

Igor Kąkolewski

**Sovereignty, Union, and *Translatio*:
The Long Shadows of Europe's Late-Medieval and Early-Modern State Unions**

One of the fundamental ways the state as such is imagined seems to involve the conviction that it endures beyond the succession of the generations living and dying within it. Regardless of the form the political system takes – monarchical, republican, or other – the *ideologem*, as Mikhail Bakhtin would put it (1, p. 101, 104, 429), that legitimizes the functioning of states and imbues their existence with meaning for both the governing and governed is – differently than for individuals and their bodies – faith in the “undying body of the state”. The pessimistic premise that the state is an entity with a limited lifespan and subject to processes of disintegration and downfall, is generally a matter of taboo in the spheres of ideology and propaganda. In political philosophy, as well, concepts describing the natural and inevitable corruption of every type of political system and state – as, for instance, the theories of Polybius and Niccolò Machiavelli concerning the cyclical evolution of types of power – are quite rare (9, p. 93n).

Let us begin by examining the matter of the state from the anthropomorphic perspective, and thus by returning to the premodern, figurative vision of its construction as a “body” – this being the universal metaphor for the state from antiquity to the 17th century. The above concept of the “undying body of the king” was in fact formulated not until the mid-16th century, notwithstanding which certain of its elements had been present in the medieval Christian “theology of power”, as well as in earlier epochs (7, p. 7n). Hence the telltale efforts of monarchical states to deify their individual rulers and/or dynasties, or at least to legitimize their temporal authority in terms of divine sanction. In the 17th century “the divine right of kings” became one of the defining concepts of absolute monarchy (2, p. 291). In the 19th century, in turn, when the construct of the nation-state and the ideologies of nationalism were taking shape, an essential role in the absolutization of statehood was played by the Hegelian concept of the state as “the divine idea as it exists on Earth” (12, p. 9).

We need furthermore to underline the significance of the wide-ranging myths legitimizing the continuity of power. Among them are the concepts of continuing statehood even following collapse, conceived as *translatio* to newly arisen state entities – and hence, rather more as reincarnation than reburial. In creating these visions, both the chronicles of old and modern historiography, as well, in the ongoing aim of conveying memory, of intergenerational *translatio* – whether in mythologized or scientific form – remain an important tool for shaping collective identities. Their core feature is the conviction of the continuity and endurance of the state to which the given community belongs. Thus, both premodern chroniclers and today’s historians have often been hostages to state ideologies, presenting (or mythologizing) in their works the births, downfalls, and continuation of the given state. “The king is dead. Long live the king!”.

Nonetheless, a simple review of the past by the historian making avail of his methods testifies to something altogether different. Indeed, such a review seems to confirm the pessimistic theory of Polybius and Machiavelli (both of whom were above all historians) on the inevitable phase of corruption in the cyclical evolution of political systems and states: decline and fall unavoidably follow the phase of growth and stabilization. The demise of independent statehood unfolds, however, along differing scenarios. One of the most universal has been the absorption of one state organism by another via conquest. In the case of Polish history we have examples of this in the series of partitions of the Polish-Lithuanian Commonwealth in the latter decades of the 18th century, something often (and ever so subjectively) perceived in the Polish culture of memory as an inevitability.

Another, “milder” scenario was the constriction of the sovereignty of one state by another. The term “sovereignty” was introduced to the language of politics not until the second half of the 16th century. In accordance with the definition of sovereignty as something indivisible, as laid down by Jean Bodin (who rejected divided sovereignty as *contradictio in adiecto*) (9, p. 231nn), as well as with modern categories of thought more broadly, we are inclined to juxtapose too sharply the questions of complete and incomplete state sovereignty, associating the latter with the absence of national or state independence. In the case of Polish history, the traumas inflicted on us in having been partitioned weigh heavily on this way of thinking. However, in the history of Europe as a whole, “milder” scenarios (i.e., processes spread out over time that constricted statehood or even ended it via the incremental reduction of sovereignty) have been a phenomenon equally dominant, if not predominant over the dramatic, “harsh” scenarios of conquest and annexation.

Let us confine our reflections to just a handful of examples associated with interstate unions from the late medieval and early modern period, and to their longevity. During those centuries, it was especially personal and dynastic unions that occurred – and proved lasting. Even when, after lengthy periods, such personal unions of several states collapsed, many were renewed virtually at once. This happened despite the fact that said unions, particularly once they had lasted for significant periods, typically brought about a real reduction or even disappearance of the state structures and separateness of the weaker member. This is what transpired following the demise of the Kalmar Union between Denmark, Sweden, and Norway (1397–1523), with Denmark and Norway remaining united in *persona regis* for another nearly three centuries – all the way until 1814. And indeed, the long shadow of the Kalmar Union reaches to our own day, with the Scandinavian countries perennially opining a possible “rebirth” of their onetime union (15).

Although separate state structures within the framework of interstate unions were usually preserved, what in fact did often develop was the shifting of the power center (royal court or related state institutions) to one of the states – and this resulted in making the other peripheral and constricting its sovereignty. In consequence, this could lead to the elimination of the weaker member’s separateness and to the full consolidation of the two states’ structures. One example of this course of events is that of the dynastic-personal union of the kingdoms of Castile and Aragon at the cusp of the 15th and 16th centuries. We at once need add that Aragon itself included the kingdoms of Valencia and Catalonia, joined to Aragon by personal unions. Within the framework of the united Kingdom of Spain, Aragon for the next two centuries nominally maintained its separateness, having its own Cortes and judicial system. In time, however, it succumbed to the domination of the politically and economically stronger Castile. In the end, the Nueva Planta decrees of 1701–1716 led to the liquidation of the Kingdom of Aragon, and thus also of Valencia and Catalonia. Such was the conclusion in Spanish history of the epoch known as polysynody (10).

Certain parallels are to be found in the over 400-year evolution of the ties – from personal to full union – between the Kingdom of Poland and the Grand Duchy of Lithuania; and the kingdoms of England and Scotland. The ties binding the Polish-Lithuanian unions (beginning with the Union of Krewo in 1385) proved to be as lasting as English-Scottish ties (beginning with the Union of the Crowns in 1603). Moreover, the latter continue on, albeit in altered form, to this very day (but how much longer?). Despite having maintained certain forms of autonomy, both Lithuania (from the real union in 1569 to systemic consolidation in 1791) and Scotland (from the Treaty of Union in 1707 all the way to 1999) proved to be the weaker partners in their relative unions (5, p. 69–92). The federal political structures that arose through these unions in the early modern Rzeczpospolita and in Great Britain soon began to undergo a process by which their complexities slowly withered in step with an intensification of unifying tendencies, the full implementation of which did not always proceed smoothly. The terms of the Rzeczpospolita’s Third of May Constitution (1791), which introduced a more unitary model for the state, met with a swift reaction in the form of The Mutual Pledge of the Two Nations of October 20, 1791, which guaranteed the dual federal model of the Rzeczpospolita and the limited political autonomy

of the Grand Duchy (4). The question as to which of the thrusts – toward a unitary state or federal dualism – would have won out if the Polish-Lithuanian state had not been carved up, belongs to the realm of alternative history.

In late 20th-century Great Britain, in turn, following the long period of intensified federalist trends, decentralization became ascendant in the form of devolution, i.e., the transfer of competencies from the UK's central organs to regional ones. After 1997's Scottish referendum on devolution and the passage of the Scotland Act a year later, the newly formed Scottish Parliament received legislative prerogatives in all matters not reserved for the British Parliament, although Westminster kept the right to restrict or expand the scope of prerogatives resting with Edinburgh. In this way the referendum and act on devolution sealed the process of regaining a portion of sovereignty by Scotland as a member of the United Kingdom. Despite this, as we witnessed with the referendum of 2014 on Scottish independence, when 44% of those casting their ballots voted in favor, Scottish devolution (especially in the context of Brexit) does not rule out an intensification of separatist tendencies, the object of which is fully sovereign Scottish statehood.

We observe a similar rise in separatism in Catalonia, whose regional parliament in 2013 approved a declaration of sovereignty, and where in 2015 approximately 80% of those participating in the Catalanian referendum opted for independence. As we see, state structures arisen as a result of union, and subsequently strengthened in step with the vanishing of federal complexities via the intensification of unifying trends, even centuries later can wind up in serious crisis. One consequence may be the recovery of full independence by state structures that, as a result of former unions, had lost their separateness and become exemplaries of one of the “milder” scenarios of the disappearance of autonomous statehood (11).

Yet another scenario for the demise of a state is provided by the Habsburg monarchy. Formed in large measure through marital bonds and dynastic unions, from the late medieval period and throughout the modern period it resembled a patchwork that stitched together not only many ethnic groups, but also state entities with diverging degrees of sovereignty. In the early modern period, the *habsburgische Erblande* (associated with the Archduchy of Austria) came to embrace Czech and Hungarian crownlands, joined to the Habsburgs in 1526 by personal union. The Habsburgs later went on to become the dynastic rulers of those lands – in 1627 and 1717 respectively. The fluidity of borders, the formation and disappearance of state, quasi-state, and territorial entities comprising the Habsburg monarchy – here is a fascinating example of the ceaseless morphing of dynastic power over the long-run. For this reason also the Habsburg monarchy is characterized in historiography – unfortunately from a completely ahistorical perspective – as a unique entity, indeed a “political anomaly” forever embroiled in crisis (6, p. 2nn).

The collapse in 1918 of the multinational Habsburg state, restructured as a dual monarchy in 1867 on the basis of a real union of the Austrian empire and the Kingdom of Hungary, stands as one of the most spectacular cases of the demise of statehood. It also stands as a riveting example of the fall of an empire that had arisen thanks to the demise in the early 19th century of another empire that had played a key role in Europe's medieval and early modern history. For from the close of the Middle Ages and nearly uninterruptedly for the next 350 years, the Habsburgs sat on the elective throne of the Holy Roman Empire – from the late 15th century informally called the Holy Roman Empire of the German Nation. Perceived in the mid-17th century as a *monstrum*, it was compared by some contemporaries to the Polish-Lithuanian Rzeczpospolita (16, p. s. 2 nn). For that matter, to this very day historians draw attention to the virtually simultaneous demise at the cusp of the 18th and 19th centuries of the “old” Rzeczpospolita and the *Altes Reich* (3, p. 187–200). That Habsburg Reich created a sui generis state superstructure that embraced nearly 300 secular and ecclesiastical territorial realms, including the Reich's free cities, which were tied to each other in variable configurations and interactions. The conjoining of German territorial states as a result of the politics of marital and dynastic unions (or their

collapse due to the demise of ducal dynasties) provides a wealth of examples of both the demise and rebirth of statehood in the Middle Ages and early Modernity (p. 143–162).

In the context of the lengthy endurance of the *Altes Reich* it is worth calling attention to the *ideologem* or imagined cornerstone crucial for the Reich's meaning in Europe – that is, to the idea of succession to imperial Rome. The concept of *translatio imperii*, whose roots reach back to the Biblical vision of the four kingdoms (Daniel 2), later modified by St. Jerome, received a new interpretation together with the “restoration” of the Roman Empire with the coronation of Charlemagne in 800, and thereafter with the emergence of the Ottonian Empire in 962. Just as earlier had been the case in eastern Europe with Byzantium, and later Tsarist Russia, the medieval and early modern idea of the Christian empire hearkened to the “transfer” and thus the continuation of the Roman Empire in the form of a “second” and a “third Rome”. Indeed, ideological overtures and hearkening to restored continuity following the fall of the western Roman Empire in 476 were also plain in the propaganda motifs accompanying the imperial aspirations of the western European powers – e.g., in 16th-century Spain, 17th-century France, and again in the early 19th century in Napoleonic France. Britain, of course hearkened to another line of succession, boasting herself a New Jerusalem – and this self-conception was importantly passed on to the United States (15).

A glance at the political map of Europe circa the year 1000, and then 1,000 years later, allows one to review numerous cases of the demise and vanishing of states, along with cases of their “rebirths.” This is so, even if the latter most often are not genuinely “reborn,” but rather so stylized (mythologized) to meet the propaganda needs of qualitatively completely new states. Thus as a result of the collapse, due to the First World War, of the Ottoman, Habsburg, German, and Russian empires, the emergence in Central-Eastern and South-Eastern Europe of many new states became possible. In the realm of the politics of memory, these new states would search for and establish their roots by hearkening to medieval traditions and/or early modern periods of statehood.

The collapse of the Eastern Bloc beginning in 1989, along with the demise and transformation of the structures of the multinational USSR and the federative Czechoslovakia and Yugoslavia in the early 1990s, created new expediencies in historical policy for nationalist and heroic myths of “rebirth” and the *translatio* of statehood from distant passages of history (14, p. 24–49). At the same time, this contemporary “rebirth” of states in the former Eastern Bloc is accompanied within certain western countries of the EU by the above-mentioned separatist pursuits to reconstruct bygone statehood. These processes are throughout impacted by the EU's integrationist policy, whose consequence is the voluntary reduction of the sovereignty of nation-states. On the one hand, this thrust elicits reactions of rejection in the form of waves of “new” nationalisms; on the other, it prompts the need to create a transnational, continental identity for Europeans. Although the republican and democratic conception of European unity is a qualitatively new phenomenon, its architects (and pan-Europeanist intellectual circles) also eagerly reach for mythologizing, even contrived reference points in line with *translatio imperii*. One example of this in historiographical work is that of the search for a prefiguration of the European Union in the Holy Roman Empire (13, p. 79–98). In politics, a telltale (and highly ironic because of the bloody persecutions of the Saxon pagan tribes) example is the International Charlemagne Prize (German: *Karlspreis*, since 1988 the *Internationaler Karlspreis zu Aachen*), awarded in Germany since 1950 to outstanding individuals and institutions for their achievements in promoting peace and unity in Europe.

First published in:

Challenges of the time: the formation of centralized states in Eastern and Western Europe at the end of 15-17 centuries, ed. I. N. Berovskaia, W. D. Nazarov, Moscow–Kaluga 2019, p. 27-34.

Footnotes:

1. Bakhtin M., *The Dialogic Imagination*, Austin 1981
2. Bloch M., *Królowie cudotwórcy. Studium na temat nadprzyrodzonego charakteru przypisywanego władzy królewskiej zwłaszcza we Francji i w Anglii*, Warszawa 1998
3. Bömelburg H.-J., Kizik E., *Altes Reich und Alte Republik. Deutsch-polnische Beziehungen und Verflechtungen 1500–1806*, Darmstadt 2014
4. Frost R. I., *The Oxford History of Poland-Lithuania, Vol. 1: The Making of the Polish-Lithuanian Union, 1385–1569*, Oxford 2015
5. Frost R. I., “Union as Process: Confused Sovereignty and the Polish-Lithuanian Commonwealth, 1385-1796”, in: *Forging the State: European State Formation and the Anglo-Scottish Union of 1707*, ed. M. O’Siochrú, A. Mackillop, Dundee 2008
6. Ingrao Ch.W., *The Habsburg Monarchy – 1618–1815*, Cambridge 2000
7. Kantorowicz E.H., *The King’s Two Bodies. A Study in Medieval Political Theology*, Princeton 1957, p. 7n
8. Kąkolewski, “Comparatio dwóch monstrów: Rzeczpospolita polsko-litewska a Rzesza Niemiecka w XVI–XVIII wieku”, in: *Rzeczpospolita – Europa. XVI–XVIII wiek. Próba konfrontacji*, ed. M. Kopczyński, W. Tygielski, Warszawa 1999
9. Kąkolewski I., *Melancholia władzy. Problem tyranii w europejskiej kulturze politycznej XVI stulecia*, Warszawa 2017
10. Lynch J., *Bourbon Spain 1700–1808*, Oxford 1989
11. Povoledo E., “First Scotland, Then Catalonia. And Now? Milan and Venice”, *New York Times*, <https://www.nytimes.com/2017/10/17/world/europe/italy-lombardy-veneto-referendum-autonomy.html> (access: November 28, 2017).
12. Rattner J., Danzer G., *Die Junghegelianer: Porträt einer progressiven Intellektuellengruppe*, Würzburg 2005
13. Schmidt G., “Das Alte Reich und die Europäische Union – ein Versuch”, in: *Vorträge der Geisteswissenschaftlichen Klasse 2010–2011*, red. M. Vielberg, Erfurt 2013
14. Ткаченко В.М., “Неподільна спадщина Давньої Русі (про святкування 1150-річчя зародження російської державності)”, in: *Проблеми всесвітньої історії* 1, 2016
15. Tuchman B., *Bible and Sword: England and Palestine from the Bronze Age to Balfour*, London 2001
16. Wetterberg G., *The United Nordic Federation*, Nordic Council of Ministers 2010
17. Woliński J., “Anonimowy traktat polityczny z XVII wieku”, *Przegląd Historyczny* 50, 1959