

SI LEX EST, UNDE MALUM? BETWEEN NOMOS AND REDEMPTION¹

Lorenzo CHIUCHIÙ
Accademia della Lingua Italiana di Assisi
scrivi@lorenzochiuchiu.it

RESUMEN:

Este ensayo explora, comenzando desde la *Leyenda del Gran Inquisidor* y a través de la contribución político teológica de Carl Schmitt y de Walter Benjamin, la relación entre *nomos*, redención y mal. Para el *Inquisidor* de Dostoevsky la acción jurídica influye en el Reino –cumple o conduce a ello– gracias al privilegiado nexo que el Derecho mantiene con el tema del mal.

PALABRAS CLAVE:

Walter Benjamin, Carl Schmitt, mal, *nomos*, Derecho, redención, *Kathekon*, Dostoevsky, *La leyenda del Gran Inquisidor*, *Los hermanos Karamazov*.

ABSTRACT:

This essay explores, starting from the *Legend of the Grand Inquisitor* and through the political-theological contribution of Carl Schmitt and Walter Benjamin, the relation between *nomos*, redemption and evil. The aim of this essay is to clarify the metaphysical –or the nihilistic– connection between *nomos* and redemption through the biblical and political meaning of evil. For *Dostoevsky's Inquisitor* the juridical action in the world influences the Kingdom –fulfills it or leads to it– starting from the privileged nexus which the law holds with the theme of evil.

KEYWORDS:

Walter Benjamin, Carl Schmitt, evil, *nomos*, law, redemption, *Kathekon*, Dostoevsky, *Legend of the Grand Inquisitor*, *The Brothers Karamazov*.

¹ I would like to thank Stefania Giombini for the invitation to collaborate with «*Ius Fugit*», and Anna Giannatiempo Quinzio for having pointed out to me to *La teologia politica di san Paolo* by Jacob Taubes as a privileged space for a comparison between Carl Schmitt and Walter Benjamin. Finally, I would like to thank José María Pérez Collados and the editorial staff of «*Ius Fugit*» for their helpfulness.

Act the way angels have to act.
Franz Kafka

Dostoevsky, in the *Legend of the Grand Inquisitor*, tells of the return of Jesus «to Seville, at the most frightening time during the inquisition when every day in the country heretics were being burned at the stake for the glory of God and with magnificent *auto da fe*»².

«He wanted to visit, at least for a moment, His children right there where the stakes of the heretics had begun to crackle. In His immense mercy, He passed once again among men in that same human form in which he passed for three years in the midst of men, fifteen centuries earlier»³.

It is significant that Dostoevsky makes the messiah return at the time when the law of the inquisition is in force; he thus makes it irrupt in which his action interferes –after all, the way it happened evangelically⁴– with a theologico-juridical tradition. A tradition which yearns to bring together the mundane and the supermundane: Christ returns at a time when there rages a law, whose stated intentions are to burn the bodies in order to extirpate evil from the souls. After all, from the canon law⁵ up to the extremism of the *Malleus maleficarum*, it consisted of a law which explicitly put *mundus* in relation to *regnum*.

Or rather, the juridical action in the world influences the Kingdom –fulfills it or leads to it– starting from the privileged nexus which the law holds with the theme of evil.

And it is in making provisions for the death penalty that the theologico-juridical plexus which unites world and kingdom unfolds: as baptism in water channels the newborn into the history of redemption, so baptism by fire –at the stake– would extirpate the sin born of freedom. Therefore «the cardinal Grand Inquisitor had ordered burnt at one time, *ad maiorem Dei gloriam*, almost a hundred heretics»⁶.

All of a sudden, outside of this logic, which from theology preserves an incomplete grounding in this world and which from the law borrows the power of classification and thus of separation, Christ unexpectedly appears: «He appeared in silence, without warning, but here is the strange thing–everyone recognized Him»⁷.

² F. Dostoevsky, 1973, 345.

³ *Ibidem*.

⁴ «This man never stops saying things against this holy place and the law» (Acts 6.13).

⁵ As John Paul II writes in the *Sacrae Disciplina Leges*, in the codex of the *Canon Law*, it is a matter of «laws of the sacred discipline, in order that, in constant Devotion to their divine creator, they would conform well to the salvific mission, which is entrusted to them».

⁶ F. Dostoevsky, 1973, 345.

⁷ *Ibidem*.

From this point forward all the acts of Jesus recounted by Dostoevsky are a repetition, fifteen centuries after the fact, of the soteriological acts which He carries out in the Gospel: He cures and resurrects the dead, or rather he reaffirms the material meaning of redemption as cancellation of pain and of death. Everyone is «attracted to Him by an irresistible force»; everyone says: «It's Him, it's Him», everyone repeats, «it must be Him, it could only be Him»⁸. In His acts, without premeditation, eventual, full of portents, the Kingdom of God is manifest.

II

The law, in the *Nicomachean Ethics*, is «that which can create or preserve, in all or in part, the happiness of the political society» (V, 1, 1129 b1). And happiness, for Aristotle, is the perfect realization of a rational activity. An activity founded on rationality itself and characteristic of the *zòon lògon èchon*, the rational animal of the *Politics*.

Evil would thus be the distancing of the human being, through ignorance or through pride, from his rational essence and from the actions which must reasonably follow from them. Evil, that is, would belong to the sphere of action which does not conform to the rationality proper to the *nomos*.

What is evil for the Inquisitor? What is it for Christ? And what is the law for the Inquisitor (to be able to speak of a law proper to Christ is unfounded)?⁹

For the Christ of the Gospel, evil is fundamentally pain and death. The infraction rendered possible by freedom –sin– seems to be less original than pain: in the Gospel, «pain shows itself to be stronger than sin»¹⁰.

Instead for the Inquisitor, evil arises solely from freedom, which it underlies. He disregards evil as pain, and instead considers the latter to be one of the privileged means of redemption. The torture and death that he inflicts are elevated as *pharmaka*.

The Inquisitor decided what evil means by severing the decisive signified: if the Hebraic *ra'* (translated in the New Testament as *kakia*) also surely concerns the choice between good and evil, or rather the ethical dimension, or in the case of sin, the metaphysical dimension, the signified of evil as pain is nevertheless

⁸ *Ibidem*.

⁹ Christianity «does not even have the equivalent of the properly legal aspect present in other religions and traditions, seeing as it simply adapted Roman law to its needs, integrating it with just as many extrinsic additions. And the matter gains even more significance if one considers how Christianity situates itself between Judaism and Islam, each of which presents, by contrast, a clear emphasis on the legal aspect» (S. Quinzio, 1967, 30).

¹⁰ S. Quinzio, 1999, 46.

just as decisive: from Job, to Ecclesiastes, to the *Eli, Eli, lemà sabactàni*, pain is not redeemable par excellence.

In not depending on choice, it cannot be negated by any alternate choice. As «the evil that God does not want», writes Sergio Quinzio, «it is neither fundamentally “metaphysical evil” nor “moral evil” but “physical evil”»¹¹. Often linked to chance, or to absurd contingencies, pain remains the great enigma of every redemption history. A Christian enigma, since no other tradition entrusts its own meaning to the resurrection of the body¹² and thus links its own truth to the meaning of the pain and death of the body.

For the Greeks and in the *Vedas* –and in general for all the cosmic traditions and religions– the body is corruptible by necessity and, on the contrary, it is foolish to want to attribute to it the importance attributed to it by Christianity.

For Christianity, the enigma of pain and the end of the body leads violently to apocalyptic upheaval. All possible elusions reshape this nexus –undecidable, scandalous, and irrational– between the resurrection of the body as the final meaning of terrestrial pain and the apocalypse as the final meaning of cosmotheandric pain.

For philosophy this nexus is a challenge or a folly, for faith it is a source of hope and anguish; and thus one tends to elude it. The most effective elusion consists of judging pain useful, even providential. Considered as a viaticum, pain would be a sort of maieutic wisdom.

Yet all this is but a judgment of pain: or rather, there is a distance between the painful thing that occurs and the painful thing that is predicated. And yet the extreme materiality of the pain that is taken blindly in the body is instead perhaps the ineffable par excellence. Obviously judging pain to be useless does not arrive at the essential: Jesus cures and resurrects, he does not talk about pain, he does not judge it. The Gospel prohibition against judgement (Lk 6.37) ultimately strikes the strongest theologico-political judgement: that which places the soul’s salvation in relation to sin through the medium of pain itself.

III.

The salvation or damnation of the soul takes its immortality as a presupposition.

Except the idea of the immortality of the *psyché* is more Greek –from the Mysteries to Plato, up through the functional partition of the soul in Aristotle–

¹¹ S. Quinzio, 1997, 131-2.

¹² «And if Christ has not been raised, then our proclamation has been in vain and your faith has been in vain» (1Cor 15.14).

than Judeo-Christian. *Nèfesh* and *ruah*, generally translated as soul, are the vital breath that death annihilates and that are reintegrated at the apocalypse: «But after the three and a half days, the breath of life from God entered them, and they stood on their feet» (Rev 11.11). The soul is not immortal.

But from the Inquisitor's point of view, it is necessary that it be so, since the power over bodies is proportional to the ability –presumed and self-proclaimed– to direct the eternal destiny of souls.

The eternity of the soul –over which the Inquisitor presumes to exercise the power of judgment through the domination of bodies– presupposes a Greek anthropology, not a Judeo-Christian one.

If the soul is immortal, the body –for the Inquisitor as well as for the Greeks– is its corruptible prison.

In the Odyssey, human flesh is *sàrx* which, once abandoned by its *psyché* is destined for decomposition: «The nerves no longer support the flesh and bone, but the violent fury of burning fire undoes them, as soon as life leaves the white bones and the soul drifts, having flown away, like a dream» (*Od.* XI, 219-222). For Plato, the «soul is entirely different in its essence from the body» (*Leges*, 959 a). The «mass of flesh [*ónkos sarkôn*]» (959 c) that is buried is not the true essence of man. We are in a grave that we carry with us and that we call a body, imprisoned in it like an oyster» (*Phaedr.*, 250 c).

And yet, in the Judeo-Christian sphere, the body is not part, but whole –the resurrection concerns the body as the totality of a single man. The evil which strikes the body encompasses the whole man and not, as the Greeks would have it, its corruptible part.

In the Old Testament the equivalents of *sàrx* are in fact *bāsār*, which alludes to individuality, and *shē'r* which refers to transience and creaturality.

In the Judaic understanding, the flesh refers to the human being in its entirety; it is equivalent to the individual mortal creature. It is impossible, the way the Inquisitor would presume, to destroy the body in order to save the soul. The soul is neither pre-existing nor immortal: «The Lord God shapes man with the dust of the earth and blows into his nostrils a breath of life and man becomes a living being» (Gn 2.7). And death annihilates man completely: «You are dust and to dust you shall return» (Gn 3.19). «Your dead shall live, their corpses shall rise» (Is 26.19). In Ezekiel, the «dry bones will be covered once more with sinews, flesh and skin; the spirit will be infused and they will live again» (Ez 37).

Redemption actually concerns the victory over this evil –*ra'*– and does not take over and annihilate *bāsār* and *shē'r*.

What is redemption for the Inquisitor?

IV.

«*Talitha kumi*, rise up girl» says Jesus to the dead girl on the parvise of the cathedral at Seville. And the girl, with the bunch of white roses in her hand, «rises up from the casket, sits down, and looks around, smiling»¹³.

The Grand Inquisitor has no doubts: the messiah has returned. He has Jesus imprisoned not because he considers him a braggart but precisely because he recognizes the messiah. With his first question he almost implores Jesus; he hopes that he is not really face to face with the redeemer: «“Are You, are You?” –but, receiving no response, he adds rapidly– “do not respond, be quiet. And what could You say? I know too well what you can say. After all, You do not have the right to add anything to that which You already said once. Why have you come to bother us? You have indeed come to disturb us, as You well know. [...] Tomorrow I will condemn You and have You burned at the stake, like the worst of the heretics”»¹⁴.

It would seem like a paradox: the theological foundation that sustains the right of the Inquisitor –the apparition of Christ– is refuted in the very name of a right which would become thwarted by it.

So what is crucial here is the institutive act and the will to preserve a law which needs to be detached from its generative principle, or rather needs to displace it. There exists an originary event –the coming of Christ– that establishes the authority of the law (the Inquisitor, being part of the Church, derives authority from the coming of Christ) but, at the same time, the law of the Inquisitor demands that even this event be overthrown as essentially anomic: Christ, whether in the gospel or at Seville, thus irrupts outside of any relationship comprehensible in causal terms, and beyond any law/effect apparatus of law. He redeems beyond the law—in the Gospel he cures and resurrects on the Sabbath, at Seville he resurrects the dead and considers the heretics as his children.

It is thus a threat to the law of the Inquisitor. After all, every law, whether it works to restore a situation held to be originary, or whether it institutes a positive system of order, always operates on a *continuum*: the founding event must therefore always be subsumed to the point of being unrecognizable, or completely expunged from the fabric of the law. The event of Christ’s coming, theologically, is a pleromatic center¹⁵; but from the point of view of the law it is a zero grade, a *vacuum* to be filled immediately with a decision: the Grand Inquisitor must therefore negate every reproposal of that pleromatic center. And since this center is Christ’s freedom, which coincides with the freedom of all mankind, he

¹³ F. Dostoevsky, 1973, 346.

¹⁴ *Ivi*, 347.

¹⁵ Cfr. V. S. Solov’ëv, 1979.

imprisons Christ, just as he imprisons the *airesis*, those who choose, or rather those who make use of the freedom they possess.

To use the categories of Carl Schmitt: the Inquisitor affirms— with a decision that he boasts supreme – the need for a perpetual «commissary dictatorship»¹⁶: a dictatorship which safeguards the order of an effective legislative system (which in the Inquisitor’s case, however – and this is a crucial difference with respect to Schmitt– tends toward redemption).

Or rather: men are free – they have the same freedom as Christ¹⁷ – and they are therefore destined to evil and to unhappiness, unless a law and a «force of law»¹⁸ proportional to their weaknesses secures their salvation.

According to the Inquisitor, their freedom corresponds to sin.

It is said of Christ: «Here is the Lamb of God who takes away the sin [*amartia*] of the world» (John 1.29).

Amartia – as Giovanni Semerano points out in the etymological dictionary *Le origini della cultura europea* – derives, as a privative form, from the Akkadian *amaru* (to gather correctly) and is connected to the Akkadian *barutu* (wisdom which sees the future).

What the Inquisitor imputes to Christ is having believed he removed the *amartia* from the world, when instead he brought it into the world: Christ would have missed the target –redemption, the happiness of mankind– because he would not have foreseen that man’s freedom is incompatible with his happiness.

The law of the Inquisitor thus sets itself up as the administration of *amartia*: hence derives the dialectic or the opposition between *nomos* and redemption.

V.

The Inquisitor’s profound melancholy stems from his powerlessness: he realizes he cannot institute, but only react, oppose, mystify by force. To again make use of Schmitt’s categories: unlike a revolutionary, he knows he is not able to institute a sovereign dictatorship.

If in fact a revolutionary –who maintains his praxis exclusively on the worldly plane– can demolish one order and sovereignly create another (the French or the Russian Revolution), the Inquisitor knows that it will never be possible to erect a sovereign dictatorship. He is a minister, he does not have the power of original choice, since this, the choice of Christ, has origins in worlds that the

¹⁶ Cfr. C. Schmitt, 2014.

¹⁷ Cfr. L. Pareyson, 1995.

¹⁸ Giorgio Agamben retraces the history of the concept in *State of Exception*, from *Dig. De legibus I. 3* («*legibus virtute haec est: imperare, vetare, permittere, punire*») to «force de loi» of the French *Constitution* of 1791, to the *Eichmann’s Gesetzeskraft*.

Inquisitor is ignorant of, worlds in which the essential nexus between choice and effect is unknowable and thus unpredictable for a man. And so, specifically, the causal chain between decision, law and the force of law which ensures the law is respected, is, for the Inquisitor, based on nothing; it cannot hark back authentically to the authority of Christ, but only feign to hold its power: «We corrected Your work and we founded it on the miracle, on the mystery»¹⁹, the Inquisitor says. The correction of the work seeks a terrestrial redemption, but in order to impose it, these need to be adhered to blindly. And thus: authority founded on the presumed knowledge of the mystery and of the miracle, authoritarian force and violence: here, according to the Inquisitor, are the keys to dominating the hearts of men, too weak to bear their own freedom.

So he asks Christ: «Do You have the right to reveal to us even a single secret of the world whence you came? [...] Well, now You have seen them, these “free” men, – The old man adds with a pitiful smile. – Yes, this matter has cost us dearly, –he continues, looking at the other sternly, –but we finally completed it, in Your name. For fifteen centuries we have been tormented by this freedom, but now the work is complete and it has been completed steadfastly. Do you not think it has been completely steadfastly?»²⁰.

The law extirpates a freedom which makes humanity perpetually unhappy; freedom is a curse for the Inquisitor. «Now in fact for the first time (he is speaking, naturally, about the inquisition) it has become possible to think about human happiness. Man was created as a rebel; is it possible for rebels to be happy? You had been warned, –he tells Him, –warnings and counsels were not lacking for You, but You did not listen to the warnings. You refused the one path by which men could be made happy, but fortunately, having gone away, you restored the matter into our hands. You promised us, You confirmed us with Your word, You gave us the right to bind and loose, and You certainly cannot even think of taking this law away from us now. So why have you come to bother us?»²¹.

The law is here a corpus of rules founded on the «right to bind and loose», or rather on the force to bind to a *telos* –terrestrial happiness—and to loose from a freedom which leads to suffering. The Inquisitor appropriates for itself the Petrine power: «whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven» (Mt 16.18). His law *religat*: it decides the destiny of individuals in accordance with a coercion, which, beyond every purely worldly political ambition, longs to be redemptive.

Except the keys of redemption would seem to be something else: «I was dead, and see, I am alive forever and ever; and I have the keys of Death and of Hades» (Rev 1.18).

¹⁹ F. Dostoevsky, 1973, 357.

²⁰ *Ivi*, 348-9.

²¹ *Ivi*, 349.

VI.

Who thus holds the keys, for which doors?

«Sovereign is he who decides on the state of exception»²², Carl Schmitt bluntly writes. Sovereign is he who, starting from a decisive event, from a *katastrophè*, restores the law or creates a new one.

The state of exception is for the law what the *Grenzsituation* is for existence: in both cases an event erupts— revolution or war, in the case of law; grace or anguish, in the case of existence—and dissolves a *continuum*. In both cases, the *telos* is obscured, it becomes incomprehensible.

For Schmitt, the law is born as a result: it is the codification of the deployment, through statutes and decrees, of a decision which responds to a traumatic event.

And thus, in order to understand the genesis of the idea of the Inquisitor's law, it is necessary to approach it as a reaction to the catastrophic irruption of the divine: a more extreme irruption than any other postulated by Schmitt.

In this sense the Inquisitor's project can be compared with Paul's conversion.

Just as the Inquisitor is subjected to the irruption of Christ at Seville, so Paul was subjected to that of the divine voice and light on the road to Damascus. In Paul's case, it is a matter of personal calling—a dimension which I hazard to call existential; in the Inquisitor's case, the dimension is theological, juridical and political: he must confront the fact that the world is recognizing Christ once again.

Here is what happens to Paul: «A great light from heaven suddenly shone about me» (Acts 22.6), says Paul of Tarsus as he recalls his conversion²³. It is as though Paul, in the sudden instant – *exaiφnēs* – is struck («I fell to the ground»), and loses his sight: «Since I could not see because of the brightness of that light, those who were with me took my hand and led me to Damascus» (Acts 22, 9-10).

The irruption of the divine corresponds to a momentary blindness which obscures the old *telos* and does not allow the new one to be foreshadowed. Prior to his conversion, Paul had been a persecutor of Christians: «I persecuted this Way up to the point of death by binding both men and women and putting them

²² C. Schmitt, 2014, 33.

²³ In fact, Paul does not speak of a conversion (*epistrephō* or *metanoēō*), but of a vision (*eóraka*, 1Cor 9.1), calling (*kalésas*, Gal 1.15), revelation (*apokalypsai*, Gal 1.16) and illumination («pros phōtismōn tēs gnōseōs», 2 Cor 4.6). Emblematic in this sense is Caravaggio's *Conversione di San Paolo* (Basilica of Santa Maria del Popolo, Roma) where Paul, unhorsed, with his back on the ground and his arm outstretched searching for help, is blinded. If *epistrephō* e *metanoēō*, give the idea of a movement toward the interior, here what seems more explicit is the succumbing to something, the being stricken, the being constrained to hear and see.

in prison» (Acts, 22, 4): or rather, his *telos* conformed to a now dissolved law of conversion. What is the new *telos* of Paolo? All of the juridico-theological power that he will deploy in his evangelizing is merely his attempt to repossess, to return faithfully to the divine voice that looms above him: the Hebrew *shûb* signifies conversion and return.

The will to return to the undecidability of grace—impossible insofar as it lies beyond any tropism and prevision—is the origin and the deployment of the Pauline law.

What happens to the Inquisitor instead? Not only does he hear the divine voice, but he recognizes Christ. Not only does he encounter a manifestation of God, but God Himself—and nevertheless he refuses Him. His freedom is antichristic in an incomparably more effective manner than that of any heretic. If Paul recognizes in the law the trace of the uneliminable nature of its subordination to the event that generated it, the Inquisitor must extirpate that event as an extreme risk.

It is as though the Inquisitor would ask: if the first coming of Christ justified history as history of redemption and it overthrew the *nomos* of myth—eternal, reflective of the astral movements—, what could His second coming produce?²⁴

Is it not written that the second coming²⁵ of Christ will coincide with the apocalyptic revolution? But the Inquisitor knows he does not hold any power over this new and definitive *telos*. What would remain of his labor and of those who worked for a happiness of man's measure; who imposed a law which would eternally correct the eternal *amartia* of human freedom? The Inquisitor ultimately decides in favor of restoring the mythic power of the law: or better, he decides to feign the law's belonging to the regions of the immutable²⁶.

And yet in the Christian understanding—the horizon in which the Inquisitor is fatally constrained to operate—the apocalyptic shatters every immutable: «Waiting for and hastening the coming of the day of God, because of which the

²⁴ That the first coming of Christ had represented a caesura in the historical continuity is evinced in a banal fashion even by the acronyms B.C. and A.D. It is unacceptable, from the Inquisitor's point of view, that it be a matter of a *Jetztzeit*—the now that discriminates—which designates both the homogeneity of time (chronometry), and the synthetic continuity that achieves fulfillment in the historicist idea of the organic understanding of the ages. But, eschatologically speaking, *spiritus facit saltus*. «For as the lightning comes from the east and flashes as far as the west, so will be the coming of the Son of Man» (Mt 24.27).

²⁵ The prophecy of Hebrews 9.28—«[He] will appear a second time»—is fulfilled in Rev. 12.10: «Now have come the salvation and the power and the kingdom of our God and the authority of his Messiah».

²⁶ The law the Inquisitor is thinking about is a sort of eternal *Corpus iuris civilis*. The Jewish law or rule, *Halakhah*, is the way which leads to God through the *Torah*. Judaism believes that it was God who dictated the *Torah* to Moses atop Mount Sinai: a unique series of 304,805 letters without interruption. The Jewish law belongs to the *Torah* which, according to the Kabbalah, is God Himself.

heavens will be set ablaze and dissolved, and the elements will melt with fire?» (2Pt 3.12).

For the Inquisitor it is therefore about negating the second coming of Christ. His opposition is certainly antichristic from the spiritual point of view –against the freedom of Christ and against that of all men– but because it is fundamentally anti-eschatological. The path to redemption would be impeded by the apocalypse.

He decides to be the *katechon*²⁷, the one who slows down and impedes the revelation and the apocalyptic catastrophe. The reference is to 2Ts (2.6-7): «And you know what is now restraining him, so that he may be revealed when his time comes. For the mystery of lawlessness is already at work, but only until the one who now restrains it is removed».

It is evident that the dostoevskyan Inquisitor is a *katechon* in a peculiar and determinate sense.

In *Thessalonians* the *katechon* prevents evil from overflowing until the irruption of the Antichrist. For Paul the role of the *katechon* is ambiguous in this way: its action is Christic –it opposes the overflowing of evil– and for this precise reason it is also antichristic: preventing evil from overflowing prevents the irruption of the Antichrist and, in giving rise to the apocalyptic war, it would lead to the victory of Christ.

What type of *katechon* is the Inquisitor, rather? His hampering of the Kingdom, by force of his law, impedes the overflowing of anomie—*mystérion tēs ananías* – since he considers the happiness of men to be incompatible with the freedom bestowed by Christ.

And so, the Inquisitor treats Christ as the Antichrist: he would set free the evil of anomie, he would have introduced *amartia*, he would subtract the *telos* from human measure and would lead men to self-destruction.

If, in the case of the *Thessalonians*, anomie favors the Antichrist, in the case of the Inquisitor the *nomos*, by opposing Christ, becomes Antichrist.

And thus by the very fact of being *katechon* the Inquisitor transforms himself into the Antichrist. And the same cannot be said for any other *katechon*: no other *katechon* is opposed to Christ precisely because he recognized him as the authentic messiah²⁸.

²⁷ On the passage, in addition to *Terra e mare* from 1942 and *Nomos della terra* from 1950 by Schmitt, see M. Cacciari, *Il potere che frena* and S. Quinzio, *Mysterium iniquitatis*.

²⁸ In Schmitt's *Roman Catholicism and Political Form*, the Dostoevskyan Inquisitor incarnates one form of the Catholic will to power. Rather, it seems necessary here to underline the katechonic dimension of the Inquisitor who hampers the second coming of Christ. It therefore bears mentioning that the *katechon*, in a Pauline sense, slows down the coming of the antichrist, here negating the eschatological Christ; for the Inquisitor it is a matter of preventing the apocalyptic sphere from interfering with the theologico-political sphere, to the point of dissolving it. The Inquisitor is therefore not simply a politician; he is considered

It is ultimately significant that the Inquisitor's will for redemption becomes explicit through a *nomos* that not only must combat the anomie that precedes the Antichrist, but above all that which Christ manifests. The Inquisitor's *nomos* essentially signifies: control over an inextirpable evil, the theologico-political ability to direct it through the law and the force of the law. The force of the law is a controlled violence which does not extend beyond the boundary traced by the *nomos*.

A point of view that exceeds Pauline eschatology seems to show itself through the Inquisitor. The antichristic unchaining of evil is not only, as Paul teaches, anomic—pure violence. But the apocalyptic irruption of Christ is also violent and anomic—and to this the *nomos* of the Inquisitor opposes itself.

VII.

Zur Kritik der Gewalt, as has been noted, can be translated as a critique of violence, but also as a critique of power. The German language preserves a significant lack of distinction which encompasses both the defense and the annihilation of the law.

Benjamin contrasts the divine *Gewalt*, «which destroys the law, to the mythic *Gewalt*, which establishes and preserves the law»²⁹.

The crucial question is understanding the divine *Gewalt*. Can it be administrated? In a non-apocalyptic dimension, the answer should be in the affirmative. It is a matter of harmonizing, through the *Gewalt*, the ambiguous dialectic between *nomos* and justice. Or rather, «the law claims to exercise itself in the name of justice and justice demands to take place in a law that must be put to work (built and put to work – with force)»³⁰.

It is a matter therefore of harmonizing and administrating a dialectic that, as Schmitt taught, tends to justify itself by means of the theological sphere. But that, as Benjamin shows, decisively refutes the eschatological dimension. *Erlösung* and *Gewalt*, *nomos* and justice: what happens if the theological, juridical and political dimension of these concepts is exposed to the climate of the apocalypse³¹? It is

in a Christocentric sense. His mission amounts to a tragic one: he too—Dostoevsky tells—has been in the desert, he too like the prophets nourished himself on roots; as a hermit loving the creatural freedom bestowed by Christ, he becomes—for faith and for love of men—a strict and consequent adversary of Christ. Perhaps, in the same way that he means to save men from their freedom, he would like to save Christ from Himself and from His love for men: «Once the devil told me: “Even God has his Hell: which is his love for men”» (F. Nietzsche, 1976, 99).

²⁹ *Nome di Benjamin*, in J. Derrida, 1994, 87.

³⁰ *Ivi*, 74.

³¹ «So, because you are lukewarm, and neither cold nor hot, I am about to spit you out of my mouth» (Rev. 3.16).

evidently no longer a question of harmonizing or administrating a dialectic. The administration of the *Gewalt* is impossible in an eschatological dimension, when the *Gewalt* is of Christ on earth. The Christ of Dostoevsky would seem meek, but is resurrecting the dead not a *Gewalt* against the immutability of *physis*? Is it not affirming a beyond-human justice against the naturalness of evil and of pain in *physis*? Is it not destroying *ra'*, the very *ra'* through which the Inquisitor governs? And again: is refuting the universality of the *nomos* which saves from an invariably destructive freedom not *Gewalt*?

«If the mythic violence founds the law, the divine law annihilates it, if the former establishes limits and boundaries, the latter destroys limitlessly, if the mythic violence blames and castigates, the divine violence purges and expiates, if the former threatens, the latter is fierce, if the former is bloody the latter is lethal and bloodless»³².

Once again: The Inquisitor presumes to incarnate the mythic dimension of the law, Christ is the irruption of a redemptive justice that dissolves it.

An irruption that is destined to intermingle with a violence no longer instrumental toward a particular end. The *Gewalt* ceases to be a means—the force of law—as contrasted with the Inquisitor's case, wherein *telos* is the nomic harmony of history.

The apocalyptic *Gewalt* «destroys limitlessly» because it is immanent to a *telos* which despite taking place within history—and closing it—is not comparable with other ends. Or in other words, Taubes writes from a similar perspective, «there is not a simple recourse to theology, but a using it in service of a theory of history, one which, however, is not given as such; rather, it is necessary to think about it as starting from an end: it is necessary to think of the history as starting from the end»³³.

And thus, theology here means apocalyptic messianism. History only actually emerges as history when it enters into the shadow cone of apocalyptic revelation; it concludes with the messianic event.

«The messiah breaks off history; the messiah does not present himself at the end of a development»³⁴.

Or rather, short of reiterating the opposition or the dialectic between a new *nomos* and a new justice, for it to be redemption, it cannot even consist of a perfect *nomos* which would establish, from a certain moment forward, a theoretically perfect justice.

The evil which has occurred, the pain and death of bygone generations would remain that which they have always been: a need to belong to an immutable past.

³² W. Benjamin, 1962, 26.

³³ J. Taubes, 2000, 77.

³⁴ W. Benjamin, 1997, 88.

Lazarus would remain dead; Job would go uncompensated: the cry of Christ on the cross would ring out eternal. Once again: redemption, in the Christian understanding, should concern that evil – *ra' –* which overthrows *bāsār* and *she' r*. But at the same time it implies a *Gewalt* whose boundaries are incalculable. Could the *Gewalt*, for example, in crossing every limit overtake redemption itself?

Certainly if the Apocalypse meant the establishment of a new *nomos*, then this would reenter the sphere of possibilities, not yet expressed but nevertheless virtually possible, of the *nomos*: with one of the infinite nomic constellations being eclipsed, another would emerge. Once more: it would be a question of a mythic *nomos* guided by one of the possible *katechon*³⁵.

Here is why, Walter Benjamin writes, «the messiah does not only come as the redeemer, but as the one who defeats the antichrist»³⁶.

Thus, not the stakes of the Inquisitor, but the «flames that are lit on Judgment Day and which find sustenance in everything that has happened amongst men»³⁷.

Either the redemption fulfills something impossible for every *nomos*—the defeat of evil understood not only as the effect of freedom (sin), but above all as the defeat of actual pain and death and as the transfigured recovery of past deaths and pain—or it becomes mythic in itself, a *Gewalt* instrumental to a worldly power.

BIBLIOGRAPHY

- AGAMBEN, G. (1995). *Homo sacer. Il potere sovrano e la nuda vita*, Torino: Einaudi
- AGAMBEN, G. (2003). *Stato di eccezione*, Torino: Bollati Boringhieri
- BIANCHI, E., CAGNASSO, F., FIZZOTTI, E., MANCINI, S., QUINZIO S., SEQUERI, P. (1999). *L'amore vince la paura, La relazione come benevolenza*, Roma: Edizioni Paoline
- BENJAMIN, W. (1962). *Angelus Novus*, Torino: Einaudi (1.^a ed. 1955).
- BENJAMIN, W. (1997). *Sul concetto di storia*, Torino: Einaudi (1.^a ed. 1966)
- BENJAMIN, W., SHOLEM, G. (1987). *Teologia e utopia*, Torino: Einaudi (1.^a ed. 1980).
- BERDJAEV, N. (1962). *La concezione di Dostoevskij*, Torino: Einaudi (1.^a ed. 1955)
- BERDJAEV, N. (1996). *L'idea russa*, Torino: Mursia (1.^a ed. 1942)
- CACCIARI, M. (2013). *Il potere che frena*, Milano: Adelphi
- DERRIDA, J. (2003). *Forza di legge. Il «fondamento mistico dell'autorità»*, Torino: Bollati Boringhieri (1.^a ed. 1994)
- DOSTOEVSKY, F. (1979). *I fratelli Karamazov*, Milano: Garzanti (1.^a ed. 1879-1880)
- GIVONE, S. (1984). *Dostoevskij e la filosofia*, Roma-Bari: Laterza
- NIETZSCHE, F. (1976). *Così parlò Zarathustra*, Milano: Adelphi (1.^a ed. 1891)

³⁵ Cfr. N. Berdjaev, 1996, e V. Solov'ëv, 1996.

³⁶ *Ivi*, 27.

³⁷ *Ivi*, 76.

- QUINZIO, S. (1967). *Cristianesimo della fine e dell'inizio*, Milano: Adelphi
- QUINZIO, S. (1978). *La fede sepolta*, Milano: Adelphi
- QUINZIO, S. (1990). *Radici ebraiche del moderno*, Milano: Adelphi
- QUINZIO, S. (1995). *Mysteryum iniquitatis*, Milano: Adelphi
- PAREYSON, L. (1993). *Dostoevskij. Filosofia, romanzo ed esperienza religiosa*, Torino: Einaudi
- PAREYSON, L. (1995). *Ontologia della libertà*, Torino: Einaudi
- SCHMITT, C. (2002). *Terra e mare*, Milano: Adelphi (1.^a ed. 1954)
- SCHMITT, C. (2012). *Dialogo sul potere*, Milano: Adelphi
- SCHMITT, C. (2014). *Le categorie del «politico»*, Bologna: Il Mulino
- SCHMITT, C. (1991). *Nomos della terra*, Milano: Adelphi (1.^a ed. 1950)
- SCHMITT, C. (2010). *Cattolicesimo romano e forma politica*, Bologna: Il Mulino
- SOLOV'ËV, V. S. (1971). *Sulla divinumanità e altri scritti*, Milano: Jaca Book
- SOLOV'ËV, V. S. (1996). *I tre dialoghi e il racconto dell'anticristo*, Milano: Marietti
- TAUBES, J. (1997). *La teologia politica di san Paolo*, Milano: Adelphi
- TAUBES, J. (1997). *Il prezzo del messianesimo*, Macerata: Quodlibet