

War and Church from the Peace of Westphalia to the Treaty of Versailles: by Carl Schmitt and Eugen Rosenstock-Huessy

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Historically, religious institutions have often played some role in determining the criteria for international justice during the war and in the post-war periods. The article aims to reflect theoretically on this phenomenon, drawing on the political theology of C. Schmitt (1888-1985) and the historical sociology of E. Rosenstock-Huessy (1888-1973). Both were prominent lawyers in Weimar Germany, but their paths diverged dramatically in 1933. They shared a view of the modern state as a restrainer of war. They also focused on the church and its role in stabilizing the new international order of the Westphalian era. The Westphalian approach to international justice rested on the idea of religious pluralism in terms of a plurality of sovereign states. It was important for Schmitt that the Roman Catholic Church (to which he belonged) recognized sovereign states and their right to declare war and make peace, even if it retained autonomy of doctrinal judgment and independent government. Unlike Schmitt, Rosenstock-Huessy believed that the main role in resolving religious conflicts was played not so much by the arrangements of sovereign states, but by the new organization of society that emerged as a result of the Reformation. This organization consisted of new social forms: the monarch-legislator, the civil servant, the civil authority, and the civil population. Rosenstock saw the separation of the military from the civil service as a kind of continental system of checks and balances that promoted international justice by limiting violence. After a historical and theoretical overview, the paper will analyze why the cultural role of ecclesiastical institutions is still important. Finally, it will be shown that the perspectives of political theology and historical sociology described above form a multi-confessional dialogue. The dialogical reflection on church and politics can be a contribution to the debate on international justice.

Keywords: political theology, Schmitt, Rosenstock-Huessy, law and religion, international relations, ecclesiastical institutions, international justice.

Introduction

In recent decades numerous scholars have pointed to the resurgence of religion as a relevant factor in international politics. This trend has forced many scholars to rethink the relationship between the religious and the secular, both in ideological and institutional terms (Haskell, 2018; Janis, Evans, 2004). It is assumed that religions will continue to be a powerful driver of behavior both in the foreign policy of some states and in the actions of religiously motivated NGOs (Buzan, Lawson, 2015: 295, 317). They also play an important role in the articulation of cultural diversity in the international context (Reus-Smit, 2020). It is an undeniable fact that religious institutions are returning to the

public sphere, but there is still uncertainty about their status in international relations. Religious institutions are seen as both the state's «soft power» and as nongovernmental organizations that interpret values within civil society. Religious organizations can offer mediation in military conflicts, and this activity presupposes relative neutrality. On the other hand, religious leaders have an impact on public debates and the formation of public opinion. They interpret and promote the criteria for justice, both social and international. In addition, religious organizations, both global and national, are expected to mobilize public opinion, to make statements, and to take positions in current socio-political conflicts. This tendency — the mobilization around certain political projects while declaring neutrality — dates back to the Cold War era (Leustean, 2014). Its current stage of development involves the open and public multilateralism of religious leaders, who meet in conferences and councils to discuss concepts pertaining to domestic and foreign policy. It is taken for granted that the moral condemnation of the strategies of war and mediation is naturally inherent in all religious institutions and constitutes their main contribution to public life. Such expectations and demands (which are generally the same for all) contribute to the already rapidly progressing processes of homogenization of the global religious space, the destruction of local cultural and historical areas, the transformation of religious life along state borders and interstate alliances. All this leads to reflecting on the future of state-church relations in the context of international justice.

The article aims to reflect theoretically on this phenomenon, drawing on the political theology of C. Schmitt (1888-1985) and the historical sociology of E. Rosenstock-Huessy (1888-1973). Both were prominent jurists in Weimar Germany, whose paths diverged dramatically in 1933, when they took opposite positions (supporting Nazi policies and criticizing them in exile). Both may be united by the fact that, as jurists, they wrote on ecclesiastical matters and thus stood out from the general secular trend of the social sciences of their time. With regard to the development of international law, they shared the view of the State as a restraint on war and appreciated the role of the Church in stabilizing the new international order of the Westphalian era.

Carl Schmitt has become a standard reference in writings on modern political theory. Despite his collaboration with the Nazis, many contemporary scholars believe that his theory can be deconstructed by extracting its purely scientific, political, and legal content. Out of this deconstruction emerges the discussion of the interpretation of Schmitt's own positions, including the relevance of his own religious views and ecclesiastical experience. There is an immense bibliography on Carl Schmitt's political theology, but there are not many works on how he understood the role of the ecclesiastical institutions in international politics in the context of his own relationship to the Church (Dahlheimer, 1998; Fox, 2017; Mehring, 2016).

Rosenstock-Hussey, a legal scholar, historian and sociologist, is less well known today than Schmitt. Born in Berlin to a non-observant Jewish family, the son of a banker, he converted to Christianity and joined the Evangelical Lutheran Church at the age of 17. He studied law and received his doctorate from the University of Heidelberg in 1909 at the age of 21, after which he taught at various universities. He was an officer in the German

army during World War I, on the Western Front near Verdun, and it was this experience that led him to re-examine the foundations of liberal Western culture¹. He then pursued an academic career in Germany as a scholar of medieval law, which was interrupted by the rise of Nazism². In 1933 Rosenstock-Huessy and his family left for the United States, where he began a new academic career. Famous in German academic circles, he was invited to Harvard, but his approach seemed too «theological» for Harvard's social science department. In 1935 he began teaching social philosophy at Dartmouth College, where he remained for the rest of his academic career until 1957. Rosenstock-Huessy's German historical writings were not translated into English and when he came to the United States he was no longer a professional legal historian. He remained an interdisciplinary social thinker³, who interpreted European history as the unfolding of tensions within Christianity (Roy, 2016). While his ideas were framed in the context of a universal history, he preferred to present himself as a sociologist (Rosenstock-Huessy 1956, 1958).

Schmitt and Rosenstock-Huessy had a brief period of collaboration in 1930-1931. They worked together on the revision of Rosenstock's book⁴. Rosenstock-Huessy, who moved to the U. S. in 1933, «was bitterly disappointed by Schmitt's support of the Nazis and he believed Schmitt was a survivor who had sold his soul; «The Talleyrand of Hitlerism» as he called him one occasion» (Cristaudo, 2012: 170). Meanwhile, the fact that two such different thinkers, one a Catholic who did not belong to the Catholic intellectual circles of his time, and the other a Lutheran of Jewish origin, found themselves in Germany in 1930, if not friends, then certainly like-minded scholars in matters of legal theory and history, seems crucial to a better understanding of them both. Schmitt and Rosenstock-Huessy emerged from the aftermath of the First World War lamenting the loss of Germany's full political sovereignty after the Treaty of Versailles and the reduction of German life to an exclusively economic problem. Their political thought had theological roots, but they avoided bringing morality and politics too close together. Both formulated the differences between political, legal, moral and economic thought in a way that combined

1. He began this work in the 1910s, together with his friend Franz Rosenzweig (1886-1929) (Rosenstock-Huessy, 2011).

2. Mohler's classic study of the Conservative Revolution in Germany (1918-1932) sees Rosenstock-Huessy as a «special case» (Mohler, Weissmann, 2005 [1950]). On this occasion, Roy remarks: «Indeed, what figure is less typical of the Conservative Revolution, largely dominated by neopagan or antihumanist tendencies and historicist assumptions, than Rosenstock-Huessy? One may wonder why this pioneer of Jewish-Christian dialogue even figures in the Conservative Revolution's canon, beyond sharing its main publisher (Eugen Diederichs)» (Roy, 2022: 63-64).

3. Cfr. «A brief list of some of his correspondents is indicative of the quality of minds with which he directly engaged: Carl Schmitt (whom he never forgave for his Nazism), Lewis Mumford, Reinhold Niebuhr, Alfred North Whitehead, Paul Tillich, Jacob and Susan Taubes, Hans Urs von Balthasar, Carl Friedrich, Karl Löwith (whom he particularly disliked), W. H. Auden (who wrote the Preface to his *I Am an Impure Thinker*), Helmuth von Moltke (whom he taught) and Helmuth's widow, Freya (who would become his companion after the death of Margrit Huessy), Sabine Leibholz (the twin sister of Dietrich Bonhoeffer), Carl Zuckmayer and Hermann Rauschning» (Cristaudo, Fiering, Leutzsch, 2015: 1).

4. From this collaboration remain the entries in Rosenstock-Huessy's diary, the layout of his book on revolutions with Schmitt's corrections («Die europäischen Revolutionen und der Charakter der Nationen»), and the reference to it on the first pages of «The Nomos of the Earth» (Schmitt, 2003: 59n).

literary expressiveness with extraordinary historical erudition. Although a comparison of the contributions of these two legal scholars would seem obvious, given the many points of overlap, it has not yet been made, largely because they were estranged from each other after 1933 and both experienced periods of oblivion at different times in the second half of the twentieth century⁵.

In this article, I compare the political theology of C. Schmitt and the historical sociology of E. Rosenstock-Huussy not as integral projects, but only in the part concerning the Church or Christian ecclesiastical institutions in the process of the evolution of public law between two key events for international justice: from the Peace of Westphalia in 1648 to the Treaty of Versailles in 1918. This comparison between two great thinkers and historians of law will be made in the light of the problems facing the international community today.

The Universalism of the Church and the «Elasticity» in Politics

Since the Peace of Westphalia in 1648, the unity and universality of the Western Church has been challenged by the plurality of sovereign states. Before that, the Church had been shaken by conflicts and schisms, but with the advent of sovereign politics, the issue took on a whole new resonance. In their military and peace treaties, Christian nations became independent of ecclesiastical authorities, although the latter continued to play an important role in the Westphalian international order. At the same time as the plurality of states, confessional pluralism also took shape. It is well known that the Treaty of 1648 was based on the recognition of three confessions: Catholicism, Lutheranism and Calvinism, whose coexistence shaped the political culture of classical Europe in the 17th and 18th centuries (Shaunu, 1966). The Catholic Church, in the form of reformed Tridentine Catholicism, was an important institution that united half of Europe (preserving common standards of culture and justice) but had a universal view of its mission that was inseparable from the politics of the time.

In the essay «Roman Catholicism and Political Form» (1923), Carl Schmitt supports the Catholic Church's claim to universality and describes it as a political institution *par excellence* (Schmitt, 1996). This essay made him famous as a Catholic apologist. It seems important, however, to emphasize that, although Schmitt was associated with conservative Catholic thought, he criticized the romanticism of the «ultramontanists» and sympathized with the earlier classical era in the relations between Church and State. Classical European Catholicism did not enter into «agonistic» (competitive) relations with

5. There are two recent exceptions to this rule (Leutzsch, 2011), (Möckel A., entry 01.10.2023). In general, by the time Schmitt was overtaken by academic interest and recognition, Rosenstock-Huussy was remembered only within a narrow circle of his students and family. Even here there were notable exceptions. Although there were no full-fledged comparisons, there were mentions of Rosenstock-Huussy among those who were influenced by Schmitt. Helmuth Schelsky (1912-1984), a sociologist, wrote a review of Rosenstock's book «Sociology» (in which he emphasized the author's very subjective views) (Schelsky, 1959). Reinhart Koselleck (1923-2006) used the example of Rosenstock-Huussy's description of political language and revolution as an example in his own work (Koselleck, 1997: 221, n. 97; Koselleck, 1984: 717, 788).

the State (represented by a plurality of states). In the 17th and 18th centuries the Catholic Church recognized sovereign states and their right to declare war and make peace, but it retained the sovereignty of doctrinal judgment and its own independent apparatus of government at two levels — regional (dioceses on the national territories) and universal (in Rome with the corresponding Papal State).

The recognition of a plurality of sovereign states as the international order creates, according to Schmitt, the «elasticity» of the Church when «in European monarchies, it preaches the alliance of throne and altar, and in the peasant democracies of the Swiss cantons or in North America it stands wholly on the side of a firm democracy» (Schmitt, 1996: 4). That is why critics accuse the Catholic Church that its «politics is nothing more than a limitless opportunism» (Schmitt, 1996: 4). Then Schmitt goes on and speaks about «High Church dignitaries blessing the guns of all warring nations; or neo-Catholic literati, partly monarchist, partly communist» (1996: 5). There are two aspects to this «elasticity», as Schmitt sees it. On the one hand, it is a manifestation of the tactics of political coalitions. On the other hand, it is the universalism of the Roman Empire that continues to live in the Church:

«The Roman Catholic Church as an historical complex and administrative apparatus has perpetuated the universalism of the Roman Empire. French nationalists like Charles Maurras, German racial theorists like H[ouston] Stewart Chamberlain, German professors of liberal provenance like Max Weber, a Pan-Slavic poet and seer like Dostoyevsky—all base their interpretations on this continuity of the Catholic Church and the Roman Empire» (Schmitt, 1996: 5).

The fact of continuity in the development of legal tradition leads Schmitt to consider the Roman Catholic Church as the bearer of a special political and juridical mentality that has marked the legal progress of European nations. Describing the papal dogma in terms of the opposition between charisma and office, he sees in the sole authority of the Church an elimination of the contradictions of parliamentarism through the ecclesiastical *complexio oppositorum*. The Pope has a representative role or function as the Vicar of Christ. The papacy is institutional and personal, but «independent of charisma» (Schmitt, 1996:14). As a political institution the Church retains some power in the international sphere, but this power is limited compared to the Middle Ages, and this is the natural development of the principle of universality, according to Schmitt. The limitations of the present intensify eschatological expectations. And it is in this perspective that Schmitt claims that the Catholic Church is a *complexio oppositorum*, which can be described as the antagonism of justice and glory (Schmitt, 1996: 33). This is a reference to the scene of the Last Judgement by the conservative French writer Ernest Hello (1828-1885), in his version of the story by Léon Bloy (1846-1917). The Church is the representative of God's justice, but only temporarily, until the Day of Judgment. It is, therefore, much more a representation of Divine Glory.

The difficult cases of the Church's involvement in military conflicts (including the then recent First World War) have already been highlighted in «Roman Catholicism and Political Form». But such issues, along with the whole concept of the political, have not

yet been properly articulated. In 1923, Schmitt opposes economic or technical rationality to political power based on authority and ethos, but it is only in his later work «The Concept of the Political» (1932) that he makes a significant step forward in defining the political in terms of distinction between friend and enemy (Schmitt, 1976). The political entails the possibility of struggle, conflict and war. Religious institutions can become political because «political can derive its energy from the most varied human endeavors» including «the religious» (Schmitt, 1976: 35). The concept of the political in this work embodies the critique of liberalism. This concept is different from the one contained in «Roman Catholicism». It does not include the eschatology of the Last Judgment. Instead, it presents a different image of judgment in relation to original sin (Fox, 2017). But even here, the quality of «elasticity» is clear when it comes to the Church. The latter is rejected by liberal politics as an institution that restricts individual freedom (along with the State), but it can also become a part of liberal politics (along with commerce) (Schmitt, 1976:70). In any case, liberalism's attempts to avoid the «friend-enemy» distinction by limiting the power of the State and the Church are doomed to failure. Here Schmitt believes that collectivity is impossible without antagonism (Mouffe, 2015). Scholars disagree about whether Schmitt retains the same Catholic view in his works of the 1930s as in those of the 1910s and 1920s (the fact that his political theory may have evolved does not raise objections). Meier argues that Schmitt embraced a Catholic theology throughout his works (Meier, 1998), while McCormick suggests that he abandoned the Catholic position after his excommunication from the Catholic Church (for having a second marriage) (McCormick, 1998; Fox, 2015).

The Place of the Church in the Europe of Sovereign States

The «friend-enemy» distinction is given a new reading in Schmitt's post-war studies, in which the theme of collective antagonism fades into the background⁶. «The Nomos of the Earth» (1950) sees European international law in the 16th-19th centuries as a solution to the problem of war, one that avoids unnecessary bloodshed. The concept of sovereignty was of great importance in this international context. According to Carl Schmitt, since the Treaty of Westphalia in 1648, European states have been regarded as equally sovereign «persons» (Schmitt, 2006: 144). This allowed for a non-discriminatory definition of war as well as the distinction between the terms of «enemy» and «criminal»: «Through a consideration of this new spatial order of the earth, it becomes obvious that the sovereign, European, territorial state (the word "state" is always understood in its concrete historical sense as characteristic of an epoch from about 1492 to 1890) constituted the only ordering institution at this time. The former bracketing of war overseen by the church in interna-

6. This article omits discussing at depth the 1938 book «The Leviathan in the State Theory of Thomas Hobbes: Meaning and Failure of a Political Symbol». «Leviathan», which could be seen as a dialogue between Schmitt and modern political philosophers and deserves a detailed treatment that goes beyond the chosen topic (Schmitt, 1996a). In short, Schmitt's contemplation of the church beneath the sovereign's hand on the title page of «Leviathan» prompted him to reflect on the Church's position under absolutism, as well as on the divide between law and morality, faith and confession (*fides* and *confessio*).

tional law had been destroyed by religious wars and creedal civil wars. Its institutional power of creating order obtained only as a *potestas indirecta*, while the union of political spatial order and the organizational form of the state were based on the astounding fact that for 200 years a new bracketing of European wars had been successful, because it again had become possible to realize the concept of a *justus hostis*, and to distinguish the enemy from a traitor and a criminal in international law. The recognized sovereign state also could remain a *justus hostis* in wars with other sovereign states, and war could be terminated with a peace treaty, even one containing an amnesty clause» (Schmitt, 2006: 148).

The Church was present on the land of the European continent even before modern states began to draw their borders. Respect for such an inherited order of things ensured the stability of the modern system, despite the sovereign right to war and the unstable borders:

«But, in reality, strong traditional ties — religious, social, and economic — endure longer. Thus, the *nomos* of this epoch had a completely different and more solid structure. The concrete, practical, political forms, arrangements, and preconceptions that developed for the cohabitation of continental European power complexes in this interstate epoch clearly demonstrated that the essential and very effective bond, without which there would have been no international law, lay not in the highly problematic, voluntary ties among the presumably unrestrained wills of equally sovereign persons, but in the binding power of a Eurocentric spatial order encompassing all these sovereigns» (Schmitt, 2006: 48). Thus, for the state, the recognition of ecclesiastical ties which already «burden» the land that becomes its territory is a factor of stability of the *nomos*. For the Church, the recognition of the State — represented empirically by a multitude of states — is a consequence of experience of religious wars. It was the states that put an end to what Schmitt calls the «European Civil War» during the Reformation. States «ended the European civil war of churches and religious parties, and thereby neutralized creedal conflicts within the state through a centralized political unity» (Schmitt, 2006: 128), when sectarian intolerance demanded war to the last living «heretic».

Schmitt believed that war is not the content, but the *precondition* of politics, because it is a condition of seriousness or, in other words, the framework of a serious decision (Slováček, 2014: 160-161). War is inevitable, but it should not be absolutized or turned into a religious duty: «The significance of the state consisted in the overcoming of religious civil wars, which became possible only in the 16th century, and the state achieved this task only by a neutralization» (Schmitt, 2006: 61).

Within the modern order of international law the Roman Catholic Church has maintained its own state on the Italian peninsula as the backbone of its historic central bureaucratic apparatus and diplomacy. However, it claims neutrality that is different from that of states such as Switzerland or Belgium, because it is not territorial neutrality, but neutrality «to the affairs of states». Moreover, the Church distanced itself from the problems of the occupation and «as a result of the religious tolerance of enlightened absolutism, after

the 18th century church relations also largely remained undisturbed by a change in sovereignty» (Schmitt, 2006: 201). By maintaining its ties under all configurations, the modern Church demonstrates the relativity of sovereignty applied to territory, to the land.

It is noteworthy that the theme of the Church's specific relationship to the land runs through Schmitt's works throughout the years. It appears as early as 1923, when he ponders how the Church can sustain itself in the modern era of capitalism and argues that it needs selective alliances: «Catholicism will continue to accommodate itself to every social and political order, even one dominated by capitalist entrepreneurs or trade unions and proletarian councils. But accommodation will be possible only if and when economically based power becomes political, that is, if and when capitalists or workers who have come to power assume political representation with all its responsibilities» (Schmitt, 1996: 24), but even better with «the states in which the landed nobility or peasantry is the ruling class» (Schmitt, 1996: 25).

The arbitrariness of the decisions of the new multilateral order, in Schmitt's view, contradicts the Church's intimate relationship with the earth/land. A fierce critic of the Paris Peace Conference and the League of Nations, Schmitt had little to say about the contemporary ecclesiastical diplomacy aimed at preserving the Church's presence in the new post-World War I international order (the Versailles system). This historical context, in which «Roman Catholicism and Political Form» was written, will be described in more detail below. Pope Benedict XV (1854-1922), who was elected by the conclave in the first months of the First World War, openly condemned it. He immediately proclaimed the neutrality of the Holy See and attempted to mediate peace from this perspective in 1916 and 1917 (Pollard, 1999: 80), but the warring parties rejected his initiatives. The Pope wanted to be a mediator, he wanted the Papal Nuncio to be present at the Versailles Conference (as he had been at the Westphalian meeting), but since the «Roman question» was still unresolved, Italy categorically rejected this demand. Pope Benedict XV considered the consequences of the Great War to be disastrous for the Catholic Church. Nevertheless, the Roman Church recognized the territorial decisions of the Versailles Conference and, with the efforts of the new nuncios, began to build a new union of Catholic nations. In addition, representatives of the Catholic Church actively participated in various international humanitarian initiatives under the new Versailles-Washington order (Amorosa, 2022).

All of Rome's turbulent activity after 1917 finds no response or positive evaluation in Schmitt's 1923 apology for the Church («Roman Catholicism and Political Form»). His inspiration for Catholicism was based neither on the Church's presence in international humanitarian organizations, nor on the development of Catholic associations (an alternative to «atheistic socialism», proposed by Pope Leo XIII). In fact, Schmitt's thought is far removed from the ideas of other Catholic intellectuals of the time who would later provide the ideological basis of *Christian democracy* (such as Romano Guardini (1885-1968), Jacques Maritain (1882-1973), and Luigi Sturzo (1871-1959)). There may be reasons to believe that he deliberately stayed away from these circles. One may assume that, first, he was aware of the risks of «ideologizing» the Church's position and, second, he be-

lieved that papal mediation in international conflicts was a phenomenon of the past, a remedy from the era of dualism between the Pope and the Emperor. It was relevant before the emergence of the territorial state. A return to medieval categories in such a complex modern issue would either be a vicious circle, taking politics back to the eve of the explosion of religious wars, or merely a romantic historical performance. Although Schmitt said that «The Catholic Church is the sole surviving contemporary example of the medieval capacity to create representative figures: the pope, the emperor, the monk, the knight, the merchant» (Schmitt, 1996: 19), he had no romantic nostalgia for the Middle Ages⁷. In his conservative Catholicism, the 18th and 19th centuries were seen as an irreversible stage. His hope for a *katechon*, a restraining force, was linked to the secular state (Rasch, 2004: 43).

Rosenstock-Huessy on the Reformation and the New Civil Order

Unlike Schmitt, Rosenstock-Huessy believed that the main role in overcoming the European wars of religion was played not so much by the arrangements of sovereign states as by the new organization of society that emerged from the Reformation.

The German-American legal scholar was not alone in reflecting on the historical contribution of the Reformation to political and legal progress in the first half of the twentieth century (the period of increasing secularization). Among his predecessors were Rudolph Sohm (1841-1917), Max Weber (1864-1920) and Ernst Troeltsch (1865-1923). The famous legal historian Sohm (with whom Eugen Rosenstock worked at the Faculty of Law of the University of Leipzig in 1912-1914) was known for his studies of early Christianity, Roman and German law. His idea that in church history the charismatic principle of organization was replaced by a juridical order (Sohm, 1892, 1923) had a great influence on a number of his contemporaries, including Max Weber. The latter, after studying the Protestant communities of North America, formulated his thesis on the role of the Reformation in economic progress (expressed in socio-political forms) in the articles of 1904-1906 (Weber, 2014). Ernst Troeltsch, theologian and historian, also emphasized the importance of Protestantism for the emergence and development of the modern world (Troeltsch, 1912; Troeltsch, 1925) in close reference to Weber's theses (Dmitriev, 2022). Thus, Rosenstock-Hussey offers his reading of the Reformation history in the light of these earlier discussions, but through the prism of the new experience of the world war⁸. He is therefore primarily interested in how the political culture of Protestantism was historically able to withstand the inexhaustible bloodshed of the «war of all against all» (and not in how it solved the problems of social liberalization, which were the direct concern of both Weber and Troeltsch).

7. On this occasion, Gray reproaches Schmitt for paying attention to the attempts of neo-medievalism to raise the question of moral authority in international law independently of politics in the 1920s (something the Pope could express) (Gray, 2007).

8. He was an innovator in this approach. It was only after the Second World War, with its experience of total social mobilization, that historical science began to formulate the question of «war and society» (Anderson, 1998: 5).

Rosenstock-Huessy's historical-sociological approach to the impact of the Reformation could be summarized by the term *Revolution*. He saw the Protestant Reformation as the second great revolution in Europe after the Papal one in the 11th century. The scholar considered the entire second millennium as an era of revolutionary aspirations. This period began with the Roman Revolution of the Catholic Church under the rule of the Papacy against the power of monarchs and feudal lords. Later, the «chain of revolutions» continued with the Reformation in Germany, the Puritan Revolution in England, the American Revolution, the French Revolution and finally, the Russian Revolution. The Bolshevik Revolution in Russia coincided with the World War and was the last possible revolution. He saw religion as the most important key to understanding social evolution and reform, while he found theology too abstract. That is why his ideas were placed in the context of a universal history and his most important book in the interbellum period was «Out of Revolution: Autobiography of Western Man»⁹ (Rosenstock-Huessy, 1938). After the Second World War, he outlined his system of social thought in the book «In the Cross of Reality», in which he called himself a sociologist, although at the center of his sociology was the Christian cross¹⁰ (Rosenstock-Huessy, 1956, 1958).

The term «revolution» as applied to sixteenth-century European history means that the Reformation was not just a theological dispute accompanied by institutional revisions. It changed the world, creating new relationships between political and ecclesiastical authorities, between Christian states and ultimately between individuals and society. The social transformation was carried out by both religious and secular figures within the same movement¹¹. A constant polemical reminder follows from this approach: «modernity» began with the Reformation (and not with the Renaissance). Periodization «proves the universal scope of the German Reformation. Our division of the Christian era into the darkness of the Middle Ages and the light of modern times is a Protestant creation. Luther's followers were bold enough to begin a new era» (Rosenstock-Huessy, 1938: 362-363).

Rosenstock-Huessy noted that the German Reformation led by Martin Luther and the German princes gave rise to a universe of new political and cultural forms. The eclipse of Roman ecclesiastical law made the introduction of civil law a matter of concern for sovereign princes. This led to the birth of a new public law and a new ethics of public service. The idea of equal civil law for all subjects throughout the territory of the state

9. The American edition quoted here is the revised translation of a German edition (Rosenstock-Huessy, 1931).

10. The title refers to the famous book «The Star of Redemption» (1921) by his friend Franz Rosenzweig.

11. Cfr. «Formally, it is easy to show what the Reformation has in common with the later revolutions. As in the others, the first period is one of upheaval. The second is a time of carelessness and arrogance, which leads to deep humiliation and abasement. Furthermore, the problem of a double start, a two-fold beginning, is very clear in the German Reformation, because Luther's religious movement and the political moves of the German princes are distinct and separate. The monk, Luther, dominated the public scene from the sensational moment when he nailed up his theses against indulgences and papal securities in 1517, up to the equally sensational event of his marriage in 1525. In that same year the princes themselves became reformers during the war against the inflamed and fanatical villagers, and remained so until the peace of religion in 1555» (Rosenstock-Huessy, 1938: 364).

was an innovation at the time. Finally, while the duty of a Protestant ruler was to maintain order for all citizens, the Reformation abolished the traditional view of man as a warrior first and a peaceful citizen second. Rosenstock-Huessy saw the separation of the military from the civil service to be a kind of continental *system of checks and balances* that promoted international justice by curbing violence: «The High Magistrate, when he created a civil law and a civil service, separated his generals from his civil servants and made them generals pure and simple, without any claim to be made governors, either then or later. How strange and surprising this division of labour was and is, is shown by the lives of George Washington, the Duke of Wellington... So natural is it for a nation to entrust political leadership to a successful general. But the Reformation abolished this confusion. From Luther's time down to 1880, ordinarily no German general was invested with civil power! Hindenburg was a great exception to the rule. German militarism consisted in the strict exclusion of generals from politics. This cardinal contribution of Germany to democracy and civilization was not adopted by the democratic countries» (Rosenstock-Huessy, 1938:373).

For Rosenstock-Huessy the Lutheran form of government was as important for legal progress as English parliamentarism or French democracy. The Reformation concentrated its efforts on the democratization of the Church, thus opposing the evil of unjust and bad government. Here Rosenstock-Huessy indirectly disagrees with Troeltsch and Weber, who contrasted the democracy of Calvinist communities with the patriarchal Lutheran monarchies (Dmitriev, 2022). Harold Berman (1918-2007), an American lawyer, who had been a student of Rosenstock-Huessy in the late 1930s, developed his idea by combining both Lutheran and Calvinist perspectives: «The Lutheran... and the Calvinist doctrine... led inevitably to what from Protestant perspectives was the spiritualization of the secular. In Protestant countries large parts of the spiritual law of the Roman Catholic Church were appropriated and transformed by the secular power and administered not by the clergy but by the laity» (Berman, 2003:369-370). The political world, created by «the spiritualization of the secular», existed for more than 400 years until it came into crisis in the face of increasing secularization.

Rosenstock-Huessy on Militarization as an Expression of Spiritual Crisis

According to Rosenstock-Huessy, the system of checks and balances developed in the German states between the 16th and 18th centuries included both the separation of civil and military administration and the balance between state and church authorities. The church in this argument is the Reformed Evangelical Church of the Protestant states, which became an important institution of civic life and *civilization*. Comparing Luther as a political thinker to Machiavelli and Bodin, Rosenstock argued that the German preacher «really saved the world from fascism» (Rosenstock-Huessy, 1938: 406) by offering a balance (and only in this balanced form a recognition of sovereignty) between the monarchy and the Protestant Church. He notes that the political thought of Bodin and Machiavelli exclude the Church from political discourse. Bodin's ideas of sovereign-

ty were developed with no recognition of the role of the Church in any balance with the monarchy, while Machiavelli wrote about the struggle of tyrants for power when the moral authority of the Pope was in decline.

The difference between Rosenstock-Huessy and the later systematization of Martin Luther's political doctrine in the form of the 'Two Kingdoms theory' («Zwei-Reiche-Lehre»)¹², is that he places the individual (not the institution) at the center. Those who reconcile the duty of a loyal citizen and subject of a Christian state with the ecclesial duty implied by the «priesthood of all believers» achieve a balance that is expressed in the spirituality of everyday life (Ferrario, Vogel, 2020). This was the reason why independent universities with theological departments became important institutions of religious autonomy in Lutheran monarchies.

The *red line* between military and civil logic, as well as the balance between church and state, almost disappeared in the 19th century, when the importance of independent ecclesiastical institutions steadily declined as the significance of the national police increased. Militarization thus occurs where war is the only alternative to a failed civil order. Even more dangerous, however, was the period of artificial demilitarization of Germany that followed the Treaty of Versailles (1919). Rosenstock-Huessy makes a bold statement by suggesting a correlation between demilitarization and hypermilitarization. He claims that Germany, having lost its regular national army, ended up creating the military corps of the Anti-Comintern Crusade, which was dangerous because of its pseudo-religious ideology. He saw the alternative to the ineffective Treaty of Versailles in a consistent system of international justice, but he felt in the 1930s and 1940s that a generation of *impartial* international officials had not yet been raised and trained for such a system. In the years that followed, as he reflected on the *planetary* society, he came to the conclusion that in the third millennium the economy would unite the world, just as the Church had done in the West at the beginning of the second millennium. However, it is necessary to distinguish between, on the one hand, the economic homogeneous space, and, on the other hand, the world as a place of communication, with the possibility of speech and decentered dialogue. In this human dimension, the world must be organized not as a *universum* but as a *pluriversum*, whose peaceful unity depends on different cultures (Leutzsch, 2011)¹³.

In today's world, Rosenstock-Huessy's message may be understood as a call for intercultural diversity. World wars have raised the question of world unity to preserve peace. Recognizing that in the post-war era humanity would be united by the global economy, Rosenstock believed that economic considerations would not protect against personal national preferences, «block consciousness» and social utopianism that hide behind ide-

12. This systematization is created as a reaction to the relations between state and church in the Third Reich and becomes the subject of internal ecclesiastical controversies from the 1950s onwards, especially in Germany (Beeke, 2021).

13. Andreas Leutzsch compares Rosenstock-Huessy to both Fukuyama and Huntington and shows that his idea of dialogue is inspired by history (which never ends, contrary to what Fukuyama claims). At the same time, Rosenstock-Huessy does not see the *pluriversum* as a threat to Western civilization (as Huntington does) (Leutzsch, 2011).

alism the real problems of the planetary society. Today it is clear that cultural and historical differences are still seen as a conflict and threat in politics even after seventy years of the work of the United Nations. All of the criticisms that have been leveled at the League of Nations can also be applied to the current state of international organizations. And yet the *pluriversum* requires the work of international institutions. And in this work the churches, as living witnesses of history and defenders of culture, can compensate for the abstract nature of the economic projects pursued by international bureaucracy.

Conclusion

The perspectives of Carl Schmitt's political theology and Rosenstock-Huessy's historical sociology can complement each other in a multi-confessional dialogue. Both scholars independently concluded that in the Westphalian era, ecclesiastical institutions, even if they were not allowed to make decisions about war and peace, played an important role in limiting the use of war. This was possible because of their neutrality towards sovereign states. Respecting their individual patriotism, the churches did not have to choose between equally sovereign states. The ecclesiastical solidarity between Catholic and Protestant countries did not make them unbreakable military blocs. The European era of mechanisms designed to limit military conflict ended with the First World War. In the aftermath of total world wars, the problem of a supranational authority to support a peaceful solution became urgent, and new hopes for this kind of authority were placed in international organizations. In the new chaos of the postwar situation, churches also began to seek their place as actors on the international stage. Carl Schmitt was quite skeptical about the church mediating and getting involved in international conflicts. Meanwhile, he believed that the Church retained the very form of the political, without which it was impossible to raise the question of international justice at all. This view resonates with some contemporary assumptions that international justice requires a political rather than an economic dimension (Fusco, Zivanaris, 2021).

Rosenstock-Hussey also believed that modern states and international organizations seek solutions mainly in the field of economic cooperation, but this is not enough for peace and stability. It is essential to preserve the possibilities of communication in the languages of different cultures (*pluriversum*). Like Schmitt, Rosenstock-Huessy was critical of liberal idealism in international relations. However, although he saw revolutions as a disease, he was sympathetic to their results in expanding new liberties. Therefore he insisted that revolution as a paradigm for positive social change in Western civilization emerged in close connection with the theological idea of ecclesiastical reform. Here he differs from Schmitt, who was appalled by the violent anarchy of the revolutionary movement and sided with the consolidated state as a means of restraining lawlessness (*katechon*). In his historical sociology, Rosenstock-Huessy argued that revolutions were always accompanied by wars. Although he did not consider violence necessary, he saw revolutions and wars as an irreversible chain of events, as the apocalyptic «birth pangs». Ultimately, he saw them as conditions that had to be passed through for rebirth, greater harmony and mutual understanding among peoples. The end result is still the construction of a planetary society, already anticipated in symbolic forms by the Church.

A comparative study of these two approaches reveals that even today, when humanity is once again trying to prevent a world war, dialogue on the political influence of the Church can contribute to the debate on international justice.

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Война и церковь от Вестфальского до Версальского мира у Карла Шмитта и Ойгена Розенштока-Хюсси

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Во время войны и в послевоенные периоды религиозные институты часто играли определенную роль в установлении мирных отношений и критериев международной справедливости. Статья теоретически осмысливает этот феномен, опираясь на политическую теологию К. Шмитта (1888-1985) и историческую социологию О. Розенштока-Хюсси (1888-1973). Два выдающихся юриста Веймарской Германии, чьи пути резко разошлись в 1933 г., разделяли взгляд на государство модерна как на средство ограничения войны. Они также отводили особую роль Церкви в стабилизации нового международного порядка вестфальской эпохи. Вестфальский подход к международной справедливости был основан на идее религиозного плюрализма в форме плюрализма суверенных государств. Для Шмитта было важно, что Римско-католическая церковь (к которой он принадлежал) признавала суверенные государства и их права объявлять войну и заключать мир, в то время как культурный универсализм Римской империи продолжал жить в церкви и обеспечивал старые территориальные связи, благодаря которым европейский «номос» имел более прочную структуру. В отличие от Шмитта, Розеншток-Хюсси считал, что главную роль в преодолении конфликтов религиозных войн сыграли не столько договоренности суверенных государств, сколько новая организация общества, возникающая в результате Реформации. Розеншток рассматривал отделение военных от гражданских служащих в государственном управлении как своего рода континентальную систему сдержек и противовесов, которая способствовала международной справедливости путем сдерживания насилия. После исторического и теоретического обзора мы проанализируем, почему культурная роль церковных институтов по-прежнему актуальна и важна. В заключение мы покажем, что описанные выше перспективы политической теологии и исторической социологии формируют межконфессиональный диалог, который может стать вкладом в дискуссию о международной справедливости.

Ключевые слова: политическая теология, Шмитт, Розеншток-Хюсси, право и религия, международные отношения, церковные институты, международная справедливость.