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The Tragedy of Popular Sovereignty: Hölderlin's *Der Tod des Empedokles*

By CHENXI TANG (Berkeley)

ABSTRACT

Written in the waning years of the French Revolution, Hölderlin's dramatic fragment *Der Tod des Empedokles* centers on the figure of the republican lawgiver surrounded by the nimbus of divine authority. Formally, it represents an exercise in the genre of tragedy. This essay explores the nexus among the dramaturgy of the making of the republican constitution, the political theology informing it, and the aesthetics of the tragic.

Im Mittelpunkt von Hölderlins gegen Ende der Französischen Revolution geschriebenem Dramenfragment *Der Tod des Empedokles* steht die Figur des republikanischen Gesetzgebers, die mit dem Nimbus göttlicher Autorität versehen ist. Gattungsmäßig stellt das Stück eine Tragödie dar. Der vorliegende Aufsatz untersucht den Konnex zwischen der Dramaturgie der republikanischen Gesetzgebung, der ihr zugrundeliegenden politischen Theologie und der Ästhetik des Tragischen.

Hölderlin started in 1797 to conceive a tragedy based on the legendary life and death of the pre-Socratic Greek philosopher, poet, and statesman Empedocles from the Sicilian city of Agrigente, with Diogenes Laertius' *Lives of Eminent Philosophers* as his main source. The first version of the tragedy, which was written in the course of the following year and consists of only two acts, portrays Empedocles as an extraordinary individual hovering between the human and the divine. Idolized by his admirers as a poetic genius and a sovereign ruler of the people, he appears in the eyes of the political establishment as someone seized by tyrannical ambitions, someone so hubristic as to call himself a god in front of the people. Supported by a tumultuous mob, the priest Hermokrates places a curse on Empedocles, declaring him an outlaw to be banished from the city immediately. The second act opens with Empedocles' wandering in the region around the Mount Aetna together with his pupil Pausanias, shunned by other human beings and exposed to the inclemency of the elements. In the wilderness Empedocles reconciles himself to the people who first unconditionally worshipped him and then snidely abandoned him, voicing the desire to reunite with nature by plunging himself into the roaring crater of the Aetna volcano. At this point, however, the people of Agrigente, led by the archon Kritias and the priest Hermokrates, come to find him again, announcing that they have forgiven his offences and pleading with him to be their king. In response to this request, Empedocles says laconically: »Dies ist die Zeit der Könige nicht mehr«¹ – »This is no longer the time of kings.« Scolding the

¹ Friedrich Hölderlin, *Der Tod des Empedokles*, the first version, *Sämtliche Werke*

people for their jejune desire for the rule of a king, he presents them with a radically new political vision, a vision that replaces the monarchical rule by a republican civil order with the people as their own sovereign. After proclaiming this audacious political program, Empedocles reaffirms his decision to die, out of the conviction that the realization of the new political order requires him as a sacrifice. The notion of sacrifice, as well as the continuous invocation of the divine by both Empedocles and his political adversaries, brings into sharp relief the pronounced theological concerns informing this political drama. In fact, the second version of the play revolves around the irresolvable conflict between the priest Hermokrates and Empedocles regarding the divine justification of political rule. This version, however, hardly goes beyond the first a couple of scenes. The obvious difficulty that Hölderlin encountered in carrying out the Empedocles-project prompted him to reflect theoretically on the form of tragedy and the nature of the tragic. The essay *Der Grund zum Empedokles*, which he wrote in 1799, along with his remarks on Sophocles penned a few years later, represents an important contribution to the philosophy of the tragic coming into being in this period. On the basis of the theoretical considerations made in this essay, Hölderlin undertook a third attempt to bring his only dramatic project to fruition. But this third attempt also stalled after merely a few scenes. Hölderlin abandoned the project sometime in 1800.

Even in this rough and rapid sketch,² we cannot fail to notice the historical signature, the political stakes, and the aesthetic program of Hölderlin's Empedocles-project. Clothed in the garb of the Greek antiquity, this project, with its rejection of the rule of kings and its announcement of a republican civil order, refers to the continual constitutional crises in revolutionary France. During the decade from the Tennis Court Oath of the National Assembly in 1789 to the moment in 1799 when Napoleon Bonaparte, laying yet another constitution before the French people, declared the French Revolution ended, a long series of constitutions were drafted, adopted, suspended, implemented, and subverted.³ Written in the waning years of the Revolution, and with a protagonist bearing a remarkable resemblance to Napoleon,⁴ *Der Tod des Em-*

und Briefe in drei Bänden, Bibliothek Deutscher Klassiker, ed. Jochen Schmidt, Frankfurt a.M. 1994, II, 337, v. 1417. In the following this edition of Hölderlin's works is abbreviated as »DKV-edition.« References to the first version of *Der Tod des Empedokles* will be indicated only by verse numbers as provided in this edition.

² For a detailed reconstruction of the genesis of Hölderlin's Empedocles-project and the differences among its various versions, see Theresia Birkenhauer, *Legende und Dichtung. Der Tod des Philosophen und Hölderlins Empedokles*, Berlin 1996.

³ See Keith Baker, »Constitution«, in: François Furet, Mona Ozouf (eds.), *A Critical Dictionary of the French Revolution*, Cambridge/Massachusetts 1989, 479–493.

⁴ On the resemblances between Hölderlin's Empedocles and Napoleon, see Ulrich Gaier, *Hölderlin. Eine Einführung*, Tübingen, Basel 1993, 289f.; Alexander Honold, *Hölderlins Kalender. Astronomie und Revolution um 1800*, Berlin 2005, 310f.

pedokles dramatizes the making of the republican constitution. In resuscitating Empedocles – an ancient philosopher of nature – in this context, Hölderlin's project contributes to what an intellectual historian calls the »cult of the legislator« in the late eighteenth century, in particular to the political theology associated with this cult.⁵ Formally, this project represents an exercise in the genre of tragedy, seeking to carry out a historico-philosophically informed aesthetic program of the tragic. The following observations center on the nexus among the dramaturgy of the making of the republican constitution, the political theology underlying it, and the aesthetics of the tragic.⁶

I.

After declining the crown, Empedocles urges the people to break boldly with the age-old conventions, customs, and laws and to embrace an entirely new civil order:

[...] dann reicht die Hände
 Euch wieder, gebt das Wort und teilt das Gut,
 O dann ihr Lieben – teilet Tat und Ruhm,
 Wie treue Dioskuren; jeder sei,
 Wie alle, – wie auf schlanken Säulen, ruh
 Auf richt'gen Ordnungen das neue Leben
 Und euern Bund befest'ge das Gesetz.
 Dann o ihr Genien der wandelnden
 Natur! dann ladet euch, ihr heitern,
 [...]
 Das freie Volk zu seinen Festen ein,
 Gastfreundlich! fromm! denn liebend gibt
 Der Sterbliche vom Besten, schließt und engt
 Den Busen ihm die Knechtschaft nicht. (v.1524–1539)

What Empedocles envisions here is a quintessentially Rousseauian model of civil order.⁷ In his *Social Contract*, Rousseau defines a legitimate civil order as

⁵ David Wisner, *The Cult of the Legislator in France, 1750–1830: A Study in the Political Theology of the French Enlightenment*, Oxford 1997.

⁶ While Hölderlin's fascination with the French Revolution is well known (see, for instance, Pierre Bertaux, *Hölderlin und die Französische Revolution*, Frankfurt a.M. 1969), little attention has been paid to his reflections on the constitutional crises brought about by the revolution. Hölderlin's Empedocles has never been seen as a figure of law-giver, and the obvious religious dimension of this drama has never been recognized as an expression of the political theology of lawgiving. Consequently, the aesthetic program informing the Empedocles-project has not been analyzed from this perspective either.

⁷ Reading Hölderlin's Empedocles as a portrait of Rousseau, Jürgen Link indicates in a table listing more than a dozen of parallels between them that Empedocles' last will, i.e. the speech quoted here in abbreviation, can be likened to Rousseau's *Social Contract*. But he stops short of analyzing the content of this speech and investigating its continuity

»a form of human association that will defend and protect the person and goods of each associate with the full common force, and by means of which each, uniting with all, nevertheless obey only himself and remain as free as before.«⁸ When a multitude of individuals join hands to constitute a civil order by means of a social contract, they pool all of their resources and rights – or in Hölderlin's words, their »goods,« their »deed and glory« –, with each of them placing »his person and his full power in common under the supreme direction of the general will« (50). Rousseau calls the collective body thus constituted, i.e., the body politic informed by the general will, a »people.« In the body politic, each individual member represents an indivisible part of the whole. Yet the social pact also gives the body politic absolute power over all of its members. This power bears the name of sovereignty. Popular sovereignty so understood at once presupposes and enables the equality and freedom of individual members. The commitments that bind individuals to the social body are mutual, so that in fulfilling them one cannot work for others without also working for oneself. Accordingly, individuals enjoy equal rights in the social body. »Jeder sei, / Wie alle.« The reciprocity of commitment and the equality of right are ensured and enforced by laws. The law is imposed by the sovereign. But because the sovereign is the people assembled, and hence each individual is a member of the sovereign, the law is actually something that one prescribes to oneself. To obey the law is, therefore, only to obey oneself. For Rousseau, »obedience to the law one has prescribed to oneself is freedom« (54).

In a certain sense, one can say that the key tenets of Rousseau's political philosophy are encapsulated in these few lines uttered by Empedocles.⁹ Yet Hölderlin's play is far from concerned with illustrating the principles of popular sovereignty or the workings of republican politics. Rather, it stages a space outside of, and a time prior to, the civil order governed by popular sovereignty, dramatizing the complex external relations that make possible and give meaning to this civil order. In other words, it is not concerned with the functioning, but with the founding of the republican civil order. The protagonist of the play Empedocles is not a member of the people, but a great man towering above the people. In proposing the republican civil order to the disoriented people, in

with Rousseau's political thought. See *Hölderlin-Rousseau: Inventive Rückkehr*, Op-laden 1999, 193.

⁸ Rousseau, *Of the Social Contract*, in: *The Social Contract and other later political writings*, ed. and trans. Victor Gourevitch, Cambridge/England 1997, 49f.

⁹ Indeed, the modern idea of the constitutional state as elaborated by Rousseau is perhaps nowhere more beautifully and more concisely formulated than in the verses »wie auf schlanken Säulen, ruh/ Auf richt'gen Ordnungen das neue Leben/ Und euern Bund befest'ge das Gesetz.« Therefore, it should come as no surprise that a major work on the history of the constitutional state has these verses as its motto. See Carl J. Friedrich, *Der Verfassungsstaat der Neuzeit*, Berlin, Göttingen 1953, V.

trying to institute the people as their own sovereign, he figures as the lawgiver who stands outside of the law, as that »superior intelligence« who, in Rousseau's words, »saw all of man's passions and experienced none of them, who had no relation to our nature yet knew it thoroughly, whose happiness was independent of us and who was nevertheless willing to care for ours.«¹⁰ He gives the people its constitution but has no place within this constitution himself. The dramatic action unfolds in a time of transition, when the old social body is falling into decay but the new republican civil order as envisioned by Empedocles is not yet realized. The dramatic present in which the characters speak and act, therefore, is the state of nature, which ensues upon the dissolution of the old and out of which the new is yet to be born. In depicting the tensions, struggles, negotiations, and allegiances in the state of nature, which enable the protagonist to proclaim the constitution of the new civil state, *Der Tod des Empedokles* represents a political drama *par excellence*, or more precisely, a drama of the political, with »the political« understood here in the sense as defined by Claude Lefort. Lefort distinguishes »the political« (*le politique*) from »politics« (*la politique*). Politics represents a particular domain within society that is intelligible by its own criterion, a criterion different from those of other social domains such as the economy or religion. The political, by contrast, refers to »the principles that generate society,« or more accurately, »the shaping of human coexistence« into different forms of society (*mise en forme*). As the »primordial reference to the mode of the institution of the social, to generative principles or to an overall schema governing both the temporal and the spatial configuration of society,« the political cannot be localized within society itself. It marks rather an opening in which society is held but which society itself did not create.¹¹ *Der Tod des Empedokles* is a drama of the political to the extent that it stages a specific mode of the institution of the republican civil order. Its dramaturgy in this regard can be analyzed in terms of the constellation as well as interaction of the *dramatis personae*.

Remarkable first of all is the presence of an unidentified mass of the people on stage. That the people find a voice on stage and engage in the dramatic action had no precedent in the history of tragic drama up until Hölderlin's time. In Greek tragedy the people are present on stage mainly in the form of chorus. The tragic chorus, however, »enacts the response to events, not of representatives of the citizen body, but precisely of those whom the democratic city of Athens and its institutional core of adult, male citizen-hoplites has defined as marginal or simply excluded from the controlling voice of ›the people.‹ The tragic chorus is characteristically composed of old men, women, slaves, and

¹⁰ Rousseau (note 8), 68.

¹¹ Claude Lefort, *Democracy and Political Theory*, trans. David Macey, Minneapolis 1988, 216f.

foreigners.«¹² Occasionally, for instance in Euripides' *Bacchae*, the people of the city are present on stage precisely by their absence, that is, as the subject of messengers' reports. This absent presence of the people becomes the norm in the baroque tragic drama, in which the putative needs, desires, and actions of the always absent people are constantly invoked by the political actors in their power struggles and intrigues on stage.¹³ It was in the wake of the French Revolution when the people emerged as an assertive force in the political arena that they found representation on the theatrical stage.¹⁴ The presence of the people in *Der Tod des Empedokles*, therefore, is a historically specific dramaturgical innovation. Interestingly, Hölderlin portrays the people not as a unified social body, but as an ever-shifting, amorphous mass waiting to be shaped. At the beginning of the play the archon Kritias reports that the people of Agrigente are so intoxicated by Empedocles' charisma that they have ceased to abide by the law and sunk instead in a delirious anarchy (v. 191–203). Yet at the instigation of the political establishment, they are quick to condemn their idolized leader and cast him out of the city. Later, in an entirely unmotivated about-turn, they implore him to come back to the city to assume the crown. Empedocles' mission is to fashion this highly volatile mass into a functioning political body in control of itself. As he laconically puts it, »[...] Euch ist nicht / Zu helfen, wenn ihr selber euch nicht helft« (v. 1432–1433).

The characterization of Empedocles as a lawgiver creating a new political body bears visible traces of Plutarch's life story of Lycurgus, the Spartan lawgiver whom Rousseau admired so much that he claimed that »Sparta was the center from which the effects of its legislation spread in all directions.«¹⁵ Hölderlin invokes Lycurgus through an oblique literary reference. In Plutarch's *Parallel Lives*, Lycurgus is paired with Numa, the legendary lawgiver of the Romans. For all their points of likeness, there is one key difference between them:

¹² John Gould, »Tragedy and Collective Experience«, in: M.S. Silk (ed.), *Tragedy and the Tragic: Greek Theater and Beyond*, Oxford 1996, 217–243, here: 220. Gould's observation invalidates the view prevalent from Nietzsche to Vernant that the chorus plays the role of the representatives of the collective citizen-body.

¹³ See Albrecht Koschorke, »Das Volk als Gerücht. Zur Labilität souveräner Herrschaft im Barockdrama«, http://www.uni-konstanz.de/kulturtheorie/texte_de.htm.

¹⁴ For example, with sans-culottes occupying centre stage and kings entering the stage only to be devoured by the volcano as the symbol of primordial violence, Sylvain Maréchal's enormously popular farce *Le Jugement dernier de Rois* (1793) mirrors, in an almost grotesque manner, the characters and actions on the political stage. On the parallel developments of the theatrical and political stages in revolutionary France, see Paul Friedland, *Political Actors: Representative Bodies and Theatricality in the Age of the French Revolution*, Ithaca, London 2002.

¹⁵ Rousseau, *Considerations on the government of Poland and on its projected reformation*, in: *The Social Contract and other later political writings* (note 8), 177–260, here: 181.

»Numa accepted, but Lycurgus resigned a kingdom. One got it without asking for it, the other had it and gave it up. One was made by others their sovereign, though a private person and a stranger; the other made himself a private person, though he was a king.«¹⁶ In Hölderlin's play the people of Agrigente offer Empedocles the crown, asking him to be their Numa: »Komme, Göttlicher! / Sei unser Numa« (v. 1414–1415). In rejecting the crown, Empedocles is implicitly identified with Numa's counterpart Lycurgus in Plutarch's double biography.¹⁷ Both Hölderlin's Empedocles and Plutarch's Lycurgus become lawgivers after leaving the city, with the minor difference that the former is forced to leave, while the latter leaves voluntarily to escape resentment and suspicion. And both decide to die of their own accord after having promulgated the constitution for the city, one by jumping into the volcano and the other by abstaining from food.¹⁸ Crucial to both is that they remain outside of the city, and this in a number of respects: they step outside of the physical borders of the city; they annihilate their physical body to eschew integration into the political body they create, and, last but not least, they symbolically transcend the laws they make by laying claim to, and being attributed by others, an affinity with the divine.¹⁹

With the life story of Lycurgus as its narrative foil, Hölderlin's portrait of Empedocles as a lawgiver displays a remarkable structural complexity. He is presented as a man of nature in the Rousseauian sense, a man apostrophized by his worshippers as the »confidant of nature« (»Vertraute[r] der Natur«, v. 49) and calling himself »nature's associate« (»[der] Genosse [der] Natur«, v. 408). In this role, Empedocles teeters on the boundary of civil society. In the eyes of his followers, he stands as an unchallengeable sovereign who rules over the people and *eo ipso* never blends with them. When he, in his aloofness, is approached by the crowd, he hurries back into the solitude of nature (v. 87–98). Because the source of his power over the people lies outside the space of human society, he is decried by his adversaries as a demagogue and tyrant (v. 604–614). If members of society, be they his adorers or detractors, all regard him as

¹⁶ Plutarch, *Lives*, with an English translation by Bernadotte Perrin, Loeb Classical Library, Cambridge/Massachusetts 1914, I, 385.

¹⁷ In the third version of *Der Tod des Empedokles*, Hölderlin invokes another lawgiver of the Greek antiquity – Solon. The conversation between Empedocles and Manes in this version explicitly draws upon the dialogue between Solon, the legislator of the Athenians, and the Egyptian priest in Plato's *Timaeus* (21e–25d). Manes's characterization of Greeks as being all children (»Ja! Fremde bin ich hier und unter Kindern, / Das seid ihr Griechen all.«) is a quotation from Plato (22b). Hölderlin, *Der Tod des Empedokles*, the third version, DKV-edition, II, 410f., v. 336–337.

¹⁸ See Plutarch (note 16), 213 and 295.

¹⁹ On the one hand, Lycurgus sacrifices to, and enters into a dialogue with, the god, and on the other hand, the people build a temple for his honor, offering sacrifices to him yearly as to a god. See Plutarch (note 16), 295 and 301.

inhabiting a space outside of society, thereby including him in society as an outsider or, in his worshipper Panthea's words, as an »eternally foreign man« (»immerfremd[er] Mann«, v. 93), it is only a small step for a representative of society such as the priest Hermokrates to banish him formally from society, delivering him over to the gods of death, yet debarring him from the rituals due to the dead²⁰ – in a word, turning him into what the archaic Roman law referred to as the *homo sacer* or the sacred man.²¹ The *homo sacer* is someone ostracized from society, deprived of the symbolic protection of the juridico-political order, yet at the same time included within the symbolic order as the excluded. In a dramatic enactment of this logical structure of the *homo sacer*, the expulsion of Empedocles from the city in the first act is followed by the city's attempt to reintegrate him in the second. Of course, the reintegration does not mean turning him into an ordinary member of the city. Rather, it entails instating him, within the city, as a figure external to the people of the city. This figure now bears the title of king. The banned and the king are exact mirror images of each other.

²⁰ Cf. Hermokrates:

»Und sprichst
 Du noch und ahndest nicht, du hast mit uns
 Nichts mehr gemein, ein Fremdling bist du worden,
 Und unerkant bei allen Lebenden.
 Die Quelle, die uns tränkt, gebührt dir nicht
 Und nicht die Feuerflamme, die uns frommt,
 Und den Sterblichen das Herz erfreut
 Das nehmen die heiligen Rachegötter von dir
 Für dich ist nicht das heitre Licht hier oben
 Nicht dieser Erde Grün und ihre Frucht,
 Und ihren Segen gibt die Luft dir nicht,
 Wenn Deine Brust nach Kühlung seufzt und dürstet
 Es ist umsonst, du kehrest nicht zurück
 Zu dem, was unser ist; denn du gehörst
 Den Rächenden, den heiligen Todesgöttern.
 Und wehe dem, von nun an, wer ein Wort
 Von dir in seine Seele freundlich nimmt,
 Wer dich begrüßt, und seine Hand dir beut,
 Wer einen Trunk am Mittag dir gewährt
 Und wer an seinem Tische dich erduldet,
 Dir, wenn du Nachts an seine Türe kömmst,
 Den Schlummer unter seinem Dache schenkt,
 Und wenn du stirbst, die Grabesflamme dir
 Bereitet, wehe dem, wie dir! – hinaus!
 Es dulden die Vaterlandsgötter länger nicht
 Wo ihre Tempel sind, den Allverächter« (v. 625–650).

²¹ Cf. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, Stanford 1998, 110f.

The tyrant, the banned, the king – all of these roles ascribed to Empedocles by the city are interchangeable, because they are all external to the existing juridico-political order. From the vantage point of this peculiar external position, Empedocles undertakes a revolutionary act of reconstituting the civil state in its entirety. If the city includes him into its space as a figure excluded from this space, considering him successively as the tyrant, the banned, and the king, Empedocles draws, inversely, the city within the external space that he inhabits, namely nature, seeking to legislate a constitution in harmony with it. He does not arrive at this constitution right away, but only at the end of a process that mirrors the changing relationship adopted by the city toward him. At the beginning, Empedocles declares himself to be the supreme sovereign, indeed, God himself. This self-absolutization does not provide an alternative constitution to the ossified old regime. Rather, it dissolves the city back into the state of nature, transforming the people into a horde of primordial denizens of a natural order unstructured by the law. In retrospect, he describes himself as a »wanton barbarian«²², while the representatives of the old regime characterize him rightly as a tyrant. Subsequently, in response to his banishment, Empedocles places a curse on the city, announcing its utter destruction. It is only after the city tries to recall him from exile that he becomes a lawgiver advocating popular sovereignty. How is this remarkable transformation of the banned into a republican lawgiver possible? This question is all the more difficult to answer because the logic of lawgiving stands in an inverse relationship to that of the ban. The ban forces an individual from the inside of the social body into the outside and includes him as the outsider. Lawgiving, by contrast, imposes the law on the social body from outside and holds it in an opening onto a transcendent other. In the case of Empedocles, the ban paradoxically provides an enabling condition for the making of a lawgiver, as it forces him into a space external to the social body, a space from which the constituting power of the lawgiver emanates. As someone previously living in the society from which he is now excluded, the banned also has insights into the passions and customs of the people and, above all, he has the willingness to care for their happiness – all qualities which, according to Rousseau, are crucial to lawgiving. Yet the banned cannot assume the role of a legislator as long as the ban is still in force. Neither can he do so if the ban is simply lifted and he is reintegrated as a regular member of society.²³

22

»Nein!
 Ich sollte es nicht aussprechen, heilige Natur!
 Jungfräuliche, die dem rohen Sinn entflieht!
 Verachtet hab' ich dich und mich allein
 Zum Herrn gesetzt, ein übermütiger
 Barbar!« (v. 464–470).

²³ In response to the people's gestures of reconciliation, Empedocles says:
 »ich lebte lieber

The transformation of the banned into the lawgiver requires nothing less than a ban on the ban, that is, turning the sovereign imposing the ban into the banned, and the banned into the sovereign. This dramatic reversal of the structure of the sovereign ban takes the form of the people's denunciation of the priest Hermodrates, who initially placed the ban on Empedocles, and the simultaneous offer of the crown to the banned Empedocles. It is at this moment when Empedocles switches positions in the structure of the sovereign ban that he is finally able to proclaim a new constitution for the people, to utter what he calls »das ernste langverhaltene Wort,« the »grave, long-retained word« (v. 1475–1476).

After uttering this word, Empedocles is ready to die. The constituting power remains outside the politico-juridical order constituted by it, but it is at the same time present in this order as its condition of possibility. The self-obliteration of Empedocles does away with the absolutist model of sovereignty, in which one person represents and exercises sovereign power over a multitude of men, and gives rise to a new model, in which the people represent themselves and exercise sovereign power over themselves.

II.

Empedocles' »grave, long-retained word« – the new constitution for the people of Agrigente – is a poetic word:

Ich spart' es lang.
 In heitern Nächten oft, wenn über mir
 Die schöne Welt sich öffnet', und die heilige Luft
 Mit ihren Sternen allen als ein Geist
 Voll freudiger Gedanken mich umfing,
 Da wurd es oft lebendiger in mir;
 Mit Tagesanbruch dacht' ich euch das Wort
 Das ernste langverhaltene, zu sagen.
 Und freudig ungeduldig rief ich schon
 Vom Orient die goldne Morgenwolke
 Zum neuen Fest, an dem mein einsam Lied
 Mit euch zum Freudenchore, würd, herauf.
 Doch immer schloß mein Herz sich wieder, hofft'
 Auf seine Zeit, und reifen sollte mirs.
 Heut ist mein Herbsttag und es fällt die Frucht
 Von selbst. (v.1469–1483)

Sprachlos und fremde mit des Berges Wild
 In Regen und in Sonnenbrand, und teilte
 Die Nahrung mit dem Tier, als daß ich noch
 In euer blindes Elend wiederkehrte.« (v. 1290–1294)

Empedocles not only utters the »word«, but is also occupied with the act of uttering it. Sudden inspiration, impatient expectation, hesitation, and wavering, and finally the gratifying delivery of the mature product – all the moments of poetic production are evoked here to present this act as a poetic act and this word as a poetic word. The lawgiver Empedocles is simultaneously a poet, and lawgiving takes the form of poetic production. Indeed, even before Empedocles enters the stage, he is announced by his admirer Panthea as a poetic genius who in »creative rapture« produces »heavenly cantos« (v. 80–87). There is an intrinsic affinity between the legislator and the poet. Already Lycurgus found inspiration in the poetry of Thales, whom he befriended on Crete, and later in that of Homer.²⁴ At the height of the cult of the legislator in the late eighteenth century, the revolutionary painter Jacques-Louis David, in his monumental *Le Serment du Jeu de Paume*, lets the »jeune et divine Poésie« preside spiritually over the assembly of legislators.²⁵ In the early nineteenth century, the Romantic poet Shelly claimed emphatically that »Poets [...] are not only the authors of language and of music, of the dance and architecture and statuary and painting; they are the institutors of laws and the founders of civil society and the inventors of the arts of life and the teachers, who draw into a certain propinquity with the beautiful and the true that partial apprehension of the agencies of the invisible world which is called religion.« In short, »Poets are the unacknowledged legislators of the World.«²⁶ Hölderlin's portrayal of Empedocles as the lawgiver and the poet in one person, therefore, reflects a widespread image around 1800, the roots of which reached back to the antiquity. Given the identification of the figure of the lawgiver and that of the poet in the Empedocles-project, the logic of lawgiving that it dramatizes comes into sharp relief against the background of the aesthetic discourse of poetic production, while its poetological principle gains contour in the light of the political discourse of legislation.

Empedocles inhabits the realm of nature, and it is precisely from this position beyond and above the rules, conventions, and laws of society that he institutes a civil order. Once the instituting act is completed, he retreats into his native realm of nature, leaving the civil order in charge of itself. This logic of the making of the republican civil order is the selfsame logic that informs the

²⁴ Plutarch (note 16), 214f.

²⁵ See André Chénier's ode *Le Jeu de Paume. A Louis David, Peintre*: »Reprends ta robe d'or, ceins ton riche bandeau, / Jeune et divine Poésie: / Quoique ces temps d'orage éclipsent ton flambeau, / Aux lèvres de David, roi du savant pinceau, / Porte la coupe d'ambroisie.« *Œuvres Complètes*, Paris 1958, 167–178, here: 167. As David Wisner puts it, »Chénier's ›coupe d'ambroisie‹ symbolically replaces the holy ampulla of the *sacre du roi*, and thus endows the poet, and by extension the painter, with a new authority as lawgiver in the highest degree.« Wisner (note 5), 122.

²⁶ Percy Bysshe Shelley, *A Defence of Poetry, The Major Works*, ed. Zachary Leader, Michael O'Neill, Oxford 2003, 674–701, here: 677 and 701.

artistic production of the genius. Prefigured in the cult of the genius during the period commonly known as the *Sturm und Drang*,²⁷ the concept of genius finds its paradigmatic formulation in Kant's aesthetics. The production of beautiful art as a law-governed symbolic construct, according to Kant, paradoxically requires genius as a faculty that is not bound to rules and laws, i.e., a faculty that belongs to nature. »Genius is the talent (natural gift) that gives the rule to art. Since the talent, as an inborn productive faculty of the artist, itself belongs to nature, this could also be expressed thus: Genius is the inborn predisposition of the mind (*ingenium*) through which nature gives the rule to art.« Every art presupposes rules by means of which it can be produced at all. Beautiful art, however, »does not allow the judgment concerning the beauty of its product to be derived from any sort of rule that has a concept for its determining ground [...]. Thus beautiful art cannot itself think up the rule in accordance with which it is to bring its product into being. Yet since without a preceding rule a product can never be called art, nature in the subject (and by means of the disposition of its faculties) must give the rule to art, i.e., beautiful art is possible only as a product of genius.«²⁸ Whatever rules or laws beautiful art may abide by, they do not provide the ground of their own lawfulness. The lawfulness that ensures the beauty of art is grounded in that which transcends all rules and laws, namely, in nature. Genius is nothing else than nature in the subject. The genius-artist thus occupies a unique position at the intersection between nature and art. On the one hand, he figures as nature, and as such is endowed with the capability of creating the rules and laws that constitute art. On the other hand, however, he is intrinsically related to the work of art that he produces. Yet he by no means lodges himself in the product, overseeing or interfering with its functioning. Rather, the moment the productive act is carried out, he withdraws himself, delivering his product as an autonomous entity to the judgment of others.

If the lawgiver as portrayed by Hölderlin is thus explicitly modeled on the Kantian figure of the genius-artist, the civil order instituted by him assumes the status of an aesthetic work of art. Conversely, the product of the artist necessarily takes on the quality of a lawful civil order. It is probably no coincidence that at the same time as he was working on the Empedocles-project, Hölderlin started to reflect on the laws according to which the work of art operates. These poetological reflections that revolve around the characteristics, interrelations, and combinatorial possibilities of the epic, lyric, and tragic tones amount to what can be called a legal code of poetic genres. The Empedocles-

²⁷ On genius as the logic of artistic production in Goethe's essays and lyric poetry of the 1770s, see David Wellbery, *The Specular Moment: Goethe's Early Lyric and the Beginnings of Romanticism*, Stanford 1996, 121f.

²⁸ Immanuel Kant, *Critique of the Power of Judgment*, trans. Paul Guyer, Eric Matthews, Cambridge/England 2000, 186.

project is as much concerned with the constitution of the republican civil order as it is with the constitution of tragic drama. The two theoretical essays belonging to this project, *Grund zum Empedokles* and *Das untergehende Vaterland* ..., reveal the lawful structure of *Der Tod des Empedokles* and spell out the ways in which it seeks to exemplify the fundamental principles of tragedy.²⁹ In his remarks on Sophocles, Hölderlin finally states unambiguously that all works of art must be assessed »according to their legal calculus and other mode of operation, through which the beautiful is produced« (»nach dem gesetzlichen Kalkül und sonstiger Verfahrungsweise, wodurch das Schöne hervorgebracht wird«).³⁰

III.

Empedocles, lawgiver and poet in one, is associated with the divine. His disciple Pausanias refers to him as the »holy foreigner« (»heiligen Fremdlinge«, v. 1792). He acts and speaks in a space prior to and above the civil order that he institutes. As Rousseau observes in *The Social Contract*,

since the Lawgiver can use neither force nor reasoning, he must of necessity have recourse to an authority of a different order, which might be able to rally without violence and to persuade without convincing. This is what has at all times forced the fathers of nations to resort to the intervention of heaven and to honor the Gods with their own wisdom, so that peoples, subject to the laws of the State as to those of nature, and recognizing the same power in the formation of man and in that of the city, freely obey the yoke of public felicity, and bear it with docility.³¹

The founding of a juridico-political order would perforce go hand in hand with a mythology or theology that justifies it. The act of proclaiming a republican civil order by Empedocles is no exception to this rule. As a matter of fact, the drama of Empedocles' life and death, which climaxes in this act, has a pronounced Christological underpinning, with particularly the Gospel of John serving as its subtext. Empedocles as the Christ-figure is, on the one hand, worshipped by Pausanias as his favorite disciple and by Panthea as Mary Magdalene, and, on the other hand, opposed and judged by Hermokrates as the Jewish high priest and by Kritias as the Roman governor Pilate. This homologous constellation of characters is buttressed with numerous thematic and

²⁹ For a detailed analysis of these two essays in this spirit, see Ernst Mögel, *Natur als Revolution. Hölderlins Empedokles-Tragödie*, Stuttgart, Weimar 1994.

³⁰ Hölderlin, *Anmerkungen zum Oedipus*, DKV-edition, II, 849–857, here: 849. In the same vein, Hölderlin speaks of »the calculable law (das kalkulable Gesetz)« of the work of art. See *Anmerkungen zur Antigone*, DKV-edition, II, 913–921, here: 913. On Hölderlin's notion of »legal calculus« in general, see Ulrich Gaier, *Der gesetzliche Kalkül. Hölderlins Dichtungslehre*, Tübingen 1962.

³¹ Rousseau (note 8), 71.

structural borrowings from John's narrative. Compared to the synoptic Gospels, the Gospel of John has a number of distinctive features. With a prologue stating that Jesus is the word of God, creator of the universe, the one sent from heaven and soon to return, it is divided into two main parts which consist, respectively, of the stories of Jesus's public ministry and of an account of the final twenty-four hours of Jesus's earthly sojourn. The first part (John 1–12) portrays Jesus as one eager to reveal his identity as the son of God, reporting that his claim to be equal to, indeed, one with God provoked the bitter enmity of the religious establishment. At one point, when Jesus realized that the crowd, impressed by his ability to feed five thousand people, were about to come and take him by force to make him king, he withdrew again to the mountain by himself (John 6:15). The second part (John 13–19) contains the well-known »farewell discourse«, in which he tells his disciples of his imminent departure from this world to return to the Father, commands them to love one another, and promises to send them another comforter, the Holy Spirit, to assist and instruct them so that their present sorrow at his death will be turned into joy and eternal peace. *Der Tod des Empedokles* has a similarly bipartite structure. The first act of the play revolves around the ramifications of Empedocles's hubristic claim to be God's equal. Opening with a dialogue between Empedocles and his disciple, in which he foretells his imminent death, the second act culminates in the people asking him to be their king and his immediate refusal, only to allow him to deliver his lengthy farewell discourse modeled on the one delivered by Jesus. Interspersed with explicit biblical motives and imagery such as the transformation of sorrow into joy and the Last Supper,³² this farewell discourse elaborates a unique political theology of the republican civil order.

Just as Jesus flees from an earthly kingship because his is the kingdom of heaven, Empedocles rejects the earthly crown because what he has to offer is the holy: »Ihr botet/ Mir eine Kron', ihr Männer! Nimmt von mir/ Dafür mein Heiligtum« (v. 1467–1469). Empedocles refers to the holy that possesses him – that which he has saved for a long time and can reveal to the people only on this last day of his life – as »the word«:

Ihr botet
 Mir eine Kron', ihr Männer! Nimmt von mir
 Dafür mein Heiligtum. Ich spart' es lang.
 [...]
 Mit Tagesanbruch dacht' ich euch das Wort
 Das erste langverhaltene, zu sagen. (v. 1467–1476)

³² See esp. Act II, scene 5: »Hab' / Ich doch gewußt, daß du nicht ohne Freude / Mich gehen ließest, Heldenmütiger!« (v. 1822–1824); »Doch, lieber, schön / Ist auch der Dank, so lange noch die Freude / Die Scheidende, verzieht bei Scheidenden« (v. 1844–1846); »– geh nun hinein, / Bereit ein Mahl, daß ich die des Halmes Frucht, / Noch Einmal koste, und der Rebe Kraft, / Und dankesfroh mein Abschied sei« (v. 1871–1874).

The word uttered here, as pointed out earlier, is nothing else than the political program of the republican civil order. This remarkable reinterpretation of the Word embodied by Jesus as a republican constitution implies that the founding of the republican civil order is conceived by Hölderlin in exactly the same terms as the founding of the Christian community.³³

In his farewell discourse Jesus tells his disciples: »Little children, I am with you only a little longer. You will look for me; and as I said to the Jews so now I say to you, ›Where I am going, you cannot come.‹ I give you a new commandment, that you love one another. Just as I have loved you, you also should love one another. By this everyone will know that you are my disciples, if you have love for one another« (John 13: 33–35). The making of this community sustained by love requires the sacrificial death of Jesus on the Cross. Performing the functions of the high priest and the offering at once, Jesus sacrificed himself, »[entering] once and for all into the Holy Place, not with the blood of goats and calves, but with his own blood, thus obtaining eternal redemption.« His blood, through the power of God's spirit, transforms his new people inwardly, »[purifying their] conscience from dead works to worship the living God! For this reason he is the mediator of a new covenant, so that those who are called may receive the promised eternal inheritance, because a death has occurred that redeems them from the transgressions under the first covenant« (Hebrews 9:12–15). In other words, in contrast to the elaborate but temporary system of purification decreed under the law of ancient Israel, Jesus's self-sacrifice takes away sin once for and for all, thereby creating a new, inwardly and spiritually cohesive community. This community of love, brought into being by what a modern philosopher calls »the gift of death«³⁴, subsists by forever offering the »sacrifice of praise« (Hebrews 13:15), i.e., the Eucharistic sacrifice, the sacrifice of gratitude that commemorates, again and again, that ultimate sacrifice, the sacrifice on the Cross.

In Hölderlin's play, the supersession of the Old by the New Covenant, or the rise of the Christian community from the Jewish polity governed by the Mosaic law, is recast as the transition from the bankrupt old regime to the republican civil order. Empedocles insists that this transition requires his offering of himself as the sacrifice to the divine. After having urged the people to build the new

³³ Hölderlin's friend Hegel developed the same idea in his philosophical treatise *Der Geist des Christentums und sein Schicksal*, which grew out of dialogues with Hölderlin during his work on the Empedocles-project, i.e., between 1798 and 1800. See Hegel, *Der Geist des Christentums und sein Schicksal (1798–1800)*, *Werke*, ed. Eva Moldenhauer, Karl Markus Michel, Frankfurt a.M. 1971, I, 274–418. On the affinity between Hölderlin's Empedocles and Hegel's Jesus, see Christoph Jamme, »*Ein ungelehrtes Buch.*« *Die philosophische Gemeinschaft zwischen Hölderlin und Hegel in Frankfurt 1797–1800*, Bonn 1983, 269ff.

³⁴ Jacques Derrida, *The Gift of Death*, Chicago 1995.

community that is the republican civil order, Empedocles bids farewell to the people, saying that his gods are summoning him to return.³⁵ Addressing the people as children unable to grasp fully his affinity with the divine (v. 1615f), he claims to be a stranger in the human world – who loves them but who must soon return to the place where he comes from, namely, divine nature.³⁶ In a language that seems to amalgamate the Gospel according to John with the Letter to Hebrews, he speaks of this willing death as sacrifice:

Ich habe es euch gesagt. Ihr dürftet leben
 So lang ihr Othem habt; ich nicht. Es muß
 Bei Zeiten weg, durch wen der Geist geredet.
 Es offenbart sich die göttliche Natur
 Sich göttlich oft durch Menschen, so erkennt
 Das vielversuchende Geschlecht sie wieder.
 Doch hat der Sterbliche, dem sie das Herz
 Mit ihrer Wonne füllte, sie verkündet,
 O laßt sie dann zerbrechen das Gefäß
 Damit es nicht zu anderem Brauche dien',
 Und Göttliches zum Menschenwerke werde.
 Laßt diese Glücklichen doch sterben, laßt
 Eh sie in Eigenmacht und Tand und Schmach
 Vergehn, die Freien sich bei guter Zeit
 Den Göttern liebend opfern, denen alles
 Erstgeborene der Zeit heilig ist. Mein ist dies. (v. 1715–1730)

Empedocles understands himself as the medium through which the divine reveals itself. The republican constitution that he bestows on the people is a divine word. Once this divine word is pronounced, the medium must be effaced. Empedocles's death, therefore, figures as a sacrifice that truly bonds the human to the divine, that enables the realization of the divine word in the human world.³⁷ Reading the Gospel of John – the pneumatic Gospel – together with his friend Hegel, Hölderlin conceived of God as the spirit. The fixation on Christ the »son« in his individuality and historical specificity, in this view, would be wrong. The death of Christ is necessary, for only through the demise of the individual could the divine attain the generality and freedom proper to the spirit. This death transforms the community headed by a great individual

³⁵ »Lebt wohl! Es war das Wort des Sterblichen,
 Der diese Stunde liebend zwischen euch
 Und seinen Göttern zögert, die ihn riefen.
 Am Scheidetage weissagt unser Geist,
 Und wahres reden, die nicht wiederkehren« (v. 1583–1587).

³⁶ »Darum fordert nicht die Wiederkehr des Manns
 Der euch geliebt, doch wie ein Fremder war
 Mit euch und nur für kurze Zeit geboren« (v. 1660–1663).

³⁷ On the complicated economies of gift among the divine, Empedocles, and the people, see Birkenhauer (note 2), 353f.

into a congregation in which this great individual, now spiritualized, becomes one with all the members while each member becomes one with the other by a spiritual bond.³⁸ It is on the basis of this understanding of the Gospel that Hölderlin's Empedocles contends that his death is necessary for the advent of a truly new civil order. The historical Empedocles was known for his open criticism of the rituals of sacrifice in fifth-century Greek society.³⁹ By offering himself on the altar of divine nature, Hölderlin's Empedocles makes an ultimate sacrifice that is meant to put an end to all previous sacrificial rituals, just as Jesus's self-sacrifice rendered obsolete the cultic practices of ancient Israel. Following Christological doctrines to a fault, Empedocles's farewell discourse states clearly that the vitality and continuing existence of the republican civil order depends on the liturgical praise, or the Eucharistic sacrifice that commemorates its founder:

am schönen Tage, wenn
Den Göttern der Natur ein Fest zu bringen
Ihr einst heraus zum heiligen Haine geht,
Und wie mit freundlichen Gesängen euch
Empfängt aus heitern Höhn, dann wehet wohl
ein Ton von mir im Liede,
Des Freundes Wort, verhüllt ins Liebeschor
Der schönen Welt, vernimmt ihr liebend wieder,
Und herrlicher ists so. Was ich gesagt,
Dieweil ich hie noch weile, wenig ists,
Doch nimmts der Strahl des Lichtes zu
Der stillen Quelle die euch segnen möchte,
Durch dämmernde Gewölke mit hinab.
Und ihr gedenket meiner! (v. 1763–1776)

The fundamentally theological orientation of Hölderlin's republicanism is indeed startling. This republicanism that ostensibly advocates the civil order of the pagan Greek antiquity no less than the political program of the emphatically secular French Revolution seems to rest on a Christian political theology that bears an uncanny resemblance to the political theology of monarchical rule in the Middle Ages and the early modern period. There is, however, a crucial difference. No theological model invoked to justify the sovereign rule of a monarch would identify him with Christ. He is at most seen as an imitator of Christ, whose connection to Christ has to be established through elaborate

³⁸ On the significance of the Gospel of John for Hölderlin and Hegel, see Jochen Schmidt, *Hölderlins geschichtsphilosophische Hymnen ›Friedensfeier‹ – ›Der Einzige‹ – ›Patmos‹*, Darmstadt 1990, 197–216, here: 201.

³⁹ Empedocles speaks of the rites of sacrifice in his *Purifications*, particularly in fragments 136 and 137. See *Les Purifications. Un projet de paix universelle*, ed. Jean Bollock, Paris 2003, 99f.

ceremonials performing the function of Eucharistic authentication.⁴⁰ Hence the royal pomp and circumstance.⁴¹ Hölderlin's Empedocles, by contrast, is Christ. His sacrificial death brings about a new kind of community that stands in a direct relationship to God. The king needs to live to ensure the functioning of the polity. Empedocles must die so that the polity could come into being. The transition from the monarchical rule to the republican civil order returns the polity to its divine origin.

The political theology of the republican civil order as envisioned by Hölderlin has yet another distinctive dimension. In the spirit of the Spinozist dictum of »Deus sive natura«, Hölderlin equated the divine with nature.⁴² Empedocles' act of shaping the people into a new body politic draws this people into the realm that he himself inhabits, namely, divine nature. This new body politic, therefore, harmonizes with nature.⁴³ Now, Hölderlin conceived of nature as a transcendental-empirical double. The harmony of the republican civil order with nature means not only its grounding in the transcendent realm of the divine, but also that this civil order grows out of the earth as the dwelling place of the human. In fact, the »word« which Empedocles gives to the people is grammatically structured in the form of a conditional that formulates the new constitution of popular sovereignty as the consequence of the working of terrestrial nature.⁴⁴ Given this notion of the primordial bond between the human

⁴⁰ See Ernst Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology*, Princeton 1957, 42f.

⁴¹ See Burkhardt Wolf, *Die Sorge des Souveräns. Eine Diskursgeschichte des Opfers*, Zurich, Berlin 2004, 24f.

⁴² On Hölderlin's conception of nature with its strong Spinozist dimension, see Stefan Büttner, »Natur: Ein Grundwort Hölderlins«, in: Thomas Roberg (ed.), *Friedrich Hölderlin. Neue Wege der Forschung*, Darmstadt 2003, 227–252.

⁴³ As a matter of fact, with its calendar reform and festivals, the French Revolution staged the republic as nature. See Inge Baxmann, *Die Feste der Französischen Revolution. Inszenierung von Gesellschaft als Natur*, Weinheim, Basel 1989.

⁴⁴ »O gebt euch der Natur, eh sie euch nimmt! –
[...]
und hebt, wie Neugeborne,
Die Augen auf zur göttlichen Natur,
Wenn dann der Geist sich an des Himmels Licht
Entzündet, süßer Lebensodem euch
Den Busen, wie zum erstenmale tränkt,
Und goldner Früchte voll die Wälder rauschen
Und Quellen aus dem Fels, wenn euch das Leben
Der Welt ergreift, ihr Friedensgeist, und euchs
Wie heilger Wiegensang die Seele stillet,
Dann aus der Wonne schöner Dämmerung
Der Erde Grün von neuem euch erglänzt
Und Berg und Meer und Wolken und Gestirn,
Die edeln Kräfte, Heldenbrüdern gleich,

community and the earth, which Hölderlin fully developed in his poetry from 1800 onwards – for instance, in *Wie wenn am Feiertage ...*, a hymn in close proximity to the Empedocles-project⁴⁵ –, the political theology of the republican civil order is bound up with what can be called a political physics.

IV.

Der Tod des Empedokles is a drama of the founding of the republican civil order with a unique political theology underlying it. Hölderlin gave this drama the generic designation of tragedy, combining it with intensive theoretical reflections on the tragic – reflections that culminated in his notoriously hermetic remarks on Sophocles' *Oedipus* and *Antigone* of 1803. It seems that the republican civil order requires tragedy as its privileged form of poetic representation.

Hölderlin's theory of the tragic is predicated on his philosophical conceptions of nature and art. Proceeding from a dynamic Spinozist notion of divine nature as an all-encompassing unity of forces that constantly produces and reproduces itself in ever higher forms of organization, Hölderlin regarded the fruits of human endeavors, or art in the broad sense, as something that emerges from nature, and that as such represents the mode by which nature manifests itself. As the essay *Grund zum Empedokles* pointedly puts it, »art is the blossom, the perfection of nature; nature only becomes divine in conjunction with the diverse yet harmonious art.«⁴⁶ However, once art takes shape, it objectifies and opposes itself to nature as the primordial ground from which it springs. Now, the more powerful the opposition between art and nature, the more it would tend to individualize itself, to gain a fixed point, a hold, and »such a time seizes all individuals so long, challenges them to a solution.«⁴⁷ Yet whatever solution

Vor euer Auge kommen, daß die Brust
Wie Waffenträgern euch nach Taten klopft,
Und eigner schöner Welt, *dann* reicht die Hände
Euch wieder, gebt das Wort und teilt das Gut [...].« (v. 1502–1525. Italics added)

⁴⁵ With respect to *Wie wenn am Feiertage ...*, Alexander Honold speaks of the »poetische Synchronisierung von Natur und Geschichte«. See Honold (note 4), 337f.

⁴⁶ Hölderlin: »Die Kunst ist die Blüte, die Vollendung der Natur, Natur wird erst göttlich durch die Verbindung mit der verschiedenartigen aber harmonischen Kunst.« *DKV*-edition, II, 428. During his work on the Empedocles-project, Hölderlin wrote to his brother: »Du siehst, Lieber, daß ich Dir das Paradoxon aufgestellt habe, daß der Kunst- und Bildungstrieb mit allen seinen Modifikationen und Abarten ein eigentlicher Dienst sei, den die Menschen der Natur erweisen. Aber wir sind schon lange darin einig, daß alle die irrenden Ströme der menschlichen Tätigkeit in den Ozean der Natur laufen, so wie sie von ihm ausgehen.« *An den Bruder. Homburg, d. 4 Jun. 1799*, *DKV*-edition, III, 354–360, here: 357.

⁴⁷ »[...] und eine solche Zeit ergreift alle Individuen so lange, fodert sie zur Lösung auf.« *DKV*-edition, II, 434.

an individual may provide cannot help but be temporary, as his characteristics and utterances, in their individual particularity, necessarily fall short of universal validity. Inescapable is the demise of the individual, because »otherwise the universal would be lost in the individual and [...] the life of a world would expire in some particular instance.«⁴⁸ In fact, »the brighter and more real and visible the riddle appears solved within him, the more necessary becomes his ruin.«⁴⁹ This is so because, as Hölderlin noted in a letter to Isaak von Sinclair written during his work on the Empedocles-project, »It is [...] the first condition of all life and all organization that no force in the heaven and on the earth is monarchical. The absolute monarchy cancels itself out everywhere, for it is objectless; actually in the strict sense there has never been one.«⁵⁰ The tragic downfall of the individual is constitutive of the course of nature, or as Peter Szondi aptly puts it, the tragic hero's demise is »a sacrifice that man offers to nature in order to help it achieve an adequate appearance.«⁵¹ The adequate appearance of nature, in which individual roles, characters, and utterances are sublated as mere transient moments, takes the form of the republican civil order.

According to Hölderlin, tragedy as a dramatic form is concerned with depicting the extreme tensions and sufferings of that moment in which the individual meets his or her demise. In the essay *Das untergehende Vaterland ...* this moment is conceptualized historico-philosophically as a transition, an intermediary time when the old has already dissolved and the new has not yet taken shape. In *Anmerkungen zur Antigone* this moment finds its conceptually precise designation – »vaterländische Umkehr« or »revolution of the fatherland«. The revolution, in which the entire shape of things changes, affects all the domains of society such as religion, politics, and morality, thereby transforming the existing patterns of thought and structures of feeling. It figures as a moment of negativity, in which all norms dissolve, all boundaries and distinctions blur, all forms disintegrate into chaos. The dramatic representation seeks to do justice to the absolute chaos – or in Hölderlin's own words, the »infinite enthusiasm« – of the revolution in an infinite manner, that is, by means of »oppositions« or »consciousness« that cancels consciousness.⁵² Apart from the agonal

⁴⁸ »weil sonst das Allgemeine im Individuum sich verlöre, und [...] das Leben einer Welt in einer Einzelheit abstürbe.« *DKV*-edition, II, 433.

⁴⁹ »[...] je glänzender und wirklicher und sichtbarer in ihm das Rätsel aufgelöst erscheint, um so notwendiger wird sein Untergang.« *DKV*-edition, II, 434.

⁵⁰ »Es ist auch gut, und sogar die erste Bedingung alles Lebens und aller Organisation, daß keine Kraft monarchisch ist im Himmel und auf Erden. Die absolute Monarchie hebt sich überall selbst auf, denn sie ist objektlos; es hat auch im strengen Sinne niemals eine gegeben.« *An Isaak von Sinclair, Homburg vor der Höhe, d. 24 Dez. 1798*, *DKV*-edition, III, 325–328, here: 327.

⁵¹ Peter Szondi, *An Essay on the Tragic*, Stanford 2002, 12.

⁵² »Die tragische Darstellung beruht [...] darauf, daß der unmittelbare Gott, ganz

dialog, as well as the opposition between dialog and chorus, the most crucial aspect of this representational strategy is the grouping of dramatic characters, which in the case of *Antigone* takes the form of the confrontation of the all-too-punctilious Creon and the rebellious Antigone. The effect of such a dramatic representation, in the eyes of Hölderlin, is a republican civil order: »The form of reason which tragically takes shape here is political and more precisely republican, since the equilibrium between Creon and Antigone, between the punctilious and the counter-punctilious, is kept too equal. [...] Sophocles is right. This is the destiny of his age and the form of his fatherland.«⁵³

As every reader of *Antigone* knows, there is no republic coming into being in Thebes at the end of the play. The effect of the dramatic representation of »vaterländische Umkehr« or »revolution of the fatherland« manifests itself not so much within the play itself as in the theatrical performance of it. It was the performance of such a play as *Antigone* in Sophocles's age that helped create a republican civil order as typified by the tragic poet's fatherland, democratic Athens. Regimes represented in tragedies such as Oedipus and Antigone's Thebes are monarchical or tyrannical, belonging to a bygone age, which Hölderlin characterized as the »finite-old« (*das Endlichalte*). The dramatic present in which individual characters perish marks an ecstatic moment of dissolution symbolized, in *Antigone*, by the cultic invocation of Dionysus by the chorus (*Antigone*, v. 1193–1225), a moment that Hölderlin referred to as the »infinite-new« (*das Unendlichneue*). The performance of tragedies in democratic Athens effected a synthesis, or what Hölderlin called the »tragic union« (*tragische Vereinigung*), of the infinite-new and the finite-old, of the moment of dissolution and the old regime, in that it imparted a form to the infinite-new. In so doing, it helped forge a new civil order.⁵⁴ It is a well-known fact that the theatrical performance of tragedies was constitutive of the Athenian polity over the two centuries from the tyranny of Peisistratus to the death of Alexander the Great.⁵⁵ »[It] is by participating in the [drama] festival at all its levels that the

Eines mit dem Menschen [...], daß die unendliche Begeisterung unendlich, das heißt in Gegensätzen, im Bewußtsein, welches das Bewußtsein aufhebt, heilig sich scheidend, sich faßt, und der Gott, in der Gestalt des Todes, gegenwärtig ist.« *DKV*-edition, II, 917.

⁵³ »Die Vernunftform, die hier tragisch sich bildet, ist politisch und zwar republikanisch, weil zwischen Kreon und Antigonä, förmlichem und gegenförmlichem, das Gleichgewicht zu gleich gehalten ist. [...] Sophokles hat Recht. Es ist dies Schicksal seiner Zeit und Form seines Vaterlandes.« *DKV*-edition, II, 920.

⁵⁴ Cf. Hölderlin: »Aus dieser tragischen Vereinigung des Unendlichneuen und Endlichalten entwickelt sich dann ein neues Individuelles, indem das Unendlichneue vermittelst dessen, daß es die Gestalt des Endlichalten annahm, sich nun in eigener Gestalt individualisiert.« *Das untergehende Vaterland...*, *DKV*-edition, II, 451.

⁵⁵ See Paul Cartledge, »Deep plays: Theatre as Process in Greek Civic Life«, in: P.E. Easterling (ed.), *The Cambridge Companion to Greek Tragedy*, Cambridge/England 1997, 3–35, esp. 22f.

Athenian citizen demonstrated his citizenship, and it is by staging the festival that the city promoted and projected itself as a city.«⁵⁶ The institutionalized drama festival assembled the people into a social body. And in staging and watching the spectacular downfall of individual representatives of royal houses in bygone ages, this social body assured itself of its democratic constitution.

From the perspective of the political function of the Greek tragedy – a perspective that Hölderlin himself did not really address in his remarks on Sophocles –, it is apparent that Hölderlin's tragic drama at once models itself on and goes beyond its ancient predecessor. *Der Tod des Empedokles* dramatizes the moment of the dissolution of the old and the transition to the new. The constellation of dramatic characters, for instance, bears a remarkable resemblance to that of *Antigone*, with Kritias and Hermokrates insisting on the law of the state as Creon does, while Empedocles, like Antigone, claims affinity with the divine itself. The banishment of Empedocles into wilderness is not dissimilar to the entombment of Antigone in a rocky cavern in which just enough food is meted out to ensure her bare subsistence. Yet if the Greek tragedy realizes its political function of constituting the new republican civil order through its performance at drama festivals, *Der Tod des Empedokles* contains the political program of tragic performance already within the play itself. The protagonist Empedocles is not merely a tragic hero who meets his demise in a time of the dissolution of the old order, but also a tragic poet whose creative work helps shape the people into a new social body. In *Grund zum Empedokles*, Hölderlin states explicitly that Empedocles is »born to be a poet«⁵⁷. In the play, the act of proclaiming the political program of the republican civil order, as demonstrated above, figures unambiguously as an act of poetic production. In this remarkable double role, as both a tragic hero and tragic poet, Empedocles stages his own death in order to realize the political program of tragedy. The inexorable demise of the individual in the Greek tragedy thus becomes a spectacular suicide. As a whole, Hölderlin's play does not merely stage the decline of an old order, as a Greek tragedy does. It also stages the political function of staging the decline of the old in a new age. In this sense, it is a meta-tragedy.

Hölderlin belonged to the generation coming of age in the wake of the French Revolution. His Empedocles-project probes the very foundation of the republican civil order, offering a drama of the political primal scene in which the republic is conceived, and indicating by means of a Christological plot structure and mode of argumentation that it is nothing less than a holy conception. This politico-theological drama is informed by a historico-philosophically motivated aesthetic program of the tragic. The transition from the old

⁵⁶ Simon Goldhill, »The Audience of Athenian Tragedy«, in: Easterling (note 55), 54–68, here: 67.

⁵⁷ »[Empedokles] scheint nach allem zum Dichter geboren.« *DKV*-edition, II, 432.

regime to the republican civil order is a profoundly tragic process, and tragedy as the aesthetic representation of this process is constitutive of the republic. The republic, then, is a tragically constituted aesthetic state. As such, it preserves within its memory the old regime as that which spectacularly perishes in the revolution, that is, in the form of a tragic drama. The obverse of the aesthetic conception of the republic is the aestheticization of the old regime. In the eyes of Edmund Burke, who observed the revolution raging in France from a safe theatrical distance, the *Ancien Régime* that was unstoppably sinking into the past became aesthetically »pleasing illusions,« which were worth preserving, indeed had to be preserved.⁵⁸ Hölderlin's tragic-aesthetic republicanism paradoxically went hand in hand with, and was eventually drowned out by, an aesthetic conservatism that was inaugurated by Burke and found its vociferous German followers in figures such as Adam Müller. In the political thought of the early nineteenth century, which Carl Schmitt characterized as political romanticism a century later,⁵⁹ Hölderlin's tragic-aesthetic republicanism met its own tragic demise.

⁵⁸ Edmund Burke, *Reflections on the Revolution in France*, ed. J.G.A. Pocock, Indianapolis 1987, 67. On Burke's conception of the downfall of the *Ancien Régime* as tragic theater, see Ethel Matala de Mazza, »Herz oder Finsternis. Moderne Barbaren in Edmund Burkes *Reflections on the Revolution in France*«, in: Hansjörg Bay, Kai Merten (eds.), *Die Ordnung der Kulturen. Zur Konstruktion ethnischer, nationaler und zivilisatorischer Differenzen 1750–1850*, Würzburg 2006, 195–216, here: 212f.

⁵⁹ Carl Schmitt, *Politische Romantik*, Munich 1919.