CHARLES UNIVERSITY
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The People's Sovereign

dissertation

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Summary

1. The introductory chapter provides an overview of the research question - namely the relationship between religion and modern democracy - and the literature used in the discussion of the topic. It is first shown that for the discussion of the connection between religion and modern democracy, no meaningful reference can be made to the concept of "political religions", which was developed in particular by Eric Voegelin for the connection between religion and modern totalitarian systems.

On this basis, the concluding part of the introduction states the two central aims of the thesis: in a first step, other concepts (than that of political religion) are to be examined that might be considered for a discussion of the relationship between modern democracy and religion, in particular the concept of civil religion. Since this is not the case, the work turns to a second objective: the question of whether the historical beginnings of modern democracy in Paris in 1789 can instead provide a better answer to the question.

2. The second chapter will therefore examine the question of whether one of various conceptual proposals is suitable for clarifying this connection in a general way. Theological (Rothe, Gogarten, Rhonheimer), legal (Hörnle) and sociological (Durkheim) approaches are presented, but in particular the concept of civil religion and modern nationalism, which has been qualified as the "religion of modernity" for around one hundred years. As a result, none of these proposals is suitable for providing general, i.e. globally generalisable, insights into the relationship between democracy and religion.

3. Instead, it is proposed to turn to the concrete phenomena that accompanied the historical beginning of modern democracy in the spring and summer of 1789. These phenomena were already interpreted by Sieyès in 1789 in a way that has remained powerful to this day - namely as the appearance of a nation declaring itself sovereign. The question of whether this interpretation is convincing from a historiographical point of view is the subject of the third chapter. It must be answered in the negative: the force that emerged as an inspiring and violent force in 1789 could not have been the sovereign nation.

4. As a more convincing explanation of the events of the time, the concept of revelation is introduced in the fourth and final chapter and presented in detail. A closer look at the parliamentary events of 1789 shows that they can easily be interpreted as an event of revelation. The peculiar nature of this revelation and attributes of the power that is revealed (the "people's sovereign"), are presented, and objections are discussed that could be raised against the application of the concept of revelation to the parliamentary events in Paris in 1789. Finally, it is shown that Jean-Jacques Rousseau's contribution, which was in any case essential for the revolutionary events, can be read not only as an intellectual stimulus, but also as a concrete prophecy pointing to the appearance of the people's sovereign.

I. introduction: Aims of the work and literature overview

1. Faith and modern democracy are not mutually exclusive, on the contrary. The President of Senegal, Macky Sall, is asked by journalists from the weekly newspaper "Die Zeit": "Why do you believe in democracy?"[1]. An online marketing platform asks its customers: "Do you believe in democracy?" [2]. In the summer of 2023, a series of programmes on German ARD television said: "When faith in democracy is lost - What still holds us together?"[3] and in November 2023, the Lower Saxony Minister of Culture, Mrs Hamburg, referring to current surveys, stated: "Alarmingly, many people say they no longer believe in democracy"[4].

Faith and democracy are also linked in science. An outstanding example of this is provided by the US philosopher and educator John Dewey (1859-1952), for whom, according to Hans Joas, "a quasi-religious 'faith' in democracy was his lifelong source of inspiration"[5]. For Dewey, democratic politics required a "will to believe"[6].

2. It is therefore a legitimate aim of a study of religion to address the connection between faith and modern democracy or, more generally, between religion and modern democracy.

3. As a first approach, one could try to adopt and, if necessary, adapt concepts that already exist on the relationship between modern political systems and religion. Modern political systems include democracy and socialism. The only qualification of socialism that can be assigned to religious studies in the broader sense is the concept of "political religion". It must therefore be considered whether this concept can possibly be transferred from the one - socialism - to the other modern system - democracy.

The concept of „political religion", which had been widely recognised[7], was coined decisively by Voegelin, but Hans-Joachim Schoeps and Raymond Aron also made significant contributions. The term "political religion" referred to National Socialism and real socialism, but, unlike the concept of totalitarianism, not to the entire political system, but only to its mythological, symbolic and ritual aspect. In this respect, the totalitarian systems, including real socialism, are to be categorised as "religion".

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[1] https://www.zeit.de/politik/ausland/2014-04/macky-sall-senegal; accessed on 20 december 2023.

[2] https://www.redbubble.com/de/i/button/H%C3%B6ren-Sie-nicht-auf-%C3%BCber-Pal%C3%A4stina-zu-reden-von-DarBkaStOre/154010340.NP9QY; accessed on 20 december 2023.

[3] https://www.swr.de/swr2/leben-und-gesellschaft/wenn-der-glaube-an-die-demokratie-verloren-geht-was-haelt-uns-noch-zusammen-swr2-glauben-2023-07-30-100.html; accessed on 20 december 2023.

[4] Parents' Council Conference at the Institute for Religious Education Loccum with Lower Saxony's Minister of Education Julia Willie Hamburg on 14 November 2023, https://www.rpi-loccum.de/; accessed on 20 december 2023.

[5] Hans Joas, „Einleitung: John Dewey – der Philosoph der Demokratie", p. 7-19, 11 in: Hans Joas, ed, Philosophie der Demokratie. Beiträge zum Werk von John Dewey, Frankfurt am Main 2000.

[6] Robert B. Westbrook, „John Dewey und die Logik der Demokratie", p. 341-361, 361 in: Hans Joas, ed, Philosophie der Demokratie. Beiträge zum Werk von John Dewey, Frankfurt am Main 2000.

[7] So Hermann Lübbe (in Lübbe, ed, Heilserwartung und Terror. Politische Religionen im 20. Jahrhundert, Düsseldorf 1995)

4. For various reasons, however, a modifying transformation of the concept of "political religion" for the purpose of applying it to modern democracy is out of the question.

a) Firstly, this concept is part of a historical-philosophical world view with a clear tendency towards apologetics. Voegelin's conceptualisation[8] is based on a comprehensive, emphatically negative secularisation thesis[9]. In this respect, he ties in with the philosophy of the *renouveau catholique*, in particular Jacques Maritain[10].

At the latest since the beginning of the modern era, starting from the Joachimite immanentisation of eschatology in the 13th century, fundamental Christian concepts - Voegelin cites "hierarchy", "ecclesia" and "apocalypse"[11] as examples - were adopted and reinterpreted by the newly centralised territorial states. Alongside Joachim von Fiore, it was Hobbes in particular who for Voegelin emerged as an agent of secularisation and as "*the philosopher of radical immanence*"[12]. In the end, the state had become the church and an inner-worldly religiosity had focussed on another "realissimum" instead of a divine one: "humanity, the people, the class, the race or the state". Voegelin calles this "apostasy from God"[13], and self-deification of man[14]. Marxism, for example, is "the extreme intensification of the medieval experience that draws the spirit of God into man"[15].

Recovery could only be achieved through religious renewal, "whether within the framework of the historical churches or outside them"[16]. A concept of order that is at least close to Christianity is recommended for political communities[17].

b) One may follow this diagnosis or not, but the historical assumptions on which it is based are questionable. Voegelin has been criticised for ignoring the historical context[18] and leaving questions of regime structure unconsidered[19]. However, Voegelin's approach is particularly

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[8] Presented mainly here: Voegelin, Die politischen Religionen, 1993 (1938), pp. 63ff.
[9] According to Voegelin, justice depends exclusively on participation in the unearthly principles of ancient philosophy or the ratio aeterna, see Albrecht Kiel, Gottesstaat und Pax Americana. Zur Politischen Theologie von Carl Schmitt und Eric Voegelin, Cuxhaven 1998.
[10] Dietmar Herz, Der Begriff der „politischen Religionen" im Denken Eric Voegelins, S. 191ff, 196 in: Hans Maier, ed, „Totalitarismus" und „Politische Religionen", Paderborn 1996.
[11] Eric Voegelin, Die neue Wissenschaft der Politik, Salzburg 1959, p. 180.
[12] For Voegelin, Hobbes is "the philosopher of radical immanence", see Oliver Lembcke, Eric Voegelins Kritik der Moderne als Beitrag zur Politikwissenschaft. Ein Vergleich mit Hannah Arendt und ein Nachdenken über Thomas Hobbes, p. 155-170, 158 in: Hans-Jörg Sigwart, ed, Staaten und Ordnungen. Die politische und Staatstheorie von Eric Voegelin, Baden-Baden 2016.
[13] Erich Voegelin, Die politischen Religionen, Wien 1938, p. 63.
[14] Eric Voegelin, Die neue Wissenschaft der Politik, Salzburg 1959, p. 101.
[15] Eric Voegelin, Die neue Wissenschaft der Politik, Salzburg 1959, p. 101.
[16] Hans-Christof Kraus, Eric Voegelin redivivus?, S. 74ff, 78 in: Michael Ley / Julius H Schoeps, Der Nationalsozialismus als politische Religion, Frankfurt am Main 1997.
[17] Daiane Eccel and Bruno Godefroy, Eric Voegelins Theorie politischer Repräsentation, p. 221-238, 235 in: Hans-Jörg Sigwart, ed, Staaten und Ordnungen. Die politische und Staatstheorie von Eric Voegelin, Baden-Baden 2016.
[18] Jürgen Schreiber, Politische Religion, Marburg 2009, p. 140.
[19] Jürgen Schreiber, Politische Religion, Marburg 2009, p. 140f.

difficult to handle from a religious studies perspective due to its unconventional conceptual foundation.

At the centre of the decline described by Voegelin, inspired by Hans Urs von Balthasar and influenced by Hans Jonas ("Gnosis und spätantiker Geist", Göttingen 1934)[20], is the concept of gnosis. Unlike in the case of ancient gnosis, gnosis in Voegelin means self-redemption and the re-divinisation of the world[21]. According to Ottmann's formulation, his concept of gnosis has the tendency to continue to grow like a blob of ink "until it covers the entire modern era from Hobbes to Hegel to Marx"[22]. For Voegelin, "modernity" as a whole is synonymous with the growth of "gnosticism"[23].

The philosopher Hans Blumenberg objected that the modern era, with its triumphant advance of science and technology, did not embody a victory, but on the contrary a second - and this time successful, unlike at the beginning of the Middle Ages - *overcoming of gnosis*[24]. For the philosopher of religion Taubes, Voegelin's general attack on the legitimacy of modernity was too broad, his gnosis formula too generalised to be effective[25].

The term "political religion", which is central to the context under discussion here, also proved to be of little use. Voegelin had extended the concept of religion in the direction of all those political communities which, as inner-worldly particular communities, recognise the equality and brotherhood of all their members, although they may at the same time be sharply anti-church or anti-Christian[26]. According to Voegelin, these inner-worldly communities are characterised by a new, distorted concept of truth, which becomes clear in the establishment of myths for the purpose of affective bonding of the masses.

Lübbe objected that the term "political religion" was misleading, because the totalitarian movements had wanted to bring religion to an end and were therefore not part of religious history, but anti-religions[27]. Another criticism was that Voegelin's concept of religion was descriptive and only served to describe formal analogies between the Christian liturgy and the cult of celebration of totalitarian systems[28]. It is more associative than heuristically founded,

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[20] Klaus Vondung, Gnosis und Apokalypse als Interpretamente der Moderne im Werk von Eric Voegelin, S. 115-134 in: Hans-Jörg Sigwart, ed, Staaten und Ordnungen. Die politische und Staatstheorie von Eric Voegelin, Baden-Baden 2016.
[21] Cf. Henning Ottmann, Geschichte des politischen Denkens, vol. 4, First Part.
[22] Henning Ottmann, Geschichte des politischen Denkens, vol 4, Das 20. Jahrhundert, part 1, Stuttgart 2010, p. 455.
[23] Dietmar Herz, Der Begriff der „politischen Religionen" im Denken Eric Voegelins, S. 191ff, 193 in: Hans Maier, ed, „Totalitarismus" und „Politische Religionen", Paderborn 1996.
[24] Hans Blumenberg, Die Legitimität der Neuzeit, Frankfurt am Main 1966, p. 78,
[25] Jacob Taubes, Vom Kult zur Kultur, Gesammelte Aufsätze zur Religions- und Geistesgeschichte, Aleida and Jan Assmann et al., ed, München 1996, p. 206.
[26] Erich Voegelin, Die politischen Religionen, Wien 1938, p. 22.
[27] Hermann Lübbe, Religion als Modernisierungsgewinner. Politische, kulturelle und existentielle Aspekte, p. 23-41: in Wolfgang Palaver et al, ed, Politische Philosophie versus Politische Theologie? Die Frage der Gewalt im Spannungsfeld von Politik und Religion, Innsbruck 2011.
[28] Hans-Ulrich Thamer, Verführung und Gewalt, München 2004, p. 21.

is "reductionist and monocausally implemented"[29]. Hans Maier, Hannah Arendt[30] and the political scientist Hans Buchheim[31] also expressed their scepticism. Hans Maier argued that Voegelin's concept of religion was too generalised. "From Echnaton to Augustine and Hobbes to the 'political religions', everything was brought under one concept of religion"[32] . Voegelin himself also distanced himself from the term "political religion", not because of its analytical quality, but because he considered the concept of religion to be theoretically unsustainable[33].

c) Finally, a major objection also arises from the subject matter itself. Modern democracy lacks precisely those attributes that, in the case of socialism, suggested a qualification as a "political religion": In view of a far more liberal and generous self-image, it lacks the central mythical, symbolic and ritual foundations of what Voegelin had called political religion.

5. If, therefore, Voegelin's approach to the search for the connection between religion and modern democracy cannot be considered, other relevant, but at first glance less convincing terms and concepts - in particular that of so-called civil religion - must be examined for their suitability to solve the problem. This is the **first aim** of this paper (Section II). To begin with, it can be said that the search for alternative concepts that could plausibly provide a general answer to the question of the religious quality of modern democracy does not lead to a successful conclusion.

6. Instead, a different path must be chosen. The approach pursued here is based on the historicity of modern democracy, on the difference between it and, for example, local, regional or professional self-government. While the latter is a phenomenon in Central Europe that reaches back into prehistoric times without a definite beginning, modern democracy has a precisely definable beginning: the events in Paris in 1789.

The hypothesis is that it is this beginning that can provide information about the religious quality of modern democracy. It is the **second and main aim** of the present work (sections III and IV) to pursue this hypothesis. This approach, focussing on the initial phase of modern democracy, will differ somewhat in its outcome from the previously prevailing interpretation of the revolutionary events. It is based almost exclusively on the testimony of the French parliamentarians in the Estates and National Assembly of 1789.
The argumentation will be presented in outline:

The argument is divided into two parts. After an introduction, which concerns the previous interpretation of the events of 1789, follows the core of the study, a source-based discussion of how the Members of Parliament in Paris, in particular since 17 June 1789 (when the

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[29] Jürgen Schreiber, Politische Religion, Marburg 2009, p. 140, 143.
[30] Jürgen Schreiber, Politische Religion, Marburg 2009, p. 51.
[31] in: Hans Maier, ed, Wege in die Gewalt. Die modernen politischen Religionen, Frankfurt 2000, p. 262.
[32] Henning Ottmann, Geschichte des politischen Denkens, vol 4, Das 20. Jahrhundert, part 1, Stuttgart 2010, p. 457.
[33] Hans Vorländer, ed, Demokratie und Transzendenz. Die Begründung politischer Ordnungen, Bielefeld 2013; Jürgen Gebhardt, Was heißt totalitär? In: Totalitarismus und Demokratie 1 (2004) 2, p. 167-182.

representatives of the Third Estate declared themselves National Assembly) perceived the events in which they participated. By means of parliamentary speeches, the view of the French parliamentarians is to be analyzed, in particular with regard to the question, how the MPs actually understood what was then and later commonly interpreted as the rise of the sovereign nation. In a third concluding part, the thesis that the events of the summer of 1789 in certain respects can be considered a revelation is supplemented by a discussion – also once again – of Rousseau's concept of civil religion.

In detail: In the first part, the prevailing legal and constitutional interpretation of the events that have led to the establishment of People's Sovereignty in France since June 1789 is presented and – following the current historiographical state of research – described as incorrect. According to the dominant interpretation, the actor who proclaimed himself sovereign in 1789 was the modern nation. The influential concretization of this assumption, which comes from the French theologian Emmanuel Joseph Sieyès (1748-1836), is presented at the beginning, as well as the two central historical-scientific findings that contradict it.

First, the fact that the nation that declared itself sovereign in June 1789, namely the modern, egalitarian, comprehensive nation, as such – i.e. as a political and socially integrated being – in contrast to the old elitist, centuries-old French nation, in 1789 just did not exist. But something, that does not exist, cannot declare ifself sovereign. Secondly, historiography turns against the design of Sieyès with the argument, that the modern egalitarian nation, which gradually emerged in the years and decades after 1789, has never been sovereign, and certainly never been an autonomous subject. It was rather an object from the beginning, which was created according to plan, in particular by instruments of a legal and consciousness-political nature, and later has always been the subject of targeted modelling from above („nation building"). So the events of the summer of 1789 cannot be described correctly with the keyword „the nation declaring itself sovereign".

The search for a more convincing description of the events of that time forms the main part of the study and is based on many thousand pages of the "*Actes Parlementaires*" of the years 1789 to 1791, digitized by Stanford University. It becomes clear that leading parliamentarians subjectively perceived their actions early on not as a result of individual reflection, but as the execution of instructions coming from outside, as a mere being pushed by an invisible hand. They had the impression that a previously hidden, superhumanly strong force had emerged in

their imagination and used them to enforce its will aimed at fundamental political transformation.

This situation should be described with the help of a religious-scientific term – revelation. The revelation concept in religious studies is systematically and historically separated from a Christian-theological concept of revelation and is discussed in its components, as well as the objections against its application. This application itself seems plausible considering the counterarguments and it leads to a consistent result. If one understands the events of the spring and summer of 1789 as a revelation, it is possible to identify in particular the attributes of the power (here provisionally called the „People's Sovereign") that emerged at that time: its political omnipotence, its immeasurable superiority over all other political forces, its great power of thought and superior strength of will, thus its quality as a person; also, less dominantly, its venerability and morality.

This interpretation of events also sheds new light on Rousseau's theses on civil religion in his "Contrat social" published in 1762, which is presented in a concluding part. The assumption already expressed by contemporaries that Rousseau had an essential intellectual influence on the revolution can be concretised with regard to the emergence of the People's Sovereign. Rousseau's theory of civil religion presents itself as a preliminary contribution that points to the appearance of the People's Sovereign and can only be understood through him.

7. Five areas were at the centre of the research: the proposals presented so far on the relationship between religion and modern democracy, in particular on American and German civil religion, and on nationalism (a). Secondly, research on Rousseau's concept of civil religion (b), thirdly on the interpretation of the French Revolution, in particular by Sieyès (c), fourthly on the theological and religious-scientific concept of revelation (d) and fifthly, finally, on the actual historical course of the beginning of the revolution in parliament (e).

a) Previous approaches to the relationship between religion and modern democracy: A first focus is on research into recent US-American civil religion. At the centre of this section is a detailed exegesis of the central text: Robert N. Bellah, Civil Religion in America (Daedalus 96, 1967, p. 1-21). Secondary literature is used only marginally:

- Schieder, Rolf. 1987. Civil Religion. Die religiöse Dimension der politischen Kultur. Gütersloher Verlagshaus Mohn, Gütersloh.

- Lübbe, Hermann. 1986b. Staat und Zivilreligion. Ein Aspekt politischer Legitimität. S. 195-220 in: Heinz Kleger/Alois Müller, eds, Religion des Bürgers. Zivilreligion in Amerika und Europa. Chr. Kaiser Verlag. München.
- Voegele, Wolfgang. 1994. Zivilreligion in der Bundesrepublik Deutschland. Gütersloher Verlags-Haus, Gütersloh.

This is followed by a section on the possibility of adopting Bellah's approach in West Germany in the 1970s and 1980s. This discussion is based, among others, on the religious scholar Thomas Hase (Zivilreligion, Würzburg 2001), and the theologians

- Pannenberg, Wolfhart. 1978. Die Bestimmung des Menschen. Vandenhoeck & Ruprecht. Göttingen.
- Jürgen Moltmann, Das Gespent einer neuen ‚Zivilreligion', p. 70-78 in: Moltmann, Politische Theologie – Politische Ethik, Mainz 1984,
- Schieder, Rolf. 1987. Civil Religion. Die religiöse Dimension der politischen Kultur. Gütersloher Verlagshaus Mohn, Gütersloh.

The subsequent discussion of the connection between nationalism and religion is primarily based on:

- Alter, Peter. 1985. Nationalismus. Suhrkamp Verlag. Frankfurt am Main.
- Berghoff, Peter. 1997. Der Tod des politischen Kollektivs. Politische Religion und das Sterben und Töten für Volk, Nation und Rasse. De Gruyter. Berlin 1997.
- Gellner, Ernest. 1983. Nations and Nationalism. Blackwell. Oxford.
- Greenfeld, Liah. 1992. Nationalism: Five Roads to Modernity. Harvard University Press. Cambridge Massachusetts.
- Hastings, Adrian. 1997. The Construction of Nationhood. Ethnicity, Religion and Nationalism. Cambridge University Press. Cambridge.
- Hayes, Carlton. 1929. Nationalismus. Der neue Geist Verlag. Leipzig.
- Hayes, Carlton. 1960. Nationalism: a religion. The Macmillan Co. New York.
- Hobsbawm, Eric J. 1992. Nations and nationalism since 1780. Programme, myth, reality. Cambridge University Press. Cambridge.
- Llobera, Joseph. 1994. The God of Modernity The Development of Nationalism in Western Europe. Routledge. London.
- Schieder, Theodor. 1991. Nationalismus und Nationalstaat : Studien zum nationalen Problem im modernen Europa. Vandenhoeck und Ruprecht Verlag. Göttingen.
- Smith, Anthony D. 2003. Chosen Peoples: Sacred Sources of National Identity. Oxford University Press. Oxford.
- Wehler, Hans-Ulrich. 2001. Nationalismus. C.H.Beck. München.

b) The section on Rousseau's concept of civil religion refers primarily to the source text itself: Section 8 in Book IV of the "*Contrat social*" entitled "*Religion civile*". In addition, the following were taken into account, among others:

- Asal, Sonja. 2007. Der p*olitische Tod Gottes. Thelem Universitätsverlag, Dresden.*
- Fetscher, Iring. 1968. Rousseaus politische Philosophie. 3. Aufl. 1975. Suhrkamp. Frankfurt am Main.

- Glötzner, Matthias. 2013. Rousseaus Begriff der volonté generale. Eine Annäherung über die Theologie. Verlag Dr. Kovac. Hamburg
- Kersting, Wolfgang. 2002. Jean-Jacque Rousseauss ‚Gesellschaftsvertrag‘. Wissenschaftliche Buchgesellschaft. Darmstadt.
- Kleger, Heinz /Alois Müller, eds, Religion des Bürgers. Zivilreligion in Amerika und Europa. Chr. Kaiser Verlag. München.

c) The discussion of the interpretation of the beginning of the revolution that follows Sieyès and is still influential today refers mainly to Sieyès' own writing of January 1789: "*Qu'est-ce que le Tiers État?*" (What is the Third Estate?), and also to:

- Estel, Bernd. 2002. Nation und nationale Identität. Westdeutscher Verlag. Wiesbaden.
- Heller, Hermann. 1927. Die Souveränität. Ein Beitrag zur Theorie des Staats- und Völkerrechts. Walter de Gruyter. Berlin und Leipzig.
- de Jouvenel, Bertrand. 1963. Über Souveränität. Rombach. Freiburg im Breisgau.
- Rosanvallon, Pierre. 2000. La démocratie inachevée. Histoire de la souveraineté du peuple en France. Gallimard. Paris.
- Thiele, Ulrich. 2003. Advokative Volkssouveränität. Duncker & Humblot, Berlin.
- Ziegler, Heinz O. 1931. Die moderne Nation. Ein Beitrag zur politischen Soziologie. Verlag von J.C.B. Mohr (Paul Siebeck). Tübingen.

d) In the section on the theological and then religious-scientific interpretation of the term "revelation", the work is mainly based on the following works, although unfortunately only the English summary of Theodorus P. van Baaren, Voorstellingen van openbaring phaenomenologisch beschouwd (Schotanus & Jens. Utrecht, 1951) could be included due to a lack of Dutch language skills:

- Beltz, Johannes. 1998. ‚Offenbarung‘ als religionswissenschaftliche Kategorie?, p. 209-224, 210. in: Mitteilungen für Anthropologie und Religionsgeschichte vol 13. Ugarit-Verlag. Münster.
- Eicher, Peter. 1977. Offenbarung. Prinzip neuzeitlicher Theologie. Kösel-Verlag. München.
- Eicher, Peter. 1979. „Offenbarungsreligion“. Zum sozio-kulturellen Stellenwert eines theologischen Grundkonzepts. S. 109-129 in: Eicher, ed, Gottesvorstellung und Gesellschaftsentwicklung. München.
- Goldammer, Kurt. 1965. Religionen, Religion und christliche Offenbarung. J.B.Metzler. Stuttgart.
- Herms, Eilert. 1992. Offenbarung und Glaube. Zur Bildung des christlichen Lebens. Mohr. Tübingen.
- Pannenberg, Wolfhart. 1961. Ed, Offenbarung als Geschichte. Vandenhoeck & Ruprecht, Göttingen.
- Rohls, Jan. 2012. Offenbarung, Vernunft und Religion (= Ideengeschichte Des Christentums. vol 1). Mohr Siebeck, Tübingen
- Tillich, Paul. 1970. Zum Problem der Offenbarung, S. 31-81 in: Schriften zur Theologie II. Gesammelte Werke Band VIII. Evangelisches Verlagswerk Stuttgart.
- Waldenfels, Hans. 1977. Die Offenbarung von der Reformation bis zur Gegenwart. Herder. Freiburg Bg., Basel, Wien.
- Waldenfels, Hans. 1982. Offenbarung als Selbstmitteilung Gottes im Sinne des spezifisch Christlichen. S. 13-32 in: Walter Strolz und Shizuteru Ueda, Hrsg., Offenbarung als Heilserfahrung im Christentum, Hinduismus und Buddhismus. Herder. Freiburg, Basel, Wien 1982.
- Ward, Keith. 1994. Religion and Revelation. A Theology of Revelation in the World's Religions, Clarendon Press Oxford.

e) The section central to the present argument is based first and foremost on the parliamentary records of the revolutionary years digitised by Stanfort University:
https://sul-philologic.stanford.edu/philologic/archparl/

In addition, the following works were consulted on the history of the first months of the revolution:

- Aulard, Alphonse. 1901. Histoire politique de la Révolution Francaise. Librairie Armand Colin. Paris.
- Boroumand, Ladan. 1999. La Guerre des principes. Les assemblées révolutionnaires face aux droits de l'homme et à la souveraineté de la nation mai 1789 – juillet 1794. Édition de l'École des hautes Études en sciences sociales. Paris.
- Hamacher, Bernd. 2010. Offenbarung und Gewalt. Literarische Aspekte kultureller Krisen um 1800. Wilhelm Fink Verlag. München.
- Graf Kielmansegg, Peter. 1977. Volkssouveränität. Eine Untersuchung der Bedingungen demokratischer Legitimität. Verlag Klett-Cotta, Stuttgart
- Krause, Skadi. 2008. Die souveräne Nation. Zur Delegitimierung monarchischer Herrschaft in Frankreich 1788-1789. Duncker & Humblot. Berlin.
- Kurz, Hanns. 1965. Volkssouveränität und Volksrepräsentation. Carl Heymanns Verlag, Köln.
- Kurz, Hanns. 1970. Ed, Volkssouveränität und Staatssouveränität. Wissenschaftliche Buchgesellschaft. Darmstadt.
- Kutzner, Stefan. 1997. Die Autonomisierung des Politischen im Verlauf der Französischen Revolution. Waxmann Verlag GmbH. Münster.
- Michelet, Jules. 1931. Geschichte der Französischen Revolution. vol 1. First and second book: Die Ursachen der Revolution und die Ereignisse des Jahres 1789 / Das zweite Jahr der Revolution (1790). Gutenberg-Verlag Christensen & Co. Wien-Hamburg-Zürich.
- Sandweg, Jürgen. 1972. Rationales Naturrecht als revolutionäre Praxis. Untersuchungen zur ,Erklärung der Menschen- und Bürgerrechte' von 1789. Duncker und Humblot. Berlin.
- Schickhardt, Bernhard. 1931. Die Erklärung der Menschen- und Bürgerrechte von 1789-91 in den Debatten der Nationalversammlung. Verlag Dr. Emil Ebering, Berlin.
- Schmitt, Eberhard. 1969. Repräsentation und Revolution. Eine Untersuchung zur Genesis der kontinentalen Theorie und Praxis parlamentarischer Repräsentation aus der Herrschaftspraxis des Ancien Régime in Frankreich (1760–1789). Beck Verlag, München.

II. Approaches to the relationship between religion and modern democracy

Anyone who today identifies democracy and religion (or democracy and God[34]) must expect a justified contradiction. Such an identification is too undifferentiated, and therefore incorrect. Modern democracy is a complex of procedures of filling offices, which is state-framed and today generally based on the general and equal right to vote. Modern democracy is a process for organizing the modern political world, and is therefore not religious in nature, so it cannot be the subject of religious-scientific discussion.

Also in its origin modern democracy is non-religious. The foundation of democracy in France after 1789, which later became the global democratic prototype, was part of a movement that not only politically and organizationally opposed the Christian-Aristotelian order of the old European world, but generally aimed at a displacement of religion from the political sphere. Modern democracy sees itself, since its foundation and until today, as a secular fact, and thus as an object unsuitable for religious studies.

But now, beginning already in the second half oft he 19th century, the thesis of the non-religious nature of modern democracy (1) has been attacked on several occasions. These objections will be presented in the following overview (2), evaluated (3) and supplemented by a reference to my own thesis (4), which aims to identify a small religious core in the French-revolutionary prototype of modern democracy.

1. Starting point: the non-religious character of the modern state

Modern democracy as the political side of modernity positions itself at a more or less clear distance from written religions. These, if necessary with certain restrictions motivated by the ordre public, receive in the modern state the possibility of free activity in the private sphere. There the faith and the sacred have their place, but not in the state, the „home of all citizens"[35]. In the state there is neutrality towards the religious and religious communities[36]. The state places itself above the religions, grants them freedom of activity in a limited, protected space, privileges them if necessary with regard to religious instruction, military

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[34] So Hans-Hermann Hoppe in the title of his book „Democracy: The God That Failed" (New Brunswick 2001).
[35] So Horst Dreier, Säkularisierung und Sakralität, Tübingen 2013, p. 42, cites the German Constitutional Court.
[36] or at most a slight, historically justified preference for Christian religious communities, as in some European countries, including those still organised as state churches; on the variants of state-church law and their genesis, cf. the essays collected in the following volume: Heinz Kleger / Alois Müller, eds, Religion des Bürgers. Zivilreligion in Amerika und Europa, München 1986; or cf. also Angelika Dörfler-Dierken, Luthertum und Demokratie. Deutsche und amerikanische Theologen des 19 Jahrhunderts zu Staat, Gesellschaft und Kirche, Göttingen 2001.

pastoral care etc., but it faces them as a regulator and higher authority. This position is achieved in continuous development, or, as in the case of France, by revolutionary rupture. In France, during the revolution, numerous churches were closed and a new republican calendar was established instead of the traditional calendars[37]. But even where political modernization has been achieved on a more continuous path, the modern state stands for the non-religious, secular power that gives a limited place to its subordinate religions.

The modern state understands this emphatically non-religious position not as historically contingent, but as the logical consequence of a purposeful development which since Renaissance and Reformation, and especially since the Enlightenment and the French Revolution was going in the direction of a separation between politics and religion[38]. The clear contrast between the state and the confession presents itself to the modern state and its representatives as the realization of a process of pacification and liberation that has been achieved for a long time and with great sacrifices, which overcame the war of denominations and later finally released the state from formal religious ties.

In fact, in the 19th century and until the First World War, the concept of secularization was regarded as an emancipation slogan[39]. Karl Eschweiler interprets this process of emancipation, i.e. the connection between political and preceding spiritual secularization, as an expression of a „monistic drive": while medieval man had experienced earthly and natural things in dependence on the heavenly and supernatural, modern man wanted to determine the whole reality as something uniformly natural [40].

Habermas sees this closure of the modern state against the supernatural as one of its most important characteristics. Where the "state will positivism" (Staatswillenspositivismus) of the 19. century had left a loophole for a legal-free moral substance of the state or „the political", now, in modern democracy, there was no longer any reference to a prerogative (i.e. religious, JvW) substance from which the state could draw[41]. The democratic process suffices itself, it

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[37] cf. Inge Baxmann, Die Feste der Französischen Revolution, Weinheim-Basel 1989.
[38] cf. Hartmut Zinser, 14 vorläufige Thesen zur Säkularisierung in: Hans Gerald Hödl, Veronica Futterknecht, ed., Religionen nach der Säkularisierung. Festschrift für Johann Figl, Wien 2011.
[39] Hermann Lübbe 1965, p. 109.
[40] Karl Eschweiler, Die zwei Wege der neueren Theologie. Eine kritische Untersuchung des Problems der theologischen Erkenntnis, Augsburg 1926.
[41] Jürgen Habermas, Zwischen Naturalismus und Religion. Philosophische Aufsätze, 2005, p. 108 ff.

produces its needs from its own resources; a legitimizing reference to a somehow religiously founded morality is superfluous.

This constitutional situation is widely regarded as irreversible. Because of the continuing effects of enlightenment and secularization, there is „no return to the world of unquestioned religious power" [42] (Hartmut Lehmann), or at least there are no forces, "who would like to bear the costs of reversion attempts"[43] (Hermann Lübbe).

The secularization thesis, which forms the historical framework of the assertion of the non-religious democracy, has been repeatedly attacked in recent decades. This applies primarily to its temporal and spatial scope. Hans Joas pointed out that secularization itself in Europe was by no means uniform, but took place in three large waves: in the French Revolution around 1800, as a side effect of the industrialization processes of the 19th century and then following the student unrest in 1969-1973[44]. In France, catholicism grew in the first half oft he 19th century[45], and in Germany the 19th century was regarded as a second "confessional age"[46].

Especially with regard to non-European phenomena, the thesis of the alternative-free and irreversible path away from religion to the secular world can hardly be held. In Asia, for example, the slogan was not „modernization or religion, but modernization plus religion"[47]. Particularly incompatible with the original secularization thesis is the development in North America, where already in the 19th century a "return of religion" took place. Also the Christian uprisings in Africa and South Korea in the 20th century cannot be reconciled well with the thesis of the inevitably non-religious democracy[48].

Peter Berger points out that the process of pluralization brought about by modernization cannot be equated with a decline in religion, and calls for the concept of secularization to be abandoned in favour of the concept of pluralization in the first place[49]. Thomas Luckmann

[42] Hartmut Lehmann, Säkularisierung. Der europäische Sonderweg in Sachen Religion, Göttingen 2004, p. 55f.
[43] Hermann Lübbe 1986b, p. 133.
[44] Hans Joas, Glaube als Option. Zukunftsmöglichkeiten des Christentums, Freiburg Bg. 2012, p. 22f.
[45] Angelika Rohrbacher, „Säkularisierung". Vom Ende eines religionshistorischen Paradigmas, p. 25-42, 28 in: Hans Gerald Hödl, Veronica Futterknecht, ed., Religionen nach der Säkularisierung. FS für Johann Figl, Wien 2011.
[46] Rohrbacher 2011, p. 28.
[47] Hartmut Lehmann, Säkularisierung. Der europäische Sonderweg in Sachen Religion, Göttingen 2004, p. 14.
[48] Hans Joas, Säkularisierung und intellektuelle Redlichkeit, p. 4-7 (in: Neue Gesellschaft / Frankfurter Hefte 4/2011, „Religion und Gesellschaft").
[49] Peter L. Berger, Nach dem Niedergang der Säkularisierungstheorie, Münster 2013, p. 4.

also opposed the thesis that modernity signifies the downfall of religion. Rather, religion only changes its social form ("privatization of religion"[50]). In fact religion, which has long been declared an end-of-life model, still exists today, even in church form. Even the non-denominational believe more than half in God or a higher being[51].

Also Charles Taylor[52] raised objections of a more fundamental nature by arguing against the theoreticians of secularization, for example referring to recomposition (each time produces new forms of religiosity) and sedimentation (continuing presence of the past of religion). The fact that religion continues to exist in the modern age prompted Hermann Lübbe to the thesis that „the process of enlightenment is fundamentally indifferent to the conditions of the necessity of religious culture"[53].

However, these limitations of the secularization thesis do not really concern the assertions of the secularity of modern democracy. Modern democracy's quality as an institution that confronts the Christian religion as a more or less neutral, at least fundamentally non-religious institution, remains unaffected.

2. Objections to this thesis

However, criticism was made not only of the secularization thesis, that is, of a certain description of the social process leading to and accompanying the modern secular state, but also of the interpretation of modern democracy as religiously neutral. This criticism goes deeper: it does not concern the historical genesis of modern democracy, but modern democracy itself - its self-image, its constitutional construction, the question of whether the modern democratic state really is what it claims to be: a non-religious opposite of religion.

a) The modern state as the actually Christian state: Rothe/Gogarten/Rhonheimer

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[50] Thomas Luckmann, The invisible religion, 1967.
[51] Stefan Knobloch, Mehr Religion als gedacht! Wie die Rede von der Säkularisierung in die Irre führt, Freiburg 2006, p. 38.
[52] A Secular Age, 2007. Cf. dazu auch Karl R. Wernhart, Säkularisierung – ein univeraler Trend in den Religionen? p. 43ff in Hans Gerald Hödl, Veronica Futterknecht, Ed., Religionen nach der Säkularisierung. FS für Johann Figl, Wien 2011.
[53] Hermann Lübbe 1986b, p. 131.

An initial, still weak negation of the non-religious character of modern democracy was formulated by some theologians of the 19th, 20th and 21st centuries. These theologians have tried to understand precisely the secularity of modern democracy as the realisation of central Christian faith concerns or even as the fulfilment of Christian-eschatological promise. They have thus gone beyond a philosophy of history orientated towards Hegel, for example, which was content to understand modern systems merely as part of an overarching, divinely orchestrated world history. Rather, they went further and put forward the thesis that political modernity could be qualified as Christian with regard to some of its fundamental characteristics. According to this position, modernity may be secular in its own self-understanding, but in its substance it is Christian. Such a position has been advocated among others by Richard Rothe (1799-1867), Friedrich Gogarten (1887-1967) and Martin Rhonheimer (born 1950).

Rothe's contribution is based on an unconventional assumption of church history: Christian life, which had already been emancipated from the ecclesiastical form by the Reformation, would, the longer the more, find its permanent home not in church, but in the modern state. The church was in a process of secularisation, while the state, on the other hand, was being continuously de-secularised. In his "Theologische Ethik" (1845-48; ThE), Rothe outlines a development in the course of which Christianity will leave its ecclesiastical form behind as outdated and historically finished (§ 293 ThE). The church should faithfully and amicably transfer its initial task of being "the principal organ of the historical effectiveness of the Saviour" to the state as its successor (§ 1169 ThE). For Rothe, the church thus progressively loses its right to exist in favour of the state. This state – i.e. rather a future than the existing state – is the much more suitable institution for the education of piety (note on § 435 ThE). In any case, Christianity is a principle essentially directed towards the state: "It is state-building and carries within itself the ability to form the state and develop it to its fulfilment" (§ 1162 ThE). From the outset, christianity tends beyond the church towards a fusion with the state: "It essentially aims to secularise itself ever more completely" (§ 1168 ThE).

For Rothe, the expected consumption of the church by the state is the result of a moral process. The progressive moralisation of the world makes the church superfluous in the long term. Christian morality diffuses from the church into society. Christianity leaves its ecclesiastical stage behind and enters its moral stage (§ 1018 ThE). Finally, where there is a true state, there is also true Christianity (§ 1162 ThE) and the earthly world sphere is

"absolutely completely filled by God" (§ 453 ThE). Christianity is then completely absorbed into general public morality. Mission is no longer an ecclesiastical task, but a state task, and it no longer aims to spread the Christian religion, but to propagate European civilisation (§1178). Faith in Christ is no longer renewed as an ecclesiastical dogma, but as something that stands "quietly and unpretentiously in the background of the general consciousness" (§ 1168 ThE). The state must make the moral purpose its raison d'être, and for state policy this means that it must take the "absolutely straight path". Even now, writes Rothe, "the arts of lying and deceit are universally worn out; they no longer work because they are as generally recognised as they are despised" (§ 1148 ThE).

Once the state has achieved its goal, "the moral task will be solved" (§ 457 ThE). The development towards this goal does not just begin in the present, but goes back a long way. Rothe gives this process a Protestant-Central European colouring. The path begins with the Reformation. This was not only an improvement of the church, but actually already an abolition of the church, "a breaking out of the church into the realm of the intrinsically moral" (§ 1168 ThE). A second act of self-liberation follows in the modern age, in which Christianity leaves its ecclesiastical stage behind and enters its moral, i.e. its political age (§ 1018 ThE). The modern state of the present is on the way to complete Christianisation, but has not yet reached its final form.

While Catholics in the late 19th century formulated hopes for a future state that would be re-Christianised according to the medieval model below the Church, Rothe placed his hopes in the existing modern state. This state is already a Christian state, and it will become more and more so in the future. There is no longer any need for a church alongside it. For Rothe, the secularised modern state is therefore not something hostile and secular, but precisely the form suitable for Christian substance.

Also the Protestant theologian Gogarten welcomes the secular state[54]. His view of the modern state is also not an intellectual-historical one, but an emphatically Christian one. Gogarten's emphasis is not on morality, as with Rothe, but on freedom. For Gogarten, the main effect of the Christian faith lies in its liberating effect, and this effect allows a positive evaluation of the modern, only apparently secular state. According to Gogarten, the Christian faith liberates

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[54] Friedrich Gogarten, Verhängnis und Hoffnung der Neuzeit. Die Säkularisierung als theologisches Problem, 1953, 2. Aufl 1987.

people from the world. Paul in particular emphasised this point of view: the hostility towards God of the powers that rule the world is the fault of man, who worships the creature instead of the Creator.

In sharp contrast to all previous thinking, the Christian message, together with Gnosticism, then asserted the superiority of man over the world - a superiority that does not mean negation of the world, but responsibility for the world. "Secularisation is about the demand of man's freedom from the world and his mastery over it, which is a consequence of the freedom of the Son over the Father, which is seized in faith and through which the mythical world is replaced by a historical world"[55]. Only Christianity allows the world to emerge in its independence and profanity[56]. The believer is freed by his faith "from his being enclosed by the world"[57]. Gogarten calls this event secularisation: there is no faith "without the secularisation of the relationship between the believer and the world"[58]. For Gogarten, secularisation is therefore a "necessary and legitimate consequence of Christian faith"[59], because only a faith that understands the world as creation can relate to it freely and fearlessly.

As a result, for Gogarten, the world in its modern form is actually a Christian world. The church can recognise and acknowledge this world "precisely in its modern, 'secularised' form as its own"[60]. Gogarten sees the formal detachment of the modern state from Christianity as a "condition and consequence of faith", and this will make it easier for the church - whose continued existence he assumes, unlike Rothe, for the time being - to establish a positive relationship with modernity as a whole[61]. Anyone who "seeks to halt secularisation in the supposed interests of the Christian faith" is therefore acting against the faith[62]. However, Gogarten distinguishes between a welcome secularisation as a "necessary and legitimate consequence of the Christian faith"[63] and a "secularism" of doctrines of salvation and ideologies that is to be rejected.

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[55] Gogarten 1987, p. 103.
[56] Markus J. Prutsch, Fundamentalismus. Das "Projekt der Moderne" und die Politisierung des Religiösen, Wien 2008, p. 95.
[57] Heinz Zahrnt, Die Sache mit Gott. Die protestantische Theologie im 20. Jahrhundert, 1966, p. 175.
[58] Gogarten 1987, p. 145.
[59] Hermann Lübbe 1965, p. 120.
[60] Hermann Lübbe 1965, p. 121.
[61] Hermann Lübbe 1965, p. 121.
[62] Heinz Zahrnt, Die Sache mit Gott. Die protestantische Theologie im 20. Jahrhundert, 1966, p. 176.
[63] Dirk Ansorge, Der Horizont der Freiheit. Säkularisierung als theologisches Postulat, p. 254-277, 261 in Claus-E. Bärsch et al, eds., „Wer Religion verkennt, erkennt Politik nicht", Würzburg 2005.

Summarising Gogarten, Lübbe speaks of a "paradoxical theology of confidence that the word of God will only become audible again in the waning of religious culture"[64]. In a similar vein as Gogarten, also Troeltsch refers to the Protestant churches: when the "nightmare pressure of state churchism" (Staatskirchentum) recedes, this will "restore truth and freedom, life and conviction to the churches"[65]. But Gogarten is less concerned with the church than with faith. Form him, a central concern of the Christian faith is realised in the modern state, and thus this state is in essential respects an unconsciously Christian state.

For Martin Rhonheimer, there is no doubt that the modern state was created in opposition to Christianity and the church and that there is an insurmountable tension between the modern idea of secularity and the essence of Christianity[66], but he asks, more cautiously than Gogarten, whether the process of secularisation that led to the modern state "did not also essentially emerge from the spirit of Christianity". He cites as examples human rights, democracy and religious freedom, and refers in particular to a "historically absolute novelty introduced by Christianity: the separation of religion and politics". The ancient theologians Tertullian and Lactanz, for example, were far from seeing state power as an instrument for promoting or even institutionalising a religious agenda. Rather, they had only demanded freedom and recognition of their equality as citizens from the state and the possibility of not having to participate in the imperial cult.

The later fusion of politics and Christianity was due to a "political Augustinianism" that became effective after the collapse of the Roman Empire, while the secularisation of the political order was due to a considerable extent to the "papal revolution" of the High Middle Ages, which released the political order from the sacred sphere. The revolutions leading to the modern state, first and foremost the French revolution, could be understood as a continuation of the medieval right of resistance aimed at constitutionalism[67]. In general, enlightenment and modernity – „whatever is meant by this and without wanting to deny their specific originality - the 'legitimacy of modernity' (Hans Blumenberg)"[68] – were possible precisely in a civilisation shaped by Christianity. However, Rhonheimer opposes a simplistic reading of the thesis that the modern political culture of the democratic constitutional state has Christian

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[64] Hermann Lübbe 1986b, p. 129.
[65] Zitiert nach Hermann Lübbe 1965, p. 105.
[66] Martin Rhonheimer, Christentum und säkularer Staat. Geschichte - Gegenwart - Zukunft, Freiburg-Basel-Wien 2012.
[67] Rhonheimer 2012, p. 128.
[68] Rhonheimer 2012, p. 352.

roots: "The 'Christian' as such is not a political option, not even for the secular state or even for the democratic constitutional state. To say so would be an exaggeration. The modern secular democratic constitutional state cannot be derived from the substance of Christianity"[69]. At the same time, Rhonheimer demands that the modern state must keep its historical roots present if it does not want to lose its spiritual and moral vitality.

While Rothe and Gogarten each derive the somehow Christian quality of the modern state from a single point of view - that of morality and that of freedom - Rhonheimer's more differentiated approach corresponds to the current state of historiography. In all three cases, however, the modern (possibly democratic) state is not an enemy of Christianity, but a friend and an ally: as the sole and worthy heir of the Christian church (Rothe), as a comrade-in-arms in the defence of the freedom of the individual (Gogarten) or as an unconscious enforcer of central Christian concerns (Rhonheimer). Modern democracy, to a certain extent, is an anonymous Christian.

b) The Modern State as Religion: Durkheim

In his work "The Elementary Forms of Religious Life" (Les formes élémentaires de la vie religieuse, 1912), which is based to a greater extent on early American ethnology[70] and supplements his earlier work "Definition of Religious Phenomena" („De la définition des phénomènes religieux", 1899), the French sociologist and ethnologist Émile Durkheim (1858-1917) formally deals with the "most primitive and simple religion now known", in Australian totemism. However, he actually wanted to formulate statements which concern the religious nature of man as a whole, to reveal an "essential and enduring aspect of humanity"[71]. The reference to the primitive forms of religion serves him as a tool for gaining general insights into the nature of human religiosity, but also into the concrete sufferings of contemporary French society. According to Durkheim's assumption discussed in his "*Le suicide*" (1897), France lacked inner cohesion and "moral density"[72]. With his concept, which was later adopted by various theorists of civil religion, he wanted to change this situation. However, it

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[69] Rhonheimer 2012, p. 385.
[70] Maryanski, Émile Durkheim and the birth of the Gods, p. 168.
[71] Émile Durkheim, Die elementaren Formen des religiösen Lebens, Verlag der Weltreligionen, Berlin 2007, p. 13f.
[72] Tyrell 2020, p. 233.

was criticized not only of its political impetus (he was occasionally accused of "methodological nationalism"[73]), but also of a certain lack of differentiation, as he had attempted to go beyond the Australian case and "hold society and state, cult and moral community, nation and collective feelings, religion and normative commitment together under one roof"[74].

Durkheim assumes that "at the basis of all belief systems and all cults" there is necessarily only "a certain number of basic ideas and ritual acts (...) which have the same objective meaning everywhere and fulfil the same function everywhere"[75]. His central thesis is that religion is an "eminently social matter"[76]. Religious ideas are collective ideas that express collective realities. Rites serve to maintain or restore certain spiritual states of the respective group. The religious ideas that Durkheim has in mind have nothing mysterious, supernatural, extraordinary or unforeseen as a point of reference[77]. Nor does Durkheim's concept of religion require one or more gods. Rather, the decisive factor is the sharp distinction between sacred and profane[78], which finds its application in social reality. There, in the collective consciousness, religion arises when community life exceeds a certain degree of intensity, in the demarcation between the sacred and the profane[79].

For Durkheim, religion is precisely that which unites the community with regard to certain sacred things and finds its expression in certain beliefs and rites[80]. Religion does not refer to a platonic overworld inhabited by gods and having an effect on this world, but takes place only and exclusively in society itself. It is embodied in the ideals that are central to society.

Durkheim ascribes to society the ability to produce, autonomously and spontaneously, a religion directed towards society itself. Society is the "most powerful bundle of physical and moral forces that nature can offer us"[81], and social consciousness is the "highest form of

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[73] Etwa bei Bielfeld, Nation und Gesellschaft, 2003, p. 191ff.
[74] Hartmann Tyrell, Religion und Politik – Max Weber und Émile Durkheim, p. 205-274, 229. in: Krech/Tyrell, Religionssoziologie um 1900, Baden-Baden 2020, with reference to his own statements in: M. Koenig and J.-P. Willaime, eds, Religionskontroversen in Frankreich und Deutschland, Hamburg 2008, p. 126ff.
[75] Durkheim 2007, p. 18.
[76] Durkheim 2007, p. 25.
[77] Durkheim 2007, p. 47ff.
[78] Durkheim 2007, p. 67. With this position, Durkheim opposes the previously prevailing view that religion meant belief in spiritual beings, cf. Knoblauch, Religionssoziologie, 1999, p. 62.
[79] Durkheim 2007, p. 618ff, 648f.
[80] Durkheim 2007, p. 76.
[81] Durkheim 2007, p. 596.

psychic life", which stands outside and above individual and local contingencies and sees things "only in their permanent and essential state, which it grasps in communicable concepts"[82]. This highly exposed society, endowed with such extraordinary abilities, forms its own centre of power[83], which "constitutes its own realm of reality that transcends the individual"[84]. This quality gives it "a 'religious' character, which is, as it were, condensed in the respective social form of religion"[85].

For Durkheim, society is "the actual force of religion"[86]. It creates religion, and at the same time it is the central object of religion, it is "that which is worshipped in religion. It is a spontaneous social product that arises directly and without external preparation or influence from the collective identity of the group. It is what is elevated into the realm of religious symbols, prohibitions, feelings and actions and finds its expression there"[87]. Religion is, so to speak, the "metaphorical reflection"[88] of society, it symbolizes the social fact of society, (is) the common core of collective consciousness[89]. It even embraces the state and penetrates it morally[90], and thus proves to be "a source of collective social identity and an integrative force"[91].

Durkheim's concept of religion is therefore suitable for placing modern democracy on a basis that is both non-Christian and at the same time decidedly "religious"[92]. Durkheim understood all, even the non-Christian forms of socially honoured ideals as "religious". The esteem for one's own nation falls under the term "religion", as does the belief in human rights and reason, and all these rites require no formalised confession. Durkheim defines religion in an extensive way that excludes the possibility that "all others are either 'natural religion' or pseudo-

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[82] Durkheim 2007, p. 593.
[83] Cf. Gianfranco Poggi, Durkheim, Oxford 2000, p. 155.
[84] Knoblauch 1999, p. 64.
[85] Knoblauch 1999, p. 64.
[86] Knoblauch 1999, p. 64.
[87] Knoblauch 1999, p. 65.
[88] Knoblauch 1999, p. 65.
[89] Niklas Luhmann 1981, p. 181.
[90] Hartmann Tyrell, Religion und Politik – Max Weber und Émile Durkheim, p. 205-274, 229 in: Krech/Tyrell, Religionssoziologie um 1900, Baden-Baden 2020.
[91] Marcela Cristi, Durkheim's political sociology. Civic religion, nationalism and cosmpolitanism, p. 47-78 in: Annika Hvithamar, Margit Warburg et al, eds, Holy Nations and Global Identities. Civil Religion, Nationalism, and Globalisation, Leiden-Bosten 2009, p. 75.
[92] cf. Hartmann Tyrell, Religion und Politik – Max Weber und Émile Durkheim, p. 205-274, 234 in: Krech/Tyrell, Religionssoziologie um 1900, Baden-Baden 2020.

religion"[93]. The object of such a religion would be new, perhaps more patriotic convictions. This is what Durkheim hoped for, not least for the France of his time[94].

This reveals strands of a concept that Bellah later recast under the title of civil religion: a social religion as a spontaneous social product, particular of modern society[95]. Especially Durkheim's view that religion emerges as it were autonomously in society – and not in a planned way as with Rousseau – and thus proves to be a source of collective social identity, has later been adopted by Bellah[96]. What distinguishes Bellah and Durkheim is the stronger reference to the state in Bellah's civil religion. At the same time, however, the religion conceived by Durkheim stood for a more far-reaching claim, as it was not to be "religion for the state" (as with Bellah and even more so with Rousseau), but was itself to be society, and as such was to encompass the state, permeate it morally and bind it[97].

For Durkheim, religion is not a subsystem that fulfils a function for society, but rather there is no society without religion[98]. Durkheim's proto-civil religion remained singular in its pervasive, comprehensive, creative and society-generating quality. The question of a somehow religious quality of modern democracy is strongly affirmed by Durkheim. Modern democracy is a religious phenomenon from the ground up.

c) Civil religion

In the 1960s, the American sociologist Robert Bellah was inspired to a certain extent by Durkheim when he reactivated the concept of civil religion, which originally came from

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[93] Heike Delitz 2020, p. 307.
[94] Marcela Cristi, Durkheim's political sociology. Civic religion, nationalism and cosmpolitanism, p. 47-78, 60 in: Annika Hvithamar, Margit Warburg et al., Ed., Holy Nations and Global Identities. Civil Religion, Nationalism, and Globalisation, Leiden-Bosten 2009.
[95] Manuela Cristi (2009, p. 75), however, defends Durkheim against the accusation of having paved the way for authoritarian nationalism, but mentions the close proximity between civil religion and nationalism. On the influence of Durkheim, alongside Rousseau, on today's concept of civil religion, see Warburg, in: Nordic Journal of Religion and Society 21 (2), p. 165-184.
[96] See also the references that are repeatedly emphasized - for example in Kleger/Müller, Bürgerreligion, in: Archiv für Begriffsgeschichte 39 (1985), p. 47-98, p. 79ff; Willaime, Zivilreligion, in: Kleger/Müller, Religion des Bürgers, 1986, p. 147-174, 150ff and Firsching, Die Sakralisierung der Gesellschaft, in: Krech/Tyrell, Religionssoziologie um 1900, Würzburg 1995, p. 159-193, 178ff – between Durkheim and Bellah's concept of civil religion; cf. Also Matthias König, p. https://www.soziopolis.de/durkheim-lesen.html.
[97] Cf. Hartmann Tyrell, Religion und Politik – Max Weber und Émile Durkheim, p. 205-274, 234 in: Krech/Tyrell, Religionssoziologie um 1900, Baden-Baden 2020.
[98] Cf. Delitz 2020, p. 317,

Rousseau. One might expect that such a civil religion – provisionally defined according to Bellah as the totality of the religious elements of a political culture that are necessary for a modern democracy to survive[99] – would concretise Durkheim's contribution to the particularities of modern democracy. One could therefore assume that the civil religion described by Bellah defines a religious component of democracy. This question is examined below and is only answered in the affirmative for the United States, but otherwise denied.

(1) Rousseau's civil religion as a starting point

Bellah's concept of civil religion has its roots in antiquity, but it gained its powerful modern form – long before Durkheim – from Rousseau. For Rousseau, civil religion is the central instrument for the lasting stabilisation of the new state established by the social contract[100]. Civil religion creates the collective-psychological foundations that the new state needs without being able to generate them on its own. It creates the necessary socio-moral binding force, provides the "motivational support for the orientation towards the common good" and turns the social contract into a sacred text that connects the political world with the supernatural[101].

For Rousseau, civil religion thus takes on a task that neither Christianity nor the old national religions had been able to fulfil. In a more compatible and acceptable way than the old national religions, it brings together what Christianity had separated. According to Rousseau, Christianity is not suitable as a modern civil religion for three reasons. Firstly, it had a destructive effect, destroying the old connection between state and religion, placing the priest next to the ruler and thus ruining the unity of the state. It created internal tensions that have troubled the Christian peoples to the present day. Wherever the Christian clergy was organised, it did not accept any superior state authority on its territory, but acted as ruler and legislator itself. Not only in Christian countries, but also in Shiite Persia, we are dealing with "two powers and two heads of state" (Du contrat social ou Principes du droit politique, 1762, Book four, Chapter eight = CS IV 8). This dual power ruins the state, because "all institutions that put people at odds with themselves are worthless" (CS IV 8).

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[99] Cf. Robert N. Bellah, Civil Religion in America (Daedalus 96, 1967, p. 1–21).
[100] Cf. Asal 2007, p. 252.
[101] Kersting 2002, p. 193.

Christianity does not only have ruinous consequences as an organisation. Already Christian faith has a destructive effect – and this is Rousseau's second argument against the suitability of Christianity as a modern civil religion – by devastating the psychological foundations of the state and depriving it of its citizens' willingness to believe. It absorbs their willingness to worship and sacrifice and turns the state into an empty shell. Christianity "does not bind the hearts of the citizens to the state, but rather turns them away from it as from all other earthly things" (CS IV 8) [102]. The Christian fulfils his civic duties, but only pro forma, "with the deepest indifference to the good or evil outcome of his endeavours" (CS IV 8). As a servant of two masters, the Christian is distracted from his most important duty, the care of the Republic[103]. A state deprived of its religious resources, however, was doomed to destruction. No state could exist without a religious foundation, and no state had ever been founded without a religious basis. Finally, and this is Rousseau's third argument, the Christian faith is incompatible with a free republic because it demands servitude and subjugation. "Sincere Christians are made to be slaves" (CS IV 8).

Rousseau thus ruled out Christianity as an instrument of modern state continuity, but the old national religions (CS IV 8) were also out of the question. They can certainly serve as a model insofar as they combine politics and religion without tension. For them, every service rendered to the fatherland is at the same time a service to the patriotic God, and everywhere the prince is identical with the supreme priest. A separation of religion and politics is constitutively impossible in the old national religions. The old national religions are also a model, at least in principle, in their geographical frugality, their vertically power-sharing, outwardly egalitarian and mission-free organisation. Every state has its own god and its own cult. Why should one want to impose its god on the other? The idea of knocking down a neighbour for missionary reasons is alien to them. If, however, and this is Rousseau's first objection to the suitability of the old national religions as modern civil religions, a national god should exceptionally prove to be expansive and intolerant, the people concerned would, ultimately to its own detriment, find itself in a permanent state of war with its neighbours. Furthermore, Roussseau's final and unsubstantiated objection was that the old national

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[102] Rousseau's negative answer to the question of whether Christianity could produce good citizens was based on Machiavelli's theses in the same vein; later, Tocqueville also advocated this position, cf. Robert H. Bellah, Die Religion und die Legitimation der amerikanischen Republik, p. 42-63 in: Kleger/Müller 1986.
[103] Matthias Glötzner, Rousseaus Begriff der volonté générale. Eine Annäherung über die Theologie, Hamburg 2013, p. 245.

religions were based on error and lies. What they understood by the worship of God was in reality a vain ceremonial system on which a modern state could not rely.

A new civil religion that is differentiated in this way from Christianity and the old national religions combines its religious quality with these two less suitable religions. It is without further ado a religion[104]. It is just as much a religion as Christianity or the national religions. Rousseau's civil religion is intended to compensate for the fundamental shortcomings of Christianity and the old national religions. It can do this because it is itself conceived as a religion: it should be a religion among religions[105], it should be true[106] and, for the purpose for which Rousseau conceives it, it should be superior both to Christianity and to the national religions.

Rousseau's position that every society needs a religion for reasons of stabilisation corresponds to Pufendorf's thesis, generally shared until the second half of the 18th century, that religion is the "*ultimum et firmissimum humanae societatis vinculum*"[107]. According to a contemporary conviction shared by Rousseau[108], a society can only be stabilised through religion. Rousseau added to this the conviction that there is no natural sociality. Without stabilisation brought about by religion, every society risks relapsing into the natural state of complete unrelatedness[109].

The dogmatics of Rousseau's civil religion are minimal. It is divided into laconic doctrines on the actions and characteristics of the deity and concludes with doctrines concerning the relationship between politics and religion. The civil-religious deity is presented as *puissant*, *intelligent* and *bienfaisante* and thus closely related to a Neoplatonic conception of God, as already adapted by early Christian theology in its talk of the all-powerful, all-knowing and all-

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[104] In its socially grounded quality, it is not only a prototypical example of religion in the functionalist sense, but in its reference to the history-dominating and acting God, it is also easily religion in a substantialist sense, cf. only Fritz Stolz, Grundzüge der Religionswissenschaft, Göttingen 1988.
[105] So expressly Neuhaus 1986, p. 99.
[106] Matthias Glötzner, Rousseaus Begriff der volonté générale. Eine Annäherung über die Theologie, Hamburg 2013, p. 246. „Rousseau wants to reunite religion and politics. To this end, must create a new type of religion that is of political use but can also be considered true".
[107] Luhmann 1991, p. 297.
[108] Cf. e.g. Niklas Luhmann, Grundwerte als Zivilreligion. Zur wissenschaftlichen Karriere des Themas, p. 175-194 in: Heinz Kleger / Alois Müller, eds, Religion des Bürgers. Zivilreligion in Amerika und Europa, München 1986. Cf. also Hermann Lübbe 1986b und Matthias Glötzner, Rousseaus Begriff der volonté générale. Eine Annäherung über die Theologie, Hamburg 2013, p. 5.
[109] Asal 2007, p. 101: „fundamental problem of his entire political philosophy, which must first establish and finally protect society from the constant threat of decay".

good God. The God worshipped in Rousseaus's civil religion is both a fatherly and benevolent God, who – as *Divinité prévoyante & pourvoyante* – foresees everything and cares for everyone. In this respect, Rousseau's dogmatism is a variant of natural theology[110]. Unlike the God of Christianity, the God of civil religion is not a personal God.

Rousseau also formulates doctrines on divine action. The God of civil religion is a God who acts. He is Lord of history, which he brings to a conclusion, and Lord of individuals, to whom he promises eternal life[111], and before that, possibly also instead, a phase of judgement and execution of judgement: *le bonheur des justes et le châtiment des méchans*. Rousseau supplements the doctrine of God with a doctrine of the last things. Human history will end, and before that, people – it is unclear whether this includes those who have already died – will be judged according to their deeds. Perhaps Rousseau hopes that the fear of the Last Judgement will lead to better social discipline.

With this part of his civil-religious dogmatics, Rousseau goes beyond what a natural theology can achieve, because sensual experience, on which natural theology is based, provides no information about the last things and their actor[112]. Nor can reason determine who brings human history to a close, who rewards the righteous and punishes the wicked. The God who operates the last things cannot be the God of natural theology, since the God of natural theology has nothing to do with human history[113]. The God, on the other hand, who, as in the Contrat social, rules and will end history[114] and organises the Last Judgement, cannot, like the God of natural theology, stand beyond human history, but must be part of it, must be a known player to the participants of this history[115].

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[110] so Luhmann 1991, p. 298.

[111] And, contrary to what Luhmann suspects (1991, p. 46), he also proves to be a god of the hereafter.

[112] Klaus Riesenhuber: Natürliche Theologie, in: Herders Theologisches Taschenlexikon, vol 5, p. 169–177, 174. Christian Link (Die Welt als Gleichnis. Studien zum Problem der natürlichen Theologie, München 1982) stresses the importance of analogy for natural theology, but neither does it give access to eschatology.

[113] Wolfhart Pannenberg: Natürliche Theologie, II: Im evang. Verständnis, in: Lexikon für Theologie und Kirche, 2. ed., vol 7, p. 816.

[114] For a systematic classification of religion see Helmuth v. Glasenapp, Die fünf Weltreligionen, Eugen Diederichs Verlag Düsseldorf, 2. Aufl. 1967, p. 5f.

[115] Proclaimed by prophets or divine incarnation. Thus Mohammed with his eschatological promises met with the particular skepticism of the Arab polytheists (Medard Kehl, Eschatologie, Würzburg 1986, p.), and the horizon of the Jewish kingdom of God's expectations at the time of Jesus was fed by the book of Daniel. (Medard Kehl op. cit., p. 138). With his eschatological promises, Mohammed encounters the particular scepticism of the Arab polytheists (Medard Kehl, Eschatologie, Würzburg 1986, p. 84).

Every eschatologically active God must be a revealed God, a God who has made himself accessible to the people of a certain cultural area through revelation. In Rousseau's dogmatics, the place of the creating, sustaining and judging God remains empty. Rousseau teaches judgement, but not the judge, smoke, but not fire. Only a God who has announced such an action can act eschatologically. Rousseau lacks such an announcing appearance. The eschatological part of Rousseau's civil religion is thus a religion that has been stripped of the historical revelation of God[116], a doctrine that announces actions but cannot name their originators. While Rousseau's civil religion can still be understood as a condensed abstract Christianity in its doctrine of God, with regard to the eschatological dogma we are only dealing with the dross, with empty leftovers of Western religion in Glasenapp's sense (i.e. including Manichaeism, Judaism and Islam) [117]. Rousseau's civil religion recognises neither Christ[118] nor any other incarnated God or prophet. His place remains empty.

In the third part of his Dogmatics, Rousseau wants to re-establish the connection between religion and the state, which he sees as having been destroyed by Christianity[119]. What Mohammed had united for his domain should also be one in the state of the social contract. Every citizen must profess the sanctity of the social contract and the laws. The political order and its founding document are sharply separated from the rest of life and are to be inviolable and the object of special veneration. Not everything or nothing is sacred, as according to certain readings of Buddhism[120], but only that which is selected and sharply delineated is sacred, in Rousseau's case the basic law of the state. As sharp as the distinction between Rousseau's postulate of unity (the unity of religion and state that he demanded) and the biblical separation between the community of believers and the state[121] is, the idea that the sacred can be separated from religion at all belongs to the Western monotheistic branch of religious history[122]. The East does not recognise this distinction, or not so clearly. Rousseau's

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[116] So the formulation of Glasenapp, Die fünf Weltreligionen, Eugen Diederichs Verlag Düsseldorf, 2. Aufl. 1967, p. 9.

[117] With the term "West" in a religious-historical sense, Glasenapp refers to the area on this side of the Hindu Kush.

[118] His civil religion is a „religion without Christology", Heinz Kleger und Alois Müller, Der politische Philosoph in der Rolle des Ziviltheologen, p. 86-111 in: Studia philosophica 45 / 1986, p. 102.

[119] At the same time, Rousseau also advocates elsewhere for the withdrawal of religion from the public, cf. Asal 2007, p. 203.

[120] Cf. Alan W. Watts, Offene Weite nichts von heilig. Die Zukunft der Ekstase und andere Essays. Rheinberg 1982.

[121] cf. Mt 22, 15-22 sowie Joh 18, 36.

[122] Burkhard Gladigow: Mögliche Gegenstände und notwendige Quellen einer Religionsgeschichte. In: Germanische Religionsgeschichte. Quellen und Quellenprobleme. Reallexikon der Germanischen Altertumskunde. Ergänzungsband 5, Berlin 1992, p. 3–26, 8.

civil religion is therefore on the one hand a religion of the "West", but is at the same time distant from Christianity. It recognises neither a personal nor an incarnate God, but instead a God who makes the existence of the political order his business. The god of civil religion is similar to Allah.

Rousseau's civil religion serves the worship of an omniscient God who promises future life, i.e. a transcendent God. The God of his civil religion is neither human society[123] nor a common will "appearing as an ideal norm"[124]or a conglomerate of values, but without restriction what he is described as in the eighth chapter of Rousseau's Contrat social: an "omnipotent, wise and benevolent deity". Rousseau's civil religion is thus, once again, religion[125].

The reference to the omnipotent, wise, benevolent and unitary deity is of central importance for the permanence of the state designed by Rousseau. In Rousseau's view, the state should not take care of itself with regard to its legitimacy[126]. It is legitimised from the outside, through civil religion and the belief it demands in the sanctity of the constitution and the laws. The state cannot dispose of the God who is worshipped in civil religion and who ensures the continuity of the state. Rousseau does not subordinate his civil religion to political imperatives[127]; it is not an instrument of the state, but it constitutes the state.

Incorrect is the thesis that civil religion is similar to clerical ideas of religion and politics[128]. It is indeed concerned with the unity of religion and politics, but this is not practised by a clergy that is located outside politics – if one takes the European case of a clergy that can be distinguished from politics as a conceptual starting point – which the civil religion has just as little of as Sunni Islam. The unity of religion and politics, which civil religion stands for, does not lie on this or that side of the boundary between politics and religion, i.e. in the realm of politics or in the realm of religion, but rather civil religion embodies a new unity of religion

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[123] So Luhmann (1981, p. 30) in relation to contemporary Enlightenment philosophy: „In parts of the Enlightenment philosophy, the civil society on earth is declared a deity".

[124] Matthias Glötzner, Rousseaus Begriff der volonté générale. Eine Annäherung über die Theologie, Hamburg 2013, p. 89.

[125] It is unmistakable that the dogmas of the civil religion are taken from the Christian religion. "Thus, civil religion can become the foundation of a cult of the nation, as was and is especially the case in France". The objections that Rousseau's civil religion is merely a secular matter, as represented by the Catholic apologetics of Jean-Georges Lefranc de Pompignan or Nicolas-Sylvestre Bergier (cf.Asal 2007), are thus void.

[126] So Wolfgang Reinhard according to Asal 2007, p. 135.

[127] But so Asal 2007, p. 135.

[128] So possibly also Wolfgang Reinhard according to Asal 2007, p. 138.

and politics beyond traditional religion and especially beyond Christianity. Civil religion originally belongs to politics. Where Christianity can still be understood to a certain extent as a counterpart to politics, civil religion, like the old national religions, no longer makes a distinction between its gods and its laws. It combines community life and religious life in a new unity.

Rousseau's civil religion lacks not only the concrete metaphysical actor, but it lacks also the colour. It lacks not only the figure of God at its centre, but also vividness, rituals and festive culture at its periphery. Rousseau's civil religion is a religion without a popular character[129]. Rousseau provides a religious framework for the later lining. What he sketches is a God without stories, an abstract concept, i.e. nothing in which one can readily believe[130]. According to Kersting, it is almost inconceivable that the all-too-abstract dogmas of civil religion could "gain the quality of an action-forming confession in the bourgeois world". Without the pictorial power of the living imagination, however, "the emotions are not aroused and the mind is not moved".

In the pre-revolutionary middle third of the eighteenth century, Rousseau cannot realise his goal of consolidating the state and civil religion through a republican culture of celebration, of keeping the "founding prerequisites of republican order, which are regarded as unavailable, retrievable in ritual, cultic and performative acts and thus present and symbolically available"[131], because he cannot know in advance what the People's Sovereign will look like and how he will be worshipped and how his appearance will be processed in terms of popular religion. Only the future foundation of the revolutionary new and democratic state will allow the God to be recognised and provide the images that make Rousseau's religious design a full religion. Rousseau drafts the model of a modern civil religion with a religious quality, on the basis of which an interpretation of modern democracy as religion has become at least theoretically possible.

(2) Civil religion as the religion of the modern state: Bellah

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[129] Kersting 2002, p. 195.

[130] „nothing to believe in", Kersting 2002, p. 203.

[131] Hans Vorländer, Demokratie und Transzendenz. Politische Ordnungen zwischen Autonomiebehauptung und Unverfügbarkeitspraktiken, p. 11-37, 21 in: Vorländer., ed., Demokratie und Transzendenz. Die Begründung politischer Ordnungen, Bielefeld 2013, cf. Cf. also Vorländer, Brauchen Demokratien eine Zivilreligion? [Über die prekären Grundlagen republikanischer Ordnung. Überlegungen im Anschluß an Jean-Jacques Rousseau], p. 143.

For the time being, recent religious and social science theory has not utilised the opportunity opened up to it by Rousseau. It has neglected to line Rousseau's religious framework with the experiences that have been available since the French Revolution. Instead of applying the concept of civil religion comprehensively to the reality of modern democracy, following the seminal 1967 essay by the sociologist Robert Bellah (1927-2013) [132], it has taken two paths, both of which ended before a general modern concept of civil religion was reached. Such a concept would have made it possible to identify a general religious basis of modern democracy[133].

In contrast, recent social science theory has firstly addressed the constitutional-political situation of the United States as a religion, but in a geographically limited, non-generalisable way that cannot be related to the overall phenomenon of modern democracy. Following Bellah, she describes a phenomenon that can be qualified as a "religion", but not as a general modern religion, but only as an American national religion (aa). Secondly, also following Bellah, she has postulated various closer relationships between Christianity and democracy, which, however, also fall short of qualifying modern democracy as a religion. She primarily referred to the situation in West Germany and understood civil religion as something that cannot be subsumed under the concept of religion (bb).

(aa) Formally, Bellah, who resumed Rousseau's concept of civil religion after a two-hundred-year gap, had unreservedly adopted his qualification of modern constitutional reality as religion. Bellah, however, limited this qualification to the American case. The American civil religion was simply "religion"[134]. It has "its own seriousness and integrity and (requires) the same care in understanding as any other religion". Rousseau's prophetic thesis became a descriptive one in Bellah's work[135]. Bellah's thesis on the religious quality of American civil

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[132] Robert N. Bellah, Civil Religion in America (Daedalus 96, 1967, p. 1–21). Since the early 1980s, Bellah has spoken of "public philosophy" instead, arguing that the term "civil religion" had caused too much confusion, cf. Rolf Schieder 1996 and also Schieder 1987.

[133] This is confirmed by the diversity of the phenomena quoted in Bellah, which Voegele deplores, cf. Voegele 1987, p. 236 with reference to John F. Wilson and his article „The status of Civil Religion in America" (S. 1-21 in: The Religion of the Republic, E.A. Smith, ed, Philadelphia 1971, and „A Historian's Approach to Civil Religion", p. 115-138 in: American Civil Religion, V. R.Richey und D. G. Jones, ed, New York 1974.

[134] So also Bellah 1967, p.1; immediately afterwards, however, he minimises it to a "religious dimension".

[135] Bellah's use of the concept of civil religion was ambiguous, however. "Civil religion" served not only as an analytical tool, but also as a political instrument for reconstructing American values (cf. Rolf Schieder 1987, p. 280). Bellah argued in favour of keeping the existing religious stocks alive for a continuation of North American civil religion (Hans Vorländer, Ed. Demokratie und Transzendenz. Die Begründung politischer Ordnungen, Bielefeld 2013; Hans Vorländer, Brauchen Demokratien eine Zivilreligion? [Über die prekären Grundlagen

religion is correct. The phenomena he mentions describe a state of affairs that can easily be qualified as "religion", as a symbolic reference to transcendence. At the same time, however, Bellah's American civil religion cannot be the basis of a general concept of civil religion. The American civil religion is not the essence of a modern civil religion as a whole. What Bellah describes is not a general modern religion, but an American national religion.

The factual basis for Bellah's concept of civil religion were various phenomena of US-American constitutional life, history and the prehistory of the United States of America. As early as the 19th century, these phenomena were used to derive the notion of a God who turns to the United States in a special way, in the form of a linear historical process based on the Jewish and Christian model and culminating in a divine judgement.

According to the interpretation of North American history by US-American authors in particular, this course of history can be understood as a summary of world history as a whole. The God worshipped in civil religion acts by allowing key scenes of the history handed down in the Old and New Testaments to unfold again in modern North America in a summarised form. Central elements of biblical historical representation – the exodus of the Jewish people from Egypt, the appearance of Christ – are updated in a slightly modified way, while drastically shortening originally long periods of time. Overall, this interpretation, taken up by Bellah and summarised in the concept of civil religion, results in a tripartite historical sequence, consisting of the original God-induced liberation of the immigrants, the appearance of the Christ-like hero in the new state and the idea of a permanent and demanding divine presence in the further history of this state.

The first of the three phases – a great, initial work of liberation – is the decisive one; it characterises American history as a whole, recalled again and again. The path of the European emigrants across the Atlantic is understood as an endeavour set in motion by God and equated with the liberation of the people of Israel from Egypt as reported in the Old Testament. God leads from European oppression to overseas freedom[136]. The American God of the state – a very strict God who "has much more to do with order, law and justice than with redemption

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republikanischer Ordnung. Überlegungen im Anschluß an Jean-Jacques Rousseau], p. 143). It was not without reason that his concern was misunderstood as a religious dressing-up of American politics, cf. Rolf Schieder 1996.
[136] Bellah 1967, p. 7.

and love"[137], not a triune God, but a unitary God, thus not the God of Christianity[138] – led, according to President Jefferson, quoted by Bellah, in his second inaugural address, "our fathers, like Israel of old, from their native land, and planted them in a country provided with all the necessaries of life and all comforts"[139]. From this perspective, America is the Promised Land, and the commonwealth founded in America with divine assistance shines as a light among the nations, "conceived in justice, written in liberty, bound in unity, it shall hereafter inspire the hopes of all mankind"[140].

The beginning set by God the Father is followed, after the founding of the state and the people and only a few generations later, by the second phase of US-American civil religion: the appearance of God the Son. If the actions of the fatherly liberator God concerned uncoordinated individuals over longer periods of time, the Son, in the few years of his supposedly Christ-like appearance addressed the community as a whole, at least its non-renegade northern part. Incarnated in the figure of Abraham Lincoln, he supplements the existing civil-religious framework with a new myth, that of death, sacrifice and rebirth[141]. Towards the end of the Civil War, Lincoln also added the idea of the martyr who redeems his people. As a prophet in his own right, he announced the sequence of death and rebirth[142] in the Gettysburg Address of 1863[143] and, at least in its first half, carried it out in person almost a year and a half later. The healing sacrifice of the Jesus-like "martyr president" Lincoln soon became a core element of American civil religion[144], alongside the myth of liberation. The last sacrifice of Christ is followed by the very last sacrifice of Lincoln.

These two pillars of American civil religion reconstructed by Bellah are supplemented by a third: the idea of a permanent divine presence in the history of the new state. George

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[137] Bellah 1967, p. 7.
[138] Bellah 1967, p. 7.
[139] Jefferson is quoted by Bellah (1967, p. 7).
[140] President Johnson said in his inaugural speech, p. Bellah (1967, p. 8).
[141] Bellah 1967, p. 10.
[142] Bellah (1967, p. 10) describes Lincoln's speech at Gettysburg in 1863 as part of his "New Testament".
[143] At that time still referring to the fallen soldiers of the northern states: through their sacrificial death the nation lives, and this sacrificial death must motivate the survivors to work for a "new birth of freedom" and for an eternal duration of the "government of the people by the people and for the people" on earth (… that government of the people, by the people, for the people, shall not perish from the earth).
[144] Bellah (1967, p. 11) quotes statements by the lawyer William Herndon (1818-91), an early biographer of Lincoln: „For fifty years Go rolled Abraham Lincoln through his fiery furnace. He did it to try Abraham and to purify him for his purposes. This made Mr. Lincoln humble, tender, forbearing, sympathetic to suffering, kind, sensitive, tolerant; broadening, deepening and widening his whole nature; making him the noblest and loveliest character since Jesus Christ. …. I believe that Lincoln was God's chosen one". It should be added that the rebirth myth was also applied to the individual immigrant: through immigration, immigrants would be "reborn as equal and free citizens", cf. Emilio Gentile, Politics as Religion, Princeton and Oxford 2001, p. 30.

Washington hoped that the "Almighty Being" would establish a government that would promote freedom and happiness for the sake of the American people[145]. According to civil-religious belief, this being proves to be particularly interested in the United States and its policies in the further course of history[146]. The quid pro quo of American politicians is to accomplish in the world what they believe they have recognised as "God's work"[147].

Kennedy, for example, identifies this work with notions of contemporary humanitarianism, with the fight against "tyranny, poverty, disease and war"[148]. This fight should be fought, hopeful and patient in the face of tribulation[149], as a "long struggle in the twilight, year in and year out" in the expectation of ultimately positive divine judgement. From the very beginning, according to the understanding of its civil-religious interpreters, American politics has taken place against the horizon of divine final judgement[150]. Even the authors of the North American Declaration of Independence end their text "with firm reliance on the protection of Divine Providence"[151] and Jefferson already declared to the "supreme judge of the world" that the intentions of American politicians were righteous[152].

The North American civil religion in this version presented by Bellah – related to a God who constitutes the American people through liberation, accompanies them in constitution-making and politics, and finally judges them – is religion in the above sense. It is a composition of symbolic forms and actions that "bind the citizen and his society to the ultimate conditions of their existence"[153], is a set of beliefs that "explain the meaning and purpose of a particular political society in terms of its relationship to a transcendent, spiritual reality"[154]. It is religion in the literal sense: symbol-supported reference to transcendence.

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[145] Bellah 1967, p. 7.
[146] Bellah 1967, p. 7.
[147] Bellah quotes the last sentence of President John F. Kennedy's inaugural address on 20 January 1961: „With a good conscience our only sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own" (Bellah 1967, p. 1-2, 4).
[148] Bellah 1967, p. 5, quotes Kennedy's statement on the „struggle against the common enemies of man: tyranny, poverty, disease and war itself".
[149] „a long twilight struggle, year in and year out, ‚rejoicing in hope, patient in tribulation' (Bellah 1967, p. 5, who quotes once again Kennedy's inaugural address on 20 January 1961).
[150] Bellah 1967, p. 5: „Now the trumpet summons us again – not as a call to bear arms, though arms we need – not as a call to battle, though embattled we are – but a call be bear the burden of a long twilight struggle, year in and year out, ‚rejoicing in hope, patient in tribulation' – a struggle against the common enemies of man: tyranny, poverty, disease and war itself".
[151] cf. https://www.archives.gov/founding-docs/declaration-transcript
[152] Bellah 1967, p. 6. Jefferson speaks oft he „appeal to the supreme judge of the world for the rectitude of our intentions".
[153] So John A. Coleman, Civil religion, in: Sociological Analysis 31 (1970), p. 67-77.
[154] So Ellis M. West, A proposed neutral definition of Civil Religion, w: Journal of the church and state, 22 (1980), p. 23-40.

It differs from Christianity in its theological structure and its function[155]: despite Lincoln's appearance, its God is not a God of the New Testament, but one of the Old Testament, and it is not a universal religion, but a religion of one specific people. Contrary to Bellah's assumption[156], it is not an expression of a universal religious reality in the American version, and not a reflection of a supranational reality that accidentaly takes shape on the basis of American history, but something quite special. There is no universal religious reality in the form of biblical myths. The idea of a God who turns to a specific people with the intention of liberation and who later incarnates and sacrifices himself in order to help this people to be reborn is by no means universal. It is very particular. According to Bellah, it is Hebrew without being Jewish, and Christian without having anything to do with the Christian church[157].

It is neither Buddhist nor African or Taoist, but bound to a very specific, namely Christian-influenced time and cultural space. When Bellah defines American civil religion as "an interpretation of the American experience in the light of ultimate and universal reality"[158], he can indeed mean only one among many such interpretations, none that could claim to be the general interpretation of modern political systems. Bellah's core thesis of 1967, that a democratic, pluralistic country open to social change requires an ideology with a transcendent point of reference[159], cannot be generalised in the way Bellah fills it in.

A closer look reveals the special conditions on which the two components of US civil religion – the liberating divine intervention and the appearance of the saving martyr-politician – are based. Both are possible only in a culture in which an affirmative reference to the Old and New Testaments is generally understood. They thus exclude the South and East Asian world and also the world of Islam, and are limited to a geographical area in which, firstly, the biblical myths ("*Exodus, Chosen People, Promised Land, New Jerusalem, Sacrificial Death and Rebirth*"[160]) are comprehensively and generally present, and in which, secondly, and this was only the case in some Protestant countries and only since the beginning of the early

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[155] So explicitly Bellah 1967, p. 8.
[156] Bellah 1967, p. 12.
[157] Bellah 1967, p. 10.
[158] Bellah 1967, p. 18: „… the American civil religion is not the worhip of the American nation but an understanding of the American experience in the light of ultimate and universal reality". Cf. also Hase 2001, p. 82.
[159] Schieder 1987, p. 123.
[160] Bellah 1967, p. 18.

modern period, the eschatological conviction is widespread that the one-off biblical event is only the precursor of a second divine intervention to be expected.

This spatial-temporal limitation to the Protestant part of the early modern and modern Christian cultural sphere is further narrowed by the fact that the circumstances interpreted as an experience of liberation belong in the context of a European settlement colony[161] – namely its foundation and independence in the context of decolonisation. The number of such early modern settlement colonies was never large and decreased as a result of decolonisation. Settlement colonies also only existed in certain parts of the world. A third peculiarity makes the American case completely unique and eccentric: the combination of liberation and rescue myths. This combination is unique; no other state in the Christian cultural area and no other former settler colony can boast it.

A civil religion based on such specific premises cannot be a general civil religion of political modernity. Most countries for cultural reasons will refuse from the outset to identify with a civil religion based on biblical, Old and New Testament material. Of those that could theoretically be considered for such an identification because they belong to the former Christian cultural sphere, most will probably remain alien to an anti-imperial history of liberation due to a lack of own collective experience of migration or decolonisation[162]. However, the small circle of countries that might be prepared to identify with such a salvific construction of world history would probably be reluctant to adopt the associated idea of a national rebirth brought about by the Christ-like martyr as part of their own national history, a martyr who by no means represented a global claim, but referred to the North American

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[161] The narrow circle of cases concerned can at most be extended to include the Burian "Great Trek" of 1835/41. The Burian civil theologians interpreted it as a parallel to the journey of the Hebrews out of Egypt, and paralleled the kingdom of God with the end of the oppression by the English, cf. Wolfram Weiße, Reich Gottes. Hoffnung gegen Hoffnungslosigkeit. Göttingen 1997, p. 112). From the end of the 19th century, the "Great Trek" was regarded as proof of the fact that the Boers were a „chosen and covenanted people, like Israel in the Old Testament", cf. André du Toit, The Construction of Afrikaner Chosenness, p. 115-139, 118 in: Many are chosen. Divine election and Western nationalism, herausgegeben von William R. Hutchison und Hartmut Lehmann, Harvard Theological Studies 38. 1994). The trek was also seen as the "Wandering of the Boers from British oppression to the freedom of a promised land", a kind of re-enactment of ancient Hebrew history (Anthony D. Smith, Chosen Peoples, Oxford 2003, p.221).

[162] See for example Juan Linz in discussion about his own speech „Der religiöse Gebrauch der Politik und/oder der politische Gebrauch der Religion. Ersatz-Ideologie gegen Ersatz-Religion", p. 129ff (in: Hans Maier, Ed., „Totalitarismus" und „Politische Religionen", Paderborn ua 1996): „The Spaniards reacted differently: it looked like a church and was not a church; it just left them cold. This secular civic culture and civic religion is transversal to the baroque catholic world perspective".

people and called them "*almost chosen people*"[163]. The chances of globalising this American civil religion thus are rather slim.

Now one could argue that Christianity, too, has become a global religion despite the spatial-social narrowness of its beginnings. The binding of the Christ event to very specific social circumstances in a precisely defined historical context did not prevent the global expansion of the religion based on it. The narrowness of the Christian myths, however, was a narrowness of individual circumstances, not a national narrowness. The impulse of Christianity, in opposition to contemporary national political endeavours, was aimed at the mindset of the individual and thus at the universal. In the American case, the goal was not a universal one, as it was not a general human one, but it was a national political one: a new nation was to be constituted in opposition to the old colonial power.

Bellah himself emphasises the advantages of national limitation: "It was precisely because of this peculiarity that civil religion was saved from empty formalism and served as a genuine vehicle of national religious self-understanding"[164]. For Bellah, the God of American civil religion is precisely not the God of Christianity, is not a Trinitarian, but rather a unitarian God, moreover not a God of redemption and love, but a God of order, law and justice[165]. This God acts on the inhabitants of the English colonies in North America in a way that resembles the liberation of Jewish prisoners from ancient Egypt[166].

The American civil religion aimed at the worship of this God cannot define a global scheme due to its national political thrust, and is also something unique and unrepeatable in its structural elements – the idea of the liberating God the Father, of the purifying martyrdom of God the Son. It is not intended to provide a model for other countries, but it refers to itself and is based on the idea of a close connection between the United States and God's world-

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[163] Thus in a speech by Lincoln before the New Jersey State Legislature in February 1861, cf. https://www.commentary.org/articles/meir-soloveichik/saving-american-nationalism-nationalists/
[164] According to Bellah (1967, p. 8), the American civil religion was „specific enough when it came to the topic of America. Precisely because of this specifity, the civil religion was saved from empty formalism and served as a genuine vehicle of national religious self-understanding".
[165] Bellah 1967, p. 7. Bellah speaks of the „God of the Civil Religion". Cf. also Marin Honecker (Eschatologie und Zivilreligion, p. 40-55 in: Evangelische Theologie 50. Jg, Heft 1, 1990): „On closer inspection, it can be seen that the motif constellation of the American civil religion does not come together with a supranational religion - in general', but forms a very distinctive conglomerate" and also Joan Lockwood (Bellah and his critics, in: Anglican Theological Review 57, 1975, p. 395-416, cited according to Schieder 1987, p. 164), who accuses Bellah of developing his concept of civil religion by referring to the United States in a way that cannot be generalized, "highly specific in terms of content".
[166] Bellah 1967, p. 7f.

historical goals[167]. It is characterised by the idea of a *New Israel*[168] brought to America by the Puritans, which aimed to found a new, better society – a society founded in a specific place in a specific social context.

While Rousseau's civil religion was designed as a new religion emerging simultaneously with the expected new foundation of the state, the American civil religion is a compilation of old religions. Rousseau's civil religion is original and can theoretically be universalised – as shown by European and global developments since 1789/91 – while the American civil religion is one of several examples of the adoption of fragments of an existing religion handed down in the Old and New Testaments. Rousseau aims at the new, the American civil religion compiles and repeats the old. American civil religion is, unlike Rousseau's, not suitable as the civil religion of political modernity.

(bb) Since the end of the 1970s, various German authors, including Luhmann and Lübbe[169], have attempted to generalise Bellah's concept of civil religion, or at least to extend its geographical scope. They attempted to apply Bellah's concept to the situation in West Germany despite serious differences in the constitutional position of religions on this and the other side of the Atlantic[170]. They understood civil religion essentially as a summary of generally shared values, for example as a meaningful "ensemble of sentences, symbols and rituals"[171]. In this conceptualisation, they were able to rely on isolated statements by Bellah[172], such as his thesis that a republic as an active political community could not survive without republican virtues and therefore required a fixed system of values and thus a civil religion[173].

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[167] „Instead, American civil religion promoted the idea of a sacred link between God's purposes and the American nation", J. Christopher Soper and Joel S. Fetzer, Religion and Nationalism in Global perspective, Cambridge 2018, p. 9.

[168] Cf. Schieder 1987, p. 58.

[169] Cf. Hermann Lübbe 1986b.

[170] Cf. Voegele 1994 with reference to Kodalle (Ed., Gott und Politik in USA, Frankfurt am Main 1988). He refers, among other things, to the different positions of the churches (large church congruence vs network of free churches), to the contrast between privileged churches and the separation of church and state, on the centuries-old connection between Enlightenment and Puritanism in the United States and on the consciousness of choice spread throughout the United States.

[171] So Udo Tworuschka, quoted in Hase 2001, p.107.

[172] The starting point is Bellah's description of the practice of American presidents on national holidays. Presidential ritual behaviour is directed, as in Rousseau's dogmatics, not to a triune but to a unitary God (Bellah 1967, p. 1-3). A public mention of Christ by the president is inconceivable and would be tantamount to an encroachment into the realm of private religious conviction. The presidential references to God correspond to Rousseau's idea above all insofar as they are part of a comprehensive conglomerate made up of beliefs, symbols and rituals. The following applies to American civil religion: she is „expressed in a set of beliefs, symbols, and rituals" (Bellah 1967, p. 4).

[173] Robert H. Bellah, Die Religion und die Legitimation der amerikanischen Republik, p. 42-63 [in: Society 15, Nr. 4, p. 16-23] (without year).

Essentially, however, they used the term civil religion to describe a situation that was very different from the one that Bellah had mainly focussed on. The emphasis was no longer on the idea of a deity intervening in political history, but on the notion of a "network of symbols, ideas and modes of action". This network came into view as an expression of certain general value convictions, a generally shared social consensus with regard to a social value orientation[174], thus as a demoscopic fact and as a postulate formulated in a prominent political position. The former, for example, in the form of prevailing ideas about justice or fairness[175], the latter in the form of the basic programmes of political parties in the Federal Republic of Germany in the 1970s with their references to fundamental values such as freedom, justice and solidarity[176], or later in the speeches of leading state representatives on the topics of "integrity of creation" or "Christian image of man", including their bundling in terms such as freedom, responsibility, solidarity, charity, human dignity and human rights[177]. The heuristic[178] and analytical[179] quality of the concept of civil religion faded into the background.

The results of these adaptation efforts could have been subsumed as a concept of religion in the sense of a symbolised reference to transcendence under at most one of the following three conditions: a West German civil religion finds and venerates transcendence in society (a.), in the history of the (West German) community (b.) or in its proximity to the Christian religious communities (c.). As a result, none of the three possibilities came into consideration.

a. According to the German adopters of the concept of civil religion, society itself can neither be the creator nor the object of religion. The idea of a "social religion", an "immanentist variety of Judeo-Christian transcendental religiosity", in which society rather than God is at

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[174] Marin Honecker, Eschatologie und Zivilreligion, p. 40-55 in: Evangelische Theologie, vol 50, issue 1, 1990.
[175] Niklas Luhmann 1981, p. 178; Luhmann speaks of „fairness".
[176] Niklas Luhmann 1981, p. 180.
[177] Voegele 1994, p. 73.
[178] This means: civil religion as a means of cognition, as a tool to "interpret certain social, cultural and religious phenomena against the background of a certain problem horizon from a certain perspective", Schieder 1987, p. 19.
[179] So again in Schieder (1987, p. 22): Civil religion as "that part of political culture which is concerned with questions of meaning and ultimate justification". The participants in the discussion in the 1980s and 1990s were well aware that civil religion was a "mixture of empirical, analytical and programmatic elements that was difficult to resolve" (Reinhart Maurer, contribution to the discussion in Voegele 1994), a combination of phenomenal, analytical and normative points of view (Voegele 1994, p. 320).

the centre[180], was far from the minds of the West German adepts of civil religion. So in any case they didn't want to follow Durkheim[181].

The civil religion of those who had set themselves the task of the Europeanization of Bellah's concept formation, should neither arise spontaneously nor be dependent in form and content on society, it should not be a product of society and should be directed towards its worship, but, conversely, should make society the object of systematic action[182]. For the German theorists of civil religion, society is not a god, but the object of social technology, and its civil religion is not a religion of social worship, but an instrument of social organization.

As such, it fulfils two functions: it legitimises the state (in the form of the Federal Republic of Germany in particular) and it preserves it. Civil religion enables the political system to establish a "reference (Sinnbezug) to fundamentally non-disposable preconditions of its own existence" and civil religion names the reason "that allows us to determine normatively what should in principle be withdrawn from human freedom of disposition"[183]. According to Pannenberg, civil religion is a power-securing instrument in the hands of the powerful, it is "that form of knowledge of God and religious practice which is supported and maintained by the political authorities for the purpose of legitimising the political system and preserving its well-being"[184]. It is, according to Luhmann, "the form in which the political system, and especially the state itself, explicitly refers back to those preconditions on which it lives without being able to guarantee them"[185].

Civil religion is not only intended to legitimise the political system, but also to be an explicit means of preservation, in a way that resembles the function of the so-called eternity clause[186] in the German constitution. Its adepts hope that it will serve as one of the important

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[180] Reinhart Maurer, quoted in Voegele 1994, p. 45.

[181] On the connection between Durkheim and the discussion of civil religion, cf. Kleger/Müller, Bürgerreligion, in: Archiv für Begriffsgeschichte 39 (1985), p. 47-98, p. 79ff; Willaime, Zivilreligion, in: Kleger/Müller, Religion des Bürgers, 1986, p. 147-174, 150ff; Firsching, Die Sakralisierung der Gesellschaft, in: Krech/Tyrell, Religionssoziologie um 1900, Würzburg 1995, p. 159-193, 178ff and Margit Warburg, Dannebrog Waving In And Out Of Danish Civil Religion, in: Nordic Journal of Religion and Society 21 (2), p. 165-184.

[182] Bellah's draft also shows tendencies in this direction. Every democratic, pluralistic country that is open to social change needs an ideology with a transcendent point of reference, cf. Schieder 1987, p. 123.

[183] Hermann Lübbe 1986a, p. 210.

[184] Wolfhart Pannenberg 1978, p. 72.

[185] Niklas Luhmann 1981, p. 181.

[186] Art. 79 III Grundgesetz: „Amendments to this Basic Law affecting the division of the Federation into Länder, their participation in principle in tqhe legislative process, or the principles laid down in Articles 1 and 20 shall be inadmissible." The articles 1-20 contain the rules on fundamental rights.

instruments for the „eternal" preservation of the liberal-democratic status quo. The civil religion's central achievement should be to permanently put certain elements of social identity out of discussion[187], because it embodies a basic consensus that is beyond the control of the majority[188]. It helps to maintain the modern state as an enlightened state[189] by, for example, rejecting discussions about the basic ideological structures of this state - for example in the form of the debates on fundamental values that were common in the 1970s[190]. According to Lübbe, it also strengthens the reference of the polity to its "non-disposable preconditions" and, strengthened by its comparatively high resistance to secularisation[191], emphasises "what should in principle be withdrawn from human freedom of disposition"[192].

What remains problematic is that the content of a Central European civil religion presented in this way is not fixed by any revelation, but merely arises from a – changeable, fluid, always controversial – public consensus. According to widespread and questionable practice, this consensus is described on the basis of certain guiding values („Leitwerte")[193]. However, what is to be regarded as a guiding social value in modern society is and remains unstable, because general convictions change and with them what are "unquestionable and latently valid guiding principles of social coexistence"[194] for politics and political interpretation.

Parsons emphasises the consensual character of civil religion, and Bellah, with his definition of civil religion as a set of beliefs, symbols, and rituals[195], had already implicitly pointed out

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[187] Hans Michael Helbig, Zivilreligiöse Grundierungen europäischer Religionspolitik, pp. 100ff, with reference to Lübbe.

[188] Karl-Fritz Daiber, quoted in Heinz Kleger, Zivilreligion als Bürgerreligion, pp. 56-81, p. 75.

[189] Hermann Lübbe 1986a, p. 212.

[190] They were a symptom of the crisis and jeopardise the political culture, p. Voegele 1994, 49.

[191] Hermann Lübbe, Zivilreligion. Definitionen und Interessen. In: Rolf Schieder (ed), Religionspolitik und Zivilreligion. Baden-Baden 2001, pp. 23-35.

[192] Hermann Lübbe 1986a, p. 210. Heinz Kleger / Alois Müller, Der politische Philosoph in der Rolle des Ziviltheologen, p. 86-111 in: Studia philosophica 45 / 1986, p. 107, refer to the accusation that Lübbe's version of civil religion is an instrument of social immobilisation.

[193] An approach based on the concept of value originating in 18th century national economics to describe a society as a whole (and then to stabilise it by means of civil religion) cannot capture its overall meaningful context, cf. Hildebrandt 1996. Values always have their origin in people and not in the world, "thus the concept of value misses the decisive point of a cultural world of meaning that interprets the overall existence of people. For these worlds of meaning are not only about ethics, but also about time, space, God, nature and the cosmos" (Hildebrandt 1996), cf. Hans-Joachim Höhn, ed, Krise der Immanenz. Religion an den Grenzen der Moderne, 1996 and Rolf Schieder 1996. However, Bellah had to realise that his socially critical concerns were misunderstood as a religious dressing-up of American politics or rejected as utopian communal romanticism: Religious symbolisations of the political would deepen ideological divides. In response to this criticism, Bellah changed his terminology and from then on spoke of "public philosophy": in view of the atomisation of society, this had to ensure a new integration.

[194] thus components of Parsons' definition of civil religion, based on his student Bellah, cf. Hildebrandt 1996, p. 270.

[195] Bellah 1967, p. 4.

the inner divergence and disharmony of the components of civil religion, which sets it apart from the coherence of Christian dogmatics, for example. In any case, according to its theorists, a German civil religion should not be a social religion based on autonomous supra-individual creative power, but rather, as for example in the view of Lübbe, a tool of constitutional preservation and stabilisation. Central European civil religion should not be a religion, but an instrument of social engineering[196].

b. The second possibility of giving a civil religion understood as a conglomerate of values a religious quality, of making it a religion - namely through the identification of divine action in the history of one's own community - also does not make sense to the authors of a West German concept of civil religion. The North American idea of a liberating or sacrificing God was and remained alien to them. In this respect, too, West German civil religion is not a religion.

Lübbe, for example, emphatically opposes the possibility that a community could itself be the addressee of religious worship. He seeks to avert what he sees as the most unfavourable of all understandings of civil religion by taking defensive measures in two directions: he defends politics against the influence of constituted religion, and constituted religion against its politicisation. He wants to prevent politics from seeing itself as a religion-like project, and religion from arrogating political power to itself. For Lübbe, civil religion is a tool in favour of the basic constitutional decisions in force, in favour of what he - in the liberal-democratic status quo using the example of the Federal Republic of Germany of the 1970s and 1980s - wants to permanently remove from the grasp of politics. Civil religion should be a guarantee of liberality [197].

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[196] But even for Bellah, society was not something absolute and unavailable, but something that could be manipulated, Cf. Matthias Hildebrandt 1996. And already Rousseau's civil religion was already planned and served a political purpose, cf. Cristi 2009 and Delitz 2020. Civil religion serves him as an instrument to replace weakening traditional religion with a factor with the same ethical effect. It is intended to create a minimum of common normative conviction where Bellah, who was occasionally qualified as a warning prophet, saw the social foundations endangered by progressive secularisation (Haase 2001). It is intended to give moral considerations a stronger foothold in politics. Rolf Schieder 1996 cites Bellah's objective as "to put a stop to the increasing separation of politics and morality".

[197] Cf. Schieder 1987, Voegele 1994. Jürgen Moltmann (Das Gespent einer neuen ‚Zivilreligion', p. 70-78 in: ders., Politische Theologie – Politische Ethik, Mainz 1984) criticised the transfer of the concept of civil religion to the Federal Republic of Germany for reviving the "embarrassingly suppressed history of our 'political religions' (...) under a new name" (71). The business of civil religion will "be done with fear. The decisive question is therefore not: 'How can religion be politicised again? How can we prevent politics from being made religious again? (73). Lübbe, on the other hand, "reverses the Enlightenment differentiation of state and society as well as society and economy" (75). The true essence of democracy is iconoclasm" (76). That is why it is "not at all dependent on the revival of 'civil-religious stocks', at whatever 'fading stages'" (76).

Such a civil religion does not stabilise the state in the form of religion. Although it draws on "stocks of religious culture" and withdraws their management from the religious communities, these stocks – whose formative power cannot be greater than that of the established religions[198] – are not the symbolic expression of worship of God, but elements of a social technology independent of denomination. Civil religion draws on those cultural fragments that enable it to mark certain preconditions of current politics as indisputable. It helps the modern state to legitimise itself through the adoption and secondary use of a conglomerate of elements of theological dogma and Christian symbolism.

The modern state is neither sanctified by divine origin nor by god-like founding figures, but its legitimacy comes from outside. Lübbe speaks of the non-autarky of the modern democratic state in terms of legitimacy („legitimatorische Nicht-Autarkie")[199]. The resources that the modern state lacks are provided by civil religion. In particular, convictions of originally religious origin have a legitimising and consensus-securing effect, but these have long since been removed from church administration and now merely serve as social cement. They are no longer religion and will not become a new religion. According to Lübbe, civil religion is not religion in the literal sense, but "the religious implent (Implement) of the prevailing political culture"[200].

The gap between the modern state and religion is bridged by civil religion, but at the same time preserved. Civil religion embodies "the denial of the immediate mapping of political fronts onto religious ones". "The addressee of religious responsibility ... is God and not a holy politburo as a religious guarantor of legitimacy. In this function, civil religion is precisely not a medium for sacralising the political system, but its guarantor of liberality. It is a medium for the pragmatisation and rationalisation of politics"[201]. Civil religion is not a cult arising from the worship of the state, not a worship of the divine presence in one's own community, but an instrument precisely for containing a state-related religious fire[202].

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[198] Hermann Lübbe 1986a, p. 202.
[199] Quoted from Asal 2007, p. 220.
[200] Hermann Lübbe 1986a, p. 199.
[201] Hermann Lübbe 1986, p. 198.
[202] Cf. Schieder 1987, p. 128. Where the political leadership did not want to do anything with such rationalisation and pragmatisation, where it sought to legitimise itself from its own social revolutionary tradition (as in the German Democratic Republic), there could be no civil religion, cf. Schieder 1987, p. 182.

c. This makes it clear that the theorists dealing with the subject also rejected the third possibility of conceptualising a European civil religion as a religion. They had not been convinced by the idea of bringing the political whole so close to Christianity that a civil religion could thus acquire the quality of a religion. The adoption of Bellah's concept was not coupled with the demand to strengthen the validity of Christian morality in schools and the administration of justice and to orientate oneself towards the Christian religious communities and the moral teachings they represented. The authors of the West German concept of civil religion lacked any ambition to christianise the state. Moltmann's and Metz's fear that civil religion was a "degenerated form of Christianity in which the Christian message was usurped for bourgeois legitimising purposes"[203], was unfounded. Rather, the frontline position against the clericalisation of the modern state was a common concern of all those who sought to adapt the concept of civil religion to European conditions.

Unlike Bellah, with his orientation towards a democratic-republican ethic inspired by the Old Testament[204], West German theorists were concerned precisely with the distance of a West German civil religion from religious dogmatism. Although Lübbe speaks of civil religion binding "citizens to the political community even in their religious existence (...) and (making) this community ultimately visible as religiously legitimised"[205] through its reference to stocks of religious culture, he also interprets civil religion as a kind of church-independent minimum consensus, as a common platform of all important political forces with the function of neutralising the religious charge of politics[206].

Civil religion as an "ensemble of those stocks of religious culture that are factually or even formally-institutionally integrated into the political system, as in religious constitutional law, and which are therefore not left to the religious communities as their own internal matter"[207] is not a task for the churches. Their management is the responsibility of politics. A conglomerate of value convictions labelled as a "religious implement of prevailing political

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[203] Cf. Wolfgang Voegele 1994.
[204] Hermann Lübbe 1986a, p. 207.
Cf. also Heinz Kleger / Alois Müller, eds, Religion des Bürgers. Zivilreligion in Amerika und Europa, München 1986, Introduction, p. 7-15.
[205] Hermann Lübbe 1986a, p. 212.
[206] Cf. Schieder 1996. Parsons' definition of civil religion also went in the same direction, in which he emphasised that it was a conglomerate of precisely those consensual beliefs "that could not be attributed to a denominationally bound church, but (shaped) the character of a non-denominational moral community", cf. Matthias Hildebrandt 1996, p. 270.
[207] Hermann Lübbe 1986a, p. 204.

culture"[208] or as a post-religious "background complex"[209] is not religion, and a West German civil religion is therefore not religion in any respect, but merely an instrument of social engineering.

d) Human dignity as the religion of the modern state: Hörnle

 While German democracy may not have a religion in the sense of Bellah's civil religion, it may have a religion of human dignity („eine Religion der Menschenwürde"). This suggestion – a thesis put forward by Tatjana Hörnle[210], following Hans Joas[211], that modernity is creating its own religion in the form of human dignity – is only mentioned here because it has not been elaborated on by its author at times. Hörnle speaks of a "substitute religion". She justifies its emergence with the "hopeless endeavour to find an intellectual reason to endure in society in place of the weakened religion" as stated by Adorno and Horckheimer[212]. Already in the discussion about human dignity, a broad current was recognisable that "professed the necessity of the unavailable"[213].

With regard to the human dignity laid down in Article 1 of the German Basic Law ("Human dignity is inviolable. To respect and protect it is the duty of all state authority"), Hörnle notes a broad spectrum of interpretations that can by no means be summarised in the term "substitute religion"[214]: she mentions three alternative interpretations of human dignity: merely an empty formula (represented by Schopenhauer, today by Norbert Hoerster), an omission of specification (i.e. a projection surface for people with different ideological backgrounds) and parallelisation with sacred concepts, which turns human dignity into a "magnificent, not precisely perceptible, unattainable object of worship".

In the current debate on the justification of human dignity, reference is sometimes made to ideas of natural law from the 1950s or to Kant's formula that no human being may be used

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[208] Hermann Lübbe 1986a, p. 203.
[209] Heinz Kleger, Zivilreligion als Bürgerreligion, pp. 56-81, p. 57.
[210] Tatjana Hörnle, Die Menschenwürde: Gefährdet durch eine „Dialektik der Säkularisierung" oder „Religion der Moderne"? in: Walter Schweidler (Ed.), Postsäkulare Gesellschaft. Perspektiven interdisziplinärer Forschung, Freiburg und München: Karl Alber Verlag, 2007, pp. 170 – 189.
[211] Hans Joas, Braucht der Mensch Religion, 2004.
[212] Dialektik der Aufklärung, 1988, p. 92.
[213] Hörnle 2007, p. 177.
[214] Tanja Hörnle, Begründungen der Menschenwürde in der aktuellen Rechtsphilosophie, Humanismus aktuell 2008, Heft 22, p. 40-52.

"merely as a means to my end". The thesis that human dignity is a "substitute religion" is not further substantiated by Hörnle or explained on the basis of a specific concept of religion. The question is whether, due to a lack of reference to transcendence and symbolisation, it is not less a religion than a social value, as is the previous case of a West German "civil religion".

e) Nationalism as modern religion

The question of whether modern democracy itself carries religious elements to a certain extent has been addressed with merit above all by nationalism research. Its representatives already at an early stage had emphasised similarities between their subject matter and religion (in the form of European Christianity). Hayes[215] had pointed out that nationalism and Christianity organised the veneration of their martyrs and the commemoration of their heroes, and that both had catechisms, parades, processions, pilgrimages and holidays. Phenotypical equality was supported by a comprehensive, life-shaping claim: the whole person was required in each case.

Christianity and nationalism both raise the claim to accompany life from birth to death and to document important periods of life. Other researchers stressed the consistency of the psychic foundations: the sense of holiness – of the nation or of the Son of God[216]. Hayes (1960) also highlighted the atmosphere of loving warmth that connects nationalism with Christianity, and at the same time separate them from the colder socialism. Unlike socialism, nationalism and Christianity understood that man did not live on bread alone. The atmosphere of loving warmth found its expression in the collective willingness of Christians and nationalists of self-sacrifice until death[217].

Based on such facts, nationalism and Christianity were either both subsumed under the concept of religion (1) or approximated to each other by the attribution of the same function (2).

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[215] Hayes 1929, 1960.
[216] Llobera 1994 and Peter Alter, Nationalismus, Frankfurt am Main 1985.
[217] Hayes 1929, Berghoff 1997.

(1) Basis of the thesis already held by Hayes[218] that nationalism and Christianity are both „religion", was apparently the now proven assumption that Christianity is not only an arbitrary case of religion, but had been the model for the concept of religion: It defines by its shape the formal characteristics of religion, which is elsewhere and at other times in other independent form could take shape. On this basis, Hayes[219] easily qualifies nationalism as a religion. With the beginning of modernity, he would step next to the continuing Christianity as a second religion.

Hayes justified this classification above all psychologically, with the devoted love that embraces the numerous contemporary disciples of nationalism. Nationalism according to him is able to awaken the "deep and all compelling emotion movement", which is essentially religious. Like any religion, he influenced not only the will, but also intellect, imagination and feeling. A nationalism that is able to cause such a deep and generally compelling emotional movement is without further ado religion. The religion of nationalism also imitates the intolerance of certain monotheistic religions and is very sectarian[220], it proves jealous and pursues its competitors, such as Christianity is pursued in the Soviet Union or in China. In 1929, Hayes had also pointed to the syncretism promoted by nationalism: many contemporaries continued nominally attached to the faith of their fathers, but at the same time proved themselves willing to adapt to the practical demands of nationalism.

(2) A second variant of equality alongside the corresponding subsumption under the concept of religion recent nationalism research postulates where it presents nationalism and Christianity as equal complexes with the same function[221]. In the place of ontological agreement comes the consistent task of legitimizing the political system in the respective epoch. Both, nationalism and Christianity, combine the function of placing the overall public order in a comprehensive world view that defines the fundamental certainties. Both thus lay the foundation for the definition of central political goals and the self-image of the political leadership. One basic expression of this functional conformity between nationalism and Christianity is the general medieval-Christian conviction that the political leadership owes its office to God, and the general modern-national conviction that it owes it to the people. In theory, however, a matching function means competition.

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[218] Hayes 1929, 1960.
[219] Hayes 1929.
[220] Hayes 1960.
[221] cf. Greenfeld (Nationalism, Cambridge 1992), Wehler (Nationalismus, München 2001), Smith 2003.

However, nationalism research has shown that the functional agreement between Christianity and nationalism hardly ever leads to a competitive relationship. In this way it supports the position that it is not only the two actors, but possibly also the historical event complexes, on which they each go back, are equilibrium quantities. Research revealed that the relationship between Christianity and nationalism in the transition to modernity can be described less as a struggle than as a process of transition and detachment. In contrast to the thesis of removal and usurpation, nationalism, at least as far as the task of legitimizing the political order is concerned, does, on closer inspection, not appear as an evildoer, but as an heir and successor. This thesis of a more or less harmonious transition from Christianity to nationalism, with both performing the same systematic task, can be based on three considerations:

A first insight of nationalism research, on the basis of which the relationship between Christianity and nationalism can be described rather in terms of its functional conformity and as a graduated transfer than as a competition, concerns the transformative effect of European Christianity. Christianity itself has ruined its system-supporting position and thus paved the way for nationalism. It had, in the form of Reformation, broken the common European Christianitas, deprived the countries of the north of the influence of the papacy and thus laid one of the essential foundations for the later success of the idea of state sovereignty. With new translations of the Bible, the Reformation created the conditions not only for the development of autocephalous churches, but also indirectly for a process of linguistic political awareness, social construction and homogenization[222].

From this point of view, the emergence of the national thought is a phenomenon that owes itself decisively to the impetus and promotion by Christianity (at least in its reformed form). The later breakthrough to the national state had also taken place in many cases under favorable, partly controlling influence of Christian churches including the Catholic one. Especially in East-Central Europe, Southeast and Eastern Europe, churches have often emerged as promoters of nationalism. Parts of the clergy were willing to reinterpret Christian symbols in favour of national ethnoreligions.

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[222] Adrian Hastings, The construction of nationhood, Cambridge 1997, cf. also Theodor Schieder, Nationalismus und Nationalstaat, Göttingen 1991.

The thesis of peaceful succession can be based not only on the de facto promotion of young people by Christianity, but also on its own weakening. It was shown, for example, by the French divine grace, which gradually faded away already in the first half of the 18th century, long before the revolution. The most Christian king was increasingly no longer regarded as a sacred, but only as a secular official[223]. Since 1730, he had not performed any more healings on lepers, as he received no absolution from his confessor because of his relationship with Madame de Pompadour and other mistresses, therefore was not allowed to partake of the sacrament and thus, according to his own opinion, no longer had any healing power without divine blessing[224].

Thirdly, finally, the thesis that the replacement of Christianity as a legitimizer of political and social order by nationalism cannot be correctly described with the disinfestation or theft metaphor, based on a position that has been widespread in nationalism research since the 1980s. According to this new interpretation, nationalism is not a permanent phenomenon, but one that emerged essentially only in the political breakthrough to modernity, that is, precisely when Christianity needed a substitute that instead of her legitimized political and social order. A protonationalism existing in popular form had only then become modern political nationalism and thus the potential basis of the system at that historical moment, when Christianity had no longer shown itself to be equal to this task. It was only with the beginning of political modernity that nationalism, as a compensator for a new legitimation deficit, became a real political force. The novelty thesis had already been advocated by Hayes (1929) and Kedourie (1960), but Gellner (1983) and various of his contemporaries had given it a new emphasis, highlighting the innovative technical, economic and social factors that had changed the British and then the continental European situation profoundly since the 18th century.

From this point of view, nationalism and modern social organization form a unity. The transition to a mobile, literate and gradually homogenized population has gone hand in hand with the emergence of new, cohesive institutions, in particular national literature and a national education system. Literacy and the state education system are the two central factors that explain modern nationalism. It was only as a result of mobilization, comprehensive literacy and social homogenization that nationalism and nation emerged. Before, both of them didn't exist – so this thesis, which is a little more convincing with regard to Eastern and

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[223] Asal 2007, p. 65.
[224] Asal 2007, p. 66f.

Central Europe than from a Western European perspective. It was not the nations that produced nationalism, but vice versa. The nations are something artificial and „belong exclusively to a certain and historically young epoch"[225]. In general, nationalism is part and result of a process in which the social focus has shifted from the local to the over-local[226].

From this perspective, the relationship between Christianity and nationalism presents itself as an egalitarian one: nationalism replaces Christianity in the fulfilment of a fundamental political task in which it increasingly fails. Christianity had already paved the way for nationalism, facilitated its first steps and, in the end, almost forced the takeover of the baton. Nationalism takes on a task that had become too difficult for its predecessor. He is an heir, not a competitor. Its rise presents itself as a technical process of business handover. Every political system needs an ideal foundation, and where one force can no longer provide this foundation, another must take its place[227].

Nationalism does what Rousseau had demanded of a new civil religion with regard to dwindling public Christianity: it enters as a functional equivalent into the void that Christianity had left behind. For functional reasons, nationalism seems to be what Kedourie (1960) called it: the religion of modernity. One might think that it replaces Christianity not comprehensively, but only with regard to its function as a legitimizer of the political system[228], and it does not shoulder this task alone, but in the form of a frequently – from country to country and from time to time – varied interaction with the other mental actors of political modernity, which Bellah describes as substitute religions.

But as a result, despite all the apparent proximity between nationalism and (Christian) religion, one will not be able to say that nationalism is the "religion of modernity", for two reasons:

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[225] so Eric J. Hobsbawm, Nations and nationalism since 1780. Programme, myth, reality, 1990.
[226] so Tenbruck 1996.
[227] Durkheim had already emphasised the functional equality of nationalism and religion; cf. also Hayes (1960): Nationalism offers a substitute for the historical supranatural religion, or more recently Llobera (1994): the nation as a "secular substitute for religion" as well as Wehler (Nationalismus, Munich 2001): nationalism is the legitimiser of political rule in the modern age.
[228] Untouched remain not only its salvific function and its derivations, but also its significance for the central symbolism of various modern nations, cf. Roger Scruton, The Meaning of Conservatism, 3. Aufl., South Bend, Indiana 2002.

On the one hand, nationalism as a social phenomenon is subject to enormous fluctuations. Today it rules, tomorrow it is pushed back into social fringes and disappeares the day after tomorrow. Sporting events can reactivate it, and external threats to neighbouring countries, separated from each other by their respective nationalisms, can make it almost disappear. Nationalism is too unstable to really be "religion of modernity".

On the other hand, nationalism is an inferior phenomenon. It is subject to the control of the state in particular in the form of compulsory education, military service and national memorial days. It is only made possible by the infrastructure, or more generally: by the political capabilities of the modern state. It is therefore not above the modern state, but is the product of the modern state. As such, it cannot be the "religion" of the modern state.

3. Interim conclusion

The approaches presented here bring the modern state and modern society close to religion, and are no longer compatible with the self-perception and external perception of the modern state as non-religious.

For Rothe/Gogarten/Rhonheimer, the modern state may be secular in its self-image, but in reality it is Christian – as heritage of the church and as the actual framework of central Christian truths of faith. But this thesis cannot convince. There are certainly significant historical links between Christianity and modernity. Nevertheless, modernity stands on its own two feet cf. Blumenberg[229]. Moreover, the position of Christianity has changed significantly since the time of Rothe and Gogarten; it could be that their theses prove to be time-bound to a greater extent.

Theoretically, the Rousseanian concept of civil religion could instead have provided the modern state with a general, somehow religious basis. But the fate of Bellah's reactivation of Rousseau's design shows that such a generality doesn't exist at all. The discussion about the civil religion, including its less significant Durkheim source stream, has shown in the West German example that Bellah's concept *cannot* be globalized. Bellah's US-American model of a civil religion, consisting of a conglomeration of biblical myths, liberation and salvation, is not exportable. What has gained real religious quality in the United States due to specific

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[229] Hans Blumenberg, Die Legitimität der Neuzeit. Suhrkamp, Frankfurt am Main 1966.

historical conditions can arrive elsewhere – for example in Central Europe – only in a highly diluted form, as a general invitation to respect certain basic social values. The American civil religion becomes outwardly only a social appeal and is thus far from being religion.

On the other hand, nationalism, being closely linked to political modernity, is without further ado universal. Notwithstanding its marked variations in intensity from country to country and in time, its religious qualities, more precisely its qualities taken from Christianity, are unmistakable – its memory oft he martyrs, its catechisms, pilgrimages and holidays. Nevertheless, one will not be able to call nationalism "the religion of modernity", because it is fluctuating, fluent and manipulatable, and indeed it is controlled by the respective leadership of the modern state, in association with state-oriented thinkers. Nationalism embodies the social side, as it were the level of believers of something that could possibly be called "religion of modernity". It is the social below, in which planning and guiding is intervened from above.

The following considerations are devoted to this above. It will be shown that there is something like a small religious core of modern democracy. Modern democracy as a whole is evidently not something religious, but to a very large extent a political organization that is religiously neutral. However, in the state which had been in 1789/91 established in France and since then globally imitated, according to the thesis founded here, there is something religious. The thesis is to be developed on the basis of the emergence of the French modern prototype, and based on the discussions in the National Assembly 1789/91.

III. How should we interpret the events of the summer of 1789?

The question of whether a - perhaps small, inconspicuous - religious core can be discovered in modern democracy will be discussed here with reference to the founding event of modern democracy: the French Revolution of 1789. The revolutionary events of June 1789, which in legal terms represent a shift in overall political responsibility from the king to the nation represented by the National Assembly[230], initially led to Art. 3 of the Declaration of Human Rights of 26 August 1789 ("The origin of all sovereignty rests ultimately in the nation") and finally in the Constitution of 3 September 1791, the first article of which states: "Sovereignty is unitary, indivisible, inalienable and perpetual. It belongs to the nation".

According to the prevailing interpretation, the actor that proclaims itself as sovereign is the people itself or, in contemporary French terminology, „*la nation*"[231]. The very influential legal concretisation of this assumption comes from the French theologian Emmanuel Joseph Sieyès (1748-1836). His contribution not only stands for the "beginnings of revolutionary discourse"[232] and the establishment of modern France[233], but also forms the constitutional foundation on which modern democracy as a whole stands[234]. Sieyès' draft will be presented first (1), followed by the reasons why this draft is not convincing, at least not as a historical draft (2) [235].

1. Sieyès' conception

Sieyès' conception rests on three pillars, which will be presented on the basis of statements by various authors: The first is the creation of the constitution not by treaty, but by the unilateral act of a new, hitherto unknown actor - the modern nation (a). The second pillar consists in the new quality that Sieyès attributes to this actor (b). Thirdly and finally, the modern nation does

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[230] Cf. for legal evaluation only Eberhard Schmitt 1969, p. 277f. The early programmatic and soon also constitutional victory of people's sovereignty was not hindered by the temporary coexistence of competing sovereignty claims.

[231] In the contemporary French debate, no distinction was made between people („*peuple*") and nation („*nation*"), see Eberhard Schmitt 1969, p. 50, and consequently also no distinction between sovereignty of the nation and sovereignty of the people, cf. Rosanvallon 2000, p. 21f, Isensee 1995, p. 27.

[232] Keith Michael Baker, „Sieyès", p. 528-544, 529 in: Kritisches Wörterbuch der Französischen Revolution, Francois Furet and Mona Ozouf, eds, Frankfurt am Main 1996.

[233] see Loewenstein 1922, p. 10.

[234] Rotteck called him the „Vater der Repräsentativverfassung" (Father of the Representative Constitution), see Hasso Hofmann, Repräsentation, Berlin 1974, p. 406.

[235] But Sieyès' thesis may of course, regardless of its historical truth, become the object of a political belief.

not have a one-off appearance, like a historical founding figure, but withdraws after its work of creation in order to be able to emerge again at any time (c).

a) The first pillar of Sieyès' structural design consists of a very peculiar, continuity-breaking process of political reorganisation. At its centre he places a specific figure – the nation – with far-reaching ambitions. The work it accomplishes does not arise organically from the existing, but stands for a sharp break in continuity, because the modern nation is not part of the ensemble of the existing order, but confronts this order head-on as an external and completely new, previously unknown force. It stands for the foreign and the other, which has nothing in common with the status quo and is not committed to it. It "is not identical with the constituted power of the state, but precedes it"[236]. It was even there before all others and, as an "a priori entity"[237], does not require any genealogical derivation.

The modern nation, very ancient and yet unknown, does not aim to complement the existing order, but to destroy it. Chevenal speaks of the nation's "absolute independence"[238]. The modern nation cancels "the inherent right and legitimacy of the state"[239]. It does not demand a shift in political emphasis, but rather, as an "extra-legal phenomenon of origin"[240] that is "removed, as it were, from all empirical conditionality and ambivalence"[241], it stands for the elimination of the existing political structure. It comes from the unthinkable depths of history, attacks and destroys all political institutions. Its attack is not aimed at assembling a new ensemble of political actors in their own right, but at a monochrome, unified situation centred in itself. This new creative power had no equivalent in the old order[242]. Now the nation and the nation alone is to characterise political life. It is the sun of the new order. As early as June 1789, Mirabeau ascribed to it the quality of an all-encompassing political totality[243]. Only the

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[236] Böckenförde 1986, p. 11.
[237] This is how Ziegler 1931, p. 101, put it.
[238] Chevenal, Demokratietheorien zur Einführung, 2015, p. 107f. He does not approve of this attribution, but tries to refute it by referring to the legal philosopher H. L. A. Hart.
[239] Ziegler 1931, p. 102.
[240] Ulrich Thiele 2003, p. 168.
[241] Ziegler 1931, p. 101f.
[242] Heller speaks of the insurmountable difficulty of ascribing, within a pervasive idea of immanence, the constitutive power to a family of God's graces (Heller, Staatslehre, 1971, p. 278).
[243] Mirabeu on 16. June 1789 with reference to the term „peuple": *„Si ce nom n'était pas le notre, il faudrait le choisir entre tous, l'envisager comme la plus précieuse occasion de servir ce peuple qui existe, ce peuple qui est tout, ce peuple que nous représentons, dont nous* Buchez, Histoire de l'Assemblée Constituante, 2. ed, vol 1, Verlag J. Hetzel, Paris 1846, p. 312f). Similarly the MP Galand, see P. J. B. Buchez, op.cit., p. 314. Further references in Kurz 1965, p. 145.

nation is to be the source of all political power[244]; alongside it, all other independent institutions lose their political right to exist[245].

b) In order to successfully launch an attack of this scope, special qualities are required, in particular an extremely strong willpower. The nation possesses such willpower. The nation is sovereign precisely because, as a "real subject of will", it is not subordinate to any other actor called upon to make political decisions[246]. Its will is absolute in the literal sense. Any attempt to limit this will to a specific area or a specific procedure would be misguided. It is free from any kind of obligation. Its will is also not bound to any form[247], is superior to everything else[248]. It is enough that the nation wills. Queries about the plausibility of the projects to which it directs its will are illegitimate. Its will "makes the law and there is no other law than this will. Quidquid placuit populo legis habet vigorem"[249]. According to Sieyès, their will is inviolable. All expressions of the will of the nation "are good and its will is always the highest law"[250], its will "est toujours légale; elle est la loi elle-meme"[251].

Characteristic of Sieyès' design, as Estel summarises, is the "forced emphasis on the unrestrained sovereignty of the volonté nationale, which cannot really be bound by anything"[252]. It is precisely because it is - according to Rosanvallon's paraphrase of Sieyès - "the pure expression of a rising will, an absolutely naked power, unconditioned by anything", that the nation can creatively bring about its great work of re-foundation[253]. It is almost superfluous to point out that these attributions deviate very far from the strong limitations to which pre-modern politics - including the supposedly absolute kings - were exposed at all levels[254].

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[244] Cf., once again, Titel III, Art. 1 of the French Constitution from 1791: „*La Souveraineté est une, indivisible, inaliénable et imprescriptible. Elle appartient à la Nation; aucune section du peuple, ni aucun individu, ne peut s'en attribuer l'exercice*" (Sovereignty is one, indivisible, inalienable and imprescriptible. It belongs to the Nation; no section of the people, nor any individual, can claim to exercise it).

[245] Cf. the preamble to the French constitution from 1791, where it says: „There are no more guilds, no bodies of professions, arts or crafts", or also Ernst-Wolf Böckenförde, Die verfassunggebende Gewalt des Volkes – Ein Grenzbegriff des Verfassungsrechts, p. 58 - 80, 61f in: Ulrich K. Preuß, ed, Zum Begriff der Verfassung, Frankfurt am Main 1994.

[246] Hermann Heller, Die Souveränität, 1927, p. 105.

[247] Sieyès, Dritter Stand, 1789/1981, p. 168.

[248] Jean Jaurès, Histoire socialiste de la Révolution francaise, vol 1 „La Constituante", Paris 1922, p. 282.

[249] Bertrand de Jouvenel, Über Souveränität, Neuwied 1963, p. 200.

[250] Sieyès, Dritter Stand, 1789/1981, p. 169.

[251] Camille Desmoulins, La France libre, p. 82, in: Jules Claretie, ed, Oeuvres de Camille Desmoulins, Charpentier ed Cie, Paris 1874.

[252] Estel 2002, p. 223.

[253] Rosanvallon 2000, p. 154.

[254] Cf. Bernd Marquardt, Staatsbildung. Geschichte einer Dreifachrevolution – Von der vorstaatlichen Gesellschaft zum Staat der Industriegesellschaft, Breuninger, Stuttgart 2006.

c) But the nation does not perish, even after it has accomplished its great work. It is neither a caterpillar that irrevocably pupates, nor a heroic new creator that dies and is dependent on faithful custodians for the continuation of its work, but lives on. In fact, it only comes into the world in its founding work. It does not consume itself in this work, but has enough strength to carry the system it founded alone and in the long term. It takes on the task of a modern atlas and shoulders, once again single-handedly, the entire political order it founded. This order, in all its ramifications, is always and completely derived from the nation. "All state power emanates from the people".

But that is not all. The modern nation has not only come to stay, but also to create again when the opportunity arises. It reserves the right to revise its work at any time or to withdraw the constitution it has given[255]. In its constitutional quality, it is not subject to the constitution it has given[256] and cannot lose the right to replace the constitution with a new one. For to whom, Sieyès asks, should it bind itself? [257] For logical reasons alone, it cannot be bound by the order it has given itself[258]. The nation, as "the born enemy of all procedure and all form"[259], can revise the order it has established at any time. But it does not go so far as to revise itself. The idea that the modern nation could at some point destroy itself or otherwise perish is far from Sieyès' mind. The modern nation is eternal. It too is not bound by any constitution, and its prerogative is precisely the prerequisite for its ability to legitimise itself[260]. Its "revolutionary character and its legal independence" are preserved indefinitely in perpetuity[261].

Sieyès thus conceptualises the appearance of People's Sovereignty as a process of destruction and re-creation. An overpowering actor comes from outside, destroys the existing political order, establishes a new one, sustains it permanently and reserves the right to replace it on occasion with a modified new order – always on the path of national sovereignty. In 1789, the

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[255] Sieyès, Dritter Stand, 1789/1981, p. 172.
[256] Sieyès, Dritter Stand, 1789/1981, p. 172.
[257] Sieyès, Dritter Stand, 1789/1981, p. 168.
[258] Sieyès, Dritter Stand, 1789/1981, p. 172.
[259] Ulrich Thiele 2003, p. 168. Cf. also Hannah Arendt, On Revolution, 1965, p. 163, with reference to the French case: „Both power and law were anchored in the nation, or rather in the will of the, which itself remained outside and above all governments and all laws".
[260] Oliver Lepsius, Zwischen Volkssouveränität und Selbstbestimmung. Zu Kelsens demokratietheoretischer Begründung einer sozialen Ordnung aus der individuellen Freiheit, p. 15-37, 20 in: Hauke Brunkhorst and Rüdiger Voigt, eds, Rechts-Staat, Baden-Baden 2008.
[261] Eggert 2021, 29. The counter-position asserts that the nation uses its force only once - to establish the modern constitutional state, Cf. Friedrich Müller, 1995, p. 16.

French nation constituted itself of its own free will as the sovereign bearer of the new political order, and would sustain this order in the long term.

2. The contradiction of historiography

As indicated, Sieyès' idea contradicts the current state of historical research. The establishment of People's Sovereignty cannot have taken place in the way Sieyès outlines it. From the majority of facts that speak against Sieyès, two will be singled out below, each of which is sufficient to bring down the founding theory based on Sieyès, at least as a historiographical one[262].

a) The first thing that cannot be reconciled with Sieyès' design is the fact that his main protagonist does not exist in June 1789, the time of the declaration of sovereignty. We cannot speak of the existence of the modern French nation, which is subsequently regarded as sovereign, at the historically decisive point in time - the founding moment of modern democracy. A non-existent nation cannot declare itself a sovereign power.

Of the various elements that constitute the modern nation[263], the political-consciousness element is singled out here for its particular illustrative power: The modern nation presupposes, as one of its essential components, the significant integration of its members in terms of conviction - the general conviction that they belong together[264]. The credibility of the factual foundations of this conviction is irrelevant. What is decisive is that modern national sentiment must not be merely an elitist affair, but must be supported by the masses. The modern nation, which traditionally constituted itself as sovereign in 1789, includes a generally

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[262] From the historiographical, once again, the legitimating credibility is to be distinguished. Even a historiographically refuted thesis can have a system legitimizing effect, but the question is whether this can succeed in the long term in an age that ascribes a high position to science.

[263] Cf. e.g. Anthony D. Smith 2000: „By the term nation I understand a named human population occupying a historic territory or homelandand sharing common myths and memories; a mass, public culture; a single economy; and common rights and duties for all members. By the term nationalism I understand an ideological movement fort he attainment and maintenance of autonomy, unity, and identity on behalf of a population deemed by some of its members to constitute an actual or potential ‚nation‘") or Otto Dann (Nationsbildung im neuzeitlichen Europa, p. 27-41, 30f, in: Almut Bues und Rex Rexheuser, eds, Mittelalterliche nationes – neuzeitliche Nationen, Harrassowitz Verlag Wiesbaden 1995).

[264] Cf. only Jansen/Borggräfe, Nation – Nationalität – Nationalismus, 2007, p. 11.

shared national consciousness, one that "understands the population concerned as a political unit"[265].

There was undoubtedly a French nation in the centuries before 1789. It found its external point of reference in one of the great European powers that had existed since the 9th century and had been stabilised by hereditary monarchy since the 13th century. The actors of this state not only appeared with a high claim to validity[266], but were also able to provide this claim a power political basis[267]. It was *this* state to which the partisans of the old French national consciousness referred. The rulers of France had succeeded in convincing the numerous office-holders beyond their own inner circle, "who increasingly saw themselves as the embodiment and extension of the absolutist state out of conviction and group interest (the ability to buy office)", of a form of early national thinking corresponding to this policy[268].

The concept of People's Sovereignty does not refer to the sovereignty of any nation, even pre-modern ones, but exclusively to the sovereignty of the modern nation. However, a modern national consciousness did not exist in medieval and early modern France[269]. The awareness of belonging to the French nation was the awareness of a small group consisting of the king, the court and a few leaders, while the broad masses - who, incidentally, spoke different languages to a greater extent at the time - remained unaffected. The idea of a general togetherness that transcended social boundaries, as is characteristic of the modern nation[270],

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[265] Estel 2002, p. 14.

[266] Since the High Middle Ages, they first appeared with the idea that France had a prominent role in the Christian world, and later, it had, in contrast to the cultural claim to leadership in the Renaissance period of Italy, even represented the beginning of human culture, see Eugen Lemberg, Geschichte des Nationalismus in Europa, Curt E. Schwab, Stuttgart 1950, p. 162f.

[267] They had already been convinced since the late Middle Ages that there was no contradiction between the interests of the royal house - which began early on to eliminate competition in the immediate vicinity of the crown domains - and those of the country, and have proven themselves since 16. Century - unlike the empire - able to gradually prevail against the prince opposition, Cf. Etienne Francois, Frankreich als Nation in der Neuzeit, p. 61-71, 61 in: Almut Bues u Rex Rexheuser, eds, Mittelalterliche nationes – neuzeitliche Nationen, Wiesbaden 1995.

[268] This early national thought found expression in the discussion of the universal claim of the Catholic Church as well as in a language policy beginning slowly in the 16th century, being initially directed against the Latin language, see Etienne Francois, Frankreich als Nation in der Neuzeit, p. 61-71, 63 in: Almut Bues u Rex Rexheuser, ed, Mittelalterliche nationes – neuzeitliche Nationen, Wiesbaden 1995). With regard to this language policy, Lemberg (History, 1950, p 163f) refers to the orders of Villiers-Cotterets of 1539, which continued until today, according to which laws and regulations were to be published in French.

[269] Joachim Ehlers: „Elemente mittelalterlicher Nationsbildung in Frankreich…", in: Historische Zeitschrift 231 (1980), p. 565-587, 586.

[270] Cf. the MP and then president of the National Assembly Chabroudap on 23. april 1791, AP 1791 Bd. XXV, 313: „*la nation souveraine n'a plus que des citoyens égaux en droits, plus de despote que la loi, plus d'organes que des fonctionnaires publics, et le roi est le premier de ces fonctionnaires : telle est la Révolution française*" (the sovereign nation has only equal citizens, more despots than the law, more organs than public officials, and the king is the first of these officials: such is the French Revolution).

remained alien to pre-revolutionary national sentiment. Pre-modern national thinking was exclusive. In times of crisis, it momentarily reached broader masses[271], but was otherwise a matter for "the nobility, who were increasingly dependent on the monarch", the high clergy and "the royal nobility who had risen from the bourgeoisie"[272]. In fact, it remained limited to a narrow upper class, a circumstance that reflected the pre-modern ideological foundations: the Christian-Aristotelian pre-modern era was in its hierarchical self-image far removed from the modern concept of equality[273].

It could be argued that the pre-modern French nation, insofar as it was based on these Aristotelian and stately foundations, had already been eroding since the middle of the eighteenth century. Decades before 1789, the intellectual part of the French elite had already – at least for itself – spiritually abandoned the old order. Beginning with the death of Louis XIV (1715), the political-religious status quo was publicly questioned, and in the middle of the century, the development - fuelled by the works of Montesquieu, Diderot, Condillac and Voltaire, among others - gathered pace. By 1770, "the battle for the educated public had been won; the religious and political advocates of the ancien régime had been silenced"[274].

At the same time, the frequency of the inclusive term "*nation*" had increased in French literature since 1750, and "*peuple*", "*patrie*" and "*état*" - as synonyms of "*nation*" - also recorded an increase[275]. The former foreign minister René Louis d'Argenson stated in 1754: "*L'on observe que jamais l'on n'avait répété les noms de nation et d'état comme aujourd'hui*"[276]. Holbach defines "patrie" in 1776 as the area in which "the citizens are free, governed according to the principle of equality and are therefore happy"[277] and in 1777, the Dictionnaire de l'Académie françoise defined "nation" as the population of a state living under the same laws and speaking the same language[278].

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[271] Etienne Francois, Frankreich als Nation in der Neuzeit, p. 61-71, 63 in: Almut Bues u Rex Rexheuser, Ed, Mittelalterliche nationes – neuzeitliche Nationen, Wiesbaden 1995).
[272] Joachim Ehlers: „Elemente mittelalterlicher Nationsbildung in Frankreich…", in: Historische Zeitschrift 231 (1980), p. 565-587, p. 585f.
[273] Cf. Horst Dreitzel, Absolutismus und ständische Verfassung in Deutschland, Mainz 1992.
[274] Francois Furet / Denis Richet, Die Französische Revolution, Frankfurt am Main 1987, p. 77.
[275] Liah Greenfeld, Nationalism, Harvard University Press, Cambridge MA 1992, p. 160.
[276] René Louis d'Argenson, *Journal et Mémoires*, Paris, 1859-1867, Nr. 8, 26. Juni 1754, p. 315.
[277] „Das Zeitalter der europäischen Revolution 1780-1848", Frankfurt am Main 1969, p. 90.
[278] Liah Greenfeld, Nationalism, Harvard University Press, Cambridge MA 1992, p. 161. She points out at p. 160 that already in 1690 the *dictionnaire universel* of Abbé Furetière had defined the term "nation" as „a collective name that refers to a great people inhabiting a certain extent of land, enclosed within certain borders, o runder the same authorities".

However, this intellectual collapse remained just as elitist a phenomenon as the old national consciousness had been. Unlike after 1789, it was not possible to win over the masses in favour of this patriotic-national turnaround initiated by intellectuals in the capital. The rise of the bourgeoisie had indeed diminished the plausibility of the rigid hierarchy of the estates[279], but how little the social reality of 1788 and 1789 could speak of an egalitarian nation gripped by patriotic-national sentiment is shown by the so-called *cahiers de doléances*, which were written by representatives of the estates throughout the country[280] to inform the king of the interests of the individual estates[281], as had already been the case when the Estates-General convened in 1560 and 1614.

The demands made in 1788 and 1789 are just, and emphatically, no proof of a People's Sovereign gradually emerging from the people, but but they can, on the contrary, be read as documents of a desire for gradual reform, especially in the interest of the bourgeoisie, and its desire for the state to be more accommodating in administration and justice[282]. This impulse found expression above all in numerous tax policy and administrative demands[283], behind which general political demands took a back seat.

However, these general political demands did exist, but they were moderate. A greater role was played by questions relating to the cause of the complaint process, namely the organisation of the Estates-General. There were calls for them to meet regularly[284] and almost unanimously for the three estates to deliberate together[285]. Sometimes[286] it is claimed that all

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[279] The policy of the crown, which prescribed the black robe of the jurists to the deputies of the third estate in 1789, was considered by many contemporary witnesses to be outdated and ridiculous, see Martin Göhring, Geschichte der Großen Revolution, Erster Band, Tübingen 1950, p. 343. Kutzner (1997, p. 150) takes an even more far-reaching position: the process of equalization had already progressed so far around 1789 that there were no longer any status identities. For the general social melting process before 1789 see Karl Deutsch, Nationalismus und seine Alternativen, 1969/72, p. 9ff and Krause 2008, 24f.

[280] Möckelt 1927, p. 3.

[281] The complaint booklets were usually written separately according to status, in exceptional cases neighbouring villages wrote a joint booklet, p. Möckelt 1927, p. 5 and 16.

[282] Jürgen Scheller, Der Stellenwert der ‚cahiers de doléances' in der Revolutionshistoriographie, in: Winfried Schulze, Ed, Aufklärung, Politisierung und Revolution, Centaurus-Verlagsgesellschaft Pfaffenweiler 1991, p. 85-106, 96, 104f. Cf. e.g. the „*Cahiers de Doléances du bailliage de Nancy*", Art-sur-Meurthe, 10. march 1789, in: Jean Godfrin, Cahiers de Doléances des bailliages des généralités de Metz et de Nancy pour les États Généraux de 1789, vol IV, Librairie Ernest Leroux, Paris 1934, p. 3ff.

[283] Sammler 1997, p. 163. Cf. e.g. the Cahiers de Doléances du bailliage de Nancy, Art-sur-Meurthe, 10. march 1789, Cf. Jean Godfrin, Cahiers de Doléances des bailliages des généralités de Metz et de Nancy pour les États Généraux de 1789, vol IV, Librairie Ernest Leroux, Paris 1934.

[284] Sammler 1997, p. 131ff, Möckelt 1927, p. 31f.

[285] Egon Zweig, Die Lehre vom Pouvoir Constituant, J.C.B.Mohr, Tübingen 1909, p. 220.

[286] But not anywhere, Cf. Daniel Ligou, Cahiers de Doléances du Tiers État du pays et jugerie de Rivière-Verdun pour les États Généraux de 1789, Paris 1961, p. 11ff.

administrative, judicial and ecclesiastical positions should be open to members of all estates[287]. The latter demand was made above all by the urban elites[288]. There was very broad agreement, in town and country, on the demand that the rights of the crown and the people should be set out in writing[289].

But when representatives of the third estate of the northern French city of Caen formulate the expectation, alongside fiscal policy concerns, that the royal court should cover its needs only from domestic producers and that this would not fail to have a favourable effect on the "*esprit national*"[290], this does not mean a plea in favour of People's Sovereignty. The invocation of an "*esprit national*" does not reflect the idea that a unified, great and new subject is entering the stage of world history. In the expectation of the third estate from Caen, no new nation emerges, and no somehow conceptually synthesised opponent of the old order at all, but rather it remains with a demand for reform that can be fulfilled within the old order and with the old conflicts of interest.

Rather, the invocation of the people ("*peuple*") is directed against individual grievances, and not least, from the mouths of the poor lower classes, precisely against the representatives of the third estate[291]. Those who - and there are not too many of them - invoke *la nation* as a synonym want to promote their own, group-related, professional or communal interests[292]. The view that there is a contradiction between nation and king remains isolated[293]. Where a new constitution is called for, it is not a constitution of People's Sovereignty that is being considered, but a "*constitution qui assure la liberté publique et individuelle, la propriété de chaque citoien et le droit qu'a toujour eu la nation d'accorder les subsides et d'en déterminer la durée*" (a constitution that ensures public and individual freedom, the property of each city and the right of the nation to grant subsidies and determine their duration)[294]. The tone is not aggressive and there is no talk of a violent breakthrough to People's Sovereignty. Rather,

[287] Möckelt 1927, p. 35.
[288] Sammler 1997, p. 97. Cf. e.g. Ville de Caen, Dezember 1788, Félix Mourlot, ed, Le Cahier d'Obervations et Doléances du Tier État de la ville de Caen en 1789, Paris 1912, p. 148
[289] Egon Zweig, Die Lehre vom Pouvoir Constituant, J.C.B.Mohr, Tübingen 1909, p. 220.
[290] Caen, Dezember 1788, Félix Mourlot, ed, Le Cahier d'Obervations et Doléances du Tier État de la ville de Caen en 1789, Paris 1912, p. 193, and Cahiers der Region Rivière-Verdun; and Daniel Ligou, Cahiers de Doléances du Tiers État du pays et jugerie de Rivière-Verdun pour les États Généraux de 1789, Paris 1961.
[291] Sammler 1997, p. 189.
[292] Sammler 1997, p. 190.
[293] Sammler 1997, p. 191.
[294] Cahiers de Doléances du bailliage de Nancy, Dommartin-sous-Amance, 12. march 1789, in: Jean Godfrin, Cahiers de Doléances des bailliages des généralités de Metz et de Nancy pour les États Généraux de 1789, vol IV, Librairie Ernest Leroux, Paris 1934, p. 35.

according to Furet, the elite and peasants "dream together of a myth of national reconciliation, not of the justification of a struggle"[295].

What is often demanded, however, is an end to absolute monarchical powers of intervention and their limitation by a regularly convened representation of the people[296]. Very rarely is there a demand for the abolition of the feudal system[297]; in most cases, people are content to call for a reduction in burdens and the replacement of the most oppressive rights with monetary payments[298]. Attacks were not directed against the monarchy[299] and regularly not against the local lordship, but against the high and official nobility[300]. "*Nul en France ne songeait à cette époque à détruire la monarchie*" (No one in France at that time thought of destroying the monarchy)[301]. The monarch is addressed as the bearer of hope, as "*Le meilleur des rois*"[302] and as the bringer of freedom[303]. He is thanked for convening the Estates-General[304] and pledged unchanging loyalty[305]. There is no question of a nation rising up from the people to abolish the monarchy and establish its own rule.

Additionally, is generally debatable whether a degree of politicisation can be assumed for the rural population in 1789 that goes beyond traditional anti-seigniorial revolts[306]. To a considerable extent, the rural population in 1789 was not striving forwards, but backwards. In

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[295] Francois Furet und Denis Richet, Die Französische Revolution, G.B.Fischer, Frankfurt am Main 1968, p. 86.
[296] Möckelt 1927, p. 30, 160.
[297] Thus, in the complaint book of the Lorraine municipality of Kreuzwald, the abolition of the hereditary nobility is demanded, see Möckelt 1927, p. 36.
[298] Möckelt 1927, p. 161.
[299] Liah Greenfeld takes a different view (Nationalism, Harvard University Press, Cambridge MA 1992, p. 166). The sacredness traditionally attributed to the person of the king is attributed to other objects in a non-negligible number of complaint booklets: the rights of the nation, person and property: „The Nation replaced the king as the source of identity and focus of national solidarity, as previously the king had replaced God". However, it remains open whether such a far-reaching conclusion corresponded to contemporary perception.
[300] Sammler 1997, p. 237. The continued existence of the state order is assumed, for example, in the Cahier de Champenoux, Bailliage de Nancy, 13. march 1789, Jean Godfrin, Cahiers de Doléances des bailliages des généralités de Metz et de Nancy pour les États Généraux de 1789, vol IV, Librairie Ernest Leroux, Paris 1934, p. 414.
[301] Dubois-Crancé, Analyse de la Révolution Francaise, G. Charpentier et Cie., Paris 1884, p. 16.
[302] Gemeinde Le Burgaud, in: Daniel Ligou, Cahiers de Doléances du Tiers État du pays et jugerie de Rivière-Verdun pour les États Généraux de 1789, Paris 1961, p. 43.
[303] Complaint book of Marseille-based" traders and producents and of farmers from Saint-Martin d'Auxigny, in: Helmut Reinalter, Freiheit-Gleichheit-Brüderlichkeit, Düsseldorf 1989, p. 94f. Cf. also Sammler 1997, p. 237.
[304] community Alan, p. 1-5, 1, in: Daniel Ligou, Cahiers de Doléances du Tiers État du pays et jugerie de Rivière-Verdun pour les États Généraux de 1789, Paris 1961.
[305] Cahiers de Doléances du bailliage de Nancy, Eulmont, 10. march 1789, in: Jean Godfrin, Cahiers de Doléances des bailliages des généralités de Metz et de Nancy pour les États Généraux de 1789, vol IV, Librairie Ernest Leroux, Paris 1934, p. 23, and also Cahier de Millery, 14. march 1789, in: Jean Godfrin, Cahiers de Doléances des bailliages des généralités de Metz et de Nancy pour les États Généraux de 1789, vol IV, Librairie Ernest Leroux, Paris 1934, p. 381.
[306] Sammler 1997, p. 167.

Normandy, the vast majority demanded the reinstatement of the old provincial estates, which had been pushed aside and finally abolished by the absolutist rulers in the 16th and 17th centuries, and only up-and-coming merchant towns were in favour of the new provincial administrations[307]. In Lorraine, many communities requested "to keep or regain their old rights and privileges"[308] and complained about "the non-respect of guaranteed privileges and the deterioration of conditions since the annexation by France"[309].

However, what could have been demanded in order to come closer to a hypothetical objective of "People's Sovereignty" is not demanded, in particular an egalitarian mode of representation. The economic and fiscal policy demands are also not extended in the direction of a system change. The demands of the estates, and in particular those of the third estate, remain within the framework of the traditional order. There can be no question of the idea that their demands represented an actor that would overturn the existing order or pave the way for it. There is nothing to suggest that the members of the third estate interviewed in 1788 and 1789 lived in the idea that they were acting as an integrating, anti-establishment representative of the coming system legitimiser, the "French nation", encompassing all social classes and promoting its breakthrough.

This leads to the conclusion that it was not possible to speak of the existence of a modern French nation in the spring of 1789. The importance of the bourgeoisie had grown in the preceding generations, and certain tendencies pointed to a questioning of the previous division of the estates or even, in perspective, to a gradual levelling of the differences between the estates. At the same time, however, the estate system itself remained, and even at the height of revolutionary events the system of estates is not attacked[310]. Thus, due to the lack of integration in terms of attitude, it is not possible to speak of the existence of a modern nation in the spring and summer of 1789.

b) A second, perhaps even more convincing argument also speaks against the assumption that modern democracy is based on the nation's declaration of sovereignty, following the French

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[307] Sammler 1997, p. 98.
[308] Möckelt 1927, p. 39.
[309] Möckelt 1927, p. 40.
[310] The continued existence of the estates was beyond question even for many of the deputies who moved to the new National Assembly, cf. Fitzsimmons 1994, 42ff and Krause 2008, 26f. Also in the election of the Constitutional Committee, the membership of one of the - formally meanwhile meaningless - states plays a role, see Fitzsimmons 1994, 48. It is also remarkable to what extent the Constitutional Committee - constituted in July 1789 - was prepared to leave the existing hierarchical-corporate order unchanged, see Fitzsimmons 1994, 52.

model. It is that the nation, which supposedly declared itself sovereign in 1789, was and has never been a subject, let alone sovereign, since it gradually entered the political scene after 1789. Within the framework granted to it by the constitution, the modern nation is called upon to act on its own. However, it always remains the object of influence from above and the subject of targeted modelling ("nation building"). It is never sovereign in the sense ascribed to it since 1789 - namely as a revolutionary, reorganiser, constitution-maker and invisible ruler of the political order.

The appropriate attitude towards a sovereign would be humility, or at least realisation of its immeasurable superiority. Anyone who considers the nation to be sovereign would have to face it with reverential gratitude or at least recognise the utter futility of resistance. The political reality of the years since 1789 in France, however, was completely different. Although the nation was invoked, it was not there at first. As the central point of reference for the new order, it first had to be built, and since the Revolution and throughout the 19th century, this construction was considered one of the most essential and urgent political challenges. But whoever builds someone up acts from a superior position, does not look up to a sovereign, but down on him. A nation that must first be built cannot be sovereign.

The mechanisms of nation-building are well known and are similar in all modern cases[311]. The idea of national unity, a central political programme from the outset and "seized with almost religious fanaticism"[312] in revolutionary France, soon became a legal and, with a certain delay, a social reality. The "chaos of feudalism"[313] was to be followed by a civil society organised according to reasonable principles. The state created the nation - initially through direct legal equalisation, later through indirect social equalisation via industrialisation and popular mobilisation. The establishment of civic equality, the replacement of the old provinces by departments, the abolition of professional corporations ("no nation within the nation"[314]) and the creation of the foundations of a modern economic society in general were followed from the 19th century onwards by the transition to an "anonymous, impersonal

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[311] Certain differences arise when the state considered as a nation-state does not already exist (as in France); then the formation of an elite and the educational idea have a greater significance, cf. Rolf-Ulrich Kunze, Nation und Nationalismus, Darmstadt 2005, p. 16.
[312] Hintze 1928, p. 174.
[313] This term in Fitzsimmons 1994, p. 59.
[314] Estel 2002, p. 234.

society of interchangeable atomised individuals"[315]. From the beginning, the modern nation was the result of planned organisation.

While in the middle of the eighteenth century the distance between Paris and the French provinces was still as great as that between different peoples several generations apart in their level of development[316], and only a tenth of the population of France was fluent in French at the beginning of the Revolution[317], the policy of the Revolution, guided by the idea of universal participation, aimed from the outset at linguistic standardisation, among other things[318]. Pre-revolutionary elites, on the other hand, had not yet developed any ambition to bring their culture to a rural population that often spoke other languages[319]. Even in 1863, French was still not spoken in 8,381 of France's 37,510 municipalities[320], and it was not until around 1900 that the language was largely standardised with the help of railways, schools and the military[321]. The creation of the modern nation required not only a great deal of effort, but also patience.

The emergence of the modern nation was aided by symbols and what is now known as historical politics. A key role was played by national commemorations, which have played an essential role in the creation of a French national consciousness since the Revolution[322]. Rousseau had already described public holidays as one of the most effective means of nation-building[323]. Thus the commemoration of the storming of the Bastille, practised since 1790[324],

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[315] Gellner (1991, p. 59) considers this society to be characteristic of the modern nation state as a whole. On the legal and economic side of the transformation, see Patrick Weil, How to be French, Duke University Press 2008, p. 13 or Jean-Pierre Gross, Fair shares for all, Cambridge 1997, p. 122f.

[316] Weber 1976, p. 97.

[317] Douglas Johnson (The making oft he French nation, p. 35-62, 52, in: Mikulas Teich und Roy Porter, Ed, The national question in Europa in historical context, Cambridge 1993) zitiert eine Untersuchung des Abts Grégoire von 1790, die gezeigt hätte, „that three-quarters oft he population knew some French but that only a little more than one-tenth could speak it properly".

[318] Eugen Weber, Peasants into Frenchmen, Stanford 1976, p. 72.

[319] Cf. Gellner 1991 and Smith 2000, p. 27-29.

[320] Eugen Weber, Peasants into Frenchmen, Stanford 1976, p. 67.

[321] Eugen Weber, Peasants into Frenchmen, Stanford 1976, p. 493f. Cf. also Douglas Johnson (The making of the French nation, p. 35-62, 52 in: Mikulas Teich and Roy Porter, eds, The national question in Europa in historical context, Cambridge 1993), who highlights the importance of education policy in the 1880s and concludes, that „the accomplishment of the Third Repubic was the homogenization of the nation".

[322] Avner Ben-Amos, Der letzte Gang des großen Mannes, p. 232-251 in: Etienne Francois et al., Ed, Nation und Emotion, 1995, p. 232; Schröer 2014, p. 303.

[323] Jean-Jacques Rousseau, Considérations sur le gouvernement de Pologne, Genf 1782, p. 424.

[324] Hans-Jürgen Lüsebrink and Rolf Reichardt, Die Bastille, Frankfurt am Main 1990, p. 261. But it was not until 1880 that the commemoration of 14 July became a national holiday, cf. Iring Fetscher, ‚Mutter der Revolutionen'? p. 62-67, 62 in: Hanno Helbling und Martin Meyer, eds, Die Große Revolution, Verlag Neue Zürcher Zeitung, Zürich 1990.

serves directly to strengthen the nation, demonstrates the unity of the nation[325], becomes a remedy for almost all social ills[326] and, summarised, serves to "create Frenchmen"[327]. The intellectual amalgamation of all French citizens, not least through the education system[328], was one of the important fields in which the formation and consolidation of the modern French nation was and is being pursued. Added to this was the introduction of republican catechisms, oaths, cockades etc[329]. Such a policy aimed and still aims to create a "community of feelings and ideas", a common view of the world that unites all citizens[330]. The values of the revolutionary constitution were to be brought into the reality of citizens' lives[331].

Even outside Europe, where systematic nation-building has been regarded as one of the keys to modernisation and catch-up development since the 1950s[332], the modern nation is not what the prevailing constitutional theory imagines it to be: not a strong-willed and overpowering sovereign coming from outside, but, on the contrary, an object of planned production[333].

It is remarkable that Sieyès also argues in this way. For him too, as he reveals in his essay "What is the Third Estate?" (1788), the nation is a greatness that only comes into being through political action[334]. He thus not only proclaims the apotheosis of the omnipotent nation (see above), but also the counter-thesis that the nation has not always existed and does not arise of its own accord, but owes its existence to political planning and control. He thus retracts to a certain extent his powerful thesis of the eternal and overpowering nation. At the end of 1788, Sieyès could not speak of the existence of a nation, which he defined as "living

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[325] Hans-Jürgen Lüsebrink and Rolf Reichardt, Die Bastille, Fischer Taschenbuch Verlag Frankfurt am Main 1990, p. 261, and Rémi Dalisson, Célébrer la Nation, Nouveau Monde éditions, Paris 2009, p. 19ff.
[326] Schröer 2014, p. 383.
[327] "We created Italy, now we must create Italians," said former Piedmontese Prime Minister Massimo d'Azeglio 1861, cited at Peter Alter, Nationalismus. Ein Essay über Europa, Alfred Kröner Verlag, Stuttgart 2016, p. 28.
[328] Maurice Agulhon, Die nationale Frage in Frankreich: Geschichte und Anthropologie, p. 56-65, 57f in: Etienne Francois et al, ed, Nation und Emotion, Vandenhoeck & Ruprecht, Göttingen 1995.
[329] Schröer 2014, p. 304.
[330] Weber, Peasants, 1976, p. 95 referring to Julien Benda, Esquisse d'une histoire des francais dans leur volonté d'etre une nation, 1932, p. 11, 74, 76, 91f.
[331] Schröer 2014, p. 314.
[332] Jochen Hippler, Gewaltkonflikte, Konfliktprävention und Nationenbildung – Hintergründe eines politischen Konzepts, p. 14-30, 18-21 in: Hippler, ed, Nation-Building, Bonn 2004.
[333] This applies, for example with regard to the Netherlands, with certain time restrictions. Overall, however, Anthony Smith (2000, p. 29) is right: „There could be no room for nations in premodern, agroliterate societies, because the tiny elites in such societies were totally isolated from the great mass of food producers who were themselves divided into vertical folk cultures".
[334] The reference point is the work written by Sieyès at the end of 1788 during the emergency meeting and published in January 1789 „Was ist der dritte Stand?", in: Rousseau, Politische Schriften 1788-1790, translated and edited by Eberhard Schmitt and Rolf Reichardt, München 1981, p. 117-195.

under a common law and represented by the same legislative assembly"[335]. Sieyès recognises that the modern nation is not only not sovereign but, moreover, does not even exist.

For Sieyès, too, the modern nation does not wait for its historical moment to emerge superior and commanding, but must first be created by political means. The agents of nation creation do not reach their goal by legal and technical means; instead, more massive and longer-lasting measures are required - an exclusionary violence organised by the state and directed against internal minorities.

Both of Sieyès' theses have a global impact: that of the omnipotent nation in the constitutional law of many countries, and that of the nation to be created by state power in the political practice also of many countries, beginning with revolutionary France in the years since about 1790.

A necessary component of the modern nation is the inner uniformity of its members. According to Sieyès, the nation must be able to formulate a unified will, and it can only achieve this if it does not consist of conflicting estates[336]. No nation without the elimination of the division of estates. "A nation divided by estates will never have anything in common with a nation that is one"[337].

A particular obstacle on the road to a homogenised nation is the nobility - harmful by its very existence[338]. It is the nobility's responsibility, that „to the misfortune of France, the division into three estates still exists, each of which is the enemy of the other"[339]. Its existence is a terrible disease that "consumes the body of the unfortunate alive"[340]. The nobility does not belong to the nation, if only because of its way of life and legal status[341], and it excludes itself from the nation through its claimed descent from the Germanic conquerors. Whoever steps out of the common order places himself beyond the nation[342]. The nobility does not belong to

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[335] Sieyès, Dritter Stand, 1789/1981, p. 124.
[336] The central importance of this point for Sieyès is highlighted by Keith Michael Baker, „Sieyès", p. 528-544, 537f in: Kritisches Wörterbuch der Französischen Revolution, Francois Furet and Mona Ozouf, eds, Frankfurt am Main 1996.
[337] Sieyès, Dritter Stand, 1789/1981, p. 159.
[338] Sieyès, Dritter Stand, 1789/1981, p. 190.
[339] Sieyès, Dritter Stand, 1789/1981, p. 137.
[340] Sieyès, Dritter Stand, 1789/1981, p. 190.
[341] Sieyès, Dritter Stand, 1789/1981, p. 124.
[342] Sieyès, Dritter Stand, 1789/1981, p. 127.

the nation[343], its deputies are not representatives of the nation[344], its deputies, insofar as they belong to the third estate, are "false deputies"[345], because their interests are not compatible with the general best interests[346].

To establish the nation, it is not enough to assimilate the nobility, because that may take too long. Rather, the nobility must be driven out and destroyed. The third estate, a powerful man with a chained arm[347], as it were, is quite capable and authorised to pursue this policy, as it is already taking on ten twentieths of all social tasks, including the most difficult ones[348]. There are 200,000 people from the first two estates compared with 26 million members of the third estate[349]. What is needed is a rigorous exclusion and expulsion of the nobility. Citizenship and the right to vote must be withdrawn and the nobility[350], which is like a tormenting and malignant disease, must be segregated[351]. Sieyès argues in favour of the remigration of the French nobility to the land of their origin - to Germany, to the "Franconian forests"[352]. In the "terrible battle" to be waged against the aristocracy, a common front of reason, justice, the people, the king and ministers stood against it[353].

At the same time, there are isolated indications that Sieyès expected a continuous, longer-lasting transition to the modern nation. The nation would have to be "gradually brought back to social unity"[354] and the public would need time to become accustomed to freedom[355]. One day, reason and justice would bring about a change of attitude[356]. Longer transition processes, perhaps extending over generations, are to be expected[357]. The realm of reason is already expanding from day to day, and "sooner or later all classes will have to fit into the framework

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[343] Sieyès, Dritter Stand, 1789/1981, p. 123f.
[344] Sieyès, Dritter Stand, 1789/1981, p. 182.
[345] Sieyès 1789, p. 19: „*Ces faux Députés n'ont pas meme toujours été l'ouvrage libre de l'élection des Peuples*".
[346] Sieyès 1789, p. 21 commented on the interests of newly ennobled representatives of the Third Estate: „*Son nouvel interet est opposé à l'intéret général; il est inhabile à voter pour le Peuple*"; Cf. auch p. 24f.
[347] Sieyès, Dritter Stand, 1789/1981, p. 123.
[348] Sieyès, Dritter Stand, 1789/1981, p. 121f.
[349] Sieyès, Dritter Stand, 1789/1981, S.140ff. Sternberger (Grund und Abgrund der Macht, Frankfurt am Main 1986, p. 104f) compares the reference to the numerical relations with that later threat to the overwhelming majority of the exploited about the exploiters - those of Karl Marx" and speaks of an "almost totalitarian" of the Abbé.
[350] Sieyès, Dritter Stand, 1789/1981, p. 191.
[351] Sieyès, Dritter Stand, 1789/1981, p. 195.
[352] Sieyès, Dritter Stand, 1789/1981, p. 126.
[353] Sieyès, Dritter Stand, 1789/1981, p. 130.
[354] Sieyès, Dritter Stand, 1789/1981, p. 182.
[355] Sieyès, Dritter Stand, 1789/1981, p. 184.
[356] Sieyès, Dritter Stand, 1789/1981, p. 127.
[357] Sieyès, Dritter Stand, 1789/1981, p. 172.

of the social contract"[358]. With increasing enlightenment, it is to be expected that the remnants of the old society will dissolve and the medieval peculiarities will disappear[359]. In the same text ("What is the Third Estate?"), Sieyès juxtaposes his influential concept of a self-sufficient and overpowering nation with the concept of a politically created nation.

The thesis of the sovereignty of the modern nation is therefore unconvincing for two reasons: the modern nation did not exist at the time when it supposedly declared itself sovereign, and it was never sovereign afterwards, when it gradually came into being through state intervention, but was always the object of politics. Apparently Sieyès had also realised this.

The absence of the sovereign, however, does not alter the experience of sovereignty - the experience of the people finally no longer silent but speaking in the revolution[360], the effect of the "*génie de la patrie*"[361] inspiring contemporaries, the concentration of the "great light of reason"[362] in the revolutionary event, in short, the experience of a political miracle[363]. The principle of People's Sovereignty had "broken through a cloud and (had) descended from there under the astonished gaze of the people"[364], a transcendental act[365] had taken place, which instilled a zeal for conversion and whose message was preached to strangers with fervour: [366] "A whole people suddenly awoke from nothingness to being, until then mute, suddenly found a voice"[367].

Such an act requires interpretation. To interpret it supranaturally[368], as the effect of the invisible and sovereign, overthrowing and refounding nation, had already made sense to many

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[358] Sieyès, Dritter Stand, 1789/1981, p. 150.
[359] Sieyès, Dritter Stand, 1789/1981, p. 150.
[360] Cf. Maud Meyzaud, Die stumme Souveränität: Volk und Revolution bei Georg Büchner und Jules Michelet, Fink Verlag, Paderborn 2012.
[361] Oeuvres de Maximilien Robespierre, Tome VI, Discours, 1re parties (1789-1790), Presses Universitaires de France, Paris 1950, session du 16. June 1789, p. 33.
[362] Georg Forster, Parisische Umrisse, in: Georg Forsters Werke, vol X 1, p. 597, quoted at Axel Rüdiger in Klein/Finkelde 2015, p. 188.
[363] Axel Rüdiger in Klein/Finkelde 2015, p. 213f with reference to Forster Parisische Umrisse, in: Georg Forsters Werke, vol X 1, p. 607-611.
[364] Emile Boutmy, Zur Frage der Volkssouveränität, p. 49-89, 52 in: Hanns Kurz, ed, 1970, first published in „Annales des Sciences Politiques", vol XIX, 1904, p. 153-284 under the title „À propos de la Souveraineté du peuple".
[365] Ulrich Haltern, Was bedeutet Souveränität?, Tübingen 2007, p. 33.
[366] Alexis de Tocqueville, Der alte Staat und die Revolution, Carl Schünemann Verlag Bremen 1959, p. 24.
[367] Michelet 1931, p. 65f.
[368] Hanns Kurz (1965, p. 185) calls the underlying concept of a "metaphysical construction" of a real unity of the people that contradicts its social fragmentation.

contemporaries and also to the far greater number of those who have since referred positively to the revolutionary events.

How else, if not as an act of the sovereign nation, can the events of 1789 be understood? Who else, if not the nation, could have acted as an all-powerful destroyer and re-founder?

The new National Assembly certainly did not. It was indeed the place of the revolution, and the revolution - the self-organisation of the assembly of the third estate into the new National Assembly - had a formal parliamentary character. The reorganisation of the state found its organisational framework in parliament. However, the actor of the new creation, the event of demolition and new construction that was perceived by contemporaries as a political miracle, was not the National Assembly - not its respective majorities of deputies, not its presidium, not it as a constitutional body.

This is true for two reasons. Firstly, because of the disproportion between the fluctuating course of parliamentary events in 1789 and their profound, ultimately global effect. A body in which the majority of today was overcome by the majority of tomorrow[369], in which a special dignity was attributed to the majority of the moment[370], but in which at the same time profound dissent prevailed with regard to fundamental projects[371] - such as the Declaration of Human Rights - could only have been the place, not the motor of a global upheaval. An iron principle such as the sovereignty of the people, the basis of modern politics for over 200 years, cannot be based on a momentary and always revisable majority decision by members of parliament. It is inconceivable that an impulse that fundamentally reshaped the entire world following the events of 1789 could have been brought about by a one-off, selective, constantly revisable positioning of members of parliament that can always be replaced by a new one.

There was also a second reason why the National Assembly could not replace the nation as the centre of the new order: she saw herself in a completely subordinate position to the nation.

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[369] Cf. Kielmansegg (1977, p. 243f), who notes, that the plurality of opinions"the idea of the one sovereign cannot be grasped", and draws from it the conclusion that "as a collective sovereign the totality can never be grasped anyway, but always only the majority, because in the collective according to the majority rule is decided and must be decided".

[370] Cf. Norman Hampson, Vor dem Terror, Böhlau Verlag Wien 1989, p. 150.

[371] For the parliamentary discussion of the Human Rights Declaration, see Sandweg 1972, 188f; A. Aulard, Histoire politique de la Révolution Francaise, Librairie Armand Colin, Paris 1901, p. 42; on the rejection of the human rights idea by Rousseau, which the revolutionaries otherwise followed, see Schickhardt 1931, p. 137

Although her prominent position was often praised, and it was told in countless letters of homage that the citizens of France bowed before "its zeal, its enlightenment and its patriotic devotion"[372], before "its peaceful spirit, its courage and its wisdom"[373], and she saw herself partly inspired by the pursuit of "the progress of virtue, true honour and patriotic morals"[374], this did not change her subjectively subordinate position.

The National Assembly in fact saw itself as a manager and servant of the nation. Even in its first statements on the decisive 17 June, it referred to the nation: the existing taxes were illegal because the nation had not consented to them[375]. The new National Assembly remains centred on the nation; it is the nation's rights that it exercises[376]. The power of the nation is original, all other power, not least parliamentary power, is derived from it. "*Lui seul est pouvoir, les autres ne sont que des autorités*"[377]. This original power does not remain abstract, but acts like a human being, and is what puts members of parliament in their position in the first place. The deputies are not elected by voters, but appointed by the nation: "*le peuple ne peut exercer sa toute-puissance qu'en nommant des représentants*"[378].

The nation gives orders and the MPs must obey. If the nation wants something, then the deputies must want the same thing. "*Ce que le peuple a voulu, nous devons le vouloir, puisque nous agissons en son nom*"[379]. The deputies only have the exact amount of power that the nation possesses: "*notre autorité est la sienne*"[380]. The members of parliament have no other task than to enforce the will of the nation: "obéir à la volonté générale, c'est un devoir auquel il ne peut se soustraire, c'est le but de notre institution"[381]. A National Assembly that is absorbed in a mere managerial role can by no means be considered as the People's Sovereign.

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[372] Adresse des citoyens de Nantes à l'Assemblée nationale, 7. july 1789, AP89 vol VIII, 204.

[373] „déclaration de la noblesse du bailliage d'Agen" vom 9. july 1789, in which their deputies are asked to convert to the National Assembly, AP89 vol VIII, 212. The MP Salle on 1. Sept. 1789 praised the "wisdom" of the National Assembly, AP89 vol VIII, 533.

[374] Member of Parliament Target, then President of the National Assembly, 25. Jan. 1790, AP89/90 vol XI, 316.

[375] P.J.B. Buchez, Histoire de l'Assemblée Constituante, 2. Aufl, vol 1, J Hetzel, éditeur, Paris 1846, p. 317. The reference to the nation is also evident in Article 3 of the Human Rights Declaration of 26 August 1789, which states: „*Le principe de toute souveraineté réside essentiellement dans la nation. Nul corps, nul individu ne peut exercer d'autorité qui n'en émane expressément*" („The principle of all sovereignty resides essentially in the nation. No body or individual can exercise authority that does not emanate expressly from it).

[376] P.J.B. Buchez (Histoire de l'Assemblée Constituante, 2. Aufl, 1. Band, J. Hetzel, éditeur, Paris 1846, p. 317) presents a resolution of the new National Assembly of 17 June 1789 at the instigation of Target and Chapelier, from which this reference and subordination emerges.

[377] Member of Parliament Rabaut de Saint-Etienne, 4. sept. 89, AP89 vol VIII, 569.

[378] Member of Parliament Robespierre, 12. sept. 1789, AP89 vol VIII, 617.

[379] Member of Parliament Voidel, 21. sept. 1789, AP89 vol IX, 92.

[380] Member of Parliament de Castellane, 3. sept. 1789, AP89 vol VIII, 552.

[381] Member of Parliament de Lameth, 4. sept. 1789, AP89 vol VIII, 572.

The result is that there is obviously no People's Sovereign. Neither the people nor the parliament are the overpowering actor that overthrows the old order and establishes the new one. The supranatural-holistic interpretation fails because the people do not exist at the time of their alleged emergence and later only as an object, and the institutional interpretation fails because of the weakness and managerial mentality of the National Assembly. The postulate of People's Sovereignty, which is fundamental to modern democracy, lacks actual foundations and proves to be a fiction.

This is nothing new. Even contemporaries saw it that way. Isensee has summarised the current state of research as follows: "It is clear that the doctrine of the people as constitution-makers must not be taken at its word", because the people "does not prove to be a subject of action in political reality, but merely a subject of reference"[382] and "the pouvoir constituant is a myth, a democratic myth"[383]. Isensee advises the constitutional state to "dispense with founding legends and say goodbye to myths of origin".

However, Isensee's thesis that the invocation of the sovereign nation is merely a "self-empowering formula for political elites"[384] is not convincing, and falls short of the mark. Rather, those who lay claim to the sovereignty of the people are referring to a concrete experience. They may be mistaken about the actor of this experience, but they are not mistaken about the experience itself. The impression that an overpowering, revolutionary force had entered the French political scene in 1789 is precisely what made the thesis of People's Sovereignty so plausible. The experience of an immense political force far superior to human power was immediately recognisable to many contemporary witnesses in 1789, and the same applies, in the words of Walter Leisner, to many later generations: "Countless people, often the best of their time, died for the sovereignty of the people"[385]. But what did they die for? According to the thesis outlined below, they did not die for a mirage, but for a reality.

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[382] Isensee 1995, p. 48

[383] Isensee 1995, p. 68. Oliver Hidalgo (Rousseau, die Antinomien der Demokratie und das Scheitern ihrer Aufhebung durch die Religion, p. 121-144, 140 in: Oliver Hidalgo, Ed, Der lange Schatten des Contrat social, Wiesbaden 2013) believes, in contrast, that without the fiction of people's sovereignty, no democracy can be imagined today any more.

[384] Isensee 1995, p. 45, 47.

[385] Walter Leisner, Das Volk, Berlin 2005, p. 24.

IV. The phenomenon of revelation

The reality on which modern democracy is based is a spiritual reality. This is both the experience of 1789 and the self-interpretation of modern democracy as laid down in many constitutions. Modern democracy rests on a reality that is not accessible to the senses: the sovereign nation. Unlike the individual speaker, the individual demonstrator and the individual soldier, the nation cannot be grasped by the senses. As an invisible, supranatural reality, it is the foundation of modern democracy and has formed its basis ever since.

The thesis that modern democracy can be traced back to such an invisible and supranatural reality can hardly be avoided, even if - as here - the existence of the modern nation in 1789 and the attribution of sovereignty to it since then is questioned. The experience of the contemporary witnesses cannot be explained in any other way, and the plausibility of the thesis of the sovereign nation derived from this experience (and similar experiences in other countries), which radiated far into the 20th century, cannot be understood in any other way than as motivated by an overpowering supranatural reality. The experience of contemporary witnesses and today's democratic self-understanding agree that a supernatural actor acted in 1789.

There is no historical evidence for the existence of an individual who, as a titanic hero, would have cleared away the old order and established a new one, nor for a body with correspondingly titanic qualities. No individual or institution has achieved what has become the basis of modern democracy as the experience of an overpowering nation that has suddenly become capable of speaking and acting. No individual or majority of people overcame the old order and established the new one. In this respect, the experience of the contemporary witnesses and today's democratic self-understanding coincide.

Even those who doubt the initial existence and the quality of sovereignty of the modern nation will hardly be able to contradict the thesis that the system was founded by an invisible force. Rather, they feel compelled to adhere to a fundamental assumption of those who legitimise modern democracy via the sovereign nation: namely the characteristic that Pufendorf had

already attributed to a sovereign nation - that it was "a single person endowed with intellect and will"[386]. It was not the supposedly sovereign nation that had acted, but an actor who was just as invisible and supernatural as the nation.

Little is known about this actor - may he be provisionally called "People's Sovereign" in memory of his long camouflage. A first way to shed light on the darkness is a phenomenological one. It begins with a description of the phenomena that accompany the appearance of the People's Sovereign and attempts to derive properties from these phenomena. This approach has its justification. If it is conducted on a broad historiographical basis, it should lead to considerable results. In any case, it makes it possible to grasp a significant part of the phenomenon of the "People's Sovereign", or at least its first appearance.

1. The phenomena accompanying the People's Sovereign appearance

One must therefore ask the question as to how the appearance of the spiritual actor - which, according to the previous explanation, could not have been the sovereign nation - took place in detail. What effects did this performance have? What characterized it?

For example, many eyewitnesses had greeted the deputies of the third estate at their first meeting in Paris on 5 May 1789 with "widely echoing cheers"[387] and were overwhelmed by the "awareness of the extraordinary, historic hour"[388]. In retrospect, the event is presented as the "first (day) of a tremendous future"[389], as the "threshold of the epoch greeted with joy and hope by all classes"[390] and as an event that "awakened in the popular soul the old dream of the millennial kingdom of justice, the hope of happiness for the poor and revenge for the oppressed"[391].

The enthusiasm was even greater when the third estate declared itself a national assembly six weeks later. It aroused "tremendous enthusiasm throughout Europe"[392] and its sanctioning by

[386] Pufendorf, De iure naturae et gentium, cited according to Kielmansegg 1977, Fn. 139 to p. 243, quoted after Ernst Reibstein, Volkssouveränität und Freiheitsrechte, vol. 2, p. 94.
[387] Heinrich v. Sybel, Geschichte der Revolutionszeit, vol 1, Cotta'sche Buchhandlung, Stuttgart 1897, p. 59.
[388] Martin Göhring, Geschichte der Großen Revolution, Tübingen 1950, p. 344f.
[389] Michelet 1931, p. 75.
[390] Karl Dietrich Erdmann, Volkssouveränität und Kirche, Köln 1949, p. 7.
[391] Francois Furet und Denis Richet, Die Französische Revolution, Frankfurt am Main 1968, p. 98.
[392] B. G. Niebuhr, Geschichte des Zeitalters der Revolution, vol 1, Hamburg 1845, p. 181f.

the king triggered a frenzy of joy. "In Versailles, a large crowd gathered in front of the palace, cheering the monarch, who appeared on a balcony with the visibly moved queen"[393]. Guy-Jean-Baptiste Target, one of the leading deputies of the new National Assembly, speaks of its constitution on 17 June 1789 as a "day forever consecrated to the memory of the people" and which "Providence seems to have wanted to make even more solemn by transforming the temple of religion into the temple of the fatherland"[394].

A few weeks later, the storming of the Bastille was perceived by many as an "unprecedented event", a "day of miracles"[395]. The return of the deputies to Paris soon afterwards led to scenes of general fraternisation[396]. A day later, the King's use of the term "National Assembly" gave rise to general enthusiasm and a festival of reconciliation, "into whose frenzy the whole of Versailles, even the Queen, was drawn, culminating in a tedeum in the royal chapel"[397].

Barely three weeks later, on 4 August 1789, it was the deputies who, in the face of their proclaimed surrender of privileges, fell into a general state of elation[398]. Carlyle speaks ironically of a "night of miracles, or semi-miracles for my sake - one could call it a new Pentecostal night, which has adapted itself to the new spirit of the times and the new gospel of Jean Jacques Rousseau"[399]. Furet diagnoses an "atmosphere of collective enthusiasm"[400], Aulard a "souffle d'enthousiasme et de révolte" that had gripped the deputies[401] and Willms a "collective frenzy"[402].

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[393] Johannes Willms 2014, p. 146; cf. also F. C. Dahlmann, Geschichte der französischen Revolution, Leipzig 1845, p. 218 and Fitzsimmons 1994, p. 46.
[394] Target, 22. June 1789 in the National Assembly (AP 1789, p. 142).
[395] Hans-Jürgen Lüsebrink and Rolf Reichardt, Die Bastille, Frankfurt am Main 1990, p. 55.
[396] Men, women, and children held us in their arms, and covered us with tears of joy'. ‚Never has my heart been so moved with feeling' wrote Lofficial to his wife, ‚a sentiment quite impossible to express", Timothy Tackett, Becoming a Revolutionary, Princeton University Press, Princeton NJ, 1996, p. 167.
[397] F. C. Dahlmann, Geschichte der französischen Revolution, Leipzig 1845, p. 236.
[398] Fitzsimmons 1994, p. 52f.
[399] Thomas Carlyle, Die Französische Revolution, vol 1, p. 259, Leipzig, without year. Also distanced is the eyewitness account of the Marquis de Ferrières, Die Abschaffung der Privilegien am 4. August 1789, p. 56-60, 59, in: Ulrich Friedrich Müller, ed., Die Französische Revolution 1789-1799. Ein Lesebuch, Piper, München 1988.
[400] Francois Furet and Denis Richet, Die Französische Revolution, Frankfurt am Main1968, p. 111. On the similarly enthusiastic, subsequent privilege task in the individual landscapes, see Albert Mathiez, La Révolution francaise, vol 1, Paris 1925, p. 70.
[401] A. Aulard, Histoire politique de la Révolution Francaise, Librairie Armand Colin, Paris 1901, p. 38.
[402] Willms 2014, p. 171. Similarly („electric vortex") Horst Günther, ed, Mirabeau ‚Der Redner der Revolution', 1989, p. 201-204, 203.

An abnormal accompanying phenomenon of the events of 1789 was not only a temporally compressed, great, sometimes excessive enthusiasm of certain groups of contemporary witnesses, but also a state of general confusion, not least among the rural population. The historian Georges Lefebvre speaks of a "widespread madness" and a "frenetic delirium"[403]. The North American historian Crane Brinton writes: "Whole villages suddenly went completely mad. The regularity of daily life ... collapsed, and people were faced with chaos - chaos not in the metaphysical sense in which the word is usually used, but chaos as a psychological reality"[404].

In addition, also violence was a particularly important accompanying phenomenon of the revolution. This applies not only to the events of 14 July 1789[405], known as the "storming of the Bastille", but also to the subsequent revolutionary events following the sanctioning of these events by the king a few days later: The 14 July defined a pattern of political violence that became exemplary for many situations in the years that followed[406], and also for French revolutionary foreign relations from 1792 onwards[407].

The 14th of July had a catalysing effect, not least on rural areas. The peasants had been rising up against their landlords since March[408], but it was only from mid-July that general anarchy prevailed - castles were set on fire, farms plundered, monasteries ravaged[409] - and it was this

[403] Quoted after Willms 2014, 169, with reference to Henri Larvé, Ed, Marquis de Ferrières, Correspondance inédite, Paris 1932, p. 103f. cf. also Francois Furet and Denis Richet, Die Französische Revolution, Frankfurt am Main 1968, p. 108.

[404] Crane Brinton, Europa im Zeitalter der französischen Revolution, 2. ed. Wien 1948, p. 90.

[405] Cf. Hans-Jürgen Lüsebrink and Rolf Reichardt, Die Bastille, Frankfurt am Main 1990; George Rudé, The crowd in the French Revolution, Oxfort, Clarendon Press, 1959, p. 55f

[406] Hans-Jürgen Lüsebrink and Rolf Reichardt, Die Bastille, p. 58. This exemplary effect of July 14 was reinforced by the theory of revolutionary violence designed by Marat, cf. Gerd van den Heuvel, Der Freiheitsbegriff der Französischen Revolution, Vandenhoeck & Ruprecht, Göttingen 1988, p. 142ff.

[407] On November 19, 1792, the National Convention in its so-called Propaganda decree issued the „highly offensive slogan to support all revolutionary liberation movements in other countries at their request by military means" (Wolfgang Kruse, Die Französische Revolution, p. 161). Danton had already pleaded on 2 September 1792 for the National Assembly to become a véritable comité de guerre (La pensée révolutionnaire en France et en Europe 1780-1799, Jacques Godechot, ed, Armand Colin, Paris 1964, p. 167).

[408] William Doyle, Origins of the French Revolution, Oxford University Press 1980, p. 185f, 199f. Adalbert Wahl (Vorgeschichte der Französischen Revolution, Tübingen, J.C.B. Mohr, 1907, p. 382f) highlights how late the propensity to violence has spread to the rural population, and William Doyle (Origins of the French Revolution, Oxford University Press 1980, p. 201) emphasizes the country's dominant peacefulness.

[409] George Lefebvre, Die Französische Revolution und die Bauern, p. 47-52, 50f in: Walter Grab, ed, Die Debatte um die Französische Revolution, Nymphenburger Verlagsbuchhandlung München 1975, and also Georges Lefebvre, La Grande Peur de 1789, 2. ed, Librairie Armand Colin, Paris 1970, p. 119. The crucial importance of the events of July 14 is emphasized by Walter Markov / Albert Soboul, 1789. Die Große Revolution der Franzosen, Akademie-Verlag Berlin 1975, p. 111. In the same direction argues D.M.G. Sutherland, The French Revolution and Empire, Blackwell, Oxford 2003, p. 65f.

violence that decided the complete abolition of the feudal system in August 1789[410]. The Parisian example also inspired the inhabitants of many - though not all[411] - cities, where "the old town councils were driven out, and as in Paris (..) the upper bourgeoisie seized the results of the armed popular movement"[412].

This first sketch of three - by no means all - phenomena that accompanied the appearance of the People's Sovereign could be placed on a broader basis and supplemented. It would then have to be analysed whether a conclusion can be drawn from them about certain attributes of the People's Sovereign: The enthusiastic one, the one who plunges into confusion, the violent one, etc. Such an investigation, however, can only with difficulty achieve the goal envisaged here, a well-founded statement about a certain, limited religious quality of modern democracy. In order to determine this connection, a different approach is required.

The People's Sovereign can be described by the social effects of his appearance. But these remain imprecise, fluctuating, and present themselves differently from the point of view of various participants. To a greater extent they are unique, and only connected with the first appearance of the People's Sovereign. But the decisive disadvantage of a procedure bound to the social effects is that it is far from the place of the original appearance of the People's Sovereign. This is first and foremost a parliamentary event, and it is therefore appropriate to turn to parliamentary events.

2. The Revolution as a breakthrough to a reasonable political order

What were the parliamentary events of 1789? How are these events described in general, and how were they already perceived at that time? This general thesis on the meaning of the revolution is the starting point of the following investigation.

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[410] George Lefebvre, Die Französische Revolution und die Bauern, p. 47-52, 51 in: Walter Grab, ed, Die Debatte um die Französische Revolution, Nymphenburger Verlagsbuchhandlung München 1975; Walter Markov / Albert Soboul, 1789 Die Große Revolution der Franzosen, Akademie-Verlag Berlin 1975, p. 113.
[411] Francois Furet and Denis Richet (Die Französische Revolution, G.B.Fischer, Frankfurt am Main 1968, p. 106) emphasize the generally peaceful transition in cities outside Paris. Conversely, Sutherland (The French Revolution and Empire, Blackwell, Oxford 2003, p. 62) mentions acts of violence in several cities.
[412] Karl Griewank, Die Französische Revolution 1789-1799, Böhlau Verlag Köln Wien, 8. ed, 1984, p. 38f.

The revolution of 1789 is seen not only as a transition from a religious to a religiously neutral era[413], but also as a transition to a rationally founded state order. In the perception also of many contemporaries, it stood for the breakthrough to rational political self-organisation, for the overcoming of a God-based order by a rational one, or at least the overcoming of a church-hierarchical by an egalitarian, inner Christianity[414]. This new system replaced an old one, which, according to its own understanding, was essentially based on revealed truth proclaimed by the Church, and not on autonomous human reason. The revolution, on the other hand, relied heavily on reason. Contemporary observers regarded it as a decisive breakthrough towards a political order based on reason: „Writers like Goethe and thinkers like Kant imagined that they saw in it (the French Revolution) the triumph of reason. Foreigners like Humboldt came to France ‚to breathe the air of liberty and to assist at the obsequies of despotism'[415].

This idea, albeit in a peculiar way, was also that of those involved in the parliamentary events of 1789. The revolutionary events were understood by those deputies who took a holistic view of contemporary events as a process through which reason was expanding its empire: "*La raison étend son empire*"[416], as a development in the course of which the voice of reason was making itself heard: "*La voix de la raison s'est fait entendre*"[417]. It seemed obvious to them that revolution and reason went hand in hand. But the nature of this connection was unusual.

Mirabeau, one of the parliamentary leaders of the early revolutionary period, saw the revolutionary process as an inevitable event: necessity was behind the revolution, and reason was the driving force behind necessity: "*Les délégués de la nation ont pour eux la souveraine des événements, la nécessité; elle les pousse au but salutaire qu'ils se sont proposé, elle*

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[413] see Hartmut Rosa – Historischer Fortschritt oder leere Progression?, p. 117-141, 121 in: Ulrich Willems, Detlef Pollack, Helene Basu, Thomas Guttmann, Ulrike Spohn, eds., Moderne und Religion, Bielefeld 2013) – on the „promise of the Enlightenment" with its „claim to autonomy". Other interpretations of modernity, such as Hegel's, remain undisputed: according to them, modernity is a part of Christian history or a Christian age in general, „because subjectivity, even in relation to God and religion, is only possible under its conditions", (as Günter Rohrmoser puts it in: Glaube und Vernunft am Ausgang der Moderne. Hegel und die Philosophie des Christentums, St. Ottilien 2009).

[414] Georg Forster, Parisische Umrisse, in: Georg Forsters Werke, vol X 1, p. 607-611, quoted after Axel Rüdiger, Die Nacht der Volkssouveränität, p. 183-215, 213f in: Klein/Finkelde 2015.

[415] Gustave Le Bon, The French Revolution and the Psychology of Revolution, London 1980 (Paris 1913), p. 170.

[416] Member of Parliament Abbé Grégoire, 14. July 1789, AP (Actes Parlementaires, accessible at: https://sul-philologic.stanford.edu/philologic/archparl/navigate/1/table-of-contents/),
89 vol VIII, 232.

[417] Member of Parliament Salomon, 25. july 1789, AP89 vol VIII, 275.

soumettra tout par sa propre force; mais sa force est dans la raison"[418] („The nation's delegates have the sovereignty of events, necessity, on their side; it pushes them towards the salutary goal they have set themselves, it will subdue everything by its own strength; but its strength is in reason"). Reason is the driving force. The realm of reason is not constituted by a majority of individual human decisions, but by a superhuman, politically active force.

Mirabeau's interpretation was shared by numerous parliamentarians. They also saw reason as an independent political subject of high rank - not as an abstraction of individual cognitive and moral faculties, but as an effective political actor, as an independent force that formulates general norms of social coexistence[419], political self-education[420] and criteria for the assessment of reform projects[421] and that demands concrete political steps[422]. In the perception of the parliamentarians of 1789, reason did not appear as an individual faculty, but as a unified external force.

Reason presents itself to the members of the National Assembly as an independent subject, as a force with a strong will of its own[423]. It participates autonomously in the political process by placing representatives of the people in office[424], guiding them (as *strict* reason: *La raison sévère guide seule les représentants d'un peuple*[425]) and dictating political measures to them[426]. It shows the deputies the way[427], it formed the basis of the National Assembly[428] and is compared to a general in its power over troops[429].

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[418] Member of Parliament Mirabeau, 27. july 1789, AP89 vol VIII, 166.
[419] Member of Parliament Crénière, 1. august 1789, AP89 vol VIII, 318.
[420] Member of Parliament de Clermont-tonnerre, 19. august 1789, AP89 vol VIII, 459.
[421] Member of Parliament Dumouchel, 25. june 1789, AP89 vol VIII, 153.
[422] It calls, for example, for the merger of the Estates (Member of Parliament Target, 23. may 1789, AP89 vol VIII, 46; Member of Parliament le Doyen, 3. june 1789, AP89 vol VIII, 65 as well as the „Annexe à la séance de l'Assemblée nationale du samedi 1er aout 1789", AP89 vol VIII, 327) oder or the adoption of a particular version of court organisation (Member of Parliament de Clermont-Tonnerre, 19. sept. 1789, AP89 vol VIII, 608).
[423] Member of Parliament Bergasse, 17. august 1789, AP89 vol VIII, 445, talks of a „*voeu de la raison*", his colleague Lanjuinais, 7. sept. 1789, AP 89 vol VIII, 589, says, that „*la raison veut que le pouvoir législatif et le pouvoir exécutif ne se confondent pas*".
[424] Member of Parliament Mirabeau, 27. june 1789, AP89 vol VIII, 166: „A la hauteur où la raison a placé les représentants de la nation, ils jugent sainement les objets…"
[425] Member of Parliament d'Antraigues, 2. sept. 1789, AP89 vol VIII, 546.
[426] Member of Parliament Malouet, 1. august 1789, AP89 vol VIII, 322.
[427] Member of Parliament Jallet, 13. june 1789, AP89 vol VIII, 97.
[428] Member of Parliament Mounier, 30. sept. 1789, AP89 vol VIII, 223.
[429] Member of Parliament Mirabeau, 27. june 1789, AP89 vol VIII, 166.

Furthermore, according to the contemporary view of leading parliamentarians, it can effect all political steps[430] and, as "*raison universelle*", it has the general political right of command[431]. It is not just an agent that dominates the political arena, it is not just powerful, but overpowering: "*Il y a dans la raison une force souveraine, contre laquelle toutes les autres forces sont impuissantes*"[432] and in it alone lies true sovereignty[433]. From the point of view of some parliamentarians, reason ultimately acquires a divine quality in this political omnipotence: it emerges from God himself[434] and is eternal[435]. As eternal reason, it watches over the order of things: *c'est la raison éternelle qui veille à l'ordre des choses*[436].

Such a perception conflicts with the widespread notion of the autonomous use of reason. It gives the impression that it is not so much the representatives who make use of reason, but that reason makes use of the representatives. The independent individual use of reason is replaced by heteronomous power, similar to, but more concentrated and aggressive than, what Hegel calls objective reason. A contemporary view that the revelation of divine truths could "only be understood as occurring in reason or through reason"[437] seems to correspond to this: it is reason itself that proclaims divine truths.

The Marquis de Gouy-d'Arsy summarises his - and possibly not only his own - perception of events as follows:

"But today, ladies and gentlemen, what is the first thought that strikes us all on seeing ourselves gathered in this place? To admire, no doubt, the course of events that have brought us here; to give thanks to the invisible and omnipotent hand that seems to have created, maintained, agitated, moved and replaced the National Assembly. A miraculous ascendancy for a good cause![438]

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[430] Member of Parliament Mirabeau, 8. july 1789, AP89 vol VIII, 209.
[431] Member of Parliament Bergasse 22. sept. 1789, AP89/90 vol IX, 113.
[432] Member of Parliament Bergasse, 15. june 1789, AP89 vol VIII, 116.
[433] Member of Parliament Bergasse 22. sept. 1789, AP89/90 vol IX, 113.
[434] Member of Parliament Bergasse, 15. june 1789, AP89 vol VIII, 115.
[435] Member of Parliament de Montmoreney, 31. july 1789, AP89 vol VIII, 320.
[436] Member of Parliament de Bonnal, 22. august 1789, AP89 vol VIII, 473.
[437] J. Werbick, „Offenbarung" historisch-theologisch, Lexikon für Theologie und Kirche, 3. Ed., column 992.
[438] Member of Parliament Marquis de Gouy-d'Arsy 19. oct. 1789, AP89 vol IX, 461: „*Mais aujourd'hui, quelle est, Messieurs, la première réflexion qui nous a frappés tous en nous voyant rassemblés en ce lieu? D'admirer, sans doute, le cours des événements qui nous y ont conduits; de rendre grâce à la may n invisible et toute-puissante qui semble avoir créé, may ntenu, agité, déplacé, replacé l'Assemblée nationale. Miraculeux ascendant d'une bonne cause!*" („But today, gentlemen, what is the first thought that struck us all when we were gathered in this place? To admire, no doubt, the course of events that led us there; to give thanks to the invisible

It would appear that the parliamentary self-perception confirms the thesis formulated above that, with regard to contemporary historiographical research, the revolution can only be imagined as an event in which metaphysical forces played a certain role. It now becomes clearer how such an event can be imagined.

If leading parliamentarians perceive their actions not as the result of individual reflection, but as the execution of instructions coming from outside, as merely being pushed by an invisible hand, then this has implications for the interpretation of the French Revolution. With reference to the claim of the reasonableness of the Revolution, could it be that the revolutionary events cannot be fully described with the thesis that they expanded the realm of reason? Is there perhaps another, complementary, second strand of events alongside the rationalisation of the political order? The revolution would then not only be an extension of the realm of reason, but also an event that could be tentatively described in a completely different way - for example as *also* the result of the influence of a metaphysical force.

This question will be explored. The starting point for the considerations is the course of events as it is presented by the parliamentary process: a powerful invisible force that intervenes in political events in a revolutionary way through its effect in the Assembly of the Third Estate and later in the National Assembly. This force is unanimously perceived by the parliamentarians as a very strong one that undermines and questions the foundations of the existing political order. It emerges in the consciousness of individual, leading parliamentarians, but only to the extent that it is necessary to reshape the political order. It is not interested in private and individual matters, especially those of a traditional religious nature.

It is a spirit-actor that is strong enough to overcome all other political forces and interests. A hidden force emerges in the minds of some parliamentarians as an irrefutable force and, by asserting its will aimed at political reorganisation, brings something new into the world. A historically new, previously unknown metaphysical actor enters human history. He makes his

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and omnipotent hand that seems to have created, maintained, agitated, moved, repositioned the National Assembly. Miraculous ascendant of a good cause!").

will known, reveals what he is aiming at. Perhaps the understanding of this event can be furthered if it is understood - heuristically - as an event of revelation.

3. The concept of revelation

When defining the content of the concept of revelation, one is first confronted with the outstanding significance that the concept has for recent Christian theology[439]. The theological concept of revelation has played a central role in recent theology, at least in the first half of the 20th century. Althaus spoke of an "inflation of the term 'revelation'"[440]. This theological term is also important for the present context, as its religious studies related variant, which will subsequently be used to describe the revolutionary events, has developed out of the newer theological concept of revelation and in contrast to it.

The central role of the theological concept of revelation affects different areas of theology. Peter Eicher describes "revelation" as a key category of contemporary theology and distinguishes four functions: "Revelation" serves firstly as a "qualifier of the whole content of Christian faith"[441], secondly as a legitimiser that provides the "decisive inner ground of validity and certainty of all Christian talk about God and the universal reality related to him"[442], thirdly as an "apologetic universal category", which distinguishes revelation "from every other religious interpretation of meaning, philosophy and articulation of reality to the outside world"[443], and fourthly and finally as a "system-forming factor for its own theological system itself and as a factor for the connection between Scripture, theology, church and society"[444].

In its function as a "qualifier", the term has become a "synonym for Christian faith: 'revelation says', 'but revelation teaches', 'from the point of view of revelation' etc. are common expressions"[445] that primarily express the unconditionality that is encountered in faith[446], the historical moment of the encounter itself, its salvific character, but then also the "totality of

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[439] Cf. especially Eicher 1977, p. 48 (In terms of content, this section will follow him), or Eicher 1979, p. 112f.
[440] ZSTh (Zeitschrift für Systematische Theologie) 19 (1941), p. 134-149.
[441] Eicher 1977, p. 49ff.
[442] Eicher 1977, p. 49, 51ff.
[443] Eicher 1977, p. 49, 53ff.
[444] Eicher 1977, p. 49, 54ff.
[445] Eicher 1977, p. 49.
[446] Eicher 1977, p. 49f.

meaning and truth" claimed by the Christian message[447]. Revelation, understood in this way, is a concept that encompasses the totality of the Christian message, its claim to a comprehensive interpretation of reality, as well as its universality, the idea of the timeless validity of its promise of salvation. Revelation is thus nothing less than "the expression for the steep claim of the Christian message"[448].

The concept of revelation, however, not only formulates a theological factual statement that summarizes the content of the Christian message, but also relates to the legitimizing fundaments of the Christian message. This second function - "revelation as a legitimizer" - responds to the objection that the Christian message originates only from human imagination. The reference to revelation answers the question of whether or not God actually spoke. „The authority of the speaking God was thus to causally guarantee the truth of what He had revealed through His speaking, whereby this act, the ‚locutio Dei attestans', is again called ‚Revelation'. The expression thus becomes the legitimizing category for the theological discourse of God par excellence" [449].

The third function of "revelation" in contemporary Christian theology presented by Eicher is of an apologetic nature. Since the 18th century, "revelation" has virtually become a "battle cry against enlightenment and universal democratisation tendencies"[450].

Fourthly, revelation acts as a system-forming factor. "Revelation" guarantees inner cohesion - from the personal experience of faith "via the cult to the magisterially administered community of faith and theological reflection"[451]. "Revelation" becomes the "function of an overall theory of religion, which can no longer be traced back to empirical data, but establishes the context of justification precisely through what is unavailable and withdrawn from empirical control"[452]. Revelation is "the key category for the organisation of the church"[453].

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447 Eicher 1977, p. 50.
448 Eicher 1977, p. 51.
449 Eicher 1977, p. 52.
450 Eicher 1977, p. 53.
451 Eicher 1977, p. 54.
452 Eicher 1979, p. 112.
453 Eicher 1979, p. 116.

Karl Barth, and with him the representatives of dialectical theology, provided an outstanding example of a system-forming concept of revelation[454] that permeates the entirety of a theology and still defines its position in theology today. Revelation is the "expression and concept of the peculiarly Christian"[455]. Revelation, and no longer the - rejected, devalued - human religion was for Barth the actual subject of theology[456]. Barth postulates a sharp contrast between revelation and religion, which he escalates to the sentence "religion is unbelief"[457]. For Barth, religion is a purely human phenomenon that draws God into the "finite and fluctuating sphere of subjectivity". A person who is religious in this sense is "deceiving himself about God's true nature and the true nature of man, on whom God's revelation can in no way be dependent"[458]. It is not the investigation of man-made things, but revelation alone that should be the subject of theology.

Elsewhere, Barth states: "There is only one revelation. It is also the revelation of the covenant, of the divine original and fundamental will. How else could it be revealed to us in itself?" [459]. Similarly, Emil Brunner considers it "strictly scientifically demonstrable that this concept of revelation in Christianity is singular, completely unique, because every other religious figure in history belongs to one of the other two types of revelation. The unique historical event of the personal but indirect presence of God as the revelation of the divine counsel of grace: this is an assertion of revelation that does not exist anywhere else in the history of religion to our knowledge"[460].

This position was accused of representing an "anti-historical revolution" and a "revelation-positivist Christ-monism", which introduced a special semantics and detached theology from the scientific discourse on religion[461]. The fact that Barth's concept of revelation largely ignored man and his faith was seen as problematic. He was accused of having an "anthropological blank space"[462], which - as becomes clear from Hans Wilhelm Schmidt's

[454] Wolfhart Pannenberg 1961, p. 23: Today's Protestant theology likes to emphasize its character as a pure theology of revelation, following Barth.
[455] Waldenfels 1982, p. 15.
[456] Christian Danz, Gottes Geist. Eine Pneumatologie. Tübingen 2019, p. 122.
[457] §17 Kirchliche Dogmatik I/2, 1937. From Dehn's point of view, Barth does not deny with this sentence the true, good and beautiful that can be found in almost all religions.
[458] Kurt Hübner, Irrwege und Wege der Theologie in der Moderne, Augsburg 2006, p. 86.
[459] Barth, Kirchliche Dogmatik, 1957, p. 50. Also, with the same content Barth, Kirchliche Dogmatik, 1. Halbband, Zürich 1964, p. 311: „The revelation testified in the Scriptures does not want to be understood as any revelation besides which there are or could be others. It wants to be understood in its uniqueness".
[460] Brunner, Die Christusbotschaft im Kampf mit den Religionen, 1931, p. 8.
[461] Christian Danz, Gottes Geist. Eine Pneumatologie. Tübingen 2019, p. 122f.
[462] Juliane Schütz, Glaube in Karl Barths *Kirchlicher Dogmatik*, Berlin 2018, p. 114.

summary of the doctrine of dialectical theology: "God is not man, revelation and redemption is not history, eternity is not time"[463] - can be extended to the diagnosis of an "historical blank space"[464]. Waldenfels also makes a second accusation of "anthropological narrow-mindedness": the assertion of an exclusive concept of revelation is a "radical privatisation of biblical universalism in a purely selectively understood individual existence", which withdraws completely from human history in favour of the individual and his history of faith[465].

A concept of revelation that is theoretically overburdened and fixated on one event, as is characteristic of what Eicher still calls "contemporary theology", is not very suitable for a new consideration of the parliamentary events in Paris in 1789. In any case, it would have to give up the exclusive claim of its Christian variant. Theologians in particular have made decisive contributions to the necessary reformulation of the concept of revelation. In addition to the anthropological argument mentioned above, the redefinition of the concept of revelation rests on three further arguments: one theological-political, one theological-historical and one religious-historical.

The theological-political argument derives from the new need to conduct interreligious dialogues. It gave theology an impetus to favour a more open concept of revelation over the apologetic-exclusive one. According to the fundamental theologian Gerhard Ebeling, it is not least Barth's recognisable decisionism in the use of the concept of revelation that deprives the concept of its critical usability "by attributing it exclusively to a certain phenomenon as a mere predicate of authority"[466]. In contrast, it must be possible to relate the Christian concept of revelation to analogue phenomena[467], otherwise Christianity would "isolate itself with its message and become uncommunicative"[468]. Concentration could "have a clarifying effect inwardly as a narrowing, but also a blocking effect outwardly"[469]. The Christian self-statement 'God has revealed himself to mankind in Jesus Christ' (must) by no means exclude the external statement 'God has revealed himself to our people or even to our nations in his own way'"[470]; rather, the Christian claim to revelation must be read in the light of religious

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[463] Walter Kreck, Die Zukunft des Gekommenen. Grundprobleme der Eschatologie. München 1961, p. 30.
[464] So etwa Heinz Zahrnt, Die Sache mit Gott. Die protestantische Theologie im 20. Jahrhundert, 1966, p. 51.
[465] Waldenfels 1977, p. 145.
[466] Waldenfels 1982, p. 21f with reference to Ebeling.
[467] Waldenfels 1982, p. 21.
[468] Waldenfels 1982, p. 11.
[469] Waldenfels 1982, p. 24.
[470] Waldenfels 1982, p. 24.

diversity "and religious diversity must be illuminated in the light of its own claim to revelation"[471].

The theological-historical argument in favour of opening up the concept of revelation is based on the fact that the term „revelation" in church history, for the most part, was not an exclusivist, narrow-minded one. Only since the 18th century, and later especially under the influence of Hegel – who advocated a strict concept of revelation, namely the view "that the full self-disclosure of God could only be one"[472] – and subsequently through the theologian and early Hegelian Marheineke (1780-1846), the idea gained ground that Christianity was a revealed religion because "unlike all other religions, it is based on the full realisation of the essence of the Absolute as Spirit"[473]. Only then did the concept of revelation become an instrument of hard demarcation. Schleiermacher and the young Schelling were still familiar with the idea of a multiplicity of God's self-disclosures.

Before, and especially before the 13th century[474], people spoke of several "revelations"[475], of "actively induced or passively experienced events that revealed the divine will[476]. The phenomena that constitute this type weren't in any of the geographical areas concerned - neither in the ancient Near East nor in the Hellenistic or late Roman areas - categorically separated from reason and its achievements, but were only "critically scrutinised as to whether they were true or false manifestations of the divine"[477].

Also the Bible did not yet know a standardised and fully reflected concept of revelation[478]. Nowhere does it speak of God revealing himself[479]. God always reveals something or someone, never "himself". Instead, the terms *apokalypsis* and *epiphaineia* frequently appear, both of which are borrowed from Hellenistic Judaism. The facts that are considered revelation in each case also differ greatly. St. Paul, for example, understands his own calling as an

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[471] Sigrid Rettenbacher, Interreligiöse Theologie - postkolonial gesehen, p. 67-111, in: Reinhold Bernhardt und Perry Schmidt-Leukel, ed., Interreligiöse Theologie. Chancen und Probleme, Zürich 2013, p. 70.
[472] Wolfhart Pannenberg 1961, p. 8.
[473] Wolfhart Pannenberg 1961, p. 8.
[474] When there has been a certain tendency in European theology towards a *single* "revelation", see Eicher 1977, p. 26.
[475] Eicher 1977, p. 26.
[476] Eicher 1977, p. 26.
[477] Eicher 1977, p. 27.
[478] Waldenfels 1977, p. 1; Rohls 2012, p. 75. Cf. also Gladigow, Europäische Religionsgeschichte der Neuzeit, in: Hans G. Kippenberg / Jörg Rüpke / Kocku von Stuckrad, ed., Europäische Religionsgeschichte, vol 1, Göttingen 2009.
[479] Wolfhart Pannenberg 1961, p. 11.

apostle of Christ as "revelation" (Gal 1, 11f), and otherwise holds the view that God had already revealed himself to the Gentiles since the beginning of creation before his special revelation in Christ, cf. Rom 1, 19f and 2, 14f. "Paul thus ties in with the Stoic idea of a general knowledge of God and the natural law through reason, as it is also found in the missionary preaching of the Hellenistic synagogue"[480].

In addition to the anthropological, theological-political and theological-historical arguments, there is finally a religious-historical argument: an apologetic-exclusive concept of revelation is nothing more than a "theological interpretation of historical events", which ignores the fact that "outside of Christianity there is also a revelation of God's grace in historical figures"[481].

Not least representatives of the so-called school of the history of religions (Troeltsch, Rudolf Otto, Söderblom) had argued in favour of a more liberal handling of the concept of revelation. They had allowed a "plurality of self-disclosures of God, so that the question of revelation can also be posed in the area of other religions"[482]. Söderblom, like Lessing, Kant, Fichte, Schelling, Friedrich Schlegel[483], Buber[484] and Troeltsch[485], spoke of a continuous, gradual revelation that is constantly appearing: for Söderblom as genius in nature, in history and in the character formation of the individual[486]. But the New Testament already knew of an "abundance of revelations of a phenomenal nature"[487], such as dreams, visions, the lot, the appearances of angels, even though, at least from the perspective of early Christianity, only the resurrection of Jesus was considered a revelation in the true sense[488]. And also the Old Testament reports many revelations in the form of dreams, ordals (divine judgements), oracles in the form of a lot, bird watching and necromantic practices etc.[489].

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[480] Rohls 2012, p. 76.
[481] Mensching 1974, p. 62.
[482] Waldenfels 1977, p. 137; Friedrich Heiler, Erscheinungsformen und Wesen der Religion, Stuttgart 1961.
[483] Johan Hendrick Jacob van der Pot, Sinndeutung und Periodisierung der Geschichte. Eine Systematische Übersicht der Theorien und Auffassungen, Leiden 1999.
[484] zitiert nach Hans-Joachim Schoeps, Jüdisch-christliches Religionsgespräch im 19. Jahrhundert, 1949, p. 141.
[485] Ernst Troeltsch, Die Absolutheit des Christentums und die Religionsgeschichte (1902), in: Friedemann Voigt (ed), Ernst Troeltsch Lesebuch, Tübingen 2003, 26-44.
[486] Waldenfels 1977, p. 138.
[487] Eicher 1977, p. 35; Waldenfels 1982, p. 23.
[488] Ulrich Wilckens, Das Offenbarungsverständnis in der Geschichte des Urchristentums, p. 42ff in Wolfhart Pannenberg 1961, p. 43.
[489] Waldenfels 1982, p. 23; Rohls 2012, p. 37.

Revelations already occurred in many traditional religions in various forms: as dreams, visions, oracles, in the form of extraordinary spirit embodiments[490]. Zarathustra referred to a revelation that he had received directly from the creator god Ahura Mazda, the creator and sustainer of the world[491]. Among the Mesopotamians, the king was considered the owner of the heavenly revelation, the bringer of revelation on the throne[492]. In Hellenistic culture, the king could receive divine revelations to pass on to his people. In the 3rd century, Mani also attributed his proclamation to a divine revelation[493].

Jakob Böhme[494], the Bahai religion, Ramakrishna, the Moon religion and Joseph Smith also claimed to refer to true revelation[495]. Then there is Hermeticism[496] and Theosophy. Its founder, Helena Blavatsky, laid claim to a special theosophical revelation and claimed sole possession of the truth[497]. Traditionalism also belongs in this context. What they understood as "tradition" was the transmission of revealed knowledge and, according to their understanding, owed its existence not to an "*invention humaine*" but to a revelation or "*illumination primitive*"[498].

The Vedic texts, too, insofar as they were classified as śruti, were regarded partly as revelations[499] - particularly venerable because they were especially primitive - despite their only very superficial worship in daily practice[500], and partly as uncreated, eternal, flawless and perfect texts[501]. In any case, it is remarkable that in India, in contrast to the model of three

[490] Keith Ward 1994, p. 87.

[491] Mircea Eliade, Geschichte der religiösen Ideen. I. Von der Steinzeit bis zu den Mysterien von Eleusis, 5. ed., Freiburg im Breisgau u.a., 1978, cf. Zohreh Abedi, „Alle Wesen bestehen aus Licht". Engel in der persischen Philosophie und bei Suhrawardi, Baden-Baden 2018.

[492] Widengren 1969, p. 547.

[493] Friedrich Heiler, Die Religionen der Menschheit, Stuttgart 1959, 5. Aufl 1991.

[494] Will-Erich Peuckert, Das Leben Jakob Böhmes, Jena 1924; Sibylle Rusterholz, Jacob Böhme im Licht seiner Gegner und Anhänger, p. 7-27 in: Offenbarung und Episteme. Zur europäischen Wirkung Jakob Böhmes im 17 und 18. Jahrhundert, herausgegeben von Wilhelm Kühlmann und Friedrich Vollhardt, Berlin 2012.

[495] Vgl. Ward 1994, p. 22.

[496] Monika Neugebauer-Wölk, ed, Aufklärung und Esoterik. Rezeption - Integration - Konfrontation, Tübingen 2008. Hans-Georg Kemper, „Eins in All! Und all in Eins!". ,Christliche Hermetik' als trojanisches Pferd der Aufklärung, p. 29-52, 30; Florian Ebeling, Das Geheimnis des Hermes Trismegistos, München 2005, p. 22; Titus Burckhardt, Alchemie. Sinn und Weltbild, Olten und Freiburg im Breisgau, 1960, p. 51.

[497] Isaac Lubelsky, Celestial India. Madame Blavatsky and the Birth of Indian Nationalism, Sheffield 2012, p. 98, cf. also Antoine Faivre, Accès de l'Ésoterisme occidental, Paris 1996.

[498] Jean-Paul Lippi, Julius Evola, Métaphysicien et penseur politique, Lausanne 1998, p. 54.

[499] Renaud Fabbri, René Guénon et la tradition hindoue. Les Limites d'un regard, Edition L'age d'Homme, Lausanne 2018, p. 50, cf. also Erich Frauwallner, Geschichte der indischen Philosophie, II. Band, Salzburg 1956, p. 11.

[500] Jan C. Heesterman, Die Autorität des Veda, p. 29-40, in: Offenbarung, geistige Realität des Menschen, Gerhard Oberhammer, ed, Wien 1974.

[501] Reinhard Leuze, Theologie der Religionsgeschichte, Berlin 2014, p. 120.

parties involved in monotheistic religions - God, revelation, prophet - the emphasis is very one-sidedly on the revealed text, while the other two aspects recede completely behind it[502], i.e. we are dealing with a completely unique constellation of revelation.

From the outside, on the other hand, the view is held that Hinduism cannot be said to have a revelation. Kurt Hübner contrasts narrative Christianity and theoretical Hinduism[503]. In an East-West comparison, the latter does not correspond to Christianity, but to Western metaphysics. Even the Bhagavadgita, as the text comparatively closest to Christianity, gains its "binding force ultimately not from the proclamation by Krishna, but from the fact that it can be made comprehensible to theoretical reason"[504]. The same applies to the situation in China. Confucius says: "Heaven does not speak, it only reveals itself in the iron course of nature[505].

The question of whether Buddhism refers to a revelation is also predominantly answered in the negative. It is pointed out that Buddhism lacks a historical revelation and does not expect historical redemption[506]. But Friedrich Heiler points out with reference to Mahayana that the most important characteristic of its concept of God lies in all-encompassing love, and that this is the "principle of universal revelation: God reveals himself to the entire universe until all have attained Buddhahood"[507]. While Heiler justifies the revelatory quality of Buddhism with a specific concept of revelation, Hans Waldenfels refers to the concern of Buddhism as a whole: its claim to "realise the true essence of religion and not to be adequately captured by the concept of philosophy" gives Buddhism as a whole a revelatory quality[508].

Conversely, Islam follows on from ancient Judaism with the plurality of revelations it postulates. According to the prevailing understanding in Islam[509], the revelations underlying

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[502] Reinhard Leuze, Theologie der Religionsgeschichte, Berlin 2014, p. 122.
[503] Kurt Hübner, Das Christentum im Wettstreit der Weltreligionen, Tübingen 2003.
[504] Kurt Hübner, Das Christentum im Wettstreit der Weltreligionen, Tübingen 2003, p. 101.
[505] Adel Theodor Khoury / Georg Girschek, Das religiöse Wissen der Menschheit, vol 1, Freiburg 1999, p. 55.
[506] Michael von Brück und Whalen Lai, Buddhismus und Christentum, München 2000, p. 185.
[507] Friedrich Heiler, Die Religionen der Menschheit, Stuttgart 1959, 5. ed., 1991.
[508] Waldenfels 1982, p. 21. Also, and without justification, Gustav Mensching: Buddha's Primordial Buddhism is revelation religion (Mensching 1949, p. 115).
[509] However, according to the French historian and orientalist Ernest Renan: Islam, according to him, hardly exceeds the level of a natural religion. Under the influence of his study of Wahhabism, he does not claim any transcendence, and the entire Islamic movement actually took place without religious faith, and at any rate it was not a religion of revelation. Cf. Birgit Schäbler, Moderne Muslime. Ernest Renan und die Geschichte der ersten Islamdebatte 1883. Paderborn 2016, p. 8. In contrast, the tendency observed in Stosch (2010, p. 117 with reference to Kermani, Gott ist schön, München 1999, p. 23) to see in Islam „a purely aesthetic way of revelation and to set it apart from the purely personal-bodily-sacramental sort of revelation in Christianity".

the Qur'an and received by Muhammad are not unique in the history of mankind, but are part of a majority of revelations - an initially diachronic majority: Muhammad is not regarded as the only mediator of divine revelation, but only as a messenger among messengers, as the continuation of a long series of messengers and warnings (Sura 5, verse 19), which includes Moses in particular, the most important pre-Islamic prophet[510]. Muhammad is only supposed to confirm what had already been revealed by the divine book before him (5, 48); he serves as a personified criterion of authenticity and at the same time as an evaluation standard for the earlier revelations[511].

In addition, the earlier proclamations were not of a general human nature, but were adapted to the respective, different cultural circumstances. Each community had its own messenger (10, 47; 324). Now, however, Muhammad, as the "seal of the prophets", concludes the series of these messengers (33, 40), and thus stands for the last and final revelation. Islam also recognises more than one revelation synchronously: in addition to the Koran, whose recognition as the revelation of the one and only God defines the Muslim, the Sunna, the totality of Muhammad's actions[512], is considered to be of almost equal value and even more important for practical life. The position of the Shiite Imam, who is not considered a revelation of divine truth even by his followers, is clearly different. Although he is the "most excellent man, free from sin and error" and is under divine guidance, he does not receive any revelation[513].

In this way, theology, at least in certain of its factions, has paved its own way out of an exclusive understanding of revelation. The theologian Hans Waldenfels even questions whether "revelation" was not originally "a *non-theological* category at all and thus a category that can be used generally in religious studies - both historically and phenomenologically". With reference to such a concept of revelation, it was possible to "reopen doors that threaten to close dangerously under the impression of an exaggerated understanding of revelation, especially as they simultaneously bring into play the question of Christianity's claim to absoluteness"[514].

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[510] Friedrich Wilhelm Graf, Moses Vermächtnis. Über göttliche und menschliche Gesetze, München 2006, p. 33.
[511] Perry Schmidt-Leukel, Wahrheit in Vielfalt. Vom religiösen Pluralismus zur interreligiösen Theologie [original: Religious Pluralism and Interreligious Theology, New York 2017], München 2019.
[512] Gudrun Krämer, Gottes Staat als Republik. Reflexionen zeitgenössischer Muslime zu Islam, Menschenrechten und Demokratie, Baden-Baden 1999, p. 115.
[513] Reza Hajatpour, Iranische Geistlichkeit zwischen Utopie und Realismus. Zum Diskurs über Herrschafts- und Staatsdenken im 20. Jh., Wiesbaden 2002, p. 95.
[514] Hans Waldenfels 1982, p. 17.

Two of the central arguments in this context are: the immensity of God and the diversity of human cultures. Firstly, reference was made to the "overflowing richness and diversity of God's self-revelations to humanity"[515], i.e. a divine transcendence that is "greater than anything human words and ideas can express"[516], and secondly, in the words of the British theologian Keith Ward, to the division of humanity into individual cultural areas: „Instead of thinking of God (assuming fort he moment that there is one) as breaking into a human framework, ignoring it completely, and giving direct Divine knowledge, it seems more plausible, and more in keeping with the actual history of religions, to think of God as communicating within the framework that societies have themselves developed. To the English, one might say, using a rather crude analogy, God speaks English; to the Arab God speaks Arabic; and to the Hebrew God speaks Hebrew"[517]. This leads to the thesis „that God will communicate different things to different peoples, and will in all probability be able to communicate more of the ultimate Divine purpose to some people than to others"[518].

A concept of revelation that had grown out of theology[519] in this way assumed a central place in religious studies[520], just as it did in phases of the 20th century in theology. It was not without reason that religious studies were criticised in the middle of the last century for tending to "introduce the term 'revelation' as a universal category for understanding religious phenomena in general"[521]. and revelation is still regarded as a key category, especially in the phenomenology of religion[522].

[515] Jacques Dupuis, Unterwegs zu einer christlichen Theologie des religiösen Pluralismus, Ulrich Winkler, ed, Innsbruck-Wien 2010, p. 528f.

[516] Perry Schmidt-Leukel, Wahrheit in Vielfalt. Vom religiösen Pluralismus zur interreligiösen Theologie [original: Religious Pluralism and Interreligious Theology, New York 2017], München 2019, p. 432.

[517] Keith Ward 1994, p. 24.

[518] Keith Ward 1994, p. 25. Cf. also Guardini 1940, p. 44f: „Menschen, die am Meere wohnen, haben andere Göttlichkeitsbilder als solche, die im Gebirge, oder auf fruchtbaren Ebenen oder in der Wüste leben" (People who live by the sea have other divine images than those that live in the mountains, or on fertile plains or in the desert").

[519] The religious-scientific concept of revelation has its origin in the concept of revelation of theology, cf. S. Baillie 1956, p. 24.

[520] Vgl. Waldenfels 1982, p. 20.

[521] Kurt Goldammer, Religionen, Religion und christliche Offenbarung, Stuttgart 1965, p. 62f.

[522] Johannes Beltz, ‚Offenbarung' als religionswissenschaftliche Kategorie?, p. 209-224, 210. in: Mitteilungen für Anthropologie und Religionsgeschichte vol 13, 1998, Ugarit-Verlag Münster; vgl. auch, with greater emphasis on the collective (popular) addressee of revelation Keith Ward 1994, p. 25.

Based on the work of religious phenomenology, there is broad agreement on the elements that make up the term[523]. The phenomenon is categorised, for example by the Dutch religious historian Theo van Baaren, into: Originator (God, spirit, power), instrument (animals, plants, stones, dreams, visions, etc.), content (existence, actions, will or nature of the deity), recipient (medicine man, mediator, prophet, etc.) and effect on the recipient[524], and also the following consideration is based on these criteria as far as it is possible.

4. Revolution as revelation

The beginning of the revolution cannot be plausibly explained as a declaration of sovereignty by the nation, as shown above. The same applies with a high degree of probability to the thesis that the beginning of the parliamentary revolution was primarily the result of autonomous but substantively concordant rational decisions by many members of parliament to the effect that the transition from monarchical to People's Sovereignty must now be set in motion. Neither does a metaphysical being called the "modern nation" declare its political omnipotence, nor is it entirely convincing to assume that a majority of MPs have arrived at system-collapsing conclusions of reason in synchronisation. Rather, the parliamentary speeches convey the impression that the MPs are under the impression of an overpowering force that is pushing and driving them. A completely superior, overpowering actor, labelled with different names - *nation, nation souveraine, peuple raison, raison universelle* - appears and no one is a match for it. It is a "*force souveraine, contre laquelle toutes les autres forces sont impuissantes*"[525] and the members of parliament, especially the leading ones, those who have a decisive influence on parliamentary decisions, have no choice but to obey the instructions of this "sovereign force".

a) Events

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[523] See the entries in the relevant lexicons, or as a starting point the definition by Johannes Beltz (‚Offenbarung' als religionswissenschaftliche Kategorie?, p. 209-224, 210 in: Mitteilungen für Anthropologie und Religionsgeschichte vol 13, Münster 1998): Revelation as „any kind of divine communication, whether it emanates from a personal God or a supernatural power".

[524] Theodorus P. van Baaren 1951. Vgl. auch Hamacher 2010, p. 15f. Critically Beltz (1998, p. 210f), who argues, among other things, that a clear separation between source, communication and recipient of a revelation is impossible in many cases. In particular, he argues that the diversity of phenomena - incarnation, avatara, etc., can only be united under one concept if cultural-historical contextualization is renounced, which makes the concept of revelation unusable as a category.

[525] Member of Parliament Bergasse, 15. june 1789, AP89 vol VIII, 116.

The force that soon emerges as a political revolutionary for the entire state cannot work in the limited assembly of estates; it needs the big stage. Her first phase of life thus resembles a phase of pushing and shoving. A strong protagonist seeks a way into the world with increasing vigour and to this end makes use of individual leading deputies in the Assembly of the Third Estate who pave the way for him.

This insistence became clear in the days leading up to 17 June, when the representatives of the Third Estate proclaimed themselves to the National Assembly. A week earlier, Sieyès called out to the Assembly that it could no longer remain inactive[526]. According to Sieyès, it was a "*devoir pressant pour tous les représentants de la nation*" to finally establish a parliamentary assembly that could fulfil its actual task of forming an "*Assemblée active, capable de commencer et de remplir l'objet de leur mission*"[527]. The nation itself thus becomes active in Sieyès' perception, and makes special use of him as an exposed speaker. Those who remain passive will be guilty towards it[528]. According to Sieyès, one can no longer remain inactive "*sans se rende coupable envers la nation*". The nation could rightly demand that the Estates-General make the best possible use of their time. For Tillich, an impulse aimed at fundamental change is a typical characteristic of revelation. This is "in its first moment disquiet". Wherever the conditional is troubled, it is an uplifting revelation. "'Break through the walls of our form! That is the call for revelation"[529].

The impression is created that the nation is pushing for its own space for action and is using leading deputies for this purpose. These deputies realised that the Assembly of the Third Estate would be particularly important for the further course of events; this was "*le lieux où la nation se rassemble pour régénérer les lois et détruire les abus*"[530]. It was here, and not in separate assemblies of the Estates, that the fate of the entire nation would be negotiated. According to Sieyès, a "last attempt" to reach an agreement with the representatives of the clergy and nobility should be made, and the other estates should be "invited one last time"[531] to join forces with the representatives of the Third Estate to form a national assembly.

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[526] Member of Parliament Sieyès, 10. june 1789, AP89 vol VIII, 85.
[527] Member of Parliament Sieyès, 10. june 1789, AP89 vol VIII, 85.
[528] Member of Parliament Sieyès, 10. june 1789, AP89 vol VIII, 85.
[529] Paul Tillich 1970, p. 37.
[530] Member of Parliament Target, 10. june 1789, AP89 vol VIII, 86.
[531] Member of Parliament Sieyès, 10. june 1789, AP89 vol VIII, 85.

Target also speaks of a "final invitation to the other two assemblies of the Estates to join with us"[532], as does Mirabeau[533], the latter also threatening. If the Assembly of Estates-General did not want to expose itself to the greatest dangers, it should no longer hesitate to make a decision[534]. If it remained passive any longer, said Sieyès, it would be in breach of its duties; its inactivity had already lasted too long[535]. In the days that followed, the pressure increased further: on 15 June, Sieyès stated that the Estates-General must now immediately, *sans delai*, deal with the constitution of a National Assembly; this task was an "imperative and urgent duty", *un devoir impérieux et pressant*[536].

On 17 June 1789, the time had finally come: a motion by Sieyès to establish a national assembly was adopted by 491 votes to 90[537]. Just prior to this, attempts had been made to shield the Assembly of Estates from all external influence. No veto of any kind was to interfere with its deliberations, no one was to call its unity into question[538]; under no circumstances was the Assembly to be divided again[539].

The newly founded National Assembly is dominated by the impression of liberating, finally achieved spiritual unity. The Abbot of Abbecourt, Decoulmiers, speaks of his new colleagues in the newly established parliament as „*dignes représentants de la classe la plus nombreuse de nos frères et de nos compatriotes*" („worthy representatives of the largest class of our brothers and compatriots") and addresses them as *"citoyens, amis, frères*"[540] („citizens, friends, brothers"). The new spirit, which lifts the old dividing barriers, simultaneously brings about a unification of will. The Count de Pardieu said: "*C'est avec la joie la plus vive, que je me plaisir à penser que bientôt tous les ordres, animés du même désir et réunis par les mêmes sentiments, n'auront plus qu'un même vœu*"[541] („It is with the liveliest joy that I like to think that soon all orders, animated by the same desire and united by the same feelings, will have only one and the same will"), and the MP Salomon hopes that "*les représentants d'un grand*

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[532] Member of Parliament Target, 10. june 1789, AP 89 vol VIII, 86.
[533] Member of Parliament Mirabeau, 10. june 1789, AP89 vol VIII, 84.
[534] Member of Parliament Mirabeau, 10. june 1789, AP89 vol VIII, 84.
[535] Member of Parliament Sieyès, 10. june 1789, AP89 vol VIII, 84.
[536] Member of Parliament Sieyès, 15. june 1789, AP89 vol VIII, 109. Sieyès does not ask about the meaning and limits of the will that causes this urge, cf. Keith Michael Baker, „Sieyès", p. 528-544, 541 in: Kritisches Wörterbuch der Französischen Revolution, Francois Furet und Mona Ozouf, eds, Frankfurt a.M. 1996.
[537] États généraux, Session on june 17, 1789, AP89 vol VIII, 127.
[538] These demands of MP Legrand (16 June 1789, AP89 vol VIII, 122) are followed by strong applause. Cf. the demand of MP Pison du Galland, 16 June, AP89 vol VIII, 122, with the same objective.
[539] Member of Parliament Mirabeau, 16. Juni, AP89 vol VIII, 124.
[540] 22. june 1789, AP89 vol VIII, 142.
[541] 27. june 1789, AP89 vol VIII, 163.

peuple, tous animés du même esprit, tous dirigés vers le même but ont travaillé de concert à la régénération de cet empire"[542]

However, the People's Sovereign did not stop at the establishment of its forum, but immediately tackled the main political task: the reestablishment of the state on a new theoretical basis. On 23 June, Sieyès expressed his unanimous support for this approach: "The authority that has appointed you to this great project (namely the restoration of the rights of the French people), on which we depend and which will defend us well, is certainly far from asking us: 'Enough is enough; stop! On the contrary, it urges us and demands a constitution from us"[543]. According to this admission, Sieyès himself, and through him the other deputies, are merely instruments of a higher power. They have to realise its will and must not hesitate to fulfil their mission freely and courageously, "*remplissons notre mission, librement, courageusement*"[544] („let us fulfill our mission freely and courageously").

In the further course, the People's Sovereign, again with the support of leading deputies, has an exclusionary effect: anyone who does not agree with the latest developments should withdraw, because: "*on ne proteste pas, on ne fait pas de réserves contre la nation*"[545] („no protest, no reservation against the nation"). It is also worth noting the vigour with which the new National Assembly is shielded against any external influence, be it by protecting the immunity of its deputies under criminal law[546] or by safeguarding its corporate existence against armed attacks from outside[547]. The will to create a constitution must be able to act unhindered, and only the external protection of the new body enables it to assert itself. From today's point of view, it achieved this with overwhelming global success.

b) attributes

The People's Sovereign remains the unknown, labelled with various names. Attributes, however, are assigned to him. The dominant labelling is political omnipotence. The People's Sovereign is ascribed far superior political power - under the terms *nation* and *peuple*[548]. The

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[542] 25. july 1789, AP89 vol VIII, 275.
[543] Member of Parliament Sieyès, 23. june 1789, AP89 vol VIII, 147. Sieyès follows Rousseau entirely in the intention of ensuring the unity and unadulterated public enforcement of this [national] will politically, cf. S. Estel 2002, p. 224.
[544] Member of Parliament Sieyès, 23. june 1789, AP89 vol VIII, 146.
[545] Member of Parliament Mirabeau, 2. july 1789, AP89 vol VIII, 183.
[546] cf. Member of Parliament Mirabeau, 23. june 1789, AP89 vol VIII, 147.
[547] cf. Member of Parliament Sieyès, 8. july 1789, AP89 vol VIII, 210.
[548] Member of Parliament Touret, 3. nov. 1789, AP89 vol IX, 655.

nation possesses an omnipotent will[549], it is powerful and generous[550], wields the greatest power and enjoys the greatest trust[551]. It was - as early as October 1789 - superior to the king, who was bound by the laws it presented to him[552], and a king was only king "*par la grace des peuples*"[553]. According to Robespierre in September 1789, the king could not obstruct the nation's constitutional mandate and, in general, the will of the king was superfluous for the constitution, the will of the nation was sufficient[554]. According to Robespierre a few days earlier, the nation was simply omnipotent, it had toute-pussance[555]. This omnipotence unfolded preferentially in places where there was little prospect of factual contradiction: not in the committees, but on the podium of the National Assembly, which was ideal for monologues.

The nation is an invisible and permanent, non-violent force[556] that decides on war and peace[557], and whose omnipotence does not rest in any of its organisational components, but in itself[558]. It can create and abolish corporations as it pleases[559] and also do whatever it wants in terms of legislation[560]. It can do anything it wants[561]. It could not recognise any obstacles, nothing could oppose its will[562]. It is a demanding and entitled subject, and tribute must be paid to it[563].

In general, all powerful social actors are united in it and have their origin in it: "*la nation est la réunion de toutes les puissances, et tous les pouvoirs émanent d'elle"*. It overcomes all resistance, no one is a match for it: "*La nation ne peut donc reconnaître aucun empêchement,*

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[549] Member of Parliament Malouet, 3. august1789, AP89 vol VIII, 337.
[550] Member of Parliament Dumouchel, 29. july 1789, AP89 vol VIII, 303.
[551] Member of Parliament comte Mirabeau, 16. sept. 1789, AP89 vol VIII, 19.
[552] Member of Parliament de Villeneuve, 5. oct. 1789, AP89, vol IX, 344; vgl. auch Robespierre 21. sept. 1789, AP89 vol IX, 79f.
[553] Member of Parliament de Villeneuve, 8. oct. 1789, AP89, vol IX, 384.
[554] 18. Sept.1789, AP89 vol IX, 34.
[555] Member of Parliament Robespierre, 12. sept. 1789, AP89 vol VIII, 617: „Le peuple" had „toute-puissance". Even further Mirabeau expressend himself the day before, 11. Sept. 1789 (AP89 vol VIII, 609): the nation was „everything": „Je rejette l'avis du préopinant; la nation est le tout, et tout (I reject the opinion of the previous speaker; the nation is everything, is everything").
[556] Member of Parliament Mercier, 7. Jan. 1793, AP92/93 vol LXXI, 507.
[557] Member of Parliament de Lameth, 15. may 1790, AP90, vol XV, 516.
[558] Member of Parliament Comte Mirabeau, 2. nov. 1789, AP89 vol IX, 655.
[559] Member of Parliament Comte Mirabeau, 2. nov. 1789, AP89 vol IX, 641.
[560] Member of Parliament Crénière, 3. sept. 1789, AP89 vol VIII, 550; Member of Parliament Lebrun 30. oct. 1789, AP89, vol IX, 603.
[561] Member of Parliament Mounier, 4. sept. 1789, AP89 vol VIII, 560.
[562] Member of Parliament La Revellière-Lépeaux, 21. sept. 1789, AP89 vol IX, 69.
[563] Member of Parliament Graf de Pardieu, 27. june 1789, AP89 vol VIII, 163.

et rien ne peut arrêter l'exécution de de sa volonté générale"[564] („The nation cannot therefore recognize any impediment, and nothing can stop the execution of its general will"). No one doubts that the nation can do anything it wants[565]. As early as October 1789, all public power emanated from it: "*Tous les pouvoirs émanent du corps de la nation*"[566]. In general, all powerful social actors are united in it and have their origin in it: "*la nation est la réunion de toutes les puissances, et tous les pouvoirs émanent d'elle*"[567]. It is ingenious: its "genius" must be questioned in order to bring about a declaration of human and civil rights, for example[568]. The nation is therefore a person, it thinks and acts. Its scope of thought and action has its centre in the constitution:

„C'est donc avec sagesse que le peuple a voulu, quand il n'a pas exercé lui-même la plénitude de la souveraineté, que les deux pouvoirs qui constituent essentiellement le gouvernement, et qui émanent de lui, s'accordassent pour établir la loi ; et quand il voulut que la loi ne fût établie que par cet accord, il prit le moyen le plus sûr pour maintenir chaque pouvoir dans ses limites, et s'assurer de la bonté des lois qui seraient promulguées; car il est utile de le répéter sans cesse: aussitôt que la moindre partie du pouvoir exécutif se trouve réunie au pouvoir législatif, à l'instant la légitime représentation du peuple n'existe plus, et il est menacé par la tyrannie."[569]

(„It is therefore with wisdom that the people, when it itself has not exercised the fullness of sovereignty, wished that the two powers which essentially constitute the government, and which emanate from it, should agree to establish the law; and when the people wanted the law to be established only by this agreement, it took the surest means to maintain each power within its limits, and to ensure the goodness of the laws that would be promulgated; for it is useful to repeat it unceasingly: as soon as the least part of the executive power is reunited with the legislative power, the legitimate representation of the people no longer exists, and it is threatened by tyranny.")

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[564] Member of Parliament La Revellière-Lépeaux, 21. sept. 89, AP89 vol IX, 69.
[565] Member of Parliament Mounier, 4. sept. 1789, AP89 vol VIII, 560.
[566] Member of Parliament l'abbé d'Eymar, 13. oct. 1789, AP89 vol IX, 420; also Member of Parliament Robespierre, 9. Aug. 1790, AP90 vol XVII, 672.
[567] Member of Parliament La Revellière-Lépeaux, 21 sept. 89, AP89 vol IX, 69.
[568] Member of Parliament Pison du Galand, 19. june 1789, AP89 vol VIII, 135. Robespierre speaks of the "genius of the homeland", Oeuvres de Maximilien Robespierre, Tome VI, Discours, 1re parties (1789-1790), Presses Universitaires de France, Paris 1950, session 16. june 1789, p. 33.
[569] Member of Parliament Comte d'd'Antraigues, 2. sept. 1789, AP89 vol VIII, 544.

The nation does not intervene in administrative procedures, it is not interested in judicial judgements, at most it can warm to individual laws. What the nation is actually interested in are the structures of the political order.

But the nation wants to be loved, because she is not only politically omnipotent, but also moral[570], generous and sensitive[571], worthy of worship and holy. Her will is not only strong, but holy: "*ses volontés sont sacrées, et il n'est aucune puissance qui puisse les combattre*"[572]. According to Guardini, revelation manifests itself in the world "precisely where the sacred bears witness"[573]. The touching and sacred name of the people, "*ce nom touchant et sacré du peuple*", cannot be harmed by accusations of corruption against individuals[574]. As a result of these events, the French people became the "first people of the universe", and the achievements of the National Assembly conveyed the immortal names of the deputies into the distant future[575].

One of the rarely mentioned attributes of the nation is its pre-existence, at least the pre-existence of the principle on which it is based, that "*toute autorité réside dans le peuple, toute autorité vient du peuple, tout pouvoir légitime émane du neuple*" („all authority resides in the people, all authority comes from the people, all legitimate power emanates from the neuple"). According to the deputy d'Angraigues, this principle preceded all contemporary political disputes, "*Ce principe existait avant vos décrets*"[576]. The deputy Le Berthon also called the principle that "*tous les pouvoirs émanent essentiellement de la nation et ne peuvent émaner que d'elle*" an "eternal truth"[577], une "*verité éternelle*"; likewise the deputy Clermont-Tonnerre[578].

Perhaps the People's Sovereign is not only an absolute but also a benevolent ruler, one to whom the protection of those indirectly entrusted to him is an explicit concern. Such a conclusion could be drawn if the adoption of the Declaration of the Rights of Man and of the Citizen on 26 August 1789 - at least close in time to the appearance of the People's Sovereign

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[570] Member of Parliament Comte de la Galissonnière, 2. nov. 1789, AP89 vol IX, 632.
[571] Member of Parliament Renaud, 18. Feb. 1790, AP89/90 vol XI, 645.
[572] Member of Parliament La Revellière-Lépeaux, 21. sept. 89, AP89 vol IX, 69.
[573] Guardini, Die Offenbarung, Würzburg 1940, p. 11.
[574] Member of Parliament Robespierre, 25. Jan. 1790, AP89/90 vol XI, 322.
[575] Letter of homage from the inhabitants of Dieppe to the National Assembly, read out in the context of a speech by the deputy Salomon, 25. july 1789, AP89 vol VIII, 275.
[576] Member of Parliament Comte d'Antraigues, 2. sept. 1789, AP89 vol VIII, 543.
[577] Member of Parliament Le Berthon, 23. sept. 1789, AP89 vol IX, 124.
[578] Member of Parliament Graf Stanislas de Clermont-Tonnerre, 11. Jan. 1790, AP89/90 vol XI, 165.

- could be attributed to him in such a way that the advocacy of rights could be seen as his attribute. He would then be a complicated, contradictory figure, one who mistrusts his own power and takes measures to protect those politically subject to him.

A strong indication for the correctness of the thesis of the common origin of human rights and People's Sovereignty is, in addition to the temporal-spatial proximity in Paris in 1789, the recent regular temporal-organisational coupling of the founding of states and the adoption of civil rights. In recent decades, the establishment of new nation states has regularly gone hand in hand with the adoption of civil rights catalogues. The founding of the state and the establishment of fundamental rights merged into one in the new constitution. This close temporal and organisational connection could be an indication of an inner connection, and the tendency to establish rights an altruistic attribute of the People's Sovereign[579].

But two essential circumstances contradict this assumption of unity: firstly, the attitude of Rousseau, who was of fundamental importance for the establishment of the sovereignty of the people, and secondly, the parliamentary events in the summer of 1789.

Rousseau's theoretical proposal in the *Contrat social* - of fundamental importance for the establishment of the People's Sovereign, see below, and therefore worth mentioning here - is alien to the idea that there could be individual rights against the state at all. Moreover, as Kesting (2002) emphasises, his republic proves to be a "continuous self-creation". The common will is always forming anew and is not bound by its own earlier versions. "How should the sovereign be able to bind himself by a constitutional order if even the simple self-given law only binds him as long as he wants it to?"[580]. More recent research has turned against the view that Rousseau was the inspirer of at least individual human rights, which Redslob, for example, defended with reservations in 1912[581]. These include Arendt - who notes a tension between Rousseau's People's Sovereignty and the declaration of human rights[582] - and Höffe: Rousseau does *not* defend human rights in the "*Contrat social*"[583].

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[579] So e.g. Maus 2011, p. 9, 359.
[580] Kesting 2002, p. 95.
[581] Redslob 1912, p. 100. Before mentioning to Rousseau the inspirer of the French Declaration of Rights, among other things with the questionable argument that a collision of individual with state rights is excluded with Rousseau, since the will of the individual and that of the state are identical, he notes elsewhere that there is no room in Rousseau's theory for a system of human rights (p. 75).
[582] Hannah Arendt, Über die Revolution, 1974, p. 192f.
[583] Otfried Höffe, Geschichte des politischen Denkens, München 2016, p. 278.

The parliamentary events also give no clear indication of a close relationship between the appearance of the People's Sovereign and the Declaration of Rights. The Declaration of the Rights of Man and of the Citizen, adopted on 26 August 1789, was one of the first major achievements of the new National Assembly. A small group of deputies, in which Lafayette assumed a key role over time, had set itself the task of bringing about the adoption of a Declaration of Rights - and was successful. After the National Assembly had decided almost unanimously on 4 August to precede a future constitution with such a declaration[584], it was finally adopted on 26 August 1789. At first glance, the overall picture is similar to that of the rise of People's Sovereignty: a small group of deputies leads their project to legislative success. The realisation of the sovereignty of the new power that emerged on 19 June had also initially been a matter for just a few MPs.

However, special features of the parliamentary process speak against a firm link between the declaration of rights and the appearance of the People's Sovereign. Firstly, the fact that the parliamentary efforts aimed at a declaration of rights began well before 19 June 1789, namely with the promise of the Estates-General in the summer of 1788[585], i.e. well before the first appearance of the People's Sovereign. The impetus for a declaration of rights therefore clearly did not come from the People's Sovereign, but from another source.

Also nowhere in the parliamentary discussion of the Declaration of Rights is there any indication that it was understood as an expression of sovereign power or as a command from the People's Sovereign. Rather, it was the subject of controversial debate from the outset, which was no different from any other parliamentary controversy. Neither supporters nor opponents[586] claimed to represent the will of a higher power. The rights were not understood as a divine command, but as a personal, *own* offer to the French nation formulated by certain deputies out of personal conviction[587].

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[584] Then-president of the Assemblée Nationale, M. Chapelier, 4. august1789, AP 89 vol VIII, 340.

[585] Schickhardt 1931, p. 5; Sandweg 1972, p. 180. Schickhardt (1931, p. 14) adds that the flood of pamphlets in Paris had already increased since 1787, which „for the first time spoke on a larger scale of human and citizen rights and threw the idea of their declaration into the debate".

[586] These were less. Fundamental opposition to a declaration of rights could only be expressed by a small number of MPs, but the views of many conservative members of Parliament were not known (Sandweg 1972, p. 268).

[587] Thus the wording in the Provisional Constitution, presented on 20. and 21. july 1789 in the Constitutional Committee chaired by Abbé Sieyès, AP89 vol VIII, 260.

Such an offer was debatable. It was debated in a way that suggests a rather profane character of the matter[588]. According to its opponents, the declaration of rights would pave the way for social excesses[589] and increased suicide[590], promote egoism and pride[591] and open up greater scope for obscenity[592]. Even those in favour did not think of presenting the Declaration of Rights as an aspect of People's Sovereignty or as a necessary consequence of the establishment of the sovereign nation. Instead, they invoked ancient tradition[593], the wishes of the electorate[594], saw the Declaration of Rights as an instrument of enlightenment, a means of dispelling the last "shadows of ignorance"[595] or wanted to use it to create an obstacle that would make it impossible to re-establish the old order[596].

Neither supporters nor opponents indicated that they saw the Declaration of Rights in connection with the sovereignty of the people. Instead, it was often perceived as an import from the United States[597]. According to opponents, the example of the United States should not be followed because of the completely different social situation in France[598]. A citizen of the French monarchy had the same rights as a citizen of the United States anyway, and therefore a French Declaration of Rights was superfluous[599]. Nor could it be an instrument of enlightenment, because enlightenment must take place through books, not through law or

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[588] On the course of the controversy as a whole, see Sandweg 1972, 188f; J.K.Wright, National Sovereignty and the General Will: The political program of the Declaration of Rights, p. 199-233,223 in: Dale Van Kley, ed., The French idea of freedom, Stanford University Press, Stanford 1994; A. Aulard, Histoire politique de la Révolution Francaise, Librairie Armand Colin, Paris 1901, p. 42 ff and Ludwig Häusser's Geschichte der französischen Revolution 1789-1799, Wilhelm Oncken, ed, Weidmannsche Buchhandlung Berlin, 1867, p. 170. The dispute over the declaration of rights was a major dispute over the right procedure, see Member of Parliament Graf de Clermont-Tonnerre, 27. july 1789, AP89 vol VIII, 283, sowie See the overview of objections by MP Malouet, 1. aug. 1789, AP89 vol VIII, 322; as examples of general rejection see the MP Hardi, 3. Aug. 1789, AP89 vol VIII, 335 and de Toulongeon, 1. Aug. 1789, AP89 vol VIII, 315.
[589] Member of Parliament Comte de Castellane, 1. Aug. 1789, AP89 vol VIII, 321.
[590] Referred by the MP Desmeuniers, 3. Aug. 1789, AP89 vol VIII, 334.
[591] Member of Parliament de Lubersac, 4. Aug. 1789, AP89 vol VIII, 341.
[592] Referred by the MP Desmeuniers, 3. Aug. 1789, AP89 vol VIII, 334.
[593] Member of Parliament Champion de Cicé, 27. july 1789, AP89 vol VIII, 281.
[594] Member of Parliament Marquis de Sillery, 4. august1789, AP89 vol VIII, 340; see Egon Zweig, Pouvoir constituant, 1909, p. 240.
[595] Member of Parliament Desmeuniers, 3. Aug. 1789, AP89 vol VIII, 334.
[596] A. Aulard, Histoire politique de la Révolution Francaise, Librairie Armand Colin, Paris 1901, p. 45; vgl. auch Schickhardt 1931, p. 12.
[597] see Sandweg (1972, p. 24), who speaks of a "lasting, but in its strength difficult to assess" influence of the declarations of rights of various American states on the French Declaration of Human Rights.
[598] Member of Parliament Champion de Cicé, 1. Aug. 1789, AP89 vol VIII, 322.
[599] Member of Parliament de La Luzerne, 1. Aug. 1789, AP89 vol VIII, 322.

constitution[600]. No rights can be derived from principles to which the Declaration of Human Rights refers[601]; rights that are anchored in the hearts of citizens do not require codification[602].

A close connection between the appearance of the People's Sovereign and the adoption of the Declaration of Rights was therefore not recognisable, at least from the perspective of the MPs. The appearance of the overpowering and pervasive new force, the new principle of People's Sovereignty, which, according to a later assessment, had "broken through a cloud and descended from there under the astonished gaze of the people"[603], did not affect the parliamentary petty war over the Declaration of Rights[604]. Its content cannot therefore be readily attributed to the People's Sovereign as an original achievement, and the People's Sovereign will therefore be reluctant to be seen to be advocating the individual rights of defence of one of its citizens.

5. Objections and discussion

In the following, we will discuss some questions and objections that could be addressed to the revelation thesis.

a) A first enquiry could concern the place of the event: can a parliament be the place of revelation?

As a rule, revelations do not take place in the holy place, but they turn the place where they take place into a holy place. Revelation is, according to Tillich, "not dependent on the sphere that we specifically designate as the religious sphere. It can happen in any sphere"[605].

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[600] Member of Parliament de La Luzerne, 1. Aug. 1789, AP89 vol VIII, 322.
[601] Member of Parliament Crenière, 18. Aug. 1789, AP89 vol VIII, 451.
[602] Member of Parliament Hardi, 3. Aug. 1789, AP89 vol VIII, 335. For further, often procedural objections, see Member of Parliament de Gleizen, 24. july 1789, AP89 vol VIII, 271; Member of Parliament Delandine, 1. Aug. 1789, AP89 vol VIII, 324; Member of Parliament und the then-president of the Assemblée Nationale le Franc de Pompignan, 14. july 1789, AP89 vol VIII, 231; Member of Parliament Delandine, 1. Aug. 1789, AP89 vol VIII, 324; Member of Parliament und then-president le Franc de Pompignan, 14. july 1789, AP89 vol VIII, 231; Member of Parliament de Lubersac, 4. Aug. 1789, AP 89 vol VIII, 341; Member of Parliament Comte Mirabeau, 18. Aug. 1789, AP89 vol VIII, 453 and Member of Parliament Rabaud de Saint-Etienne, 18. Aug. 1789, AP89 vol VIII, 452.
[603] Emile Boutmy, Zur Frage der Volkssouveränität, p. 49-89, 52 in: Hanns Kurz, ed,
1970, published first 1904 in the „Annales des Sciences Politiques", vol XIX, 1904, p. 153-284 under the title „À propos de la Souveraineté du peuple".
[604] On the pragmatic and day-to-day political motives of MEPs in their discussion of human rights, see Krause 2008, p. 132.
[605] Paul Tillich 1970, p. 38.

Revelation does not leave the place where it happens unchanged[606]. "Later generations have visited the place where sacred things happened"[607].

It is not without reason that modern parliaments differ from their pre-modern predecessors precisely in the veneration that is paid to them. The medieval or early modern parliaments, such as the Brandenburg state assemblies convened from 1345 onwards, were not sacred, but a normal institution of the state. The Assemblée nationale, on the other hand, has been described as the "altar of unity, pulpit of patriotism, temple of freedom, humanity and reason"[608] since 1789, and today, according to the Süddeutsche Zeitung 2021 with reference to the US Congress, the modern parliament is considered the "sanctuary of democracy"[609], and an attack on it as a "great dishonour and disgrace" for the country as a whole[610].

In addition, one could ask whether a large number of parliamentary speeches spread over weeks and months can be a revelation. One could argue that a "revelation" spread over a longer period of time is less a revelation than a gradual process of rethinking. Revelation includes the punctual and sudden, possibly lightning-like, similar to the experience that turned Saul into Paul (Acts 9:1ff). Hamacher calls lightning "the revelation metaphor par excellence"[611].

But even Old Testament revelation took place in long historical processes[612]; according to the Muslim view, the revelation addressed to Muhammad extended over 23 years, and Söderblom went on to say that it was "impossible to believe in a divine self-communication and to regard it as completed with Christ or the Bible"; rather, one was dealing with "continued divine self-communication" in nature, history and moral life[613]. The decisive event here requires a much shorter period of time: essentially a few weeks in the spring and summer of 1789. The temporal urgency can be understood as an expression of a certain economy of revelation. The

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[606] see Paul Tillich 1970, p. 38.
[607] Sundermeier 2007, p. 75.
[608] Member of Parliament Camille Desmoulins, in: Claudine Vaulchier, La recherche d'un palais pour l'Assemblée nationale, in: Ministère de la culture, ed, Les architectes de la liberté 1789-1799, Paris, 1989, p. 137-162, 142, quoted at: Maria Fixemer, Die Assemblée nationale – eine ,zeitlose Institution'?, p. 94-135, 104, in: Werner J. Patzelt, ed, Parlamente und ihre Symbolik, Wiesbaden 2001.
[609] Süddeutsche Zeitung v. 7. Januar 2021.
[610] „CNN" v. 7. Januar 2021, Paul LeBlanc: https://edition.cnn.com/2021/01/06/politics/george-w-bush-capitol-breach/index.html; retrieved on 5 december 2023.
[611] Hamacher 2010, p. 21.
[612] Cf. Guardini 1940, p. 69.
[613] Söderblom 1966, p. 339f.

People's Sovereign only does what is necessary and withdraws, the less the development can still take place in a direction not desired by him and the more - with the establishment of the Constitutional Committee on 7 July and the renaming of the National Assembly as the "Constituent Assembly" on 9 July - the path towards a constitution based on the sovereignty of the people becomes apparent.

b) Revelation means in the literal sense that something becomes visible, recognisable, clear. But to what extent can we even speak of such a becoming visible in the absence of any incarnation? What has changed, one could say - and even this only following decades of journalistic preparatory work - are certain political guiding principles, but nothing has become directly visible.

But revelation and concealment are not mutually exclusive. Even a God who reveals himself in Jesus Christ or in Mani remains a hidden God. Conversely, complete unveiling and revelation do not go together: "If 'revelation' were simply the 'stepping into the unveiling' of something hidden, it could hardly be answered by faith as the attitude in which it is accepted. For one recognises the unveiled, one does not believe"[614].

Tillich and Leeuw have developed a concept of revelation that is distinct from what is clearly visible. Both emphasise the importance of distinguishing what is revealed from what is visible and clear. Leeuw distinguishes between the manifestation of the phenomenon and the revelation of God[615]. The phenomenon becomes visible, whereas revelation is precisely not an announcement and not a display. Similarly, Tillich distinguishes between religious revelation and that which is revealed through "perception, also through experience, also through realisation, through reflection and intuition"[616]. No one would call the latter revelation; in general, "that which can be grasped at some point by any means of cognition (..) is not revealed by revelation"[617]. Only that which is essentially hidden, "that which is not accessible by any means of cognition, communicates itself through revelation. It does not cease to be hidden by the fact that it reveals itself"[618].

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[614] See G. Oberhammer, Die Worterkenntnis bei Bhasarvajna, p. 107-120, 107 in: Oberhammer, ed., Offenbarung, Wien 1974.
[615] Gerardus van der Leeuw 1956, § 86, p. 640.
[616] Paul Tillich 1970, p. 33.
[617] Paul Tillich 1970, p. 34.
[618] Paul Tillich 1970, p. 406.

Continuous concealment is part of the essence of revelation[619]. Schüssler recognises in this a characteristic of a religio-philosophical concept of revelation: revelation never completely reveals the transcendent, "it always remains a mystery that attracts and repels"[620]. Schmidt-Leukel also points out, with reference to Wilfred Cantwell Smith, that a reception of revelation - revelation understood as divine self-communication - can never exhaust the entire content of revelation. God will never fully reveal himself in any finite human being; a revelation is always greater than earthly vessels can contain[621].

c) But he who is greater than human cognition does not have to deceive human cognition. He could present himself as who he is. But in the debates of the Third Estate and - since 17 June 1789 in the National Assembly - there has been no talk of a People's Sovereign. Instead, until 1791, only the king was considered to be sovereign. The old usage of "*Le souverain*" was essentially retained until the adoption of the new constitution on 3 September 1791, Article 1 of which now stated: "*La Souveraineté est une, indivisible, inaliénable et imprescriptible. Elle appartient à la Nation*".

However, the idea that the nation was actually sovereign had already been formulated occasionally in the late summer of 1789: "*la souveraineté réside dans le peuple*"[622], "*La souveraineté réside dans la nation*"[623], as Mirabeau[624] and Robespierre also put it a few weeks later[625]. Since the summer of 1790, it was no longer the king who was described as sovereign, but the nation[626], the union of all[627], the National Assembly[628], the majority of deputies in the National Assembly[629] or the law[630]. Otherwise, however, the conservative use of language was a reflex of the old legal situation that continued to apply and shows the gravity of the officially continuing legal situation.

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[619] Gerardus van der Leeuw 1956, p. 640.
[620] „Offenbarung", in: Lexikon für Theologie und Kirche, column 898.
[621] Perry Schmidt-Leukel, Theologie der Religionen: Probleme, Optionen, Argumente, München 1997, p. 337.
[622] Member of Parliament Crénière, 3. sept. 1789, AP89 vol VIII, 550.
[623] Member of Parliament le chevalier de Lameth, 3. sept. 1789, AP89 vol VIII, 552.
[624] 23. sept. 1789, AP89 vol IX, 123f.
[625] 22. oct. 1789, AP89 vol IX, 479.
[626] Charles-François Douehe, 12. august1789, AP 89 vol VIII, 407; Sallé de Choux, 21. September 1789, AP89 vol VIII, 83; Desèze, 21. September 1789, AP89 vol VIII, 87; de Cazalès 9 july 1790, AP90 vol XVII, 14. See the distance to the contemporary use of terms in MP Lecouteulx de Canteleu, 5. Dezember 1789, AP89 vol X, 393, or in MP d'Albert de Rioms, 12. Dezember 1789, AP89 vol X, 547.
[627] Member of Parliament Rabaud de Saint-Etienne, 4. September 1789, AP89 vol VIII, 569.
[628] Member of Parliament Delandinc, 15. july 1791, AP91 vol XXVIII, 345.
[629] Member of Parliament de Menou, 17. November 1789, AP89 vol VIII, 86; Member of Parliament Malouet, 26. Februar 1791, AP91 vol XXIII, 532.
[630] Member of Parliament Mirabeau, 18. September 1789, AP89 vol VIII, 33.

However, not only did the old term describe the wrong thing (the monarch, who had ceased to be sovereign since 17 June 1789), but the new term "*nation*" did not describe the right thing either. As shown above, the nation that was often described as de facto sovereign - namely omnipotent, superior, far superior - was neither sovereign nor omnipotent, but either non-existent or later the inferior object of state policy. What was called a "*nation*" in 1789 did not exist, and even later, a modern nation could only be spoken of in object form. The de jure sovereign monarch was no longer sovereign, and the nation labelled de facto sovereign did not exist. But a misnomer does no harm if there is agreement on what is meant. The MPs lacked terms with which they could have expressed their new experience.

d) One could also argue that the relevant statements oft he members of parliament are always ordinary - descriptive, invocative, performative - speeches that are completely absorbed in the parliamentary process. Even in the early summer of 1789, speeches in the National Assembly were not meant as a communication of divine revelation, but as profane contributions to the resolution of political issues. The fact that individual speakers occasionally referred to "*nation*" or "*peuple*" did not change this.

In fact, it will not be possible to apply the Christian theological concept of revelation to the French case, which in its orthodox Protestant variant regarded the Word as the "eminent way of divine self-communication"[631] or even identified (Christian) revelation and the Word of God with one another[632]. The speeches in the National Assembly are not themselves revelation, but they document revelation. They are the expression of a previous experience.

The consistent linguistic form that this experience takes in the various parliamentary speeches of the summer of 1789 can be taken as a guarantee of its actual existence. Leopold Ziegler reckons that at least religious reader "can make a reliable judgement about an inspired text when reading and rereading sacred writings"[633]. This is precisely what prevents the concept of revelation from slipping into the boundless. Now, parliamentary minutes are not holy writings. However, anyone who, as part of a group of MPs, expresses a unanimous

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[631] Waldenfels 1977, p. 3.
[632] Vgl. Eilert Herms, Offenbarung und Erfahrung, p. 246-272, 250 in: Offenbarung und Glaube, 1992. In contrast, Calvin was of the opinion that the "order of nature" also leads to an original knowledge of God, see Waldenfels 1977, p. 14.
[633] Leopold Ziegler, Überlieferung, München, 2. Aufl. 1949, p. 242f.

parliamentary opinion - and in doing so reports on an invisible force that can do whatever it wants politically and achieve whatever it wants, to which no-one is able to offer resistance and to which tribute is owed - is very likely to be referring to a unanimous experience. E. Salmann's sentence about thinkers and artists - "No great thinker or artist simply invents his thoughts, motifs, stylistic gestures (un)arbitrarily, he must rather find them, interpret them, realise them, 'something' goes through him that drives him..." [634] - also applies to the French deputies of the summer of 1789.

What is expressed in parliament is what was previously experienced internally. Eicher speaks of the "pre-predicamental unknowable"[635]. It can only be surmised by reading parliamentary acts, for example where the deputy Le Berthon becomes enthusiastic during his speech about the "eternal truth" that all power emanates from the nation and can only emanate from it[636]. George Tyrell insisted on the experiential nature of revelation, "which cannot be adequately captured by logical-reflective language"[637]. For him, the place of revelation was the conscience, which he defined as a 'capacity of enligthenment, which if it does not absolutely demand revelation is at least suscpetible of it and proportionate to it'"[638]. Conscience is also addressed first in 1789. The deputies, who gradually joined the newly founded National Assembly, felt compelled to do so by their conscience[639].

In religious studies, the sacred word may be "one of the most important and versatile manifestations of religious life"[640], but here it is not the word itself that is sacred, but the experience to which it gives expression. The parliamentary word is at most an analogy, caused by the "inability to name the completely different: language is dependent on clothing everything that goes beyond normal human experience in words that originate from this normal experience"[641].

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[634] E. Salmann, Der geteilte Logos, Rom 1992, p. 172, quoted after Negel 2015, p. 226.
[635] Eicher 1977, p. 21.
[636] Member of Parliament Le Berthon, 23. sept. 1789, AP89 vol IX, 124. Apart from that, what is qualified as "enthusiasm" in parliament is often patriotically motivated since the late summer of 1789, see the speeches of the MPs de Lally-Tollendal and Barnave, both from 8. aug. 1789, AP89 vol XIII, 367.
[637] Waldenfels 1977, p. 116.
[638] George Tyrell, Das Christentum am Scheideweg, 1959, p. 276, quoted after Waldenfels 1977, p. 116.
[639] So the MPs Comte de Clermont-Tonnerre (25. june 1789, AP89 vol VIII, 153) and Comte de Pardieu (27. june 1789, AP 89 vol VIII, 163). However, this does not concern everyone at all: others, referring to the limits of their mandate, reject the transgression, cf. for example, the comments submitted by Mr Marquis de Sillery, 30. june 1789, AP89 vol VIII, 173.
[640] Mensching 1938, p. 99.
[641] Mircea Eliade, Das Heilige und das Profane, 1984, p. 14.

Only those who are inwardly gripped by a message can represent it outwardly. The inner processes are hidden from social science. A revelation, understood as "the unavailable event that something occurs to you, that something opens up, that you intuitively grasp something without understanding it discursively, or that a vision comes to you that sheds light on confused contexts and allows what is only vaguely perceived to take shape"[642] is meaningless in the political context as long as it is not recognisable to the outside world and cannot have an effect. Social science can only recognise fragments and only indirectly conclude, whether the People's Sovereign appears in images and figures, whether it is heard inwardly[643], whether it is felt through popular assemblies or elections, because "the divine word only ever becomes audible in the response of the person who allows himself to be touched by it"[644]. Religious studies must limit themselves to the linguistic documentation of what Eicher calls pre-predicamental and unnamable.

Such documentation is necessary, because for the person who has been taught inwardly, "countenance and gesture remain his own and always plunge back into the stream of his continuing life; the word, on the other hand, he detaches from himself and gives out"[645]. Only the outward turn turns individual experience into a political contribution, only the documented publication can have an effect.

In the summer of 1789, we are talking about a parliamentary publication of several MPs, not only of a small group. The People's Sovereign does not use *one* mediator, but several in turn. It is not the collective that receives the revelation, but the individual - today this one, tomorrow that one. Not all deputies equally, but especially the leading ones, above all Sieyès, Mirabeau and Robespierre. "Genuine and individual revelation is always received by individuals"[646].

Their revelation made through parliamentary speech is not intended to document, but to have an effect. This is the purpose of parliamentary speech in general: it aims to have a political effect. For Tillich, revelation as a whole is "not a communication about the existence, characteristics or actions of a being, but the realisation of the unconditionally hidden in being,

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[642] Ebeling, Dogmatik des christlichen Glaubens, vol 1, p. 274.
[643] see Waldenfels 1982, p. 19f.
[644] Joachim Negel, Projektion als Inspiration, Freiburg Bg 2015, p. 223.
[645] Guardini 1940, p. 49.
[646] Mensching1959, p. 104.

the seizure of the being by an unconditionally seizing being. Revelation is realisation, not communication"[647]. Also Schleiermacher already stated: "'God reveals' means above all: 'God acts'"[648]. Somebody who aims to overthrow and re-establish the political order will therefore not choose parliament as the place of revelation without good reason.

6. Interim result

The events in the Estates-General and the newly founded National Assembly of 1789 may therefore be understood as a revelatory event. A supranatural force is revealed, which is referred to here as the People's Sovereign. The People's Sovereign establishes modern democracy and keeps it alive through its periodic appearances. The originally free People's Sovereign becomes a constituted People's Sovereign through the constitution, whose task it is to reveal itself again regularly - and this time in a predictable manner - in elections. Modern democracy rests on the People's Sovereign, and in its appearance and continued existence it has a religious core.

Overall, however, modern democracy is not a religious but a political phenomenon. This is not only because of its secular function, focussed on the occupation of public office, but also because the appearance of the People's Sovereign is not condensed into a religion. There is a lack of appropriate symbols, ethics and organisation. Its contribution to democracy resembles a hidden core overgrown with rules and mechanisms.

7. Rousseau as prophet of the people's sovereign

Finally, it will be shown that the thesis presented here also provides a new perspective on Rousseau as far as his thesis on civil religion is concerned. Seen from the interpretation of the events of the summer of 1789 as the appearance of a supranatural figure called the "People's Sovereign", Rousseau's contribution presents itself as a prophetic prediction. Jean-Jacques

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[647] Paul Tillich 1970, p. 42.
[648] Guardini, „Offenbarung" als Form des Lebensvollzugs (1940), in: Guardini, Unterscheidung des Christlichen. Gesammelte Studien 1923-1963, Mainz 1963, p. 391.

Rousseau's (1712-1778) postulate of a civil religion in his main work on state policy, "*Contrat social*" (1762), thus only becomes convincing, according to the thesis put forward here in conclusion, if this postulate is understood as a reference to the revolutionary event that took place 27 years later[649]. In his social contract, Rousseau comments on the arrival of the new God, his qualities and the religious stabilisation of the worship of God - and this contribution can be read as one that points to the future.

By way of introduction, his social contract fulfils a central task: it is a contract of liberation. It liberates those who participate in it. It pursues an emancipatory purpose. For Rousseau, lack of freedom cannot be a permanent state, because individual freedom prevails. Those who renounce it renounce their human quality (cf. CS I 4) [650]. The individual should become free and remain free. Every political order must ensure freedom in the long term. The challenge is to find a form of society "that defends and protects the person and the property of each member of society with all its collective strength and by virtue of which each individual, although united with all, nevertheless obeys only himself and remains as free as before..." [651].

The liberation of the many has a different quality than the liberation of the individual. Individual liberation, practised en masse, crosses the boundary from the pre-political to the political. In this crossing of boundaries, it constitutes the previously oppressed, isolated individuals (CS I 5) into a people. The social contract transforms the atomised multiplicity into a political community. The old hierarchy with its control from above and outside ends and is replaced, seemingly, by the "immanence of the people"[652].
In fact, however, there can be no question of such immanence. Rousseau does not create a humanistic system, he does not replace transcendence with immanence, but rather replaces the old with a new transcendence. Rousseau was in fact – *de facto* – a prophet of the People's Sovereign, but rejected this prophetic vocation. In this he resembled many who, like him, were forerunners of a coming God. *Subjectively*, Rousseau did not want to be a prophet of an overthrowing God of the people, and in fact the "Social Contract", in which the People's

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[649] But also the precursor had precursors, see Luhmann 1991, p. 294 with a quote from the article "Le philosophe" from the *Encyclopédie*, where it says: „*la société civile est, pour ainsi dire, la seule divinité qu'il (i.e. le philosophe) reconnaisse sur la terre*" (civil society is, so to speak, the only divinity he (i.e. the philosopher) recognizes on earth).
[650] Read as: Contrat social, Book 1, Chapter 4.
[651] Contrat Social I 6, translation see https://www.earlymoderntexts.com/assets/pdfs/rousseau1762.pdf
[652] Balibar, Prolegomena zur Souveränität in Balibar, Sind wir Bürger Europas?, 2003, p. 241.

Sovereign makes his first appearance, contains no indication of the author's inclination to riot, overthrow and revolution.

Rousseau was and remained conservative in both his fundamental and his state-theoretical judgements. He harboured the greatest aversion to revolutions and conspiracies[653]. He insisted on "simple, clear, morally rigorous state formations"[654]. He did not want the servitude that he diagnosed for his time to be overcome by an overthrow, because who could have been considered as its protagonist when now everyone was in a state of servitude? [655]. Rousseau's "social contract" does not contain the word "revolution" even once and, on the contrary, reveals a "need for regulation and order" everywhere[656]. In his advice to the citizens of Geneva, he "always urged calm and moderation, and warned against revolutionary changes"[657]. His concept of happiness is characterised by a "resigned, therapeutic rather than utopian trait[658]", and theologically, too, he resolutely opposed a departure from the traditional formas and dogmas[659]. Jouvenel calls him the "*philosophe antiprogressiste par excellence*"[660].

Despite Rousseau's traditional perseverance and his conservative stance, the French revolutionaries have referred to his work to a greater extent since 1789[661]. In fact, the real success story of Rousseau's main work of state philosophy only began with the Revolution[662]. It is not uncommon for the intentions of the protagonists and the effects of their actions to diverge in the course of history. A political contribution sometimes leads to effects that were

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[653] Brandt 1973, p. 45 with reference to Bernard Groethuysen, Jean-Jacques Rousseau, Paris 1949 and Bertrand de Jouvenel, Introduction to the Geneva-1947 edition of the Contrat Social, p. 80-83 and 158 and also A. Saboul, Jean-Jacques Rousseau et le Jacobisme, in: E.C.S., p. 406-424.

[654] Troeltsch, Naturrecht und Humanität in der Weltpolitik, Berlin 1923. Fetscher goes further than he and writes to Rousseau, who has tried to curb the dynamics of bourgeois society (Fetscher 1968, p. 9).

[655] see Fetscher 1968, p. 105.

[656] Charles Philippe Dijon de Monteton, Die Entzauberung des Gesellschaftsvertrags. Ein Vergleich der Anti-Sozial-Kontrakts-Theorien von Carl Ludwig von Haller und Joseph Graf de Maistre im Kontext der politischen Ideengeschichte. Frankfurt am Main 2007, p. 99.

[657] Kohn 1962, p. 229.

[658] Nonnenmacher 1989, p. 254.

[659] „Man kann nicht eindringlicher vor Neuerungen warnen, als Rousseau es in seiner Kritik über die Polysynodie des Abbé de St. Pierre getan hat" (There is no more urgent warning of innovations than Rousseau did in his criticism of the polysynodia of Abbé de St Pierre"), Robert Redslob 1912, p. 57.

[660] Bertrand de Jouvenel, Rousseau, évolutionniste et pessimiste, p. 1-19, 12 in: Annales de Philosophie Politique, Institut International de Philosophie Politique, ed, Paris 1965.

[661] For Tardieu, the entire French Revolution was only the realization of Rousseau's theories: „Die mächtige, hervorbrechende Quelle, jene Quelle, die die Geschichte der nächsten 150 Jahre bewässern wird, das ist Rousseau, einzig und allein Rousseau" (The powerful, erupting source, the source that will water the history of the next 150 years, that is Rousseau, only Rousseau), B. Mirkin-Getzewitsch, Die Souveränität der Nation, 1936, abgedruckt in Kurz 1965, p. 179-194, 188, with reference to André Tardieu, La Revolution à refaire, Paris 1936, p. 76. Further evidence at Brandt / Herb 2000, p. 7.

[662] Brandt / Herb 2000, p. 7.

not intended. Even political theorists, albeit usually with more leisure, must expect their contributions to be understood in a way that contradicts their intentions.

In the case of Rousseau's "Social Contract", the thesis that a revolutionary interpretation is fundamentally misguided is not easy to justify. The work is part of the early modern tradition of contractualism, and in its search for the "principle" of the state[663] lies a lever with which the political order could be shaken and was historically *de facto* repeatedly shaken. Contractualism does not ask about the chronological beginning of the individual state, but about the foundations of the state in general, and in this way it brings the state-founding contract into the "role of a yardstick by which the legitimisation of rule is measured"[664]. As a consequence, social relations of superiority and subordination are no longer part of a natural order, as they were for Aristotle, but present themselves as contingent human determinations. The treaty is a means of abstracting from all history in the name of "an ahistorical reason"[665].

It stands "as an ideal standard against a reality that is absolutely unlawful"[666]. From the point of view of the postulate of autonomy on which it is based, monarchy and oligarchy are no longer acceptable[667]. The treaty stands in clear contrast to the traditional forms of legitimising rule[668], even where the author did not intend the treaty to be normative[669] and was not interested in the political consequences of such a contrast.

The Small Council of the City of Geneva had the "Social Contract" burnt on the grounds that the work contained "destructive principles for every government and every revealed religion"; Rousseau advocated claims that were "completely anarchistic and destructive for every constitution and form of government"[670].

In the "Social Contract", Rousseau describes a process that ranges from the establishment of a god to the stabilisation of the religion that serves the worship of this god. He comments on 1)

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[663] So Ernst Cassirer, Vom Mythus des Staates, Hamburg 1949/2002.
[664] Saage 1989.
[665] Willms, Funktion-Rolle-Institution, Düsseldorf 1971.
[666] Brandt 1973, p. 41.
[667] Cf. Kersting 2002, p. 83.
[668] formulation at Willms, Funktion-Rolle-Institution, Düsseldorf 1971.
[669] According to Kersting (2002, p. 96), the republic designed by Rousseau has not a normative but only a conditional character: Stepping out of the natural state may be wise, advisable and advantageous, but is „not a duty, not legally or morally necessary".
[670] Proof at Brandt 1973, p. 17. In addition, he refers to Franz Haymann, Jean Jacque Rousseau's Sozialphilosophie (Leipzig 1898), and his thesis that a completely different society than the existing one is conceived in the contrat social.

the advent, the psychological preparation that paves the way for the new God, 2) the qualities of the new and his doctrine, and 3) the new God's religion, in which he is worshipped. The social contract is a contract of liberation, but at the same time it is an event that prepares the establishment of a new God, describes the qualities of this God and finally the religion dedicated to him.

1) Self-surrender as psychological attunement

The People's Sovereign is constituted by the social contract, and the social contract is constituted by the individual self-abandonment of all contracting parties. Its basis lies in this self-abandonment. Without unreserved self-emptying, the *aliénation totale*, or, as Hermann Denhardt's 1880 translation puts it[671], without the "complete absorption of each member of society with all its rights in the totality", the contract cannot come about.

The total absorption of the individual into the whole is the central, indispensable and comprehensive clause to which all other agreements can be traced back: "All these clauses, if one understands them correctly, can be traced back to a single one, namely the total absorption of each member of society with all his rights into the whole" (Contrat Social I 6[672]). The social contract is therefore in its substance a "contract of alienation"[673]. Since the contract that constitutes the People's Sovereign is based on the alienation clause[674], this indirectly lays the foundation for People's Sovereignty[675]. The People's Sovereign comes into being only if the citizens are prepared to surrender themselves completely in favour of the new common state.

Against the explicit wording of the Contrat social, doubts about the central position of self-abandonment are hardly possible. The objection, for example, that a certain degree of self-abandonment is typical of many contractual agreements and that Rousseau's postulate is therefore by no means exceptional, does not apply to Rousseau's construction. It is true that the willingness to be bound by a contract can certainly be tantamount to self-abandonment where goals could also be achieved without a contract, and the content of contracts is also

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[671] https://www.earlymoderntexts.com/assets/pdfs/rousseau1762.pdf
[672] Cf. https://www.earlymoderntexts.com/assets/pdfs/rousseau1762.pdf
[673] Kersting 2003b, p. 86.
[674] Cf. Schickhardt 1913, p. 7.
[675] Kersting 2002, p. 80.

sometimes associated with a painful surrender of one's own positions. However, such concessions do not mean complete self-abandonment, as demanded by Rousseau. This goes much further than a willingness to compromise motivated by self-interest. The self-emptying of the citoyens, which makes the social contract and thus the People's Sovereign possible, is a radical act that comprehensively defines the person and their position in the world.

Furthermore, one could raise the objection against the fundamental importance of self-sacrifice in the Contrat social that Rousseau is merely continuing early modern contract theories, that it is a convention without deeper meaning. For in Hobbes and Locke, too, it is a social contract that leads out of the state of nature, and in Hobbes, too, the birth of the political sovereign is based on a general act of alienation[676]. But in Rousseau's contract theory, not only does alienation have a different meaning than in Hobbes, his contract theory also differs from that of his predecessors.

Rousseau places the political order on a different footing. The criterion of legitimate order is not, as with earlier contract theorists, the degree of physical security or legal certainty granted by the political order, but freedom. A social contract that does not establish freedom and does not legitimise itself as a contract for the preservation of freedom cannot be a social contract. The state is nothing more and nothing other than an order of freedom; only freedom gives it legitimacy. What is meant is not collective freedom, the freedom of the collective organised in the form of a people and a state, but individual freedom, which can only be achieved within the framework of the collective.

Man is born free, and whoever gives up his freedom renounces his human quality (CS I 4). Anyone who submits to the tyrant in response to a promise of security must be asked the question: "One also lives quietly in a dungeon; is that enough to feel comfortable in it?" (CS I 4). In order to become free as an individual, the individual must give himself up completely to the collective. Rousseau accuses the earlier contract theorists of having "perverted the emancipatory intentions of the idea of contract and destroyed its liberal foundations"[677].

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[676] see Leviathan, part II, translated by Walter Euchner, Suhrkamp Verlag Berlin 2011, p. 166: the establishment of a "universal force" capable of ensuring universal security for human beings, is the transfer of all its power and strength to a human being or assembly of human beings (...) This is more than consent or agreement: It is a real unity of all in one and the same person, which came about by contract of each one with each one, as if everyone had said to everyone: *„I authorize this man or this assembly of men and give them my right to govern me, on the condition that you also give them your right and authorize all their actions".*
[677] Kersting 1994, p. 152.

Self-determination takes the place of heteronomy. It is not someone else who rules, but you rule yourself. This self-rule is incompatible with representation; the common will cannot and must not be represented[678]. Rousseau's fundamentalism "cannot be satisfied by the representation and authorisation arguments of Hobbes"[679]. Moreover, Rousseau's pathos of freedom is great enough to allow his absolutist consequences[680] to be overlooked at first. While democracy was considered possible but unpleasant by Bodin and Hobbes, it "henceforth became the only permissible (form of government); and if sovereignty had hitherto been synonymous with tyranny, this time, for the first time, it was to become the emblem of the rule of all"[681].

But not only the standard of just order, which is to be established by the „*contrat social*", is different, and the function of self-alienation, the decisive prerequisite for the social contract, also differs.

The scope of self-alienation in Rousseau's conception is radically different. For Hobbes, self-alienation serves a narrowly defined goal and goes no further than is necessary to achieve this goal. It is not a risk or a leap into the unknown, but has the character of a well-considered offer in contract negotiations. Only those aspects of individual freedom are given up that must be given up in order to enable peaceful coexistence. Otherwise, the freedom of the citizen remains unimpaired. The right of self-defence remains in force, natural laws can claim validity and must be observed by the sovereign[682]. In general, according to Nonnenmacher's thesis, it can be said that what was founded as *one* republic and *one* citizenship soon disintegrates into the "dichotomies of state and society, authority and subject, rule and obedience".

The republic, just constituted by means of a social contract, immediately dissolves again as a political entity[683]. Hobbes' state, behind the fearsome mask of the Leviathan, is actually a weak state[684]. Such weakness lies indeed in the logic of a polity installed for the security of a

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[678] Vgl. dazu Tuck 2015, p. 137f.
[679] Adam 1999, p. 81f.
[680] see Kersting 1994, p. 155f: Rousseau spells absolutism democratically: *populus est rex*".
[681] Daniel Loick, Kritik der Souveränität, 2012, p. 87.
[682] Kersting 2002, p. 92.
[683] Nonnenmacher 1989, p. 51.
[684] Nonnenmacher 1989, p. 68.

bougeois who wishes to pursue his private affairs in peace[685]. Such a state, despite all the power concentrated in the Leviathan, leaves the citizen unmolested outside the political sphere.

Not so with Rousseau. Here, the individual gives himself as a person with all his rights to the community without reservation and retains nothing. He becomes what the community makes him. Rousseau's Republic "tolerates no area of non-socialised subjectivity, no reservation of interpretation for questions of self-preservation. There is no core of freedom and rights in Rousseau that is resistant to alienation"[686]. Where Hobbes still works with a fiction of identity that leaves room for manoeuvre, Rousseau aims at real identity[687].

Rousseau replaces Hobbesian coordination politics with identity politics[688]. The individual merges with the collective. This leaves no room for the validity of the law of reason or principles of natural law, because the common will is boundless. No limits may be placed on it, it "may not be integrated into a hierarchy of natural law"[689]. In Rousseau's view, such radicalism guarantees effective liberation. He does not want to pave the way for total domination in this way, but for freedom, and for his part reproaches Hobbes, that his social contract would be a self-enslavement contract and therefore "highly unlawful"[690].

The key element of Rousseau's social contract is an individual act of self-emptying[691]. The individual gives up all his rights unconditionally in favour of the whole; he surrenders himself completely and retains nothing. The social contract owes nothing to a preparatory analysis of one's own strengths and weaknesses, no negotiation, no weighing of interests, but to an act of unconditional self-abandonment. The devotion on which it is based is a waste of self, and "true devotion ... does not strive for advantage and does not crave recognition"[692].

[685] see Fetscher 1968, p. 103.
[686] Kersting 1994, p. 149.
[687] Kersting 2002, p. 84.
[688] Kersting 2002, p. 84. The term is of course not meant in the current sense.
[689] Kersting 2002, p. 92.
[690] Kersting 2003b, p. 82.
[691] Properly understood, these clauses come down to one - the total alienation of each associate, together with all his rights, to the whole community. ·This may seem drastic, but three features of it make it reasonable, because each individual gives himself entirely, what is happening here for any one individual is the same as what is happening for each of the others, and, because this is so, no-one has any interest in making things tougher for everyone but himself." (Contrat social I 6).
[692] Scherer 2021, p. 63.

Self-alienation corresponds theologically to "taking off the old garment" and "putting on the new man"[693]. It follows the example of Jesus: "My food is to do the will of him who sent me and to fulfil his work" (John 4:34), and it is based on his words: "Whoever wants to save his life will lose it, but whoever loses his life for my sake will find it" (Matthew 16:25). Devotion is a waste of self, it means "sacrificing oneself to the point of self-denial"[694]. "True devotion ... does not seek advantage or crave recognition"[695]. In the act of devotion, the fulfilled moment increases "to the emphasis of a perfect simultaneity with the whole, an eternal now"[696].

Rousseau's self-surrender corresponds, as has been shown, to unconditional self-surrender to a God. For Rousseau, this God is, as much can already be recognised here, a God who can be a counterpart to man, i.e. a bearer of will and an agent. In this respect, he corresponds to the model of the Christian God. Self-surrendering is an individual event. The God reveals himself only to those who have previously surrendered themselves to him unreservedly.

However, the God to whom self-surrendering takes place in Rousseau's Contrat social is a God of the political community. He is not a private God and not a universal God, but a God of a certain human collective that is limited by membership and space. He reveals himself to this community. Therefore, whoever wants to participate in the revelation must belong to the community. God does not reveal himself to the isolated private individual, but to the collective constituted by the social contract. The kingdom of this God does not lie in the hereafter, not in the souls of the faithful and not in the world as a whole, but corresponds spatially to the territory inhabited by a concrete community.

Self-surrendering does not take place directly to the god and not in a way that is tailored to the individual, rich in variety, temporally and biographically appropriate, but it takes place in a uniform and compressed manner towards the collective addressee of the god - the political community. A temporally staggered self-surrendering of the individual directly to God would be pointless with regard to the foundation of a community. A coherent and well-defined community is required in order for a god to reveal himself to it. In order for God to reveal himself to the community, the individual must first have given himself to the community. The

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[693] This explicit biblical reference in Adam 1999, p. 99.
[694] Scherer 2021, p. 30.
[695] Scherer 2021, p. 62.
[696] Scherer 2021, p. 86.

volonté générale can only speak "if at least a majority of citizens want the common good and place it above the private good or the good of partial groups"[697].

What self-surrendering achieves is twofold: it makes us ready for the coming God, and it brings about and constructs, in advance, via *contrat social* the collective subject of this readiness. Also this fundamental achievement of community creation goes beyond what could be conclusively described in legal terms, which could be the subject of constitutional law. The social contract is more than a contract in the technical sense. What the social contract achieves cannot be fully grasped using legal terminology. Already in Hobbes, the supremacy of the sovereign indicates that an exclusively immanent description of his social contract would not capture the matter[698].

Rousseau makes it even clearer that the Contrat social is by no means a constitutional treaty among constitutional treaties, but aims to create a community of a special quality. Adam speaks of a secular version of the "corpus christi"[699]. While for Hobbes the body politic remains a fiction, for Rousseau "there is no doubt about the actuality of the body politic"[700]. Rousseau orientates himself on the Old Testament model: only through contract does a people become a people[701]. The contract gives rise to a new community, to a "mystical metamorphosis of the many individuals whose existence is now inextricably linked to the existence of the body politic"[702]. Rousseau's contract is therefore not an instrument for balancing interests, but a vehicle for comprehensive psychological transformation. It turns the pre-state egoist into the exemplary citizen. The social contract - for Kersting because of this apparent excessive demand a "completely misguided symbol for a republic"[703] - becomes a world-historical threshold that separates the phase of the old from that of the new man.

The new order emerges in the course of a transformation process that goes far beyond the mechanical combination of human forces (CS I 6). What takes place is the fusion of the individuals into an indissoluble new connection. Only when the individual is ready to become

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[697] Fetscher 1968, p. 131.
[698] Adam 1999, p. 100.
[699] Adam op.cit.
[700] Adam op.cit.
[701] Adam op.cit.
[702] Adam 1999, p. 102.
[703] Kersting 1994, p. 167.

an inseparable part of a new whole can a new total body emerge, a "*corps moral et collectif*" (CS I 6), a new actor with its own self, its own life and will.

2) The People's Sovereign as God

The self-surrender demanded by Rousseau creates the inner foundation for the emergence of a new God. Those who give themselves completely make themselves ready for transcendence. Rousseau does not content himself with describing an expectation, but turns to the emerging object of worship, the new God himself. He sketches him as the agent and bearer of the will, as the strong and active one, as the absolutely superior one.
The People's Sovereign does not emerge organically and gradually as the result of longer preliminary processes[704], but rather compressed in time in connection with the conclusion of the treaty. Only at the moment when the people living on a certain territory and remaining in the state of nature - for whatever reasons, for Roussseau they are indifferent[705] - come to the unanimous conclusion that it is advisable to leave this state in the direction of an ordered and secure life, does the social contract come into being, and can a the People's Sovereign be thought of at all. For Rousseau, the social contract is the central and necessary condition for the emergence of the People's Sovereign.

The new God imagined by Rousseau is first and foremost a God of will and a political God. He is not an abstract principle but an actor, not a distant creator uninterested in the course of the world, but a god in the here and now of the new political order established by the social contract. He is first and foremost concentrated will and political power. As the "general will", he summarises the universal moment of the many divergent individual wills directed towards the whole of the political order[706]. In the founding moment, the confusion of the respective egocentric volonté particulières comes to an end, and an independent new actor emerges, a new "spiritual whole" with its own life and will (CS I 6).

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[704] Still different in Rousseaus „Discours sur l'origine de l'inégalité parmi les hommes". Here Rousseau constructs three stages. From the pre-social and prehistoric state, the path leads first to socialization, in which increasingly complex forms of coexistence replace each other, and only then to the establishment of the state, cf. Kersting, Vom Vertragsstaat zur Tugendrepublik, 11-24 in Kesting, ed, Die Republik der Tugend.
[705] Because the Treaty does not require a justification-theoretical background, cf. Karlfriedrich Herb, Zur Grundlegung der Vertragstheorie, p. 29-45, 44 in Brandt/Herb 2012.
[706] cf. Adam 1999, p. 95. Kersting (1975, p. 120) already describes the universal will itself as a "moral-metaphysical entity".

The new actor is sovereign, and he alone is sovereign. He is "*puissance*" (CS I 6) and knows no equal. He acts without any constitutional limits. "Rousseau's people succeeds the princeps legibus absolutus of the philosophical tradition of the state"[707]. Rousseau conceptualises People's Sovereignty on the basis of a "*vision moniste du politique*"[708]. For him "no other than People's Sovereignty can be legitimate"[709]. However, this concentration of power should not permit arbitrariness, but rather is committed to the realisation of the common good. Sovereignty in Rousseau's sense is "nothing other than the exercise of the common will"[710], a common will that was already regarded as infallible and sublime by Diderot, on whom Rousseau orientated himself in this respect[711].

Remarkably, the new God is qualified in such a way that the reference to the God of monotheistic religions can hardly be avoided. Rousseau's God is not Greek, human, fallible and seducible, but superhuman: unrestricted, holy and inviolable (CS II 4).

The attribute of inalienability illustrates the distance that lies between the People's Sovereign and the common will realised by it on the one hand and momentary and changing private interests on the other. The individual may agree with the sovereign here and there (CS II 1), but this is of no significance for the sovereign, because a selective agreement of individuals with the common good gives no guarantee of a lasting orientation towards the common good. The sovereign does not carry out what the strongest private interests suggest to him, but follows his own logic as a born expert on the common good.

Private interest demands privileges, but the sovereign strives for civic equality (CS II 1). It can only do so because it embodies its own will[712]. As the bearer of the will, he acts autonomously, and his autonomy is just as much in need of protection as, at a lower level, the autonomy of the individual[713]. As an actor, the sovereign is clearly distinguished from the

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[707] Kersting 2003b, p. 96.
[708] Rosanvallon 2000, p. 404.
[709] Kersting 2003a, p. 18.
[710] Hardt / Negri, Assemly. Die neue demokratische Ordnung, Campus Verlag, Frankfurt am Main und New York, 2018, p. 56,
[711] Vgl. Loick 2012, p. 99. For Diderot, the common will was equivalent to the „*eternal laws of justice*" (Robin Douglass, Rousseau and Hobbes, 2015, p. 57). On Rousseau's criticism of Diderot, see Brandt 1973, p. 83: Diderot's *volonté générale* is merely a collective idea, which does not require any real unity between the individuals.
[712] see Kersting, Die Vertragsidee des *Contrat social* und die Tradition des neuzeitlichen Kontraktualismus, p. 47-68, 64, in Brandt/Herb 2012.
[713] Kersting 1994, p. 172.

people[714]; he is not the people, but at the same time he is not an agent of heteronomy vis-à-vis the people[715], but the embodiment of what constitutes the individual and the state in the first place: the common will[716].

The second attribute, that of indivisibility, reflects the fact that the sovereign embodies and realises the common will. The common will is "prior to the will of each individual and constitutes the social existence of the individual in the first place"[717]. The common will cannot be fragmented and any thought of a division of legislative power is misguided (CS II 2[718]). Legislation cannot be the result of parliamentary bartering or result from majority decisions[719], but serves the realisation of the one common good. This common good must not be determined arithmetically from the interplay of political forces, but is above and beyond day-to-day political business. In terms of content, it corresponds to what the citizens of the state have unanimously recognised as their interests in life[720].

Rousseau's monistic emphasis does not mean a turn against the separation of powers as such, on the contrary. Rousseau affirms the self-limitation of the sovereign. Executive decrees and ordinances are not part of his duties; rather, he must limit himself to his function as legislator. Only legislation is an "authentic expression of sovereignty"[721].

Thirdly, sovereignty is unrepresentable. The political self-determination realised by the People's Sovereign demands the "real presence of the people"[722], the "authentic and meaningful presence of every citizen in the deliberations and decisions of the general public"[723], and therefore cannot and must not be left to elected representatives. Only the people themselves appear as legislative actors, because People's Sovereignty means the political self-empowerment of the people. This must not change, because representation

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[714] Vgl. Jacques Maritain, Der Begriff der Souveränität, in Hanns Kurz 1970, p. 259, there is written that according to the - for Maritain nonsensical - idea of Rousseau one must imagine „the people as separate from themselves and to govern themselves".

[715] For Balibar, the concept of sovereignty serves to take back legislative competence into the "immanence of the people" (Étienne Balibar, Sind wir Bürger Europas? Politische Integration, soziale Ausgrenzung und die Zukunft des Nationalen, Hamburg 2003, p. 241).

[716] Cf. Ziegler 1931, p. 98.

[717] Ziegler 1931, p. 98.

[718] But with pros and cons on Rousseau's position on the separation of powers Williams 2014, p. 68.

[719] cf. Kersting 2012, p. 67.

[720] see Brandt 1973, p. 93.

[721] Kersting 2002, p. 88.

[722] Kersting 2002, p. 86.

[723] Kersting 2002, p. 84.

would be fatal for the body politic[724].. Representation creates a free space for particular interests and thus favours the disintegration of the polity[725]. Rousseau drew inspiration for this "anti- or rather pre-individualism" from the ancient polity, which was presented as uniform and cohesive, above all from Athens and Sparta[726].

Fourthly and finally, the sovereign is infallible. If he realises with the common will that which results from the unanimous judgement of all citizens, then he cannot err[727]. If all "participate equally in its formation, if it appears only in unanimous utterances, then its utterances must necessarily aim at the common good"[728].

These four qualities of the sovereign unfold, to a certain extent, the meaning of People's Sovereignty recognisable in the social contract and are therefore tautological[729]. However, their significance goes beyond the mere explication of the concept in two respects. Firstly, the four characteristics attributed to sovereignty by Rousseau emphasise the protagonist quality of the People's Sovereign. It is not an arithmetical quantity that can be determined by parliamentary voting or the force of political powers, but a subject, an agent with a will of its own. People's Sovereignty is not an abstraction of the people's unlimited and equal legislative power, but the description of the existence and activity of a concrete figure, the People's Sovereign.

Secondly, these four attributes attributed by Rousseau to the People's Sovereign - and even more so the fifth and sixth: his immutability and integrity[730] - bring their object close to a god and the qualities attributed to him, such as omnipotence, omniscience and omnibenevolence in the case of Christian theology. The attributes that Rousseau associates with the new God not only affirm the protagonist quality of the People's Sovereign, but also qualify it further. Rousseau identifies the common will realised by the People's Sovereign with the voice of God[731].

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[724] Adam 1999, p. 136.
[725] Adam 1999, p. 138.
[726] Brandt 1973, p. 112.
[727] cf. Kersting 2012, p. 67.
[728] Kersting 2002, p. 91.
[729] Kersting 2003a, p. 18.
[730] Contrat Social IV 1.
[731] „The most universal will is also always the most just and the voice of the people is indeed the voice of God" (quoted at Fetscher 1968, p. 122).

This God can fall silent for the time being and withdraw from the world, but he remains and can "under circumstances that are admittedly not readily within the power of human beings"[732] be awakened to life again. He is independent of human affairs in his existence, is *„une réalité préexistante, une réalité qui échappe à l'empire de l'individue, qui réside au-delà de tout arbitraire, au-delà des penchants affectivs et émotionnels, une réalité enfin que ne peuvent atteindre ni les intérets plus ou moins changeants des hommes, ni la connaissance conceptuelle qui correspond à ces intérets*" (pre-existing reality, a reality that escapes the empire of the individual, that resides beyond all arbitrariness, beyond affective and emotional inclinations, a reality that can reach neither the more or less changeable interests of men, nor the conceptual knowledge that corresponds to these interests)[733]. The common will is "pre-existent"[734]. From Rousseau's point of view, it is not merely a fiction that he needs to construct his polity, but a "moral-metaphysical entity" in its own right[735].

This metaphysical entity is a political and at the same time, to a limited extent, a personal God. The political God is the People's Sovereign, as Rousseau understands him, insofar as his realm does not lie in a somehow understood beyond the world or afterlife, but in the world, and, as will be shown shortly, in a spatially limited part of the world. The political God is concerned with social life; he is not interested in the salvation of his citizens. But the political god is also dependent on the mediation of his will through the psyche of the citizens. He speaks to them in much the same way as the Christian God speaks in conscience. His voice is addressed to the individual, to the citizen. Even in a citizen who sells his right to vote, the voice of the *volonté générale* remains potentially present.

For the moment it may be displaced by the stronger voice of private advantage[736], but as long as the individual somehow remains related to the community in which he lives, "the will that

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[732] Fetscher 1968, p. 131.

[733] Hans Barth, Volonté générale et volonté particulière, p. 35-50, 40f in: Annales de Philosophie Politique, Institut International de Philosophie Politique, ed, Paris 1965.

[734] *„Ce que Rousseau appelle ‚volonté générale' est une réalité préexistante, une réalité qui échappe à l'empire de l'individue, qui réside au-delà de tout arbitraire, au-delà des penchants affectivs et émotionnels, une réalité enfin que ne peuvent atteindre ni les intérets plus ou moins changeants des hommes, ni la connaissance conceptuelle qui correspond à ces intérets*" (What Rousseau calls general will' is a pre-existing reality, a reality that escapes the empire of the undivided, that resides beyond all arbitrariness, beyond affective and emotional inclinations, a reality that can not reach the more or less changing interests of men, nor the conceptual knowledge that corresponds to these interests), Hans Barth, Volonté générale et volonté particulière, p. 35-50, 40f in: Annales de Philosophie Politique, Institut International de Philosophie Politique, ed, Paris 1965.

[735] Fetscher 1968, p. 120.

[736] cf. Fetscher 1968, p. 133.

constitutes the community never dies completely"[737]. This will, identical with the will of the individual aiming at the common good, forms the new community centred on the People's Sovereign[738].

This community is territorially limited. The common will is not, as with Diderot, a will of humanity as a whole, but of a territorially limited humanity, a sub-society[739], a group of people[740] characterised by "genuineness, ethical rigour and the authenticity of the natural"[741]. Its space is the polis with its traditional customs and traditions. Unlike Hobbes and Locke, Rousseau's concept does not centre on the individual, but on the manageable body politic as a whole. Rousseau's high valuation of the traditional and geographically limited follows on from Aristotle, who also valued the moral quality of the polis higher than that of larger territorial units[742].

Rousseau sympathises with the traditional customs of his home town and professes a spirit of fraternity, patriotism and fighting virtues[743]. His republicanism is decidedly anti-universalist[744]: "The Rousseauian citizen is a patriot, not a constitutional patriot"[745], and his new God is not a universal God, but a people's God.

The People's Sovereign, as Rousseau conceives it, takes over the position of the pre-revolutionary monarchical sovereign as the *one* central constitutional actor. Both are at the centre of the state organisation and are the creators of the laws. They each form the heart of the state. All state organs carry out the will of the monarch or the People's Sovereign. They are both constitutional persons, regardless of whether, as in the case of the king, they have *also* a physical and mortal body or, as in the case of the People's Sovereign, they are merely abstract persons. Secondly, the People's Sovereign, like the pre-revolutionary monarch, is the point of reference for the exercise of state power. All state power justifies its actions with reference to him. In the monarchical state, the state organs act in the name of the king; in the state based on the People's Sovereign, they act in the name of the people.

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[737] Fetscher 1968, p. 133.
[738] cf. Mark 3, 35: „For whoever may do the will of God, the same is my brother, and my sister, and mother".
[739] Brandt 1973, p. 85 speaks of an „incidental sub-society of living humanity".
[740] Kersting 2002, p. 116.
[741] Kersting 2002, p. 86.
[742] cf. Bertrand de Jouvenel, Rousseau, évolutionniste et pessimiste, p. 1-19, 17 in: Annales de Philosophie Politique, Institut International de Philosophie Politique, ed, Paris 1965.
[743] So in a letter to d'Alembert from 1758, p. Kohn 1962, p. 233.
[744] Kersting 2002, p. 116.
[745] Kersting 2002, p. 116.

Thirdly, however, the parallel between the old monarchy and the new state envisaged by Rousseau, based on the sovereignty of the people, ends here in the quality of the legitimising source[746]. The monarchy invoked the Christian God for legitimisation and combined its theological approach with an Aristotelian idea of society. An omnipotent and omniscient God supported and maintained the agrarian-estate order. It was not the monarch who was the source of legitimacy, but a God interpreted by theology. The old state did not find the basis of its legitimacy in the ideal person of the monarch, but in a comprehensive world view that encompassed all social conditions, including the various monarchs.

The case of Rousseau's People's Sovereignty is different. His People's Sovereign is not subordinate to anyone. Rousseau's social contract does not refer to any people as the actual source of legitimacy, but places the People's Sovereign himself in the highest position as the original source of legitimate rule. There is no people and no God above him. While the monarch remains subordinate to God, the People's Sovereign is God himself. The political order is based on him and his strong will, on him, the infallible, integer and unchangeable.

The new God is now too far removed from everyday political life in a historically decisive phase. He needs support in establishing the new community. Here, like other gods, he needs incarnate assistance. The new community can only be addressed effectively through a human mouth. Rousseau provides the People's Sovereign with a formally human but very unusual figure: the so-called legislator.

This figure belongs to the tradition of state philosophy, goes back to Plato's dialogue Kratylos and was reconceived several times in the early modern period[747]. Rousseau turns Plato's philosopher-king and the nomothetes into a figure of his very own, which gains its significance precisely in the context of a People's Sovereign raised to a god-like level[748]. In two respects, Rousseau's legislator strengthens the thesis that, for Rousseau, the foundation and continued existence of the new society is based on divine influence, and not on the influence of the Christian God, but of a new God.

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[746] see Kielmansegg 1973.

[747] see Carl J. Friedrich, Law and dictatorship in the Contrat social, p. 77- 97, 84f in: Annales de Philosophie Politique, Institut International de Philosophie Politique, ed, Paris 1965; Brandt 1973, p. 22

[748] Rousseau addresses neither the (monarchical) sovereigns nor the citizens like Hobbes, Locke or Kant, but the superhuman hero, the legislator" (Brandt 1973, p. 16); his "Contrat social" thus does not fit into an existing legal tradition, but opposes it as something completely different" (op. cit.).

Firstly, divine or god-like qualities are generally attributed to the legislator. This also applies where Rousseau's inner distance from his figure is assumed[749], where the lawgiver's divinity is seen merely as a psychagogical moment[750] or where the temporal finiteness of his work is emphasised[751]. The legislator is a hero and is therefore "closer to God or the gods than the other men"[752]. He is the "quasi-divine creator" of the social contract[753], characterised by his "superhuman abilities of divinatory vision of the volonté générale"[754], and his appearance resembles that of the deus ex machina[755].

For Rousseau, he is unreservedly a "divine being"[756]. The legislator is divine not least as the absolute superior and alien. He is a stranger in the state, even as the founder of the state, even in terms of his position. Without a public office, he stands outside the new constitution. His "special and sublime activity" is not connected with the state or office[757]. He is the stranger and outsider who works solely "through charisma, argument and cunning[758]. The lawgiver is also a stranger in his superhuman power of cognition and dispassion. He knows all human passions, but remains uninfluenced by them himself[759]. As the wise and dispassionate one, he combines a task that transcends human strength with a "power that equals zero"[760]. He can only compensate for this disproportion through his godlike qualities.

Secondly, for Rousseau, this God-like quality results from the legislator's function as a moral agent. The legislator is the author of the state constitution, and assembles the people in the

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[749] So Taureck 2012, p. 53 with reference to Contrat social II 7: Rousseau seems to know that his legislature is partly non-binding, partly risky and partly useless, and therefore, in order to give him the aura of something "lasting", refers to Mohammed. Even further goes Chwaszcza 2003, p. 130f: Rousseau had emphasized the divine character of the legislature only to him - who turns out to be an ordinary man *secunda facie*, and only insofar was superhuman, when he refrains from his own happiness - with the authority necessary for the implementation of his work. It goes so far as to ascribe deception to the legislator because he approached his work in secret (p. 131).

[750] So at Brandt 1973, p. 120, on the grounds that "what comes from the gods or comes from God is more easily accepted".

[751] Brandt 1973, p. 134. The work of the *legislateur*, like any historical achievement, is finite, and will inevitably „experience a process of decay and its destruction throughout history".

[752] Brandt 1973, p. 120.

[753] Robert H. Bellah, Die Religion und die Legitimation der amerikanischen Republik, in Heinz Kleger und Alois Müller, eds, Religion des Bürgers. Zivilreligion in Amerika und Europa, München 1986, p. 42-63, 62.

[754] Taureck 2012, p. 53.

[755] cf. Adam 1999, p. 133.

[756] Contrat social II 7.

[757] Contrat social II 7.

[758] Kersting 2002, p. 173.

[759] Contrat social II 7.

[760] Contrat social II 7.

first place[761]. As a figure modelled on the mythical demiurge[762], he is a "divine shaper of souls"[763] who shapes and enchants the people[764] and "leads them on the path of happiness and virtue"[765]. His central achievement is a popular pedagogical one and corresponds in its substance to that of the educator in Rousseau's *Émile*: "Both must be able to change human nature, to transform each individual in order to make of him a free and virtuous being"[766].

In the fulfilment of this impossible, truly superhuman task, he not only drafts a constitutional text, as later constituent national assemblies did, but aims for nothing less than the creation of a new human being that fits the new constitution. He is capable of "transforming human nature, as it were, of transforming each individual, which is a complete and separate whole in itself, into a part of a larger whole from which this individual receives life and essence"[767].

The concept of the "ethical republicanisation of citizens' feelings, thoughts and actions"[768] does not adequately capture the scope of this transformation in terms of its anthropological substance. The thesis that the legislator creates "a reality, as it were, in which everyone's interest in life is identical with that of all others (and) in which their will consequently coincides"[769] describes the external, state-creating facts correctly, but ignores the inner side of the second socialisation demanded by Rousseau.

3)Long-term stabilisation via civil religion

The one-off appearance of the divine founder makes a huge impression, but is not enough to stabilise the newly founded state. The establishment of the state in the long term requires a supplementary collective-psychological factor, which can be provisionally addressed as religion in its organised, personal commitment-based and dogmatically fixed basis. Rousseau takes the need for permanent individual and collective psychological state stabilisation as an

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[761] Adam 1999, p. 134.
[762] So Kersting 2002.
[763] Kersting 2002, p. 174.
[764] Brandt 1973, p. 125.
[765] Gagnebin 2000, p. 139.
[766] Gagnebin 2000, p. 138. Sybille Schick (in: Theo Stammen, Gisela Riescher und Wilhelm Hofmann, ed, Hauptwerke der politischen Theorie, 2. Aufl. Stuttgart 2007) suspects that Rousseau might have thought of Lycurgus, who dared in Sparta to "change human nature, so to speak".
[767] Contrat social II 7. Kersting's (2002a, p. 173) thesis that Rousseau had introduced the legislature seems plausible because he had become aware of the non-realizability of a republican community under the conditions of "individualistic and pluralistic modernity".
[768] Kersting 2002, p. 173, Riley 2012, p. 127.
[769] Brandt 1973, p. 22.

opportunity[770] to demand the validity of a civil religion in the new state. At the heart of this new civil religion were the following (few[771]) dogmas, which he recommended to enforce relentlessly: "The existence of an all-powerful, wise, benevolent deity, an all-encompassing providence; a future life, the reward of the righteous and punishment of the wicked, the sanctity of the social contract and the laws" (Contrat social IV 8). Anyone who did not want to profess these principles had to be expelled.

Rousseau's civil religion is a new creation in its concrete form. What is not new is its function of stabilising the state. In this respect, Rousseau draws conceptually on Varro's Roman theologia civilis and in terms of content on older Greek city cults[772] and early modern, deist-influenced concepts[773]. His civil religion is not intended to temporarily stabilise a new mindset and then fall away, like the state in communism, but is valid indefinitely.

Also the obligatory nature of civil religion is not without precedent, which has often been taken as an opportunity to categorise Rousseau's proposal as pre-modern[774]. However, the public function and obligatory nature of civil-religious norms are connected. There is no state interpretation without a normative claim. The dogmas that Rousseau proposes are intended to serve the normative integration of the community[775], promote public spirit and ensure social coherence[776]. In such a function, a civil religion cannot content itself with a position as primus inter pares of different interpretations of the state, cannot be one actor among several in a pluralistic confusion, but must be binding. Only in this way can it fulfil its purpose. If a state

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[770] At least in the second edition. According to Michaela Rehm („Ein rein bürgerliches Glaubensbekenntnis": Zivilreligion als Vollendung des Politischen? p. 213ff in: Reinhardt Brandt u Karlfriedrich Herb, eds, Jean-Jacques Rousseau, Vom Gesellschaftsvertrag oder Prinzipien des Staatsrechts, Berlin 2000, p. 213), Rousseau had apparently considered the mere invitation to obey the law to be insufficient: "The most unrestricted lawful power is that which penetrates into the innermost part of man".
[771] With reference to the rich content of "Christian catechisms", Lübbe speaks of a mini-religion (Lübbe 1986a, p. 366).
[772] cf. Henning Ottmann, Geschichte des politischen Denkens, vol 4: Das 20. Jahrhundert. Sub-volume 1: Der Totalitarismus und seine Überwindung, Stuttgart 2010, p. 229.
[773] Asal (2007) speaks of an amalgam, consisting among other things of ancient reminiscences and borrowings in various forms of the state church from Rome to Geneva. Until the second half of the 18th century, religion was considered a "necessary bond of society"; in the last phase, however, this only applied to the lower social layers, cf. Gustavo Guizzardi, Der Theismus mit öffentlichen Funktionen. Katholische Kirche und komplexe Gesellschaft in Italien, p. 85-103 in: Heinz Kleger and Alois Müller 1986.
[774] So e.g. at Robert H. Bellah (Die Religion und die Legitimation der amerikanischen Republik, in Heinz Kleger und Alois Müller, eds, Religion des Bürgers. Zivilreligion in Amerika und Europa, München 1986, p. 42-63, 62), Hermann Lübbe (Religion nach der Aufklärung, 1986, p. 307) or Wolfgang Kersting 2002.
[775] Mattias Iser (Glauben als Pflicht? Zivilreligion bei Jean-Jacques Rousseau, p. 303-322, 317 in: Hubertus Buchstein et al., ed, Politik der Integration, Festschrift für Gerhard Göhler, Baden-Baden 2006)
[776] Kersting 2003a, p. 21.

proclaims "general views, without adherence to which one can neither be a good citizen nor a loyal subject"[777], it must demand obedience.

This applies in general and it applies in a special way to a community such as the one designed by Rousseau with its increased demands on the loyalty and willingness to co-operate of its citizens. Although the binding nature of civil-religious norms does not imply a certain intensity of sanction (liberal states are milder, socialist states stricter), the obligatory character of civil-religious or other norms that establish a community is a historical constant across the epochal threshold of pre-modernity and modernity.

Rousseau's civil religion is new in its dogmatics. This applies first of all to its position in relation to Christianity. While Hobbes had sought a unifying compromise between the contemporary English denominations with his civil-religious peace formula "That Jesus is the Christ"[778], the Christian confession is irrelevant to Rousseau. His dogmatics renounce any reference to Christ, his "almighty, wise and benevolent deity" has, as later in the civil religion of the United States of America, a unitarian character[779]. Secondly, the renunciation of the reference to Christ is linked to the renunciation of salvation. In his civil religion, Hobbes had limited himself to the very article of faith that seemed indispensable to him for the salvation of the citizens: that Jesus is the Christ[780]. Rousseau, however, is not concerned with questions of spiritual salvation, but with questions of political salvation. For him, the stabilisation of the new polity is crucial; a pastoral perspective is alien to him.

Furthermore, with his civil religion, Rousseau places himself in a strikingly abbreviated way in the tradition of the religions of the historical revelation of God, i.e. the great "Western" religions that emerged west of the Hindu Kush[781]. On the one hand, the deity who must be worshipped in his state is an all-powerful deity, and the historical process that he directs leads to "rewarding the righteous and punishing the wicked"[782]. The one God is the Lord of history

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[777] Contrat social IV 8.
[778] cf. Ulrich Weiß in: Theo Stammen u.a., Hauptwerke der politischen Theorie, 2. ed. Stuttgart 2007, entry „Thomas Hobbes, Leviathan".
[779] So Robert Bellah in his powerful essay „*Civil Religion in America" (Daedalus* 96, 1967, p. 1–21) referring, for example, to the inaugural address of President John Fitzgerald Kennedy in 1961: „He did not refer to any religion in particular. He did not refer to Jesus Christ, or to Moses, or the the Christian church; certainly he did not refer to the Catholic Church" (p. 3).
[780] entry „Thomas Hobbes" in: Kap. VIII, Pipers Handbuch der politischen Ideen, vol 3, München 1985.
[781] For this distinction between Western and Eastern religions, see Glasenapp, Die fünf großen Religionen, 1951f.
[782] Contrat social IV 8.

and leads it to its judicial conclusion. Rousseau adopts the fundamental structural elements of Western theological systems, such as Manichaeism or Christianity[783].

At the same time, he cuts off his civil-religious proposal from the historical anchor of these systems, the historical revelation of God. The event of revelation associated with the appearance of the founder of religion plays no role in his civil-religious stabilisation of society. Rousseau not only renounces the salvific content associated with the revelation of God, but also the revelation itself. The appearance of Christ has no significance, but neither does that of the new creator of the state, the People's Sovereign or possibly the legislator, which can be explained by the fact - which is decisive for the present argumentation - that Rousseau cannot know of the nature of their future appearance. He cannot work with a hypothetical event. Thus his civil religion remains a necessarily incomplete anticipation. It lacks the anchor that only a future event of revelation can provide.

Against the background of the entirety of Rousseau's social contract, the thesis that his contribution is a contribution to the epochal change to modernity, or more precisely "from political-theological argumentation to the secular conception of the state"[784], cannot be upheld. Rather: in the social contract, Rousseau creates a case that he only expected to see in the future. He acts as a prophet of the People's Sovereign.

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[783] The reference to Christianity is well recognizable in Rousseau's draft of a civil religion, cf. Mattias Iser (Glauben als Pflicht? Zivilreligion bei Jean-Jacques Rousseau, p. 303-322 in: Hubertus Buchstein et al., eds, Politik der Integration, FS Gerhard Göhler, Baden-Baden 2006), wo speaks of an attempt to bring the Christian religion into service in response to a weakness of reason.
[784] Asal 2007, 7f.

V. Results

1. Various attempts have been made to bridge the gap between modern democracy and religion. One prominent attempt that certainly can *not* bridge this gap is Rousseau's civil religion in the form in which Bellah reactivated it in 1967 and related it to North American conditions. What Bellah describes is a US-American phenomenon that can certainly be described as a religion - provisionally: as a symbol-supported reference to transcendence. However, this US-American civil religion is not transferable to other countries. This is shown, for example, by attempts to relate Bellah's concept to West German conditions in the 1970s and 80s: what emerges is mere social engineering. At least following Bellah, the gap between modern democracy and religion as a whole - i.e. in a universalisable form - cannot be bridged.

2. It therefore seems more sensible to return to the historical founding event, which - especially in its theorisation by Sieyès - still forms the global reference point of modern democracy today: the revolutionary events in Paris in 1789. Sieyès describes these events as the appearance of a strong-willed, absolutely superior spiritual force, which he identifies as the modern nation. This view is correct with regard to the assertion that it was neither an individual nor an institution, but a metaphysical force that was at work. More recent historiography, however, has contradicted it with regard to the actor: the modern nation in any case cannot be considered as the actor of the events of 1789.

3. Following on from this state of research - a spiritual force is at work, but not the nation - an attempt is made to approach the protagonist of the revolutionary events: firstly via the phenomena that accompanied his appearance, then on the basis of speeches by the members of parliament directly involved in the events. As a result, certain attributes can be identified that can be assigned to the central figure, who is referred to here as the "People's Sovereign", in addition to his immense power and strength of will, not least his ability to use the parliament as a tool. A religious-scientific concept of revelation does not exclude the possibility of qualifying internal parliamentary events driven by a group of leading MPs as revelation.

4 This insight sheds new light on – once again – Rousseau's civil religion conceived in his "Contrat social". As such, Rousseau's conception is unsuitable as a plausible civil religion, because it lacks the connection to the world, i.e. everything that only a living, plastic, symbolic religion can achieve. Rousseau seems to have felt this lack and designs a scenario through which exactly this connection can arise, and could therefore - at least in view of its civil-religious design - be described as a prophet of the People's Sovereign.

5 All in all, modern democracy remains a secular phenomenon. However, it has a small religious core that is based on a revelatory event.

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