaning something like ‘beginning,’ but employed as a suffix in concepts denoting rulership and the nature of sovereignty (e.g: “monarchy”).

different fashion. After a digression on the political significance of the cult of Mithras, the following passage appears:

The most important point... is what may be called the political theology of the Christian movement, namely the idea that a religion should establish itself as a people, as a populus Christianus, the Christian people. There is no thing such as a MITHRAIST PEOPLE or a STOIC PEOPLE. But there is, and always was, a Christian people.¹⁴⁸

Underlines and capitals are all reproduced here from the original manuscript. A standard reading of the above analysis might proceed as follows: Christianity was separable from other religious and/or quasi-religious movements on the basis of its unique “political theology,” which is to say that Christian theologians deployed political and religious concepts in combinations that produced results distinct from these other movements. However, this reading, while perhaps obvious, is not the only possible reading. The category “political theology” is syntactically equated to “the idea that a religion should establish itself as a people.” The term would then refer to a *particular* concept, one that has antecedents in Kantorowicz’s work in *Laudes Regiae* and which appears again later in *The King’s Two Bodies* and “Mysteries of State.” That “political theology” could refer to some mystical quality of a political body, that of “the people,” does not restrict — in the thinking that produced the above analysis — the concept to modern or early modern contexts, indeed not even medieval contexts. Political theology here names a Classical religious phenomenon with political consequences, the phenomenon being that of a “people” unified according to shared spiritual and ideological commitments.

Two more appearances of political theology in the “Byzantium” notes deserve attention here. The first comes from the notes for a lecture on Nicaea. In the midst of an analysis of several intellectual antecedents to the 325 Council of Nicaea, antecedents that made the council politically necessary, the following passage appears:

¹⁴⁸ *Ibid*, 122

... what was the meaning of those splits within the Church in general? It cannot be my intention to deal with the dogmatic and theological problems in any detail. It must be sufficient here to indicate the main principles involved and to show their bearings, so far as possible, upon the political sphere and in view of the political theology of the State. If we leave aside the speculative gnosticism of the early period and the great number of pagano-Christian syncretisms, we may say that there were two main currents endangering the concept of a universal, that is, a Catholic Church.¹⁴⁹

Finally, a passage from a later lecture on Constantine specifically, informally connecting the above passage to the prior passage on Eusebius of Caesarea, reads: “The Christian political theology has been formulated, a year and a half before Constantine’s death, by Eusebius of Caesarea, when, on the occasion of the emperor’s 30th anniversary of his reign, the bishop addressed his master.”¹⁵⁰ Beyond its deployment of political theology in the singular (“the” Christian political theology), this second passage is interesting for mechanical reasons: it appears completely alone on page 177, interrupting the flow between pages 176 and 178, the continuity of which is halted literally mid-sentence. In the former passage, during an interesting moment, the term “State” is used to denote the political organization of Constantinian Byzantium, and “political theology” is used to refer to a set of religious and metaphysical assumptions underlying this organization. The deployment in this analysis of the category “State” anticipates similar deployments that appear in *The King’s Two Bodies*, where the term is used to refer to a number of differing forms and systems of medieval and modern political organization. That such an entity can “have” a political theology recalls the term’s use in both earlier and later writings, published and unpublished.

Two final examples of the concept’s use in Kantorowicz’s unpublished writings deserve some brief attention, for the reason that they appear outside of his lecture notes. The first of these comes from a conference paper transcript dating from March of 1960, titled “Roman Coins and Christian Rites.” The paper itself, though unpublished, appears as a reference in the published

¹⁴⁹ *Ibid*, 148

¹⁵⁰ *Ibid*, 177

Dumbarton Oaks paper “Oriens Augusti - Lever du Roi,” analyzed earlier in this chapter. During an analysis of Herculean iconography as it appeared on Roman “marriage” (“*concordia*”) coins, there is a passage that reads as follows:

Hercules, it is true, offers the golden fruits of the Hesperides which form a very old nuptial symbol; and since the pomegranates contained many seeds in one skin, they were also a symbol of Concordia. But the presence of Hercules is not justified by the three fruits alone. In the political theology of the late empire Hercules was above all the heroic savior of man who liberated the world from all sorts of monsters, and who therefore appeared as the great pacator mundi.¹⁵¹

It is somewhat unclear whether or not the term is being employed here in a technical or analytical sense. That elements of Greek mythology were imbued with political and religious significance in Rome during both the republican and imperial periods is what seems to qualify the term’s nominal use in this particular case: there was “a” (singular) political theology of the late empire, within which Hellenistic mythological references served religious functions with political consequences. The significant take-away from this is that this passage once again calls attention to Kantorowicz’s conceptualization of the term’s potential uses outside of medieval contexts. Although this was already established by this point in his career, it is significant that this particular interpretation held through Kantorowicz’s life.

Finally, there remains one final appearance of political theology in the unpublished writings to which I would like to call attention. The appearance comes from an unfinished and unpublished essay, given the provocative and provisional title of “Humanities and History.” The essay itself is undated, although we are told by Ralph Giesey in a typed preface to the essay in the Kantorowicz Archives that it comes from “his Berkeley days.”¹⁵² The essay — a final, published version of which would have been very interesting to read, if the manuscript is any

¹⁵¹ Kantorowicz, “Roman Coins and Christian Rites,” *The Ernst Kantorowicz Collection: 1908-1982*. Section I, Box 2, Folder 5. 6.

¹⁵² Kantorowicz, “Roman Coins and Christian Rites,” *The Ernst Kantorowicz Collection: 1908-1982*. Section I, Box 2, Folder 12. i.

indication — contains numerous quotable and quasi-philosophical statements on the meaning of history and its place within a humanist education, statements such as the opening line “‘Humanities’ is the knowledge of man and human society. This knowledge, from Eleatic philosophers to John Dewey, has successfully resisted any efforts of being boiled down to formulae, rules or laws which can be memorized or are comparable in any respect to the stabilized laws of science.”¹⁵³ The passage that is relevant to our present interests, one in which Kantorowicz plays with the concept of political theology, is quoted below:

Humanities, to-day, are an antidote against “political theology,” a pseudo-theology which is likewise not interested in the variety of man and of human society, but is interested, almost exclusively, in establishing a uniform type of man (Nordic Nazi) and a uniform pattern of human society (New Order - NSDAP “Vaterland”). Modern political theology considers the knowledge of, and the respect to, other types of man and other patterns of society undesirable and “unpatriotic.” The humanities are tolerated within modern political theology in a similar way as they were within mediaeval theology: as a quarry from which evidence for the desired one-type-man and one-pattern-society.¹⁵⁴

The implications of this brief passage from an undated, unpublished essay draft are profound. To begin, we see the appearance of the category “political theology” alongside Kantorowicz’s explicit rejection of Nazi ideology, which itself is described as a “modern political theology,” making of “man” and human society a “uniform type.” The comparison is drawn between the uses of “the humanities” in their original, medieval genesis and in the modern context of fascist movements, themselves a sort of throwback to medieval ideologies. The meaning of this can be gleaned from its conjunction with an earlier, underlined passage from the essay: “The humanities must be considered the irreplaceable medium through which the knowledge of man and human society can be extended beyond the boundaries of personal experience and personal observation.”¹⁵⁵ “The humanities,” as both a scholarly topic or set of topics and as a mode of thinking that transports the individual beyond his or her (perhaps rigid) intellectual and cultural

¹⁵³ *Ibid*, 1

¹⁵⁴ *Ibid*, 2

¹⁵⁵ *Ibid*, 1

contexts, ought thus to be considered a “remedy” for the ailment of modern political theology and its dehumanizing tendencies. Apart from his awareness of Erik Peterson and the political-theological debates of the 1930s, this unpublished essay is perhaps the closest that Kantorowicz comes in any of his writings, published or unpublished, to a reference to Carl Schmitt. It is at least clear from this unpublished essay that “political theology,” far from being a neutral, analytical, scholarly category, is in fact loaded with ideological, spiritual, and *personal* tension, whether one is referring to some classical formulation appearing on Roman coins or to modern political movements and their appeal to religious concepts and ways of thinking. Perhaps this tension as it manifests in this particular essay is the reason, or one of several reasons, why the essay itself was never finished or published.

In any event, the unpublished writings of Kantorowicz reveal that the concept’s uses, as they appeared in his published writings, were a fertile ground for intense intellectual struggle on numerous levels. While the concept’s meaning is never singular or monolithic in these published writings, the unpublished materials highlight the prolonged process of engagement with numerous potential meanings and uses of political theology for historians, as well as for students and practitioners of the “humanities” in general. For Kantorowicz, these unpublished materials reveal both the antecedents and the contemporaneous flows of thought concerning political theology with which he was grappling as his use of the concept was becoming manifest in his general thinking as a historian and a scholar.

Part IV: Chapter Summary/Conclusion

The above pages have endeavored to highlight and analyze, systematically and *intra-textually* (within the text itself), Kantorowicz’s uses of the concept of political theology, beginning with its numerous appearances in *The King’s Two Bodies*, continuing through his less

significant published works, and eventually through his unpublished writings. Assigning a brief, preliminary chronology to these appearances, we can say that the term begins to reveal itself as an important category for Kantorowicz's thinking in the early 1940s, where it makes its way first into his lectures on medieval history for his students at Berkeley, and then into his published works beginning in 1946.

It should be manifestly clear from the above analysis of political theology as it appears in both the published and unpublished writings of Kantorowicz that the term never had a singular, stable meaning for him. There were numerous ends towards which he employed the concept, and its meaning changed to fit these ends on a text-by-text basis. In certain cases the term had specific or technical uses for Kantorowicz: it was deployed thusly in numerous writings of his as a means of describing and explaining elements of the classical and medieval past that could not otherwise be understood in the fullness of their complexity. I have tried to categorize these different uses generally according to three "types:" the term is used to refer to historically-specific objects, usually something like an ideology or a discipline/field, and it is used to refer to a set of tools for historian's own analysis of the past. That being said, some uses define even this liberal rendering of the meaning(s) of the term, and it is now obvious that, to phrase an answer to the question "What did Ernst Kantorowicz mean by 'political theology'?" in the form of "Kantorowicz meant *x*..." would be an effort doomed to failure. While Kantorowicz was sometimes very clear as to what he "meant" by the concept in particular circumstances — although he was clearer in certain contexts than in others — this "meaning" was pluralistic, multiple, and subject to reconfiguration as Kantorowicz saw fit.

CHAPTER 4

CONCLUSION

The goal of this thesis has been twofold. In Chapter 2, a particular trend in Kantorowicz scholarship was isolated and examined in detail. In the early 1990s, there was an emerging interest in the life of Ernst Kantorowicz, a proclivity towards examining his later scholarly work within the context, specifically, of his early political affiliations and his first book, *Kaiser Friedrich der Zweite*. In 1990, Alain Boureau, in his short biography *Stories of a Historian*, put forth the thesis that Kantorowicz's final and most well-known book, *The King's Two Bodies*, constituted an effort on Kantorowicz's part to respond critically to the political-theological writings of Carl Schmitt, the Nazi party member and juridical scholar whose 1922 *Politische Theologie* sparked intense debate in the 1920s and 1930s and is still cited in scholarly works to this day. At roughly the same time, Norman Cantor published an incendiary and widely read account of the life of Kantorowicz in the third chapter of his 1991 book *Inventing the Middle Ages*, in which he argues that Kantorowicz, along with Percy Ernst Schramm, was an "ideal Nazi scholar." The force of these two accounts converged, and in the aftermath of their publication there emerged a renaissance in anglophone Kantorowicz scholarship, in which numerous scholars were intrigued by the theoretical connections between Kantorowicz's personal life and his account of political theology in *The King's Two Bodies*, and in which there grew a prominent discourse concerned with either defending or condemning Kantorowicz on the basis of his early work and politics. Consequently, attention turned towards the subtitle of this last book, *A Study in Medieval Political Theology*, and in the wake of Boureau's and Cantor's provocative accounts the dominant trend in anglophone scholarship was an elaboration of the connection between Ernst Kantorowicz and Carl Schmitt, on the basis of both the apparently shared politics of the

two thinkers (at least in the early days of the former) and the shared language of their core scholarly works. One of the main consequences of this historiographical trend was a simplification of Kantorowicz's use of the term "political theology" in this work.

In chapter 3 this historiographical simplification was addressed by way of a thorough examination of the different appearances of the term "political theology" in Kantorowicz's writings, both published and unpublished. While a general framework is provided for understanding the sometimes confusing, sometimes obtuse uses of the term by Kantorowicz, there are certain moments at which Kantorowicz breaks his own mold, applying the term in novel, perhaps even inconsistent ways to numerous different contexts and situations. It is clear that Kantorowicz began thinking in terms of political theology around the early 1940s, and from here its application as a historical category proliferated in his historical thought and work. "Political theology" for Kantorowicz meant something like a discipline or field of study — modern, medieval, and classical — as well as a way of thinking about the past, a set of tools that any historian might pick up and use. "Political theology" for Kantorowicz could be used to name an object as well as a process, and its use was not restricted to medieval matters, but rather (explicitly) could apply to the ancient and modern worlds as well. Furthermore, he thought of the concept in ideological terms. This is rendered in his published texts, such as *The King's Two Bodies* and *Laudes Regiae*, and receives further illumination from his unpublished notes, which indicate that he conceived of "modern political theology" as a conceptual blending of political and religious language motivating the actions of modern political subjects, particularly in the case of fascism.

This raises two questions that are related to one another, but distinct. First, what is Kantorowicz's connection to fascism, and is it significant to his work? Clearly, one must answer

this affirmatively: not only was Kantorowicz personally involved in the far right-wing of early twentieth century German culture and politics, but it is clear from his deployment of political theology that he thought about fascist ideology often.¹⁵⁶ This thinking suffused his scholarly work, to the point that the mechanics of the ideological point of view on “modern political theology” could be translated into dissections of “medieval” political theology. One thus sees Kantorowicz characterizing medieval and even ancient political theology in terms that evoke modern ideology. Whether this transposition was intentional or merely an accident of Kantorowicz’s thinking and theorizing is not as important as the recognition of the fact itself: that ideology was a frequent subject of Kantorowicz’s thinking, and that this thinking made its way into his understanding of the concept of “political theology” as it manifests in ancient and medieval history.

This leads naturally to the second question: Did Kantorowicz engage critically with the work of Carl Schmitt, or were the two ever in dialogue with one another? Biographically speaking, in terms of a literal connection, an engagement between the two does not seem to exist at all. As Robert Lerner points out, Schmitt’s name never appears in any of Kantorowicz’s writing, a point with which your present author must concur.¹⁵⁷ This does not necessarily preclude the possibility that the two engaged critically with one another’s work, but it points towards several additional concerns. It must first be pointed out that Kantorowicz, throughout his career, was never shy about relying on unconventional or otherwise controversial source

¹⁵⁶ Later in his life, especially after emigrating to the United States, Kantorowicz’s politics shifted significantly leftward, although his politics were never “radicalized” in this direction, and he always maintained an aristocratic outlook. Robert Lerner’s recent biography addresses this switch in substantial detail. See Lerner, *Ernst Kantorowicz: A Life*. It is difficult to point to any particular passages, because the changes in Kantorowicz’s political orientation was a gradual and constant process. That being said, chapters 13 through 18 focus on his time in California, where the bulk of this transition occurred.

¹⁵⁷ *Ibid*, 347

material, and especially after the publication of the *Ergänzungsband* was very open about the sources that he used and the ways in which he used them.¹⁵⁸ For example, he maintained contact with the actual Nazi party member and medievalist Percy Ernst Schramm for much of his life, and cites him frequently in his work.¹⁵⁹ That Kantorowicz would have wished to engage with the work of Schmitt not by citing him directly, but rather by somehow subverting or continuing the logic of Schmitt's argument, seems unlikely, and, to quote Robert Lerner, "a conventionally unconventional mode of argument that Kantorowicz would have ridiculed."¹⁶⁰ It is also worth mentioning that Carl Schmitt, in 1970, published a sequel to his 1922 text, in which he responded to Erik Peterson, Walter Benjamin, and others who were critical of Schmitt in the 1930s.¹⁶¹ Neither Kantorowicz's name nor any of his works are mentioned in Schmitt's response, and yet no discourse on the ways in which Schmitt was secretly responding to Kantorowicz has proliferated. However, the inverse, a discourse on the ways in which Kantorowicz was secretly responding to Schmitt, has proliferated, although only in the past three decades. One of the aims of this thesis has been to address the question of *why*.

The fact that the modern progenitor of the term "political theology" was a Nazi has naturally meant that the term itself is very conspicuous, so its inclusion in the subtitle of Kantorowicz's most famous work was fated to eventually raise eyebrows. That being said, the earliest formulator of the argument for a connection between the two seems to be Alain Boureau, whose 1990 biography, coincidentally, has been cited by nearly every interlocutor in the

¹⁵⁸ That Kantorowicz could get away with devoting a significant page count from *The King's Two Bodies* to analyzing only the works of the Norman Anonymus, a somewhat scandalous source in itself, is testament to this.

¹⁵⁹ No fewer than seven of Schramm's works are listed in the bibliography of *The King's Two Bodies* alone.

¹⁶⁰ Lerner, *Ernst Kantorowicz: A Life*, 347

¹⁶¹ Carl Schmitt, *Political Theology II: The Myth of the Closure of Any Political Theology*, Trans. Michael Hoelzl and Graham Ward (Cambridge: Polity. 2008).

Kantorowicz-Schmitt strand of Kantorowicz scholarship. Boureau's evidence for the connection, apart from Kantorowicz's very general associations with the German right in the 1920s and 1930s, is a single footnote, an elaboration on the use of the term "political theology": "This expression, much discussed in Germany in the early 1930s, has become more popular in this country, unless I am not mistaken, by a study of George La Piana, 'Political Theology,' in *The Interpretation of History* (Princeton, 1943)."¹⁶²

Back to this footnote, then, and a final pronouncement on the connection between Ernst Kantorowicz and Carl Schmitt. It would not appear that Kantorowicz himself ever engaged critically with the work of Schmitt. It is possible, and maybe even likely, that he had heard of him at some point prior to his initial use of the term "political theology" in the early 1940s. It is even possible that he had read the 1922 text. However, given the poverty of citations or mentions of Carl Schmitt in Kantorowicz's writings, and given Kantorowicz's liberality with his own source material (including Nazi sources), it is unlikely that Kantorowicz, even in his own private theorizing, ever engaged critically with Carl Schmitt's ideas. To claim that he did leads to a simplification of the ways in which he actually used the term "political theology" which, as we have seen, were multifarious, sometimes inconsistent, but always plural, and always unique. Kantorowicz seized upon a concept that fit his historical and scholarly thought and made the concept his own. This is not to say that there is *nothing* to be gained from a marriage of the ideas of Kantorowicz and Schmitt, and many scholars who have attempted such a marriage have produced their own fascinating accounts of political life. However, to proceed with the premise that Kantorowicz was reacting to Schmitt limits the actual potential for understanding and taking advantage of Kantorowicz's own use and understanding of the meaning of political theology.

¹⁶² Kantorowicz, "Mysteries of State: An Absolutist Concept and Its Late Mediaeval Origins," 67

This use was as idiosyncratic and unique to Kantorowicz as Kantorowicz's scholarly works have been to the study of history.

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