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Essay

Legitimacy and De-Coincidence: What May Democracy Rightfully Expect From Theology?

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Abstract: Legitimacy is a modern concept that was unknown in the same form to ancient and medieval political thought. It gained prominence in debates over royal legitimacy during the wars of religion and reappeared in nineteenth-century dynastic legitimism. This history has led legitimacy to be treated either as a heteronomous foundation opposed to modern political autonomy or as a loose term for contesting legally constituted power. This critical-philosophical essay reformulates legitimacy through François Jullien's concept of dé-coïncidence (de-coincidence). Through conceptual reconstruction and a genealogical reading of the relationship between religion, theology, law and politics, it distinguishes political religion which fuses the religious and the political from a theology of the political, which sustains a critical distance between them. The discussion shows that democracy cannot be reduced to legality, whilst legitimacy must not become a religious norm placed above the law. Legitimacy should operate as de-coincidence, 'fissuring' the tendency of law, social norms, conscience and religious normativity to close in upon themselves. Theology thereby gains public credibility not as a rival source of sovereignty but as a critical rationality connecting the primacy of conscience with society's capacity for collective self-determination. The essay's originality lies in arguing that democratic autonomy can be sustained only through the non-possession of power: power must be exercised and decisions must be made, yet power cannot be owned absolutely by the state, the majority, the individual or religion.

Keywords: conscience; de-coincidence; democracy; legitimacy; theology of the politic

Abstrak: Legitimasi adalah konsep modern yang tidak dikenal dalam bentuk yang sama dalam pemikiran politik kuno dan abad pertengahan. Legitimasi menjadi terkenal dalam perdebatan tentang legitimasi kerajaan selama perang agama dan muncul kembali dalam legitimisme dinasti abad kesembilan belas. Sejarah ini menyebabkan legitimasi diperlakukan baik sebagai fondasi heteronom yang menentang otonomi politik modern atau sebagai istilah longgar untuk menentang kekuasaan yang dibentuk secara hukum. Esai kritis-filosofis ini merumuskan ulang legitimasi melalui konsep dé-coïncidence (de-kebetulan) François Jullien. Melalui rekonstruksi konseptual dan pembacaan genealogis hubungan antara agama, teologi, hukum, dan politik, ia membedakan agama politik—yang memadukan agama dan politik dari teologi politik, yang menjaga jarak kritis di antara keduanya. Diskusi menunjukkan bahwa demokrasi tidak dapat direduksi menjadi legalitas,

sementara legitimasi tidak boleh menjadi norma agama yang ditempatkan di atas hukum. Legitimasi harus berfungsi sebagai kebetulan, 'membelah' kecenderungan hukum, norma sosial, hati nurani, dan normativitas agama untuk menutup diri mereka sendiri. Dengan demikian, teologi memperoleh kredibilitas publik bukan sebagai sumber kedaulatan saingan, melainkan sebagai rasionalitas kritis yang menghubungkan primasi hati nurani dengan kapasitas masyarakat untuk menentukan nasib sendiri secara kolektif. Orisinalitas esai ini terletak pada argumen bahwa otonomi demokratis hanya dapat dipertahankan melalui tidak memiliki kekuasaan: kekuasaan harus dijalankan dan keputusan harus diambil, namun kekuasaan tidak dapat dimiliki secara mutlak oleh negara, mayoritas, individu, atau agama.

Kata kunci: demokrasi; hati nurani; kebetulan; legitimasi; teologi politik

1. Introduction

In *Ressources du christianisme* (Resources of Christianity), François Jullien (2018) rejects two familiar ways of presenting Christianity in the public sphere: identity and values. Identity tends to freeze tradition into something possessed by a group, whilst values can readily become subjective principles to be defended in competition with other values. In their place, Jullien proposes the term 'resources'. Resources need neither compete with nor excommunicate one another. They may be added to, explored and enriched through the distance between different traditions. Christian, Taoist and other traditions of thought need not be fused in order to illuminate one another. This critique extends Jullien's (2016) argument that culture cannot be treated as a closed identity possessed by a group.

To conceive Christianity as an identity and a set of values is a dangerous course, both for those who profess it and for society as a whole. Identity freezes, whilst values treated as exclusive possessions can breed intolerance. Resources, by contrast, enable us to think the distance between society's present condition and the emancipatory possibilities it may still open for believers and non-believers alike. Jullien calls this distance *dé-coïncidence*, rendered in this essay as 'de-coincidence'.

De-coincidence is neither absolute separation nor indifference. It is a movement away from a particular order's tendency to coincide completely with itself. An institution, law, tradition or identity coincides with itself when it assumes that its present form exhausts every possibility of truth. De-coincidence opens a fissure within this apparent plenitude. The fissure does not destroy the order; it makes that order thinkable anew and releases it from closure upon itself (Jullien, 2020). De-coincidence must therefore be understood as the work of opening possibilities from within an order, not as a rejection of every form of order.

Liberal democracy confronts this problem acutely. It promises both the primacy of individual conscience and society's capacity for collective self-determination. Yet conscience may become an individual claim that no longer recognises a common world, whilst collective decision may become a closed legality unwilling to submit itself to the scrutiny of conscience. On one side lies the hypertrophy of law: the assumption that every question of legitimacy can be resolved by multiplying regulations, procedures and judgements. On the other lies the hypertrophy of social norms: dominant desires, fears and opinions are treated as a sufficient basis for political decision.

The contemporary crisis of democracy shows that legal order does not invariably produce trust and that electoral victory does not by itself confer unlimited moral authority. Recent research even suggests that state support for religion does not automatically strengthen governmental legitimacy; under certain conditions it may diminish it by disturbing civic equality, restricting religious freedom or weakening religion's own vitality (Fox & Breslawski, 2023). This finding reinforces the conceptual thesis that the fusion of religion and power does not necessarily benefit either.

In this setting, a theological discourse on legitimacy may contribute both to individual conscience and to social cohesion. Several misunderstandings must first be removed, however. Religion's return to the public sphere is often equated with the return of political theology, although what returns may instead be civil religion or political religion: the use of religion as a norm of collective identity and the use of

politics to enforce religious norms. Unless this distinction is clarified, criticism that ought to be directed at the sacralisation of power may instead foreclose every possible theological contribution to democratic life.

This essay retains the argumentative structure of the original article whilst offering a limited update. Its method is conceptual and genealogical reconstruction, not empirical research. First, it explains why theological legitimacy should be understood as de-coincidence. Secondly, it distinguishes the return of political religion from the return of a theology of the political. Thirdly, it traces the changing relationship between theology and politics from the ancient world, through Christianity, to modernity. Fourthly, it formulates legitimacy through the relationship between law, sociology and theology. Finally, it tests the concept through the risk of a war of consciences and through the democratic paradox of the autonomy of power in its non-possession.

2. Theological Legitimacy as De-Coincidence

The theologico-political, from the French *le théologico-politique*, refers to the entanglement of theological and political authority. It is often understood as the repression of conscience through the imposition of religious norms. Yet this approach conflates civil religion or political religion with political theology and, further still, with a theology of the political. Political religion unites religion with an order of power. A theology of the political, by contrast, maintains the alterity between theological, juridical and sociological discourses. Through this alterity, political conditions may be released from closed conceptions of both legality and social norms.

Theology is not placed above politics as a heteronomous norm ready to command the law. It works from within political conditions by recalling that there is always a distance between the historical truth of an order and the ultimate truth about the human person. Politics concerns history, decisions, institutions and compromise; theology concerns an eschatological horizon that no regime can realise in full. When these two truths are fused, politics acquires a claim to salvation and theology becomes an ideology of power. When they remain wholly ignorant of one another, politics loses one of its sources of criticism and theology becomes irrelevant to common life.

De-coincidence avoids both extremes. It opens a reflective space in which legitimacy is no longer equated with religious heteronomy. Legitimacy becomes neither a divine command translated directly into law nor mere formal compliance with procedure. The question of legitimacy is whether legal power can still give reasons to those subject to it and whether the existing order remains open to correction.

The ambiguity cannot be eliminated entirely. A theologically legitimated primacy of conscience may become a war of consciences. Individuals or communities may claim that their convictions release them from every common obligation. Conversely, fear of conflict may be used either to restore religion as a prescriptive norm in the public sphere or to exclude all religious reasons from deliberation. The task, therefore, is not to oppose legitimacy to legality or conscience to decision, but to articulate them.

Such articulation requires a double refusal. Law and the social sciences must not be subordinated to religious heteronomy. Yet neither may they be reduced to positivism and normativism, as though every moral question had been settled once the procedure was completed or a social tendency measured. A theology of the political finds its object precisely within this distance: it evaluates public conditions without claiming the right to replace political decision.

Legitimacy in this sense does not precede politics as a completed foundation. It is formed and tested in the practice of living together. A government may come to power through lawful procedures yet lose legitimacy when power can no longer be held to account, when law is applied discriminatorily or when decisions fail to recognise those who bear their consequences. Conversely, dissatisfaction with a government is insufficient to declare the whole order illegal. De-coincidence preserves the difference between criticising legitimacy and destroying legality: criticism is required if law is to be improved, whilst legality is required if criticism is not to become an unregulated struggle for power.

3. The Return of God': Political Theology or Political Religion?

Jullien's concept of de-coincidence helps us think the human relationship to transcendence beyond a rigid opposition between believers and non-believers. Transcendence refers to the immeasurable within a measurable world, not to a political norm descending from outside and abolishing autonomy (Jullien, 2022). The question is what follows from this view for the relationship between the theological and the political, between the spiritual sphere and power, and between religion and the state.

This question has again become urgent in liberal democracies. The old vis-à-vis between politics and religion reappears within legal systems that have separated them. Its reappearance shows that the modern settlement of the theologico-political problem was never final. 'God returns' not only through worship but through demands of identity, public morality and the recognition of religious norms in law. Contemporary developments including religious populism and sacralised nationalism show how readily a longing for ultimate meaning can be displaced into a demand for coincidence between divine truth and a political order.

Must the return of God, however, be described as a return of the theologico-political? Not always. Critiques that treat every relationship between theology and politics as a threat to democracy often conflate 'political theology' with 'political religion'. Mühlmann (2022) rightly recalls the danger of theologico-political imposture, but this criticism needs the internal distinction developed in Bourdin's response (2015). A relationship between 'theology' and 'politics' can still preserve a distance between two rationalities. A relationship between 'religion' and 'politics', when made into a single identity, instead demands coincidence.

Religion must then become political so that its divine imperative may be realised, whilst politics uses religion to subordinate human beings to its order. This fusion ultimately damages both. Religion loses its ability to judge power because its success depends upon power; politics loses its provisional character because fallible decisions are clothed with divine authority. Recent developments do not invalidate this diagnosis. Governmental attempts to obtain legitimacy through selective support for religion may provoke the opposite response when citizens perceive religion to have become an instrument of governance (Fox & Breslawski, 2023).

Political religion need not employ traditional religion. Twentieth-century totalitarianism demonstrated how race, nation, class, revolution and the leader could be sacralised. Voegelin (1994) called this political religion, whilst Aron used the term 'secular religion'. The state or political movement creates mass liturgies, absolute enemies, promises of historical salvation and demands for sacrifice. Scholarship extending political religion beyond totalitarianism confirms that the sacralisation of nation, people, leader or history may also operate within democracy (Augusteijn, Dassen, & Janse, 2013). Secularisation therefore does not eliminate the problem; it may transfer structures of sacredness to worldly objects.

What returns today is therefore not a single reality. There are revivals of religious practice, ethical contributions from religion, quests for solidarity and critiques of injustice. Yet there is also the sacralisation of identity, leader, nation or majority. This distinction is decisive: democracy need not fear every presence of theology, but it must be vigilant whenever religion and power claim fully to represent one another. The boundaries between the religious and the secular are historically reconfigured rather than natural lines immune to change (May, Wilson, Baumgart-Ochse, & Sheikh, 2014). Yet the flexibility of these boundaries does not justify the fusion of authorities: institutional differentiation remains necessary if religious witness is not to become state coercion.

This distinction also prevents 'the return of God' from becoming an overly facile diagnosis. God never simply 'departed' from society; what changed were the institutions, languages and modes through which religion appeared in common life. The issue to be assessed is therefore not how religious a society is, but how conviction and power are mediated. Religion may broaden concern for human dignity and for those who are excluded, but it may also contract into a justification of group interest. The criterion of de-coincidence is religion's willingness to distinguish witness from coercion and to allow its public claims to be tested by those who do not share the same faith. The requirement that religious reasons be translated into a language open to common debate is useful at the level of official

decision-making, but it must not become a one-sided filter that obliges only religious citizens to translate themselves. Arfi (2015) identifies this aporia: some religious meanings cannot be transferred without remainder into supposedly neutral language. The democratic condition is therefore not the erasure of a reason's religious origin, but its accountability to freedom, equality and the possibility of rebuttal.

4. Political Religion, Secular Religion and Contested Liberal Modernity

The twentieth century was marked by political and secular religions in totalitarian regimes. Today, political religion reappears when governments use religious norms to regulate human beings, but it also arises when secular objects are sacralised. Political religion must therefore be distinguished from civil religion. The former mobilises forms of sacredness to absolutise a movement or power; the latter supplies shared myths, rites and symbols for a political identity without necessarily relying upon a single revelation (Vidal, 2018). They may overlap, and both become dominating when collective loyalty closes off internal diversity and civic equality. Political theology, by contrast, is a field of reflection on the relationship between theological categories and forms of power; it becomes political religion only when that critical distance is abolished.

The expression 'political theology' acquired its disrepute chiefly through Carl Schmitt. His accommodation with the Nazi regime demands unequivocal judgement. Yet Schmitt's error also reveals the difference between political theology and National Socialist political religion. The ambiguity of 'political theology' permits either the annexation of politics by theology or the annexation of theology by politics. Analogy between theological and political concepts may become a structural homology that eliminates the distance between them.

In Schmitt's thought, the theological distinction concerning salvation is placed alongside the political distinction between friend and enemy (Schmitt, 1992). His Catholic writings likewise display an ambiguous relationship between theological and political form (Schmitt, 2011). Once this analogy loses its distance, the political enemy may acquire the quality of an eschatological enemy, whilst the sovereign decision assumes the quality of omnipotence. Political theology then becomes political religion. Criticism of Schmitt need not therefore culminate in the rejection of all theological reflection on politics. Rather, it teaches that theology is publicly legitimate only if it preserves the difference between rationalities.

To mark this difference, the essay uses 'theology of the political' for the French *théologie du politique*. The preposition 'of' retains a distance between the subject of reflection and its object. Theology does not absorb politics, nor does politics govern the content of faith. Yet the two do not remain cognitively ignorant of one another. Theology may understand and criticise public life; politics may understand the theological reasons citizens bring without establishing them as law.

This distinction also matters in contemporary debate. Political theology may be read not only as a justification of sovereignty but as a practice of criticising a power's claim to absoluteness. Vatter (2024) argues that theological-political analysis may enrich the category of legitimacy, provided legitimacy is not made into a hierarchical substance standing above law. The question is not whether theology may speak, but what form of theology can speak without becoming a rival sovereignty.

A theology of the political rejects two positions at once: the restoration of a Christian political order as a public norm and a public–private separation that requires religion to fall entirely silent. The first dissolves theology into civil religion; the second alienates theology from the world in which believers live and act. De-coincidence means neither resemblance nor estrangement. It is a critical relationship without fusion.

This critical relationship must, however, begin within theology itself. It is not enough for theology to accuse state or society of making itself absolute. Theology must also acknowledge that language about God is always conveyed through human institutions, traditions, interpretations and interests. This recognition does not relativise faith; it limits the political claims of its interpreters. No theologian, religious leader or community may translate the internal certainty of faith directly into a coercive

obligation for all citizens. Here de-coincidence is a theological discipline before it is advice offered to democracy.

5. De-coincidence in Theology: Opening the Discussion

From the Coincidence of Antiquity to Christian De-Coincidence

In the religion of ancient cities, the religious and the political formed a unity. Cult was not primarily a matter of private conscience but bound citizens to the city. Fustel de Coulanges (1984) shows how religion, family, law and citizenship were arranged within a single symbolic order. *Theologia civilis*, which refers to the civic theology of the ancient city, helped society coincide with itself through common rites and myths.

Christianity introduced a different structure. Theology was not primarily intended to bind citizens through a civic relationship, but to formulate faith and bind the community of believers through baptism. The *ekklēsia*, the assembly or Church of believers, did not coincide with political society. The truth of faith could not be fully equated with the truth of political conditions. Here a de-coincidence between the spiritual and temporal became possible, a problem explored more fully by Bourdin (2010).

Legal separation between religion and the state differs from de-coincidence. Separation may mean the juxtaposition of two spheres that know nothing of each other. De-coincidence, by contrast, permits reciprocal cognitive access without institutional union. Theology may speak about public justice because believers are citizens; politics may understand theological arguments because religious freedom belongs to the common order. Neither may claim to exhaust the other's truth.

Christianity bears a particular historical responsibility because it helped to shape the spiritual–temporal duality in Europe. The distinction between divine, natural and human law; Augustinian thought on the two cities; the two kingdoms in Reformation traditions; and the relationship between Church and temporal power formed an ambivalent legacy. They opened a distance but did not always prevent domination. Historical Christianity repeatedly joined altar and throne, permitted coercion and used power to preserve orthodoxy.

This critical qualification matters lest de-coincidence become a new Christian identity claim. Christianity is not automatically identical with de-coincidence; it contains resources for it as well as a history of betraying those resources. Consistently with Jullien, Christian resources need not be promoted as exclusive values. They are offered to the common world and must be willing to be tested through encounters with other traditions and experiences.

An important objection arises here: does emphasis upon Christian particularity repeat the European centrality it seeks to criticise? The answer depends upon how genealogy is used. This genealogy does not claim that Christianity alone can limit power or that democracy is merely a product of Christian faith. Menchik (2017) reminds us that the categories of religion and secularity are formed under particular social and historical conditions; the European pattern cannot therefore be treated as a universal path. This article explains one particular genealogy. Christian resources become democratic only when they cease to claim to be the sole origin of freedom and enter into dialogue with other resources.

Classical modernity freed itself from the ambiguities of the Christian world, but at a price. The separation of public and private ended many forms of confessional domination, whilst the modern state developed its own legal and contractual foundation. Yet freedom from the old coincidence can produce a new one: the state, positive law or the political compact may be regarded as a complete foundation for itself.

From Christian De-Coincidence to Modern Coincidence: The Spinozan Moment

The sixteenth and seventeenth centuries were decisive for the liberation of modern politics from the civil religion of the Christian world. The sixteenth century witnessed the consolidation of the sovereign state, which ended the wars of religion and moved towards deconfessionalisation. Public law acquired a decisive role. The seventeenth century developed contract theory, giving the state a philosophical foundation and preparing the Enlightenment and the revolution of the rights of man and citizen.

This liberation did not eliminate Christianity's entire moral role. Hobbes, Spinoza, Locke, Rousseau, Kant and Hegel reordered the relationship between religion and common life. Among them, Spinoza's *Tractatus Theologico-Politicus* (Theological-Political Treatise) occupies a particularly important place. Spinoza did not employ 'political theology' as a substantive term, but placed 'theologico-political' in the title of a project that transformed biblical interpretation, the relationship between faith and reason, and the basis of the political compact (Spinoza, 1999).

For Spinoza, theology concerns obedience through the practice of justice and charity, whilst philosophy concerns freedom of judgement and reasoning. Both obedience and freedom are necessary for the endurance of the political compact. No compact is legitimate if freedom of thought is abolished; yet no compact can endure without obedience animated by ethics and positive affects. Christianity is not entirely privatised but defined as practical truth.

Spinoza's operation releases philosophy from the speculative dominance of theology, yet simultaneously places theology in the service of the compact. Theology must coincide with the ethical requirements of political order through justice and charity. In Hobbes the coincidence is stronger: the sovereign determines public religious truth and leaves no distance between civil commonwealth and Church. Locke (1992) defends toleration in modes of belief but does not fully accommodate the freedom not to believe. Rousseau concludes *Du contrat social* (The Social Contract) with a civil religion designed for sociability and civic loyalty.

Modernity did not therefore merely abolish the old civil religion. It created a new coincidence between a religion deemed useful and a political order that determined the terms of that usefulness. The public sphere was assigned to politics and the private sphere to religion. This division was crucial for freedom, but it has become increasingly difficult to sustain as an absolute separation. Questions of life, death, family, migration, identity and solidarity show that personal convictions always have public consequences, whilst public law enters domains that communities understand as matters of faith.

The fragility of this division does not require democracy to abandon differentiation between state and religion. What must be reconsidered is the assumption that institutional differentiation entails the exile of all conviction to the private sphere. Citizens do not enter public life as subjects without history, faith or moral orientation. They bring reasons shaped by different traditions. Democracy's challenge is to allow these reasons to appear without giving any one of them the right to become the official language of sovereignty. De-coincidence thus deepens separation: it is not a wall of mutual ignorance, but a relationship in which the state does not determine faith and faith does not wield the state's coercive force.

Contemporary debate about democracy's need for religion shows that the modern problem remains unresolved. Through a reading of Kant, Vanden Auweele (2022) argues that religious ethical communities can sustain citizens' disposition towards democracy's general principles. This reminds us that the rule of law does not automatically generate civic virtue. Yet it also raises critical questions: which religion supports democracy, in what form and within what limits? Without de-coincidence, religion's moral support can readily become a new civil religion.

Institutional separation is therefore necessary but insufficient. A theology of the political must be able to speak in public without demanding coincidence with the political compact. Through associational life, it may contribute reasons, criticism, solidarity and the formation of conscience; the capacity of religious organisations to foster democratic engagement provides a limited example of this possibility (Fulton & Wood, 2018). Yet that contribution remains conditional: law is decided through

democratic institutions, applies to citizens of different convictions and gains no immunity merely because a reason originates in religion.

6. The Legitimacy of a Theology of the Political: Law, Sociology and Theology

The privatisation of theology in liberal democracy removes it from public rationality and makes Christianity an object of the social sciences. Theology is then considered useful only to believers seeking to understand their faith. Paradoxically, however, this marginalisation may open a new possibility. No longer the queen of the sciences or a source of state law, theology may work as de-coincidence: not to avenge its lost prestige, but to disclose the closures that arise within democracy.

Democracy's central problem is legitimacy. Agamben (2017) argues that power and institutions do not lose legitimacy merely because they lapse into illegality; widespread illegality can arise because power has lost awareness of its own legitimacy. A crisis of legitimacy cannot be resolved at the level of law alone. The hypertrophy of law, understood as the desire to regulate everything, may itself signal the loss of substantive legitimacy.

To distinguish legitimacy from legality is not to treat legitimacy as a higher, reactionary principle and legality as its mere effect. They are elements of a single political machine that must not be fused and must continue to operate. Legality determines authority, procedure and the limits of coercion. Legitimacy asks whether the exercise of power can be justified to those subject to it. Legitimacy without legality becomes a moral claim capable of licensing arbitrariness; legality without legitimacy becomes a formal machine that has lost its reason for being obeyed.

Theology is needed not to supply the content of law directly, but to preserve this distance. Theology must not work alone, however. Law concerns legal norms; sociology concerns changes in social norms; theology concerns the immeasurability of God, which cannot be contained by a worldly order. The three have different objects and must not coincide.

If law closes upon itself, it treats procedure as identical with justice. If sociology closes upon itself, what is socially dominant may be equated with what is good. If theology closes upon itself, religious normativity may be treated as God's will directly binding upon everyone. De-coincidence opens each rationality to the others without depriving it of its distinctiveness. Law tests the coercive form of religious claims; sociology reveals their social consequences and relations of power; theology tests the tendency of law and society to absolutise themselves.

Legitimacy is thus a 'fissure' within legality, social norms and religious normativity (Jullien, 2020). This fissure neither merely condemns nor establishes a new norm from outside. It opens another path so that the primacy of conscience does not lead democracy into a war of consciences. Theology gains public legitimacy insofar as it can fissure itself. It must distinguish the word of God from human interpretation, faith from political identity, and witness from coercion.

Nor is the fissure identical with permanent opposition. A theology that invariably sets itself against law merely replaces the old coincidence with a new prophetic identity. Criticism gains weight when it can distinguish imperfect law from law that negates dignity, necessary compromise from the surrender of principle, and disagreement from oppression. A theology of the political therefore speaks not only to rulers; it also educates communities of faith to accept limitation, deliberative defeat and the obligation to obey decisions that do not fully accord with their convictions, so long as basic rights and the possibility of correction remain intact.

A critical development is required at this point. De-coincidence must not be understood as the indefinite suspension of decision. Democracy must decide and law must be enforceable. The fissure means that a decision is operationally final but not morally absolute: it remains valid until changed through lawful procedure and may still be examined in the light of rights, justice and the experience of those affected. With this limit, de-coincidence does not become relativism or institutional nihilism.

Legitimacy as De-Coincidence and the Risk of a War of Consciences

The primacy of conscience is both indispensable and dangerous for democracy. Debates over migration, bioethics, life and death, family, multiculturalism and religious plurality display the classic tension between Antigone and Creon, God and Caesar. Opposing positions may alike claim the legitimacy of conscience, whether in support of majority opinion or against it.

Social passions are contradictory. A definition of the just and unjust cannot therefore be derived solely from the intensity of a demand. Must all migrants be admitted without regard to a society's capacity and cohesion? Must every social change be enacted without deliberation about family, filiation, life and death? Must normative multiculturalism be accepted without distinguishing it from the fact of a multicultural society? Must religious freedom be understood apart from civic responsibility? Theology cannot answer these questions by itself, but neither law nor sociology can avoid their normative dimension.

Theological legitimation of conscience cannot mean a coincidence between human spiritual fulfilment and political conditions that are always relative. It marks the distance between them. De-coincidence frees conscience from demands that refer only to themselves. The primacy of conscience cannot rest upon the claim 'this is my conviction'. Conscience must be formed through judgement, knowledge, responsibility for consequences and willingness to recognise others as fellow citizens.

Here lies the difference between an individual and a citizen-subject. An individual who understands rights as unlimited claims may turn society into an instrument for fulfilling personal will. The citizen-subject knows that their rights depend upon an order that guarantees the rights of all. Political society must not repress conscience, but neither may conscience dissolve political society. The primacy of conscience and collective self-determination must limit and enable one another.

The Declaration of the Rights of Man and of the Citizen of 1789 captures this paradox: rights are guaranteed through the limits of law, and the human person appears simultaneously as citizen. Yet its reference to the Supreme Being cannot provide the foundation for a Christian order binding upon everyone. If God is truly to point to what cannot be collectively possessed, God must not coincide with a confessional regime. This is the condition under which divine and human law stand neither in competition nor in mutual ignorance.

The contemporary democratic context intensifies the risk of a war of consciences. Polarisation and populism frequently treat the voice of 'the people' or 'the faithful' as a single, pure will, whilst opponents are depicted as morally illegitimate. De-coincidence rejects this fusion. No leader, majority, party or religious institution can fully represent a collective conscience. Theological criticism becomes democratic when it dismantles this claim to plenitude, including when the claim is made by its own religion.

Conscience is therefore not an inner space untouched by social relationships. It is formed by education, tradition, experience, authority and encounters with others. Respecting conscience does not mean accepting every demand advanced in its name, but ensuring that citizens are not forced to deny their fundamental convictions without strong public reasons. At the same time, freedom of conscience gives no automatic right to restrict the freedom of others. Democracy must continually weigh conscientious objection, equality before the law and the social consequences of exemptions. Theology can assist this judgement when it forms a conscience willing to give an account of itself, rather than one that merely demands recognition.

Early Christianity and the Paradox of the Autonomy of Power in Its Non-Possession

In the Pauline and Augustinian line, there is no adequate theological justification for a Christian political order. Such a justification would equate the eschatological Kingdom of God with a worldly legal order, or the City of God with the earthly city still on pilgrimage. Yet rejecting coincidence does not justify mutual ignorance between political legality, social norms and theology.

Such ignorance would weaken democracy as a regime of the primacy of conscience and collective self-determination, whilst rendering Christianity meaningless for the common world. Christian citizens therefore have legitimacy in defending convictions that can be debated in conscience, without turning those convictions into a reason to reject the entire legality of political order. Bourdin (2023) develops this paradox of citizenship further. A theology of the political supports democracy's deliberative dimension: Christians act with citizens who do not share their faith, offer reasons, accept criticism and participate in decision-making.

The statement 'My kingdom is not of this world' (John 18:36) acknowledges that salvation cannot be possessed by a regime. The command to render to Caesar what belongs to Caesar recognises the legality and relative autonomy of government. Yet the command to render to God what belongs to God simultaneously denies Caesar the right to become the absolute owner of power (Matthew 22:21; Mark 12:17; Luke 20:25). This narrative displays the paradox of a theology of the political with particular clarity.

Political power must be autonomous if it is to govern, but its autonomy is realised through non-possession. Power is not owned by the ruler as private property; it is received in order to be exercised, limited, supervised and transferred. In democracy, non-possession takes institutional form through terms of office, elections, alternation in government, the separation of powers and citizens' right to criticise. Theology does not create these mechanisms, but it can lend anthropological and spiritual depth to the refusal to possess power.

This paradox brings collective self-disposition together with the primacy of conscience. Society determines its laws but does not become the source of ultimate truth. Individuals judge in conscience but do not become owners of the common world. Religion bears witness to the absolute but does not possess the Absolute. In each case, autonomy can be preserved only by relinquishing the claim to complete possession.

On this basis, a theology of the political and political religion occupy opposite poles. Political religion sacralises the possession of power; a theology of the political recalls that power can never be possessed eschatologically. The former closes history with a promise of political salvation; the latter keeps history open whilst acknowledging the need to act and decide.

This distinction does not eliminate the possible abuse of theological language. Even appeals to humility and non-possession may be used rhetorically by institutions that resist transparency. The political meaning of non-possession must therefore be evident in practice: willingness to accept limitations, acknowledge errors, permit changes of leadership and protect dissenting voices. A theology that teaches that power comes from God whilst refusing human oversight has lost its de-coincidence. A theology that connects transcendence with accountability, by contrast, helps democracy understand that limits upon power are not a weakness but a condition of legitimacy.

In this sense, theology's contribution is indirect but real. It supplies neither a constitutional blueprint nor policy decisions immune from debate. It shapes how power is understood and how citizens relate to it. If power is an entrusted responsibility that cannot be possessed, obedience does not mean total submission and criticism does not mean rejection of the entire order. The space between obedience and criticism is where democratic citizens act: they recognise the need for government but reject every claim that government, people or community of faith has become the final source of salvation.

7. Conclusions

A society that has liberated itself from religious control has a new challenge: how to harmonise political independence with a revitalised comprehension of otherness. Liberal democracy contextualises this conflict through the interaction of personal morality, legal frameworks, and communal autonomy, but its resolution depends on a reevaluation of legitimacy. Legitimacy should not revert to an externally imposed basis nor diminish to mere legality; rather, it ought to be seen as a de-coincidence—an intrinsic rupture that inhibits any system from asserting complete congruence with reality.

Having emancipated itself from external constraints, democracy may regard legality as autonomous while simultaneously viewing the resurgence of religion in the public sphere as a disruptive menace. This engenders a fluctuation between secular inflexibility and unscrupulous compromise, both of which bolster detrimental patterns of coincidence. Theology, when comprehended accurately, does not necessarily conflict with democracy; instead, it can align with democratic principles through a mutual dedication to alterity—democracy by restricting and rotating authority, theology by differentiating God from all historical depictions.

In the end, democracy ought not to rely on theology as a substitute for legal authority, but rather to foster constructive unease. Theology can assist in shaping citizen-subjects, maintain the connection between law and legitimacy, and oppose the sanctification of the state, majority, leader, or religion. In an era where religious beliefs are less central, autonomy doesn't mean having complete control over oneself; it necessitates a lack of ownership. It is only through this lack of ownership that people can coexist with one another, rather than as rival individuals caught in perpetual strife. The concept of de-coincidence gains a democratic significance when the gap it creates allows for rectification without eliminating the potential for shared existence.

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