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### Permalink

<https://escholarship.org/uc/item/9818b902>

### Journal

Deutsche Vierteljahrsschrift für Literaturwissenschaft und Geistesgeschichte, 88(2)

### ISSN

0012-0936

### Author

Tang, Chenxi

### Publication Date

2014-06-01

### DOI

10.1007/bf03374725

Peer reviewed

DEUTSCHE VIERTELJAHRSSCHRIFT  
FÜR LITERATURWISSENSCHAFT UND  
GEISTESGESCHICHTE DVjs

Begründet von Paul Kluckhohn und Erich Rothacker  
IN ZUSAMMENARBEIT MIT GERHART V. GRAEVENITZ  
HERAUSGEGEBEN VON CHRISTIAN KIENING, ALBRECHT KOSCHORKE,  
JULIANE VOGEL UND DAVID E. WELLBERY

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IMPRESSUM

© Verlag: J.B. Metzler'sche Verlagsbuchhandlung und Carl Ernst Poeschel  
Verlag GmbH, D-70182 Stuttgart, Werastr. 21–23, Tel. 0711/2194-0;  
Amtsgericht Stuttgart HRB 872; Geschäftsführer: Volker Dabelstein

ABONNEMENTSVERWALTUNG UND VERTRIEB

Abo-Bestellungen und -Kündigungen sowie Adressenänderungen: HGV Hanseati-  
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72125 Kusterdingen, Telefon: 07071/9353-16, journals@hgv-online.de

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- Redaktion: Ralf Eckschmidt M.A.  
Postanschrift: Redaktion DVjs, Universität Konstanz, Fachbereich Literaturwissenschaft – Fach D 164, D-78457 Konstanz, E-Mail: RedaktionDVjs@uni-konstanz.de

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# International Legal Order and Baroque Tragic Play: Andreas Gryphius's *Catharina von Georgien*

By CHENXI TANG (Berkeley)

## ABSTRACT

Gryphius's *Catharina von Georgien* questions the very foundation of the international legal order by demonstrating the fragility, indeed the impossibility of peace as an agreement based on voluntary consent. As an alternative, it develops a martyrological model of international order, which, however, is intrinsically paradoxical. In so doing, it institutes a martyrological poetics that conceives of tragic play as a poetic form capable of evoking a vision of eternal peace through the representation of suffering and death in the world of sovereign states.

Gryphius' Trauerspiel *Catharina von Georgien* stellt das Fundament der zwischenstaatlichen Rechtsordnung infrage, indem es die Fragilität, ja die Unmöglichkeit des Friedens als eines auf freiwilligem Konsens basierenden Pakts bloßlegt. Als Alternative entwickelt es ein martyrologisches Modell der zwischenstaatlichen Ordnung, das jedoch in sich selbst paradox bleibt. Gleichzeitig instituiert es eine martyrologische Poetik, die das Trauerspiel als eine poetische Form auffasst, die eine Vision des ewigen Friedens gerade durch die Repräsentation von Leiden, Blutvergießen und Tod in der Welt der souveränen Staaten evoziert.

One of the most consequential poetological doctrines to emerge from the Renaissance was the conception of royal personage as the defining feature of tragedy. For Aristotle, poetic characters must be either good or bad. Tragic characters are »better« than other men in the sense that they are more serious, superior, whereas comic characters are »worse« than other men in the sense that they are lowly, inferior.<sup>1</sup> There is no requirement that tragic characters ought to be royal. In the Christian Middle Ages, tragedy was linked to »public matter and stories of kings.«<sup>2</sup> It was in the Renaissance, however, that this linkage solidified into a doctrine. In his *Poetices libri septem* (1561), the great Scaliger asserted: »In tragoedia reges, principes ex urbibus, arcibus, castris.«<sup>3</sup> Commentators on Aristotle's *Poetics* came to the same conclusion. Whereas Robortello, whose *In librum Aristotelis De arte poetica explicationes* (1548) pioneered *Poetics*-commentary in the Renaissance, cited the existence of royal personage in tragedies as evidence for the Aristotelian argument that tragic char-

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<sup>1</sup> Aristotle, *Poetics*, 1454b.

<sup>2</sup> Isidore of Seville, *Etymologiae* VIII.vii.6; *Etymologies*, ed. and trans. Stephen Barney et al., Cambridge 2006, 180.

<sup>3</sup> Julius Caesar Scaliger, *Poetices libri septem*, ed. Luc Deitz, Gregor Vogt-Spira, Stuttgart-Bad Cannstatt 1994–2011, I, 130.

acters are outstanding people,<sup>4</sup> in Castelvetro's *Poetica d'Aristotele vulgarizzata e sposta* (1570), the first *Poetics*-commentary in a vernacular language, the princely rank of protagonists became a self-evident requirement for tragedy. Castelvetro stated apodictically: »Tragic agents are royal personages.« Because royal personages are above laws – *princeps legibus absolutus est* – they resort to extra-legal actions to solve their problems: »If they suffer or think they suffer an injury they neither seek redress from the magistrates nor possess their souls in patience, but settle their own accounts as their passions dictate, vengefully slaying persons closely or distantly related to them by blood, and sometimes in desperation even turning their hand against themselves.«<sup>5</sup> Such extra-legal actions are tragic actions. Only sovereign princes are capable of, and are doomed to, tragic actions. Royal personage is no incidental feature of tragedy. It is constitutive of tragedy.

This poetological doctrine charged tragedy with the task of tackling all the pressing problems pertaining to the royal person – problems of power, authority, and government. »That tragedy taught princes and magistrates to rule,« as a literary historian tells us, »was a Renaissance cliché.«<sup>6</sup> Georg Philipp Harsdörffer, a key theorist of the German baroque, characterized tragedy as the »school of kings« (die Schule der Könige).<sup>7</sup> It was particularly thanks to royal absolutism – a current in political thought which emerged around 1600 and dominated much of the following century – that tragedy could play its politico-legal role. Identifying the royal person with the state, royal absolutism conceived of events in the life of the prince – birth, marriage, death etc. – as matters of the state, and regarded affairs of the state, both domestic and foreign, as carried out through the personal actions of the prince.<sup>8</sup> By representing the actions of royal persons, then, tragedy was able to handle the weightiest matters of the state.

<sup>4</sup> Francesco Robortello: »nam tragœdia cum versetur in imitatione, & representatione calamitatum, & miseriarum regis, aut herois alicuius; præstantiores vtique imitatur.« *In librum Aristotelis De arte poetica explicationes*, Florence 1548, 23.

<sup>5</sup> Lodovico Castelvetro, *On the Art of Poetry: An Abridged Translation of Lodovico Castelvetro's Poetica d'Aristotele vulgarizzata e sposta*, trans. Andrew Bongiorno, Binghamton 1984, 151.

<sup>6</sup> Timothy Reiss, »Renaissance theater and the theory of tragedy,« *The Cambridge History of Literary Criticism*, 9 vols., Cambridge 1989–2013, III, 229–247, at 239.

<sup>7</sup> Georg Philipp Harsdörffer, *Poetischer Trichter*, 3 vols., Nürnberg 1648–1653, II, 80.

<sup>8</sup> A key tenet of royal absolutism was the identity between the royal person and the state. This was distinct from the possessive relationship between the prince and his state in the age of princes. It was, therefore, often couched in anti-Machiavellian terms. It was also distinct from the later Hobbesian conception of the state as an artificial person and of the king as the representative of this artificial person. See Quentin Skinner, »From the state of princes to the person of the state,« *Visions of Politics*, 3 vols., Cambridge 2002, II, 368–413.

One of the matters handled by tragedy was the relation of sovereign states to one another. In this function, it came into close proximity to international law. Since sovereigns were by definition not subject to higher laws, international law as the law governing the relationship between sovereigns was doomed to inefficacy. From the late sixteenth century onwards, the tragic stage established itself as an imaginative forum for negotiating the uncertainty and instability of international legal order. Violent conflicts between sovereigns raged on the tragic stage from the English Renaissance to French classicism and the German baroque. By unrolling scenes after scenes showing the crisis – and often the collapse – of international legal order, tragedy prompted the audience to imagine a lawful order in the world of sovereigns as something that was stubbornly unavailable in reality.

This essay examines the figuration of international order in Andreas Gryphius's tragic play *Catharina von Georgien*, written between 1647–1648 and first published in 1657.<sup>9</sup> A key text of the German baroque, it questions the very foundation of international legal order by demonstrating the fragility, indeed the impossibility of peace as an agreement based on voluntary consent. First, the consent that is given by the will can also be withdrawn by the will at any time. Second, insofar as peace is meant to end violence, the voluntary consent required to bring it about is ultimately a consent to violence. This makes the idea of peace an aporia. Given the intrinsic difficulties of international legal order, Gryphius's play develops, in its final two acts, a martyrological model of international order. It affirms God as the supreme arbitrator of kings and substitutes His eternal kingdom of peace for the warring kingdoms on earth by staging the suffering and death inflicted by one sovereign on another as martyrdom. In developing this model, *Catharina von Georgien* institutes a martyrological poetics that conceives of tragic play as a poetic form capable of evoking a vision of eternal peace in the audience through the representation of violence and the ruins left behind by it.<sup>10</sup>

<sup>9</sup>The dating of Gryphius's text follows the editorial commentary in Andreas Gryphius, *Dramen*, ed. Eberhard Mannack, Frankfurt a.M. 1991, 922. *Catharina von Georgien* will be quoted from this edition, with in-text references indicating act and verse numbers. For the sake of readability, I have translated quotations that are shorter than one complete sentence.

<sup>10</sup>Walter Benjamin sees in royal personage a key difference between the German baroque *Trauerspiel* and classical tragedy. *Ursprung des deutschen Trauerspiels*, *Gesammelte Schriften*, ed. Rolf Tiedemann, Hermann Schwepenhäuser, Frankfurt a.M. 1974, I., 203–430, at 242–243. Since royal personage became a requirement for the tragic form in the Renaissance, we can say that tragedy in early modern Europe was in general *Trauerspiel*. In the following, I use the term »tragic play« to mark the difference between tragedy and *Trauerspiel*.

## I.

*Catharina von Georgien* dramatizes the execution of Catharina (Georgian: Ketevan, born 1565), the Christian queen of Georgia-Gurgistan, by the Muslim Shah of Persia Abas I in 1624. Gryphius found the material for his play in Claude Malingre's *Histoires tragiques de notre temps* (1635).<sup>11</sup> At the center of the play is the issue of international law. This is made clear in the first scene, in which Georgian agents complain that the Shah of Persia has »violated all the right that nations have ever instituted« (»alles Recht gebrochen / Daß Völcker je befählt,« I. 106–107). Underlying the plot of *Catharina von Georgien* is a multi-lateral international power struggle. As a small country squeezed between two great imperial powers – Turkey and Persia – Catharina's Georgia-Gurgistan is forced to play the perilous games of alliance politics in order to secure its survival, turning sometimes to the one, sometimes to the other, always at the behest of expediency. On important occasions, the intervention of a third great power – Russia – proves to be vital. A scholar of seventeenth-century drama argues that the international political situation of Georgia, narrated by Georgian agents and by Catharina herself in excruciating details in the first and third acts, resembles that of Silesia during the Thirty Years' War – the poet's small home country caught in the jockeying for predominance by the Habsburg Empire and the great Protestant powers Sweden, Saxony, and Brandenburg. Just as Georgia relies on Russian help, Silesia found support in the Polish king<sup>12</sup>. Regardless of the extent to which Gryphius's Silesia and Catharina's Georgia can be mapped onto each other, the multi-lateral international conflict represented by the play unmistakably mirrors the political situation of Central and Western Europe during the Thirty Years' War.

All dramatic events pertain to international relations. Catharina has been languishing in Persian captivity for years. In the early part of the play, the Georgian agents and Catharina herself give a lengthy account of the political vicissitudes of Georgia, which also explains how she ended up in the Persian prison. Persia has tried to dominate Georgia by instigating internecine conflicts, causing endless bloodshed and devastations. After Catharina regained control of the state, she turned to Turkey for support. Enraged, the Shah launched an attack on Georgia, forcing Catharina to come to Persia to sue for peace. He urged her to »confirm again the egregiously violated alliance« between the two countries (III. 352–53). Yet while the Shah asked Catharina to »avow herself under oath to the treaty« (III. 354), he perjured himself: he had Catharina's entourage murdered and herself imprisoned.

<sup>11</sup> Claude Malingre, »Histoire xvi. De Catherine Reyne de Georgie, & de Princes Georgiens mis à mort, par commandement de Cha Abas Roy de Perse,« *Histoires tragiques de nostre temps*, Rouen 1641, 469–532.

<sup>12</sup> On the parallel between Georgia in Gryphius's play and Silesia during the Thirty Years' War, see Elida Maria Szarota, *Geschichte, Politik und Gesellschaft im Drama des 17. Jahrhunderts*, Bern 1976, 130–133.

The events onstage revolve around the diplomatic wrangling between Russia and Persia. The two countries have just signed a peace treaty. The Russian ambassador speaks of amity and peace (II.133–160), while the Shah assures him of his sincerity and zeal (II.173–175). As a token of his sincerity, the Shah agrees to the release of Catharina as requested by the Russian. However, he has fallen passionately in love with the Georgian queen. As soon as the ambassador leaves the room, he regrets his concession, pained by the prospect that he would have to renounce Catharina forever. Peace treaties and related promises seem to be nuisances, and he wants to rid himself of them:

Ha Frid! Und warumb hat vom Friden man gehört?  
 Warumb hat diser Traum den weisen Kopf bethöret?  
 Weg Friden! Greiff zur Wehr! es gelte Blut und Brand!  
 Es gelte Reich umb Reich! last uns mit frischer Hand  
 Zureissen was man schrib. Stost alles über hauffen  
 Was Rha und Tyger schloß! (II.197–202)

No sooner is it said than it is done. The Shah reneges on his promise to Russia to release Catharina. Instead he presents her with a grim choice: »marriage to him or death« (III. 408). She opts for death. Thereupon the Russian ambassador lodges an official protest, accusing the Shah of perjury.

In short, both the events taking place onstage and those narrated by dramatic persons focus on the issue of perjury committed by a sovereign person. This draws attention to the fundamental maxim of international law – *pacta sunt servanda*. We need to remember that *Catharina von Georgien* was written at a time of hectic treaty-making in Europe. In 1647 and 1648, when Gryphius was working on the play, the diplomatic negotiations in Münster and Osnabrück among the major European powers as well as the principalities of the Holy Roman Empire reached their final phase, concluding eventually with the signing of the historic peace treaties – the Peace of Westphalia – in October 1648. The dialogue between the Russian ambassador and the Shah in Gryphius's play exemplifies the diplomatic rhetoric of amity and sincerity, which accompanied the treaty-making process in that age. For instance, the very first article of the Peace Treaty between the Emperor of the Holy Roman Empire and France, which was signed in Münster on October 24, 1648, contains the following phrases: »That the Peace and Amity be observ'd and cultivated with such a Sincerity and Zeal, that each Party shall endeavor to procure the Benefit, Honour and Advantage of the Other; that thus on all sides they may see this Peace and Friendship in the *Roman* Empire, and the Kingdom of *France* flourish, by entertaining a good and faithful Neighbourhood.«<sup>13</sup> In *Catharina von Georgien*, the diplomatic rhetoric of amity and peace and the act of making an agreement are followed by

<sup>13</sup> Wilhelm Grewe (ed.), *Fontes Historiae Iuris Gentium*, 4 vols., Berlin, New York 1988–1995, II, 184.



the Shah's willful breach of the agreement. This turn of events brings to light the most crucial dimension of the law of peace treaty in early modern Europe: the validity of a treaty depends on the will of the treaty-making parties.

The concept of *pax* or peace in the sense of a legal instrument concerning sovereign persons – i. e. a peace treaty – had taken shape by the sixteenth century.<sup>14</sup> Jurisprudential doctrines soon followed. Up to the Peace of Westphalia, jurists considered peace treaties to be formally the same as private contracts, except that a treaty was contracted by holders of sovereignty – princes or the governing councils of republics – with one another, whereas a private contract was an agreement that private persons entered into. By consequence, the general doctrines of contract law applied to treaties as well.<sup>15</sup> As to the law of contract, the most important development up to the mid-seventeenth century was the consolidation of the doctrine of voluntary consent, which was to have far-reaching consequences for legal history up to today.<sup>16</sup> Numerous strands of legal thought since the twelfth century contributed to the making of this doctrine. First, drawing on the biblical injunction against untruthfulness – for instance, »But I say unto you, Swear not at all; [...] But let your communication be, Yea, yea; Nay, nay: for whatsoever is more than these cometh of evil« (Matthew 5:34–37) – the canonists formulated the doctrine that all promises, in whatever form they are made, must be kept. In contrast to the formalism of classical Roman law, for canonists »consensus between the persons involved became the central criterion for the creation of a juridical obligation.«<sup>17</sup> Second, the neo-scholastic jurisprudence in the sixteenth century, which brought Aristo-

<sup>14</sup> St. Isidore of Seville mentioned *foedera pacis* as an element of *ius gentium*. See *Etymologiae* V.vi. (note 2), 118. Gratian quoted it in *Decretum* (12<sup>th</sup> century). »It is significant«, a historian of international law points out, »that the original Isidorian expression ›foedera pacis‹ in the official edition of the *Decretum Gratiani* in the sixteenth century, the so-called *editio Romana*, had been changed to ›foedera, paces‹. Obviously, *pax* had now acquired an autonomous meaning, which, as a legal term, it had never possessed in Roman times.« Karl-Heinz Ziegler, »The influence of medieval Roman law on peace treaties,« in: Randall Lesaffer (ed.), *Peace Treaties and International Law in European History: From the Late Middle Ages to World War One*, Cambridge 2004, 147–161, at 147.

<sup>15</sup> On peace treaties as contracts between sovereign persons, see Randall Lesaffer, »Peace treaties from Lodi to Westphalia,« in: Lesaffer (note 14), 9–44, at 17–22. On the Peace of Westphalia as a turning point in the history of peace treaties, see Heinz Duchhardt, »Peace treaties from Westphalia to the Revolutionary Era,« in: Lesaffer (note 14), 45–58, at 45–50.

<sup>16</sup> For a brief survey of the rise of the law of contract based on consent, see Reinhard Zimmermann, *The Law of Obligations: Roman Foundations of the Civilian Tradition*, Oxford 1996, 537–545 (»Towards a General Law of Contract Based on Consent«), 559–576 (»Consensus«), and 576–582 (»Pacta sunt servanda«).

<sup>17</sup> Randall Lesaffer, »The Medieval Canon Law of Contract and Early Modern Treaty Law,« *Journal of the History of International Law* 2 (2000), 178–198, at 183.

telian moral philosophy and Thomist theology to bear on the *ius utrumque*, developed the ideas of legal subject and subjective right, thereby conceiving of contract as based on the subjective will.<sup>18</sup> Last but not least, modern natural jurisprudence inaugurated by Hugo Grotius cemented the doctrine of voluntary consent in the juridical understanding of contract. Grotius saw the defining feature of man in *appetitus societatis*, the »impelling desire for society.«<sup>19</sup> From this voluntarist conception of human nature, he deduced the main tenets of natural law, one of which is *promissorum implemendorum obligatio* or »the obligation to fulfill promises.«<sup>20</sup> He also invented other formulas to the same effect: »*cum juris naturae sit stare pactis*« (»a rule of the law of nature to abide by pacts«),<sup>21</sup> and finally *pacta sunt servanda* (»agreements must be kept«).<sup>22</sup>

Five centuries of jurisprudence from Gratian's handbook on canon law *Decretum* (around 1140) to Grotius's *De iure belli ac pacis* (1625) helped lay the doctrinal foundation of contract law: a contract comes into being through voluntary consent and therefore must be honored by the contracting parties. What was asserted about contracts in general applied to peace treaties – contracts between sovereign persons – in particular. In fact, consensus was even more important to peace treaties than to other kinds of contracts, for there was no higher authority that would be capable of enforcing a treaty if it was not honored, whereas a contract between private persons could be enforced by a civil magistrate. Martinus Garatus's *Tractatus de confederatione, pace et conventionibus principum*, written in the mid-fifteenth century and widely considered the first treatise on the law of treaties, maintains that the Pope can compel princes to honor a peace treaty: »Papa potest compellere Principes ad servandam pacem inter eos contractam.«<sup>23</sup> After the Reformation, the papal jurisdiction and, along with it, the legal order of the *respublica christiana*, collapsed.<sup>24</sup> Nothing else remained to ensure peace than the sovereign will itself. The first systematic classification of treaties, undertaken by Grotius in *De iure belli ac pacis*, heightened their voluntary nature even further. The distinctions between public and private treaties, between treaties and sponsions, between »treaties

<sup>18</sup> On Spanish scholasticism as the origin of the modern contract law based on consent, see James Gordley, *The Philosophical Origins of Modern Contract Doctrine*, Oxford 1991.

<sup>19</sup> Hugo Grotius, *De iure belli ac pacis libri tres*, trans. Francis Kelsey, Oxford 1925, 11 (Prol. 6).

<sup>20</sup> Grotius (note 19), 13 (Prol. 8).

<sup>21</sup> Grotius (note 19), 14 (Prol. 15).

<sup>22</sup> Grotius: »at quia homines sunt, communionem habent juris naturalis, [...] ex quo nascitur ut pacta servanda sint.« (note 19), 794 (III.19.2.2).

<sup>23</sup> Martinus Garatus, *Tractatus de confederatione, pace et conventionibus principum*, reprinted as appendix in: Lesaffer (note 14), 412–447, at 421 (Quaesrio XIX).

<sup>24</sup> Randall Lesaffer dated this collapse to the »third and fourth decades of the sixteenth century.« (note 17), at 195.

which establish the same rights as the law of nature« and »treaties which add something beyond the rights of the law of nature,« between treaties contracted by the sovereigns of the same religion and »treaties with those who are strangers to the true religion« – in short, all the distinctions confirm one point: the validity of treaties resides in the sovereign will and nowhere else.<sup>25</sup> Consequently, the maxim that agreements should be kept – *pacta sunt servanda* – became the highest imperative of treaty law.

Gryphius studied law in his home country of Silesia and at the University of Leiden in the Netherlands, where Grotius was widely read, in order to eventually work as a public attorney in the Silesian city of Glogau.<sup>26</sup> The doctrine that agreements are expressions of the will and therefore must be kept belonged to the basics of jurisprudence. Gryphius's knowledge of it is evident at every turn in *Catharina von Georgien*. The plotline, however, problematizes this doctrine, demonstrating the fragility of agreements between sovereigns.

All the dramatic persons in Gryphius's play, including Shah Abas himself, recognize the juridical imperative *pacta sunt servanda*. After learning the Shah's intention to renege on his promise, his minister Seinelcan admonishes him that »Der Persen grosser Fürst hat nie sein Wort gebrochen,« and that he needs to renounce other desires »Vmb ein noch werther Gut den Friden zu bekommen« (II. 330–34). After making up his mind to perjure himself, the Shah says in a monologue:

Sol Tyger denn und Rha auff unsern Meineyd fluchen  
 Mit dir stirbt / leider! unser Ehr!  
 Erhält der Reussen Fürst diß auff sein hoch Ersuchen  
 Traut uns / wer Athem holet / mehr?  
 Wird nicht die Nachwelt ewig auff uns schreyen  
 Vnd rasend' uns anspeyen?  
 Wer wird den neuen Bund der durch so vil bemühn  
 Kaum in sein Wesen bracht; nicht in den Zweifel zihn? (III. 425–32)

The Shah acknowledges that perjury is wrong. He knows that once he disengages himself from his own words, all bonds between him and others would dissolve. He is keenly aware that perjury will discredit him, even disqualify him as an international legal person. Yet soon enough he comes up with excuses and justifications:

Ha! was erwegen wir! wer darff sich unterstehen  
 Zu tadeln was uns billich scheint?  
 Pflügt nicht das heilige Recht ans Königs Hand zu gehen  
 Weil recht was der Gekrönte meint?

<sup>25</sup> Grotius (note 19), 390–408 (II.15).

<sup>26</sup> See Willi Flemming, *Andreas Gryphius. Eine Monographie*, Stuttgart 1965, 31–33 (on Gryphius's law study in Silesia in the 1630s); 37–39 (on his law study in Leiden); 73–77 (on his professional activities as a public attorney or *Syndicus* in Glogau.)

Gesetzt auch! daß wir etwan uns beflecken!  
 Der Purpur muß es decken.  
 Man wird durch Majestät und Sonne so verblend't;  
 Daß man so wenig der / als jener Schwärtz' erkennt. (III. 433–40)

Few jurists would have approved the Shah's argument. It is true that in the age of absolutism the sovereign will represented a principal source of law and right.<sup>27</sup> In this sense, it was possible to say that the sovereign is above the law, *princeps legibus solutus est*. But this applied only to the laws made by the sovereign for his own realm. According to Jean Bodin, »tous les Princes de la terre sont sujets aux loix de Dieu, et de nature, et à plusieurs loix humaines communes à tous peuples.«<sup>28</sup> Furthermore, every prince is bound by »justes conventions et promesses qu'il a faictes, soit avec serment ou sans aucun serment, tout ainsi que feroit un particulier.«<sup>29</sup> A failure to live up to this standard amounts to tyranny.<sup>30</sup> Even the Shah himself is not quite convinced by his own argument, as he concedes that his action is likely to bring opprobrium upon himself: »Gesetzt auch!« But he is convinced that royal splendor is capable of covering up the opprobrium. This latter conviction highlights the fact that a sovereign could often violate an agreement with impunity. Seventeenth- and eighteenth-century international lawyers considered the violation of a treaty as a wrong that gives the injured party the right to enforce its claims.<sup>31</sup> The injured party, of course, has no other means at his disposal than waging a war. But if the perpetrator is blessed with a greater military might – and usually he is if he dares to break a treaty – then the injured party would lose the war and consequently might have to suffer an even greater injury. Violating a treaty is likely to have negative consequences for the perpetrator on a level other than law – the ethical. The Shah expects to forfeit his »honor« if he breaks the agreement with the Russian. And he foresees that the breach will »blemish« his reputation. But for a monarch as powerful as he is, ethical costs weigh little in his decision-making. After all, as we know from other characters in the play, he has done many other things that do not exactly redound to his fame.

Shah Abas's handling of his relationship to Russia, then, reveals at least two vexing problems of treaty law. First, having no other foundation than voluntary consent, a treaty always runs the risk of being violated, as the consent given by

<sup>27</sup> See Heinz Mohnhaupt, »Potestas Legislatoria und Gesetzesbegriff im Ancien Régime,« *Ius Commune* 4 (1972), 188–239.

<sup>28</sup> Jean Bodin, *Les six livres de la république*, Paris 1986, I, 190 (liv. 1, chap. 8).

<sup>29</sup> Bodin (note 28), I, 193 (liv. 1, chap. 8).

<sup>30</sup> On the differences between a king and a tyrant, see Bodin (note 28), II, 57–59 (liv. 2, chap. 4).

<sup>31</sup> Christian Wolff, *Jus Gentium Methodo Scientifica Pertractatum*, trans. Joseph Drake, Oxford 1934, 195 (§ 378); Emer de Vattel, *Law of Nations*, ed. Béla Kapossy and Richard Whatmore, Indianapolis 2008, 343 (2.12. § 164) and 367–368 (2.13. § 200).

the will can also be withdrawn by the will; second, the imperative *pacta sunt servanda*, universally recognized as it is, does not suffice to safeguard treaties against violation, for without an institutional mechanism of enforcement its observance is actually also voluntary. Legal norms do exist, for agreements are entered into all the time and everyone professes to keep them. But their own undoing is written into them from the outset. If an agreement is undone, there are usually also consequences, such as a protest or even a war. But whatever irritation a breach of agreement may trigger, it will pass. New agreements will be made, only to be undone again. Obligations of sovereigns to one another are therefore caught in a state of perturbation: established, dissolved, and reestablished *ad infinitum*.

This state of perturbation is illustrated by the aftermath of the Shah's breach of promise. He has promised the Russian to release Catharina as an ancillary part of the peace treaty. When the Russian ambassador learns that Catharina has been killed rather than released, he protests angrily against the Shah's perjury. The Persian, represented by the Shah's minister Seinelcan, serves up, with supreme diplomatic aplomb, a set of astutely calculated responses. First, there is indignation at the Russian accusation: »Wie? oder meint man nicht daß er was Bund versteh? / Daß sein Versprechen ihm nicht zu Gemütte geh?« (V. 311–12). Second, there is the incrimination of someone else for the killing of Catharina, along with a promise to mete out harsh punishments. Third, there is a thinly veiled threat of war, should the Russian insist too much on the incident. And finally, there is *quid pro quo* for forgetting about this incident: »Man gibt für eine Fraw vil tausend Reussen los!« (V. 332). The Russian ambassador reluctantly accepts the Persian offer. It is business as usual again between the two states.

The fragility of *pax* is not only embodied by the negatively portrayed sovereign Shah Abas, but also by the positively portrayed sovereign Catharina. We encounter Catharina in the first act as an imprisoned queen mourning the loss of her crown and dreaming about the golden scepter of her son. Her distress changes into great joy when she learns that the Russian has intervened for her release and that her son has regained the throne, vowing to »dedicate willingly [her] careworn life to the realm and son« (I.407–08). The extended narratives about the past woes of her kingdom in the first and third acts depict her as a tough-minded politician who has few scruples in pursuing her political interests. She is certainly not as ruthless as the Shah, but just like the Shah she does not balk at breaking her promise if it seems to be advantageous. One case in point is the bloody power struggle between Catharina and her brother-in-law Constantin. The latter covets the Georgian throne occupied by his brother, Catharina's husband. With the help of the Persian who tries to undermine Georgia in order better to dominate it, Constantin challenges his brother the king and kills him, which then leads to the death of his aged father. Thereupon

Catharina takes the reins of the state into her own hands. In order to defeat her brother-in-law, she devises a ruse: she promises marriage to Constantin and does what she can to convince him of the promise. But the moment he believes to have secured what he desires, Catharina's men jump at him from behind, slaughtering him on the spot and routing his otherwise more powerful army (III. 176–212). Narrated by Catharina herself, this episode does not condemn perjury. On the contrary, it commends perjury as a useful item in the toolbox of political prudence.

## II.

The fragility of *pax* – an international legal order based on voluntary consent – entails violence. Shah Abas's breach of promise involves the killing of the Georgian queen Catharina. The killing of a foreign sovereign is an act of war. In fact, the Shah's perjury almost re-ignites the war between Persia and Russia. In response to the protest of the Russian ambassador, the Shah's minister threatens war:

Wil er / nun man schon siht / den güldnen Friden blühen /  
 Vmbstossen was man schloß; so richte Gott und Welt /  
 Ob Vrsach /daß auff's New das Leichen-volle Feld  
 Vns all' in Eisen seh! (V. 322–25)

The end of peace treaty is the start of war. If the Russians and the Persians do not »face each other in arms« by the end of the play, that is apparently because Russia does not consider the cause of the Georgian queen important enough to warrant the voiding of the treaty with Persia altogether. The minister's threat indicates not only that war ensues naturally from the breach of a peace treaty, but also that a peace treaty originates in war, as he speaks of meeting on the »battlefield littered with corpses *again*.« The legal order signified by a peace treaty is founded by the violence of war, and it devolves into violence again if the voluntary consent sustaining the treaty is withdrawn by one or more of the signatories.

Violence is inscribed in every contract. Walter Benjamin points out that a contract

führt, wie sehr er auch friedlich von den Vertragsschließenden eingegangen sein mag, doch zuletzt auf mögliche Gewalt. Denn er verleiht jedem Teil das Recht, gegen den andern Gewalt in irgendeiner Art in Anspruch zu nehmen, falls dieser vertragsbrüchig werden sollte. Nicht allein das: wie der Ausgang, so verweist auch der Ursprung jeden Vertrags auf Gewalt. Sie braucht als rechtsetzende zwar nicht unmittelbar in ihm gegenwärtig zu sein, aber vertreten ist sie in ihm, sofern die Macht, die den Rechtsvertrag garantiert, ihrerseits gewaltsamen Ursprungs ist, wenn sie nicht eben in jenem Vertrag selbst durch Gewalt rechtmäßig eingesetzt wird.<sup>32</sup>

<sup>32</sup> Walter Benjamin, »Zur Kritik der Gewalt,« *Gesammelte Schriften* (note 10), II, 179–203, at 190.

Benjamin is mainly concerned with contracts between private persons. In case a private contract is violated, it is referred to the civil magistrate, i. e. the state that has the monopoly of violence. The violence that the state uses to enforce a contract aims to maintain the law. Benjamin calls it the law-conserving violence (*rechtserhaltende Gewalt*). The state power that makes and enforces laws, Benjamin argues, originates itself with violence. He calls the violence that brings the state power into being the law-founding violence (*rechtsetzende Gewalt*). In the case of a contract between sovereign persons – i. e. a treaty – there is no higher authority that deters, punishes, and rectifies its possible violation. The distinction between the law-conserving violence and the law-founding violence collapses. The treaty-making parties have to take the matter into their own hands, usually by force of military violence. Military violence serves both to found and to conserve the law. As a rule, a treaty is negotiated to end a war. After a treaty goes into effect, its signatories tend to maintain as strong a military power as possible in order to deter each other from violating the treaty. If a treaty is nonetheless breached, war resumes in the name of righting a wrong. In the international arena, then, peace treaties that institute a legal order alternate with outbursts of violence. International legal order is founded by violence, remains in effect under the threat of violence, disintegrates into violence, only to be founded by violence yet again. Benjamin identifies the violence that founds a legal order, or *rechtsetzende Gewalt*, with mythic violence. Mythic violence, as exemplified by the »bare manifestation of gods« in Greek mythology (197), is the assertion of power beyond, or prior to, law. The founding of law (*Rechtsetzung*), taking place prior to law as it does, is an »assertion of power (*Machtsetzung*) and as such an act of immediate manifestation of violence« (198). It is, in other words, a mythic act.<sup>33</sup> Following this line of thought, we can say that the international arena is a mythic space, in which the violence of sovereigns, like the »bare manifestation of gods,« founds, dismantles, and re-founds a legal order in the form of peace treaties.

### III.

Founded, dismantled, and re-founded, international legal order teeters between violence and violence. What intervenes between one eruption of violence and the next is consent, a voluntary act that institutes a pact or peace. A key part of the plot of *Catharina von Georgien*, namely the unrequited love of the Persian Shah for the Georgian queen, probes the working of consent, for love is the supreme expression of consent.

<sup>33</sup> On this issue, see Jacques Derrida, »Force de loi: Le »fondement mystique de l'autorité,« *Cardozo Law Review* 11 (1989–1990), 920–1045. Part II of Derrida's text features a detailed reading of Benjamin's »Zur Kritik der Gewalt.«

Whatever sparks it, love is a stirring of the heart, which connects one person to another. As voluntary consent, love bears a remarkable resemblance to peace. Quite apart from the biblical analogy between peace and love – for example, »the God of love and peace shall be with you« (2 Corinthians 13:11) – there is a structural homology between erotic love and international peace. Peace is a voluntary agreement between sovereigns, i.e. persons who recognize no higher authorities. Love is similarly a voluntary concord between two persons without a higher authority that gives rules or adjudicates disputes. Lovers may be subjected to one or the other kind of authority in other domains of their life, but in love they are sovereigns. As Catharina succinctly puts it, love is something that »knows no masters« (I. 785). The homology between love and peace means that the law of love and international law share much in common. In accordance with the purely voluntary nature of love, the law of love or *lex amatoria* – a »minor jurisprudence« that emerged in the High Middle Ages alongside the revival of civil law and the beginning of canon law, and that flowered in the seventeenth century – favored »the norms of natural justice, an unwritten code inscribed on the heart,« in contrast to legal proceedings under the aegis of secular or ecclesiastical rulers.<sup>34</sup> For lack of a jurisdictional authority, international lawyers in early modern Europe also urged amity, sincerity, honesty, equity – in short, all the norms of natural justice. As mentioned above, both the Russian ambassador and the Shah operate with the rhetoric of amity and sincerity – codes of the heart – in their initial dealings with one another. Many practices in international relations testified to the proximity between love and peace, between amatory and international jurisprudence. For instance, peace treaties were often sealed with a kiss – *osculum pacis*.<sup>35</sup> Sovereigns usually exchanged gifts as lovers did, practicing what an eighteenth-century jurist called »gallantry of the state« (*Staats-Galanterie*).<sup>36</sup> François de Callières (1645–1717) opened his *De la Manière de Négocier avec les Souverains* (1716), the preeminent treatise on diplomacy in the *ancien régime*, by stating that the science of treating and negotiating consisted chiefly in »gaining the hearts and inclinations of men for the [sovereign prince] (lui gagner les cœurs

<sup>34</sup> Peter Goodrich, *The Laws of Love: A Brief Historical and Practical Manual*, New York 2006, 8. The concept of »minor jurisprudence« is developed by Goodrich in his *Law in the Courts of Love: Literature and Other Minor Jurisprudences*, London, New York 1996.

<sup>35</sup> See Hanna Vollrath, »The Kiss of Peace,« in: Lesaffer (note 14), 162–183. On the »casuistry of kissing« at the law of love, see Goodrich, *The Laws of Love* (note 34), 109–121.

<sup>36</sup> Friedrich Carl von Moser, *Abhandlung von der Staats-Galanterie*, in: *Kleine Schriften, zur Erläuterung des Staats- und Völker-Rechts, wie auch des Hof- und Canzley-Ceremoniels. Erster Band*, Frankfurt a. M. 1751, 1–181. On the importance of gifts at the law of love, see Goodrich, *The Laws of Love* (note 34), 181–192.



& les volontez des hommes)«. <sup>37</sup> »Gaining the hearts and inclinations«: this was also the principal tenet at the law of love, which Callières explored in his early works such as *La Logique des amans ou l'Amour logicien* (1668) and *Nouvelles amoureuses et galantes* (1678). Given the homology between love and international peace, it is possible to explore matters of peace by investigating the laws of love. This is exactly what Gryphius's play, or at least the plot involving Shah Abas and Catharina, does. The fact that in this case the lover and the object of his love double as sovereign princes makes the matters of peace and those of love hardly distinguishable from each other.

Armed with formulas of gallantry current in seventeenth-century Europe, the Shah appears in the first act to declare his passionate love to Catharina. Citing early modern theories of affect, interpreters of the play have tended to read the Shah's love as an excessive, violent passion associated with cardinal sins and characteristic of baroque tyrants, in contrast to the Stoic virtues of Catharina. <sup>38</sup> But this reading is evidently misguided, for the Shah's love is explicitly distinguished from savage outbursts of wayward passions. The Shah has indeed proved to be capable of all possible sexual atrocities. For instance, he once raped the Georgian nobleman Meurab's wife, son, and daughter in front of his own eyes (I. 483–487). But what he wants from the Georgian queen is something altogether different. Consider the following dialogue between the Shah and his minister Seinelcan after he has confessed his unrequited love:

SEIN. Die Salbe zu de Wund' ist in des Fürsten Händen.

Die dise Pein erregt kan auch die Schmerzen wenden.

CHACH. Sie kan! ja wenn sie wil. SEIN. Man thut gezwungen woll.

Wenn man den Ernst verspürt; was man freywillig soll.

CHACH. Die Libe läst sich nicht durch Zwang zu wegen bringen. (II.101–105)

The Shah is not interested in possessing Catharina by force. If it were merely a matter of sexual urge or desire of subjugation, he could have easily done the same thing to the Georgian queen as he did to Meurab's wife and children. He tells her: »Sie weiß; wir können zwingen / Doch nein! wir wollen nicht« (I. 800–801). The Shah approaches Catharina not as a tyrannical rapist, but as a gallant supplicant for love. <sup>39</sup> Love – the Shah agrees with the common view on this

<sup>37</sup> François de Callières, *De la Manière de Negociier avec les Souverains*, Amsterdam 1716, 3.

<sup>38</sup> A paradigmatic example of this reading is Hans-Jürgen Schings, »Catharina von Georgien oder Bewehrte Beständigkeit,« in: Gerhard Kaiser (ed.), *Die Dramen des Andreas Gryphius*, Stuttgart 1968, 35–72, at 53–60.

<sup>39</sup> This is recognized by Albrecht Koschorke in his »Das Begehren des Souveräns. Gryphius' Catharina von Georgien,« in: Daniel Weidner (ed.), *Figuren des Europäischen: Kulturgeschichtliche Perspektiven*, Munich 2006, 149–162. Koschorke speaks of the »subjektive Wahrheit seiner [the Shah's – CT] Liebesverzweiflung«, at 157.

matter – depends on the consent of the beloved and cannot be forced: »Sie kan! ja wenn sie *wil*.«

Rather than a blind, excessive passion, the Shah's love for Catharina is, first of all, a desire for consent. The sequence of his actions towards her is significant: he first takes her captive, then claims to have fallen in love with her, then demands reciprocation, and finally offers marriage to her. Taking a free person captive is an act of violence, while love is an expression of voluntary consent. The Shah's courting of Catharina, then, is an attempt to effect a transition from violence to consent. As the first step towards obliterating the violence that he has done her, the Shah offers to release Catharina from confinement: »Sie herrscht in unser Burg / der Kercker steht ihr offen« (I. 739). But this freedom does not mean that she may go her way and henceforth have nothing to do with him. It means rather that she is now free to join hands with him in creating a bond of love. Since both of them are princes, this bond would be the same as a peace treaty, one fortified with the conjugal sharing of bed and scepter to boot. What the Shah loves is the love – i. e. the voluntary consent – of the Georgian queen. The thrice anaphoric phrase »Are you willing to?« – »Wil sie gantz Persen schaun gebeugt vor ihre Füsse? / Wil sie das Jspahan sie unterthänigst grüsse? / Wil sie?« (I. 743–745) – underscores at once the crucial importance and the uncertainty of her voluntary consent. Love must come from the heart. Neither protestation of affection nor threat of force by another person can bring it about.

The Shah desires the love of the Georgian queen, which would cancel out his violence. This is important to him, but not yet his final goal. He attempts to transform violence into the consent of the heart in order ultimately to re-establish, on the basis of this consent, a legal order. As to what kind of legal order it should be, the two differ. For the Shah, it should be a legal order determined by his own will: »Was Abas schafft muß Recht / dafern es Vnrecht werden« (I. 784). For the Georgian queen, it should be one determined by God: »Noch mehr des Höchsten Recht! Wir steh'n auff seiner Erden« (I. 783). Dissent intervenes before there is even any consent.

In any case, Catharina withholds the love that the Shah desires so much. Her motivations are complex. There is, first, a political reason. The Georgian queen knows that the marriage to the Shah would subject her to a legal order determined by him and thereby divest her of the status of a free, independent sovereign. There is then an erotic reason. Catharina insists on her chastity, i. e. sovereignty over her own body. She would have to deliver up her body if she agreed to the Shah's proposal, just as she would forfeit her political sovereignty.<sup>40</sup> Last

<sup>40</sup> As Christopher Wild puts it, »Die Logik der Keuschheit diktiert, daß Catharinas erotische Macht lediglich *in potentia* existiert, da ihre Aktualisierung in ihrer Unter-

but not least, she cites her Christian faith as a reason for withholding consent, especially after the Shah confronts her with the stark choice between marriage and death. According to Luther's *Von der Freiheit eines Christmenschen* (1520), a human being is a true sovereign – »a perfectly free lord of all, subject to none« – in faith.<sup>41</sup> The Georgian queen, an Orthodox Christian turned by Gryphius apparently into a Lutheran, is afraid that the proposed marriage would rob her of this sovereignty in the spiritual kingdom of faith as well. All in all, she concludes:

Der König beut uns an  
Was ewig Catharin nicht willens zu empfangen.  
Vnd nicht empfangen muß. (IV. 108–110)

As said above, love is a voluntary concord, in which each lover is a free, equal sovereign. As the Shah's captive, Catharina is neither free, nor equal, nor sovereign. For her to love him is to square the circle. The proposed marriage, as she sees it, would merely normalize her captivity. It would mean to desire the undesired, to consent to violence.

Catharina's refusal turns her captor into the captive of her decision. This »reciprocal captivity of Catharina and Shah Abas,« to quote the felicitous formula coined by a critic,<sup>42</sup> forecloses the transition from violence to legal order, which the Shah hopes to bring out by securing Catharina's love. The quandary can be resolved only by a further act of violence: enraged by the Georgian queen's adamant rejection, the Shah orders her execution and, in the same breath, breaks his promise to the Russian to have her released. Violence begets not legal order, but greater violence. Love is homologous to international peace, as both hinge upon the voluntary consent of the parties involved without the existence of a higher authority that gives rules and threatens force. The woeful pass that the Shah's courting of Catharina comes to, therefore, also sheds light on the status of international peace: it is much desired, but impossible to come by, because there is no mechanism that transforms violence into consent, or more precisely, because consent following violence is always aporetically a consent to violence. Peace is a phantasm that vanishes between one act of violence and another act of violence.

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werfung resultieren würde.« *Theater der Keuschheit – Keuschheit des Theaters. Zu einer Geschichte der (Anti-)Theatralität von Gryphius bis Kleist*, Freiburg im Breisgau 2003, 87.

<sup>41</sup> Martin Luther, »The Freedom of a Christian,« *Selected Writings of Martin Luther*, ed. Theodore Tappert, Minneapolis 2007, II, 3–53, at 20.

<sup>42</sup> Gerald Gillespie, »Gryphius' ›Catharina von Georgien‹ als Geschichtsdrama,« in: Elfriede Neubuhr (ed.), *Geschichtsdrama*, Darmstadt 1980, 85–107, at 93.

## IV.

Gryphius's drama climaxes with the burning of the Georgian queen by the Shah's fiat. This event flouts *pacta sunt servanda* as a fundamental maxim of international law, for it makes a mockery of the Shah's agreement with Russia. Furthermore, it exposes the very idea of pact as an aporia, for a pact presupposes voluntary consent, but there is no avenue leading to consent out of the abyss of violence. While the event marks the fragility and the intrinsic aporia of peace, it also proffers a remedy, as it enables a new model of international order – one based on martyrdom.

Up to this point, the Georgian queen has been concerned with ruling her kingdom, »protecting the church and crown with council and sword« (IV. 419). During her imprisonment, she is worried about her political survival, with her initial despondency turning into elation as she learns that the Russian has negotiated her release. At the same time, the lingering fear that the prospect of release might not materialize prompts her, time and again, to turn to God for succor and comfort. It is at this point, when the worst fear comes true, when death becomes inevitable, that she declares herself a martyr.<sup>43</sup> The dramaturgy of martyrdom in *Catharina von Georgien* follows its model, Joost van den Vondel's *Maria Stuart*.

In 1646, Vondel, a literary luminary in Amsterdam, who was to go down in history as the most prominent dramatist of the Dutch Golden Age, published anonymously a tragic play (*treurspel*) entitled *Maria Stuart of gemartelde majesteit* (*Mary Stuart, or Tortured Majesty*). Born into an Anabaptist-Mennonite environment, Vondel converted to Catholicism sometime around 1640. The eponymous heroine of his play Mary Stuart was the Catholic Queen of Scots. Because of political uprisings at home, she fled southward in 1568 to seek the protection of her cousin Elizabeth, the Protestant Queen of England. Since Mary had previously claimed Elizabeth's throne as her own and was considered by many English Catholics as the legitimate sovereign of England, Elizabeth saw her as a threat, had her imprisoned for more than eighteen years, and at last had her tried and executed in 1587 on charge of conspiracy. Vondel's play dramatizes the final day of Mary's life.

<sup>43</sup> On the basis of her religious pronouncements throughout the play, traditional research, as exemplified by Schings's »Catharina von Georgien oder Bewehrete Beständigkeit,« tends to see Catharina as a martyr-figure from the beginning. By contrast, emphasizing her abiding interest in political survival, more recent research tends to see Catharina as the head of a small country, who assumes the role of a martyr in the face of inevitable death in order to make political capital out of it. For the latter reading, see Torsten Leine, »Martyrium als Politikum. Religiöse Inszenierung eines politischen Geschehens in Gryphius' *Catharina von Georgien*,« *DVjs* 84 (2010), 160–175. Peter Buschel goes in a similar direction: *Sterben und Unsterblichkeit: Zur Kultur des Martyriums in der frühen Neuzeit*, Munich 2004, 83–116.

Following an exposition of the conflict between Mary and Elizabeth as one between sovereigns, Vondel's play presents, in the voice of Mary herself, some key doctrines of sovereignty from the viewpoint of the divine-right theory of kingship. According to these doctrines, she is not subject to any earthly power, certainly not that of Elizabeth. If sovereigns come into conflict with one another, only God can judge who is in the right and who is in the wrong: »[I shall] appeal to courts where God alone will judge supreme, / Before whom both Elizabeth and Mary stand / As equals. [...]« (II. 603–5).<sup>44</sup> The play then goes to great length to drive home a basic point: a conflict between sovereigns can never be resolved by juridical means. No law, least of all the law of nations and natural law, is in force in the relation between sovereigns (III. 981–986). Having thus shown the utter absence of a legal order in the international arena, the play stages, in its last two acts, a new model of world order based on martyrdom.

Earlier, upon hearing her death sentence – and knowing that she has no way of escape – Mary declares herself, without a moment of hesitation, to be a martyr who »eagerly look[s] forward to [her] glorious death« (II. 507). As is the case in most martyr acts, the opponent warns against obduracy and rejects the faith of the martyr-to-be as heresy. Commissioners appointed by the Protestant Elizabeth state: »Thus we separate Lucifer and Jesus Christ. / We rinse our faith, and wash off froth and false pretense« (II. 532–33). Etymologically derived from the Greek *martys*, martyr means witness, while martyrdom, derived from the Greek *martyrion*, means testimony.<sup>45</sup> The last two acts of Vondel's play stage a series of carefully coordinated acts of bearing testimony. First of all, Mary presents her imminent – and joyously anticipated – death as a testimony to her Catholic faith. In order for this testimony to work, however, she needs other people to bear witness to her death. Her steward Melville promises to »recount [her] final words« (IV. 1372), while Mary herself tries to make sure that her retinue as well as her confessor will be present at the execution. Before she delivers herself to death, she is already working on memorializing it. The execution takes place offstage in the transition between Acts Four and Five. What follows is memorialization at work. A member of Mary's retinue who witnessed her execution recounts to others what has transpired. His testimony features a report on other witnesses: »And then, tears began to flow from six hundred eyes: / Among that crowd who cursed and hated our Stuart« (V. 1597–98). In the meantime, the chorus testifies, *sub specie aeternitatis*, that Mary,

<sup>44</sup> Joost van den Vondel, *Maria Stuart of gemartelde majesteit*, Amsterdam 1646. The English translation of Vondel's play is quoted from *Mary Stuart or Tortured Majesty*, trans. Kristiaan P. Aercke, Ottawa 1996. The numbering of verses in this translation corresponds exactly to that in the original.

<sup>45</sup> On the terminology related to martyrdom in the late Antiquity, see Norbert Brox, *Zeuge und Märtyrer: Untersuchungen zur frühchristlichen Zeugnis-Terminologie*, Munich 1961.

»crowned with martyr's wreath« (V. 1726), is basking in eternal glory in God's heaven. The play ends with a discussion about the preservation of Mary's embalmed body – the relic that will bear material testimony to the testimony born by her death. Taken together, this complex web of testimonies is supposed to prove the existence of a God who ordains an eternal government, to which sovereign princes must submit themselves. This God is variously called »the King of kings« (IV. 1251), the one »who holds the scepter of all scepters« (IV. 1264), or the one seated »on eternal thrones« (IV. 1267).

Like Vondel's Mary Stuart, Gryphius's Catharina is a sovereign eager to turn her inevitable death into martyrdom. As in Vondel, the martyr-to-be and her opponent in Gryphius engage in a religious debate, with the one persisting in her willingness to die for the sake of God and in the name of God, and with the other accusing her of obstinacy and folly:

IMAN. Durchläuchtigste; es ist hart für einen Wahn zu sterben!

CATH. Der für die Wahrheit stirbt kan nimmermehr verderben! (IV. 181–182)

The escalating stichomythia leads only to the hardening of positions, until the martyr-to-be brings it to an end: »Ade! geehrter Fürst! last uns den Kampf vollenden / Vnd in die Ruh eingehen« (IV. 249–250). In expectation of exchanging her earthly crown – one that is actually long lost – for the crown of martyrdom, the Georgian queen is poised to bear witness, by means of her spilled blood, to the »eternal kingdom« of God, a kingdom in which strife and violence gives way to ever-lasting peace (IV. 244). What remains for her do is to find witnesses to her anticipated act of bearing testimony to God's kingdom. Catharina first demands that a priest be present at her death as »the witness to our faith and succor to the sharpest pain« (IV. 256). Then she exhorts her maids to witness her climbing the »altar of sacrifice in the highest triumph« (IV. 424). While she is being tormented to death off stage, these designated witnesses describe, to themselves as well as to the audience of the play, the unfolding spectacle as a blood wedding. As *sponsa dei*, she seals an alliance with God rather than with the earthly ruler of Persia. After the death has taken place, one of the witnesses – the priest – calls upon the Russian ambassador, someone who has not seen the spectacle of Catharina's death, to witness what he has witnessed:

Zeugt liber; mit was Mutt die Königin gesigt

[...] Zeugt daß sie alle Pracht /

Vnd die gehäuften Pein der Parthen hat verlacht (V. 253–256)

Clearly, it requires a long chain of testimonies for death to become martyrdom. Prior to death, an individual person declares his or her impending execution by a powerful authority to be a testimony to an unshakable faith in God. At the scene of death, there must be eyewitnesses so that the event will be remembered and recorded. After death, the eyewitnesses need to convince other people to trust their words, to bear testimony to their testimony. Finally, the audience of the play is challenged to bear testimony to all the testimonies onstage. The

community of witnesses at and after death – the martyrological community – ensures that a person is commemorated as a martyr and that his or her death is recognized as a testimony to the faith in God.

In Gryphius's *Catharina von Georgien* as well as in Vondel's *Maria Stuart*, the chain of testimonies refers back to one ultimate truth, to which the two eponymous queens seek to testify by means of their death – the existence of God as the sovereign of all earthly sovereigns. In terms similar to those in Vondel's play, God in Gryphius's play is variously called »the master of all masters« (IV. 330), »the prince of all princes« (V. 31), or the »judge of all things« (V. 137). His is an »eternal kingdom« of peace (IV. 244), in stark contrast to the earthly kingdoms locked perpetually in strife and violence. In both plays, then, the dramatic representation of martyrdom offers a solution to all the problems threatening international order, which are caused by the lack of a higher authority mediating between rulers intent on asserting their sovereign will. This solution can be called a martyrological model of international order, a model that replaces the diverging wills of earthly sovereigns with the jurisdiction of God, the multiplicity of warring kingdoms on earth with God's eternal kingdom of peace. As attractive as this model sounds, it is bedeviled by a number of paradoxes – paradoxes entailed by the logic of the discourse of martyrdom in early modern Europe.

The discourse of martyrdom, a constitutive element of early Christianity, enjoyed a remarkable renaissance and transformation in the sixteenth and early seventeenth centuries. Despite its »diverse practices, theologies, and traditions,« ancient Christian martyrdom revolved around what early Christians described as persecutions and the experiences of suffering, execution, and death, which these persecutions entailed.<sup>46</sup> At its core was the irreconcilable difference between the believer who was willing to die in the name of God and the persecutor who was willing to kill in the name of a law-enforcing authority. The accounts of the words and deeds of the believers who willingly surrendered themselves to suffering and death – the martyr acts or *passiones* – compared them to Christ, retracing the passion of Christ through their tortured bodies, and portraying their self-conscious or presumed reenactment of Christ's suffering as testimony to the truth revealed in the Scripture. The reception of the martyr acts by various means – »liturgical, catechetical, intra-ecclesial, pedagogical, apologetic, and heresiological« – helped constitute Christian communities by providing them with founding figures and founding narratives.<sup>47</sup> As Tertullian famously put it, *semen est sanguis Christianorum*, »the blood of the mar-

<sup>46</sup> See Candida Moss, *Ancient Christian Martyrdom: Diverse Practices, Theologies, and Traditions*, New Haven 2012.

<sup>47</sup> Candida Moss, *The Other Christs: Imitating Jesus in Ancient Christian Ideologies of Martyrdom*, Oxford 2010, 17.

tyrs is the seed of the Church.«<sup>48</sup> Given its basic function of marking differences and founding communities, the discourse of martyrdom stood Christians in good stead in the early modern period, when within Europe they divided into different confessions in the wake of the Reformation, and when outside Europe they encountered non-Christians on proselytizing missions and in the context of colonial ventures. As far as the experiences of Christians within Europe were concerned, all confessions resorted to the discourse of martyrdom to make sense of their conflicts with one another and to assert their respective identities. Martyr books – such as John Foxe's widely circulated *Acts and Monuments*, which was first published in 1563 and went through numerous editions during the following century – portrayed victims of confessional conflicts as martyrs and placed them in a glorious lineage that started in ancient times, indeed with Jesus himself. Ancient documents about martyrs were philologically scrutinized, reread, and canonized for confessional purposes in the present, as attested by the monumental project of *Acta Sanctorum* initiated by Jean Bolland, the first volume of which appeared in 1642. In the meantime, the imagination – literary, visual, and theatrical – was mobilized to turn martyrs from ancient times to the present into stories, images, and plays.<sup>49</sup> These feverish martyrological endeavors were carried out by the different confessions in competition with each other. In the process, three distinctive martyrological traditions emerged: Protestant, Anabaptist, and Catholic.<sup>50</sup>

Since martyrdom turns on the distinction between the persecutor willing to kill and the believer willing to die, a Protestant dying at the hands of a Catholic authority was celebrated by Protestants as a martyr, but denounced by Catholics as a criminal, a heretic, a devil, certainly a false martyr. Conversely, a Catholic dying at the hands of a Protestant authority was a glorious true martyr for Catholics, but a despicable false martyr for Protestants. But a person could not be a true and a false martyr at the same time. In order to resolve this dilemma, controversialists in the three martyrological traditions invoked St Augustine's dictum *martyrem non facit poena sed causa*, »not the punishment, but the cause, makes a martyr.«<sup>51</sup> From the outset, the death of a martyr was supposed

<sup>48</sup> Tertullian, *Apologeticum* 50.13. *Apology and De Spectaculis*, Latin texts with an English translation by T. R. Glover, Cambridge/Massachusetts 1931, 226.

<sup>49</sup> On the martyrological discourse in the early modern period with an emphasis on forms of representation, see Christian Biet and Madeleine Fragonard's extensive introduction to the anthology edited by them *Tragédies et récits de martyres en France (fin XVI<sup>e</sup> – début XVII<sup>e</sup> siècle)*, Paris 2009, 9–116, at 38–81; Alice Dailey, *The English Martyr from Reformation to Revolution*, Notre Dame/Indiana 2012.

<sup>50</sup> Such is the finding of Brad Gregory's *Salvation at Stake: Christian Martyrdom in Early Modern Europe*, Cambridge/Massachusetts 1999.

<sup>51</sup> St. Augustine, *Epistula* 204.4. *Corpus Scriptorum Ecclesiasticorum Latinorum*, vol. 57, ed. Alois Goldbacher, Vienna 1911, 319. On this issue, see Gregory (note 50), 329–339. Susannah Brietz Monta provides a detailed analysis of martyrological



to be the testimony to the truth. In the spirit of the Augustinian dictum, controversialists held up the truth as the criterion by which to judge whether the suffering and death of a certain person constituted martyrdom or not. Martyrdom attested to the truth, but it had to be attested by the truth in turn. Or to put it the other way round, the truth was both the effect and the proximate cause of martyrdom. Since the Christian groups disagreed on what God's true teachings were, a true martyr for one was necessarily a false martyr for the other. They became exact mirror images of each other. The martyrological discourse, then, functioned as a tool for each confession to validate its doctrines about God's teachings and thereby to build and solidify its own collective identity in contradistinction to other confessions. It was inextricably bound up with confessionalization, serving to construct identity through othering.

In their function of constructing identity through othering, the martyrologies of competing confessions mimicked and mirrored each other.<sup>52</sup> In producing difference, they threatened to become the same themselves. Death, the acme of martyrdom, figured as the point of indistinction, which separated and connected the confessions at once. The two plays under consideration attest to this fact. Vondel was a Catholic when he wrote *Maria Stuart*. His heroine is a Catholic queen executed by a Protestant sovereign. Gryphius was a Protestant. He gives his heroine – historically an Orthodox Christian – the language of a Protestant, as she repeatedly resorts to the Lutheran doctrine about the freedom of the spirit in arguing with her opponent. Her persecutor Shah Abas was historically a Muslim, but Gryphius gives him the language of a Christian, particularly when he speaks in the final scene about an apocalyptic vision known from the biblical book of Revelation (V.375–430). Since in his role as Catharina's persecutor he must be of another confession, the only possibility is that he is Catholic. But none of these confessional attributions is of any importance. In representing the two queens' death as martyrdom, *Maria Stuart* and *Catharina von Georgien* follow the same procedure. Both queens meet their death with the same steadfastness and fortitude, and both make sure that there is an appropriate audience to bear witness to their death. Their respective audience, in turn, enjoins others to bear witness to its testimony. Doctrinal differences between confessions become invisible behind the same procedure of martyrdom. Remarkably, in Claude Malingre's »De Catherine Reyne de Georgie, & de Princes Georgiens mis à mort, par commandement de Cha Abas Roy de Perse« – the source material for Gryphius's play – the Georgian queen converts to Catholi-

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controversies between Protestants and Catholics on the basis of the English material: *Martyrdom and Literature in Early Modern England*, Cambridge 2005, 9–78.

<sup>52</sup> In her comparative study of the martyrologies of Protestants and Catholics in England, Monta speaks of »uncomfortably overlapping assumptions and conventions« and a »complex interaction [...] between splintering religious factions and a shared reverence for the Christian tradition of martyrdom.« (note 51), 6.

cism from the »schismatic and heretic« Greek Orthodox Church at death.<sup>53</sup> Gryphius no longer considers a conversion, not even a mention of her confessional affiliation, necessary. What matters to the martyrological representation is to mark difference, to produce difference. The doctrines specific to a confession, which motivate martyrdom in the first place, paradoxically turn out to be secondary. Indeed, they disappear altogether.

Given this logic of martyrological representation, the model of international order based on martyrdom is intrinsically paradoxical. Martyrs of opposite confessions – the Catholic Mary Stuart and the historically Orthodox but poetically Protestant Catharina – testify to exactly the same doctrines, namely that God is the king of kings, and that his eternal kingdom of peace is to replace the warring kingdoms on earth. Insofar as martyrdom is predicated on the irresolvable difference between the believer and the persecutor, the martyrological model of international order is as much exclusive as it is inclusive, asserting the universal jurisdiction of God only by presupposing and then excluding the other, i.e. whoever is considered the persecutor, be he pagan or heretic, Protestant or Catholic.

The final scene of *Catharina von Georgien* perfectly illustrates such an inescapable logic of othering and exclusion. With Catharina entering God's eternal kingdom through her martyrdom, her persecutor Shah Abas is left behind and excluded. In the meantime, he is racked with remorse. He has desired the Georgian queen's love, which would have enabled him to turn violence into a legal order. Now that he has ordered her execution and tried to revoke his decree only after it was too late, he has no hope of ever escaping the abyss of violence. Desperate, plagued by apocalyptic visions, he sees the ghost of Catharina appear in front of him. In the name of heaven, she announces, in a frightening voice, that death is reaching for him. Then she predicts that Persia will fall into war and strife,

Biß du durch Kinder-Mord und nechstes Blut beflecket  
Feind / Freunden und dir selbst unerträglich / wirst das Leben  
Nach grauser Seuchen Angst dem Richter übergeben. (V. 438–440)

Thereupon the Shah answers:

Recht so! Princessin! recht! greiff unsern Sigkrantz an.  
Bekrige Persens Ruh! reiß was uns schützen kan;  
[...]  
Laß auff dem Brand Altar / dem Schauplatz deiner Pein  
Zu lindern deinen Grimm uns selbst ein Opfer seyn.  
Doch ist wol herber Rach' und die mehr kan betrüben;  
Als daß Wir / Feindin / dich auch Todt stets müssen liben. (V. 441–448)

The curtain falls. At the end of the play, the Georgian queen and the Persian king reverse roles. Catharina, the martyr who has ascended to heaven, becomes

<sup>53</sup> Malingre (note 11), 528.

a ferocious, revengeful persecutor who demands punishment for the wrongdoer in the name of the law. She is determined to deliver the life of the Shah up to the judge. The Shah, the persecutor left behind on earth, is, by contrast, poised to assume the role of a martyr. Apparently convinced of the apocalyptic vision that »the tribunal« in heaven is about to pass judgment on him (V. 378–388), he offers himself up willingly as a sacrifice on the same altar as Catharina. This remarkable reversal of roles indicates that martyrdom has now become a purely formal procedure of producing difference. As such, it is diametrically opposed to concord. Catharina's martyrdom testifies, among other things, to the implacable enmity between her and the Shah. And what she brings from the martyr's heaven back to earth is revenge rather than concord. The Shah's martyrdom that is on the verge of taking place at the end of the play reiterates the enmity, with the mere difference that the two have now exchanged positions. Martyrdom has not brought the sovereigns a single step closer to concord.

The martyrological model of international order is paradoxical in yet another sense: it envisions a universal peace for the world only by renouncing the world, for martyrdom involves death and the abnegation of everything earthly. Catharina goes to the stake after realizing the inexorable downfall of her small kingdom – »Gurgistans Reich ist hin« (IV. 355). The Shah invites the destruction of Persia when he, persecuted by Catharina's ghost, is poised to climb the sacrificial altar. God reigns supreme over earthly rulers only if they are dead, and His eternal kingdom of peace comes only if all earthly kingdoms fall into ruin. Only in death are sovereigns united. In life, their concord is as distant as ever.

## V.

The curtain falls on Shah Abas poised to embrace the death of a martyr. This ending challenges the audience to imagine a spectacle of martyrdom. It refers back to the prologue, in which the personified Eternity invites the audience to witness the martyrdom of the Georgian queen Catharina. After announcing that »Die werthe Fürstin folget mir die schon ein höher Reich erblicket« (I. 82), Eternity addresses the audience directly:

Jhr / wo nach gleicher Ehr der hohe Sinn euch steht;  
Verlacht mit ihr / was hir vergeht.  
Last so wie Sie das wehrte Blut zu Pfand:  
Vnd lebt und sterbt getrost für Gott und Ehr und Land. (I. 85–88)

Beginning with an appeal for *imitatio martyris* and ending with a challenge to continue to bear testimony to martyrdom in the imagination, *Catharina von Georgien* develops a poetological program that conceives of tragic play in terms of martyrological spectatorship. It seeks to endue the tragic stage with the power of *spectaculum martyris*, thereby inaugurating a new mode of representing and understanding violence and bloodshed in the world of sovereign states.

In early Christianity, the spectacle of martyrdom was conceived as opposed to tragic theater. Tertullian's tract *De spectaculis*, written around the turn of the third century, heaps opprobrium on all kinds of spectacles that pagan Rome indulged in – public performances in the circus, in the stadium, in theaters, on the streets, and in the amphitheater and the arena – because they are idolatrous, spread falsehood, excite impure passions, and in general distract Christians from their true faith. Among the spectacles to be repudiated is tragic theater: »ears and eyes are the servants of the spirit, nor can the spirit be clean whose servants are dirty. So you have the theater prohibited in the prohibition of uncleanness. [...] These tragedies and comedies, bloody and lustful, impious and prodigal, teach outrage and lust [...].«<sup>54</sup> Opposed to the tragic stage as well as all other spectacles of the pagans are the *spectacula Christianorum*, which include particularly martyrdom: »look for the goal of the great consummation, battle for the companies of the churches, rouse up at the signal of God, stand erect at the angel's trump, triumph in the palms of martyrdom. [...] Have you a mind for blood? You have the blood of Christ.«<sup>55</sup> The greatest of the spectacles of Christians is the return of the Lord, the resurrection of the saints, the establishment of the New Jerusalem, the Day of Judgment. In this vast apocalyptic spectacle, tragic actors who have died so many stage deaths will die their real, final death: »And then there will the tragic actors to be heard, more vocal in their own tragedy.«<sup>56</sup> In the wake of Tertullian, early Christian writers converged on the view of martyrdom as a commendable spectacle that was pleasing to God and that helped transform spectators, including both those present at spectacles of martyrdom and the latecomers who attended the spectacles in the imagination through the reading of martyr acts.<sup>57</sup>

In early modern Europe, the renaissance of tragic theater and the concurrent resurgence of interest in martyrdom led to a rapprochement between these two kinds of spectacle – martyrdom moved onto the tragic stage. Apart from theatrical reenactments of martyrdom in the liturgical practices of certain congregations, there were two types of martyr play: the iteration of spectacles of martyrdom on the theatrical stages of the Jesuits, and the dramatization of martyr stories by secular playwrights for secular theaters.<sup>58</sup> The efflorescence of martyr plays generated an acute awareness of the theatricality of martyrdom. Perhaps nowhere was this demonstrated more clearly than in the intense interest of the age in Saint Genesius of Rome, who was an actor during the reign of Emperor

<sup>54</sup> Tertullian, *De Spectaculis* XVII (note 48), 277.

<sup>55</sup> Tertullian, *De Spectaculis* XXIX (note 48), 297.

<sup>56</sup> Tertullian, *De Spectaculis* XXX (note 48), 299.

<sup>57</sup> On martyrdom as spectacle in early Christianity, see Elizabeth Castelli, *Martyrdom and Memory: Early Christian Culture Making*, New York 2004, 104–133.

<sup>58</sup> Biet and Fragonard offer a nuanced analysis of the dramaturgy and aesthetics of martyr plays on the basis of the French material, (note 49), 82–116.

Diocletian, had a conversion experience on stage, persisted in his faith, was thereupon tortured and executed in order finally to be canonized as the patron saint of actors. He was the protagonist in a number of martyr plays in the early seventeenth century, including Lope de Vega's *Lo Fingido Verdadero* (1608), Nicolas Mary Desfontaines's *L'illustre Comédien ou le Martyre de Saint Genest* (1645), and Jean de Rotrou's *Le Véritable Saint Genest* (1647). Rotrou's play, to take just one example, is structured by means of the dramaturgical device of play within a play. In front of the court of Diocletian, Genesius acts out the martyrdom of Adrian, a Christian convert recently condemned by Diocletian. He identifies himself so completely with his role that he becomes a Christian himself on the stage, pronouncing the martyr's faith with a conviction that astonishes the audience. While the imperial spectators praise Genesius' acting skill that produces so perfect a theatrical illusion, he has to tell them that what they see is no longer theater, but reality: »Ce n'est plus Adrian, c'est Genest qui s'exprime; / Ce jeu n'est plus un jeu, mais une vérité« (IV.1324–1325).<sup>59</sup> The actor then dies a real martyr's death. Actor and martyr, tragic theater and the spectacle of martyrdom become one and the same.

In Vondel's *Maria Stuart* and Gryphius's *Catharina von Georgien*, the relationship between the spectacle of martyrdom and tragic theater is reconfigured yet again – a reconfiguration that presupposes a consciousness of the theatricality of martyrdom. Literary historians usually assign them to the genre of martyr plays. But unlike preceding martyr plays, which portray personages already recognized as martyrs by drawing on *Martyrologium Romanum* or other martyrological sources, these two plays seek to bestow the status of martyr on figures who are actually not recognized as such. For this purpose, they move the death of their respective protagonist off stage, partly also as a courtesy to certain critics who censure unmediated representation of death on the tragic stage. What remain on stage are the procedures that turn a death into a martyrdom – the protagonist trying to secure an audience for her impending death, this audience delivering its eyewitness reports on the suffering and death of the protagonist, and the eyewitnesses trying to secure further testimony to their reports. Death itself is merely an event. It is the testimony of spectators that makes it martyrdom. Both Vondel and Gryphius stage martyrological spectatorship instead of the spectacle of martyrdom. In so doing, they develop a martyrological poetics of tragic play. In *Maria Stuart*, the chorus as well as the characters refer to the execution of the queen of Scots as a »tragic play« (*treurspel*, IV.1460) or »theatrical play« (*schouwspel*, V. 1577). In *Catharina von Georgien*, the spectators of the execution similarly call it »tragic play« (*Traur-Spill*, V. 29) and »theatrical play« (*Schauspil*, V. 143). The spectator who bears testi-

<sup>59</sup> Jean Rotrou, *Le véritable Saint Genest*, in: *Théâtre choisie. Venceslas, Antigone, Le véritable Saint Genest*, ed. Marianne Béthery et al., Paris 2007, 465–583.

mony to martyrdom is to serve as the model for the tragic audience. The Aristotelian *mimēsis* and the Horatian *imitatio* are to be understood in terms of *imitatio Christi*.

In Gryphius's play, the aftermath of Catharina's torture and death brings to light the main components of the martyrological poetics of tragic play. What is remarkable, first of all, is some congruence with Aristotle. There is *eleos* or pity. The spectacle of the protagonist being tortured »draws forth the tears of all« (V. 43). And there is *phobos* or fear and horror. One of Catharina's ladies-in-waiting reports:

Mich stieß Entsetzen an. Das Klingen in dem Ohr /  
Der Stirnen kalter Schweiß / das Zittern aller Glider  
Nam plötzlich überhand. Die trüben Augenlider  
Erstarrten nach und nach. Jch nam nichts mehr in acht /  
Vnd bin / ich weiß nicht wie / auff disen Platz gebracht. (V. 96–100)

These and other affective responses – such as indignation and admiration – are followed by catharsis. »Princess! Sie ist hin! traur't ferner nicht umb sie« (V. 127), says the priest, a key attendant at Catharina's execution. Associating metonymically the tears of pity and compassion with the earthly world as »the vale of tears« (V. 179), the priest equates the relief from the affects excited by the spectacle of suffering with the abnegation of the earthly world, in which all suffering takes place. This involves a belief in the *eschaton* – »wenn diser Erden Baw in Flammen muß vergehen / Vnd Gott einbrechen wird« (V. 136–137) – as well as a moral duty on part of the individual: »Indessen last uns wachen« (V. 138). This involves also a belief that the spectacle of suffering will unite the spectators into an ever growing »church« (V. 243). In short, catharsis is achieved through faith.

In a certain sense, *Catharina von Georgien* as a whole enacts the martyrological poetics of tragic play. It does so mainly by means of the chorus as a dramatic device. Unlike its counterpart in Greek tragedies, the chorus in Gryphius, which he, following the Dutch usage, calls *Reyen*, neither interacts with individual characters nor intervene in dramatic events, but is usually placed at the end of each act or *Abhandlung*. And it does not remain the same throughout the play. Rather there is usually a new chorus following each act. In some instances, the chorus consists of allegorical *personae fictae*. The scholarship on German baroque tragic play tends to see the chorus as the purveyor of abstract ideas, which explicates the events represented in the preceding act, thus identifying it with allegory or the *subscriptio* of an emblem.<sup>60</sup> This view does not capture the significance of the choruses in *Catharina von Georgien* or, for that matter, other plays by Gryphius. Rather than explicating the events represented in

<sup>60</sup> Walter Benjamin discusses the chorus in terms of allegory (note 10), 366–371; Albrecht Schöne analogizes it to the *subscriptio* of an emblem: *Emblematik und Drama im Zeitalter des Barock*, 2<sup>nd</sup> ed., Munich 1968, 162–185.

the preceding acts, each chorus that follows the first four acts of the play performs, in varying ways, the function of martyrological spectatorship, a spectatorship that consists in viewing violence, suffering, and death as evidences of a transcendent, divine truth. In contrast to the stately alexandrines that make up the speeches of dramatic characters, the free rhythms of the choruses evince the affects that spectacles unleash in the spectators. The chorus of imprisoned maidens, which follows the first act, laments the rivers of blood and fields of corpses in Georgia in order then to find consolation in God: »Ein Gott verlobter Geist verleurt nichts wenn die Welt / Gleich über hauffen fält« (I. 867–868). This chorus is implicitly held up as the model of the theater audience, as the spectacles of violence in Georgia is described as an »unordinary tragic play« (*frembde Trauerspill*, I. 556). Whereas the imprisoned maidens are innocent spectators, the chorus following the second act – the chorus of the princes strangled by Shah Abas – represents reflexive spectators, insofar as the princes, originally victims of bloody events, become spectators after death when they, as ghosts, look back on what they have suffered. As such, they call on God, »judge of this world« (II. 401), to do justice to them as well as all other princes: »Ernster Richter! übe Rache! / Wache! grosser Gott, erwache« (II. 413–414)! The chorus of imprisoned maidens returns after the third act, but under the sign of irony. They express joy at the prospect of returning home, as the Russian ambassador has negotiated Catharina's release. The third act, however, concludes with the Shah issuing an ultimatum to the Georgian queen, which leads to her execution. The irony has the effect of underscoring the consolation afforded by faith, for that is what the maidens – and the audience in general – will need once they are disabused. The personifications of virtues, death, and love, which make up the chorus following the fourth act, are cosmic spectators who view suffering and death in terms of the Passion of Christ and its soteriological significance. The fifth and final act no longer needs a chorus, as the four choruses, having demonstrated the main aspects of martyrological spectatorship, pass on their role to the audience of the play.

The martyrological poetics as exemplified by *Catharina von Georgien* marks out Gryphius as a unique voice in the theoretical debates about tragic play in his time. The Dutch humanist Daniel Heinsius's enormously influential exegesis of Aristotelian poetics *De tragoediae constitutione* (1611) emphasizes the tempering of affects as the key effect of tragedy: »through the uninterrupted portrayal of roles and actions, [tragedy] moves horror and pity equally. They mitigate or appease these very same passions in the human mind, and if correctly utilized, expiate and purge both their deficiency and excess. They bequeath a mean.«<sup>61</sup> In the preface to his translation of Seneca's *Troades*, published in 1625, Martin

<sup>61</sup> Daniel Heinsius, *De Tragoediae Constitutione. On Plot in Tragedy*, trans. Paul Selden, John McManmon, Northridge/California 1971, 15.

Opitz conceives of tragedy as a means of cultivating a stoic disposition towards the suffering and misery in the world:

dann in dem wir grosser Leute / gantzer Städte vnd Länder eussersten vntergang zum offtern schawen vnd betrachten / tragen wir zwar / wie es sich gebühret / erbarmen mit jhnen / können auch nochmals aus wehmuth die Thränen kaum zu rück halten; wir lernen aber daneben auch aus der stetigen besichtigung so vielen Creutzes vnd Vbels das andern begegnet ist / das vnsrige / welches vns begegnen möchte / weniger fürchten vnd besser erdulden.<sup>62</sup>

In *Poetischer Trichter* (1648–1653), Georg Philip Harsdörffer regards the demonstration of justice and virtues as the main task of tragic play: »Das Trauerspiel sol gleichsam ein gerechter Richter seyn / welches in dem Inhalt die Tugend belohnet / und die Laster bestraffet.«<sup>63</sup> For Gryphius, tragic play produces affects in the audience in order to induce them to seek relief from these affects through faith. In a certain sense, Gryphius's poetics at once synthesized and modified the theories of his contemporaries.<sup>64</sup> Faith tempers the passions as argued by Heinsius, steels the audience against adversities as envisioned by Opitz, and offers exemplary moral lessons as demanded by Harsdörffer. But at the same time faith transcends all these functions of tragic play, for it opens up a transcendent realm.

The overarching purpose of such a martyrological poetics can be seen in Gryphius's preface to his first tragic play *Leo Armenius* (1650), which, as he makes clear, also serves as the preface to all of his tragic plays:

Indem unser gantzes Vaterland sich nuhmehr in seine eigene Aschen verscharret / und in einen Schauplatz der Eitelkeit verwandelt; bin ich geflissen dir die Vergänglichkeit Menschlicher Sachen in gegenwertigem / und etlich folgenden Trauerspielen vorzustellen. [...] Die Alten gleichwohl haben diese Art zu schreiben nicht so gar geringe gehalten / sondern als ein bequemes Mittel menschliche Gemütter von allerhand unartigen und schädlichen Neigungen zu säubern / gerühmt.<sup>65</sup>

The tragic play represents what is happening in the political world, namely the devastations caused by relentless wars among princes. These devastations rouse horror and pity, as well as other affects. By representing them, however, tragic play helps purify human minds of these affects. Since devastations testify to »the transience of human things,« the purification of the affects caused by them implies diverting human minds towards a realm where there is perma-

<sup>62</sup> Martin Opitz, »An den Leser,« *L. Annæi Senecæ TROJANERJNNEN*; *Deutsch übersetzt*, in: *Buch von der Deutschen Poeterey*, ed. Herbert Jaumann, Stuttgart 1970, 113–115, at 114.

<sup>63</sup> Harsdörffer (note 7), II, 83.

<sup>64</sup> On theories of tragic play in Gryphius's age, including particularly the three figures quoted above, see Hans-Jürgen Schings, »*Consolatio Tragoediae*. Zur Theorie des barocken Trauerspiels,« *Deutsche Dramentheorien*, ed. Reinhold Grimm, 2 vols., Frankfurt a.M. 1971, I, 1–44.

<sup>65</sup> Gryphius, *Leo Armenius*, in: *Dramen*, ed. Eberhard Mannack, Frankfurt a.M. 1991, 9–116, at 11.



nence, i.e. the realm of God. It is, in the words of the eponymous heroine of *Catharina von Georgien*, an »eternal kingdom« of peace, opposed to the earthly kingdoms perpetually locked in wars. Through tragic representation, strife and disorder turn into a vision of peace. Peace, in other words, is merely a state of mind on the part of the audience, and it comes about only if sovereigns fight each other to the death on stage. As the effect of a tragic play informed by martyrological poetics, the vision of peace is just as paradoxical as the martyrological model of international order developed within the play.

## VI.

By transforming devastations of war into signs of eternal peace, Gryphius's tragic play performs a function that is, properly speaking, allegorizing. It can be characterized as an allegory of world order. This allegory is captured by the stage direction, with which *Catharina von Georgien* opens:

»Der Schauplatz liget voll Leichen / Bilder / Cronen / Zepter / Schwerdter etc. Vber dem Schau-Platz öffnet sich der Himmel / unter dem Schau-Platz die Helle. Die Ewigkeit kommet von dem Himmel / und bleibet auff dem Schau-Platz stehen.«

The objects scattered on stage are remnants of violence in the world of sovereign princes. Yet they are supposed to signify eternal peace as represented by the heaven above them. Corpses and ruins figure as allegories of the eternal, violence as the allegory of peace, discord as the allegory of concord. From Catharina's severed head paraded onstage in the fifth act comes the voice of Heaven at the end. This allegorical signification is made possible by martyrological spectatorship that is both staged within the tragic play and enacted by the tragic play as a whole – a spectatorship that turns violence and death into a testimony to the realm of God. Allegory is the abbreviation of tragic play. The tragic play is a dramaturgically elaborated allegory.<sup>66</sup>

<sup>66</sup> Walter Benjamin links allegory to martyrdom by uncovering the historical proximity between the rise of allegory and Christian martyrdom: »Dreifach ist zwischen der barocken und mittelalterlichen Christlichkeit die sachliche Verwandtschaft. Der Kampf gegen die Heidengötter, der Triumph der Allegorie, das Martyrium der Leiblichkeit gilt ihnen gleichermaßen notwendig.« (note 10), 394. Benjamin fails to spell out the structural affinity between allegory and tragic play informed by martyrological poetics. After Benjamin, literary scholarship has often noted allegories in the baroque tragic play. For example, Peter-André Alt, *Begriffsbilder. Studien zur literarischen Allegorie zwischen Opitz und Schiller*, Tübingen 1995, 245–265. However, little attention has been paid to the structural affinity between allegorical signification and the poetics of tragic play. One exception is Jane Newman's »Allegory, Emblems, and Gryphius's *Catharina von Georgien*.« She reads the play as a dramatic exposition of allegoresis by focusing on the ways in which the plot realizes the heroine's dream at the beginning of the play. *Benjamin's Library: Modernity, Nation, and the Baroque*, Ithaca/New York 2011, 170–184.

*Catharina von Georgien* demonstrates the fragility of legal order and inevitability of violence in the world of sovereigns in order to evoke allegorically a vision of eternal peace through the representation of violence. Etymologically derived from *allōs + agoreuo*, allegory carries the meaning of »speaking otherwise than in a public assembly.« Since in the early modern period the world of sovereigns, or what we today call international arena, was a space devoid of legislative and jurisdictional authorities, i. e. a space without a public assembly, it was possible to speak of international order only in ways different from speaking in an assembly, i. e. only allegorically. The tragic play was a theatrical vehicle for allegories of international order.