

The Divine Image and The Pathogenesis of Law in *The Brothers Karamazov*

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This essay is an attempt to think Dostoevsky's writing in concert with the tradition of Eastern Orthodox Christianity. As such, I engage in a reading practice that takes the theological inflections of *The Brothers Karamazov* in continuity with the work of Orthodox tradition itself. Turning first to Ivan Karamazov's well-known nihilism and eventual madness, I pursue the question of the law and its pathogenesis through the tale of "The Grand Inquisitor." Moving to the life of the Elder Zosima and his disciple Alexei Karamazov, I ask after the form-of-life offered therein. I argue that the text explicates a manner of life that is animated by the eschatological scansion of Divine time, one in which living according to the form of the Divine image enacts a displacement of the law. Critically, it is through the very imbrication of Divine time within the time of this world that sovereign law is abrogated. I conclude by reflecting on Ivan Karamazov's supposed nihilism, which, while ostensibly a total rejection of the law, is rather a pathological repetition produced by the force of the law itself; his is a madness that emerges from nothing less than the exigency of grappling with the silence of the Divine Image.

1 - The Grand Inquisitor and the Law

We begin in *media res*, as it were, with the story of the Grand Inquisitor, one of several embedded narratives found within Dostoevsky's *The Brothers Karamazov*. Told by the tortured Ivan Karamazov to his pious brother Alexei, the tale of the Grand Inquisitor is considered by many to be the centerpiece of the novel, particularly from the standpoint of Eastern Orthodox Christian tradition.¹ The tale catalyzes the fiery struggle burning at the heart of *The Brothers Karamazov*— the problematic personal encounter with the Divine Image of Christ. It is this encounter that comes to define the fates of both Alexei and Ivan in the novel and moreover, it serves to forefront the question of the law and the problem of temporality endangered therein. For the problem of the law, spurred by the appearance of the Divine Image, is nothing less than the problem of totalizing and infinite history.

The encounter in this way shows forth a hidden anxiety, one that governs not simply the Grand Inquisitor's narrative but Ivan and Alexei's fraught discourse. At Ivan's telling of Christ's interrogation at the hands of the Grand Inquisitor, neither Ivan's brother Alexei, nor the eponymous Inquisitor, nor the narrator himself is entirely sure whether it is in fact Christ or a counterfeit that is encountered in the tale. Interestingly, this anxious suspicion, which seeks to root out the truth or falsity of the Divine revelation, is adjudicated through the figure of time. It is not simply a matter of Christ's image alone but rather the timeliness, or untimeliness, of that image that is definitive.

Indeed, the time of Christ's return—here, decidedly untimely—is doubly embedded into the tale of the Grand Inquisitor through Ivan's prefatory remarks. This anticipatory discourse with his brother is immediately repeated in the voice of the Grand Inquisitor, both telling a story of fifteen hundred years of waiting and pleading for the soteriological revelation; a specious

imitation of St. Paul's writing in his epistle to the Romans: "we know that the whole creation has been groaning together in the pains of childbirth until the present time" (*The Orthodox Study Bible*, Rom. 8:22). A temporality obverse of Paul's vision is thus repeated by the Grand Inquisitor who, confronting the possibility of the Christ before him, tells him in no uncertain terms, "for fifteen hundred years we have been at pains over this freedom, but now it is finished, and well finished" (Dostoevsky 251). Whereas Paul writes in the rapture of eschatological time, the Grand Inquisitor gazes back at the long work of historical progress, the time in which just such an end, just such a time, becomes unthinkable. In this sense, Paul's world is fulfilled in the Divine revelation—the person of Christ that signals nothing less than the end of history—while the Grand Inquisitor's is haunted by it, doubly so in the apparent return of the repressed Messiah.

The upturning of the words of scripture continues, as Ivan's narrative centers around the Inquisitor's use of the Gospel narrative wherein Christ is tempted in the wilderness by the Devil three times: first, to relieve his hunger by changing stone to bread; second, to throw himself off the highest pinnacle of the holy city so that angels might break his fall; and finally, to worship at Satan's feet so as to gain all the kingdoms of the world. In a stunning reversal of Christ's rebuke of the Devil, the Grand Inquisitor boasts that the miraculous power of these temptations is to be found not in their refusal, but rather in their affirmation:

all subsequent human history is as if brought together into a single whole and foretold; *three images* are revealed that will take in all the insoluble historical contradictions of human nature all over the earth. This could not have been seen so well at the time, for the future was unknown, but now that fifteen centuries have gone by, we can see that in these three questions everything was so precisely divined and foretold. (Dostoevsky 252)

The Inquisitor goes into much detail concerning the tripartite image of his assured future world; he himself defines it as the image of "*miracle, mystery and authority*" (257): "miracle," to assuage the pain of human finitude, "for Man seeks not so much God as miracles" (255); "mystery," to set oneself utterly apart, to withhold the apparent truth from the people, prompting them to "blindly obey" (257); and finally, "authority," to take the sword of Caesar, to make paradise "as a means of uniting everyone at last into a common" (257).

In the Inquisitor's eyes, it is the failure of the past Christological revelation to resolve the "historical contradictions" that haunt life in this world that necessitates his corrective. That the text casts this encounter in terms of history is not inconsequential. For it is precisely the problem of history—its inability to be *totalized* and *totalizing*—that the Inquisitor seeks to redress through the sovereignty of the miraculous law.

The position of the Grand Inquisitor, as has been noted by others,² shares a striking similarity to political theology of German jurist Carl Schmitt. We find this confluence not only in the agreed necessity of the *catechonic* function fulfilled by the Catholic Church, i.e. that which holds back the apocalypse, but in the necessity of the miracle. Carl Schmitt's indictment of the

practice of government and law after the dissolution of the absolutist European state is found precisely in his critique of the evacuation of the mystery of the sovereign. The post-revolutionary liberal state, Schmitt concludes, is resolutely deistic insofar as the sovereign's once transcendent authority is reduced to the natural world of the *demos*. Authority circulates unproductively within the democratic structure of the People, and so "the decisionistic and personalistic element in the concept of sovereignty [are] lost" (Schmitt 48). In a Schmittian frame, modern sovereign law becomes foreign to itself.

The necessity of the supernatural, of the self-founding mystery of the miracle, stems from Carl Schmitt's well-known theory of the exception. For Schmitt, the exception is the mode by which the sovereign can be sovereign inasmuch as the power to *decide* on the state of exception determines sovereignty. As any articulation of law paradoxically must be that which declares a position on its own boundaries and is therefore outside of them, the sovereign exception—i.e. the ability to declare a suspension of normative law—is the logic of sovereignty *par excellence*. The sovereign is precisely that which cannot give but a tautological account of itself; much like God declares to Moses, so too sovereign law exclaims, "I am that I am".³

For Schmitt, as for the Grand Inquisitor, to lose the power of the sovereign exception is to thrust the world into a constant state of emergency; a return to a Hobbesian state of nature, the "war of all against all." And indeed, the Inquisitor brazenly accepts the coming centuries of the "lawlessness of free reason, of their science and anthropophagy" (Dostoevsky 258), a cannibalistic maze that can only lead back to the necessity of the sovereignty of mystery. As the Inquisitor predicts, "the remaining third, feeble and wretched, will crawl to our feet and cry out to us: 'yes you were right, you alone possess his mystery, and we are coming back to you—save us from ourselves'" (258). We should note that for Schmitt it is the federation of sovereign states, rather than the Church as universal sovereign, that is the ultimate guarantor of peace. However, the tale of "The Grand Inquisitor" offers a reading wherein there is a shared, tacit logic embedded in both the universal state and its bordered counterpart, inasmuch as both are predicated on a certain relationship to mystery. Hence we not only find the evacuation of the mystery (what becomes Schmitt and Max Weber's much lamented modern disenchantment), but indeed its terrible homecoming: the return of the repressed.⁴

By gesturing to the tacit continuity between universal sovereignty (the deistic humanism of the evacuated miracle) and bracketed sovereignty ("miraculous," plural, sovereign states), as well as to the violent suspension within this caesura, Dostoevsky points to the deeper logic of sovereign law, and more precisely to the law as animated by a kind of violence. It is with this in mind that we turn to Walter Benjamin's seminal "Critique of Violence," wherein the logic of law both in its natural and positive iterations is underpinned by a particular configuration of means and ends.⁵

In his well-known and enigmatic text, Benjamin shows that positive and natural law locate violence (*gewalt*, also translated as "force") differently. For positive law, violence is "the product of history," while for natural law, it is objective "natural datum" (278). This differing view of the place of violence dictates the focus for each juridical tradition, the former on means

and the latter on ends. While this focus produces different juridical practices, in both cases violence remains the limit concept of law through its necessary relationship to ends; *gewalt* underpins the critical function of the law. Here, Benjamin agrees with Schmitt insofar as the violence of the law in an absolute monarchy is more restrained compared to the law in democracy, which “bears witness to the greatest conceivable degeneration of violence” (283). However, that is precisely why Schmitt’s formulation of a return to the absolutist state is incompatible with Benjamin: the absolutist state and the democratic are simply degrees of a shared violent configuration.

Sovereign law as configured through a relation of means to ends is one that necessarily posits a distinction through which force emerges. In natural law, force insinuates itself under the distinction of the world of now and the world to come, within which the Roman Catholic Church acts as a *catechon*. Positive law, emerging in the collapse of this distinction,⁶ comes to exert its force between the world of now and the world to be made. In both cases, the cut between nature and supernature, either in its postponement or repressive collapse, comes to define the law. The homogenous time of historical progress produces a myopic effect whereby the future and past become untethered, and so unbounded. It leads back to the Grand Inquisitor’s vision of sovereignty, which he describes as “the entire *future history* of the world and Mankind” (252). This temporality is one of a future history that is oriented toward a utopic arrival, whereby the sufferings of the past may be expiated through the harmony of a future that never quite emerges. Thus, natural and positive law enter into a dialectic which is subsumed into a greater arc, one that does not see the former as necessarily usurped by the latter but rather demonstrates their dialectic dependency under the image of *force*. The Grand Inquisitor’s sovereignty curiously emerges through a reassertion of catechonic time, but one onto which a progressivist glint is now cast. In neither instance is the time of this world able to end.

We may conclude then that *gewalt* is not an ontology but rather the very transmutation of form—that is, into some form of ends. This is precisely why pure means, the Divine violence we find later in “Critique of Violence,” is configured by Benjamin to be paradoxically nonviolent, as it is the violence which destroys violence. The means of this destruction is not the means of violence as tied to ends. Rather, the violence against violence is exactly that which puts the law in abeyance; it is a lacuna or, perhaps, a silence.

In the tale of “The Grand Inquisitor,” we find that the mystery spoken of outside of the image of the Church-as-State is first of all the image of Christ himself. Indeed, the Messiah’s coming and the soteriological revelation are admitted by the Grand Inquisitor to be a mystery: “can it be,” he asks the now returned Christ, “that you indeed came only to the chosen ones and for the chosen ones? But if so, there is a mystery here, and we cannot understand it. And if it is a mystery, then we, too, had the right to preach mystery” (257). Not only do we find that the mystery of the sovereignty of law is parasitic on the mystery of Christ himself, but that both are animated by the shared postlapsarian human condition and exile from the fullness of Divine life. This condition relates itself paradoxically to human action, as that which simultaneously demands and yet occludes the capacity to act with certainty. It is this paradox wherein lies the

mystery of salvation itself,⁷ and so defines the ontological condition of life. Whereas the law is animating through an exception that is *mystifying* in an attempt to annihilate the terms of this paradox, the μυστήριον (mystery) of Christ is the fullness found ultimately in silence before that paradox. The mystery of Christ—God’s personal *kenosis*—produces stillness; the mystifying law, obedience.

This, then, is how the illusory mystery of the universalizing violence of the law comes to be parasitic on the mystery of Christ, inasmuch as it is a response to the condition of being in this world. It is the fallen state of human life that the law hopes to redress, in a vicious movement captured perfectly in the Grand Inquisitor’s accusatorial address to Christ: “instead of the firm ancient law, man had henceforth to decide for himself, with a free heart, what is good and what is evil, having *only your image before him* as a guide” (255; emphasis added). The irreducibly personal image of Christ, the Divine Image, is set against the impersonal and thus mystifying image of sovereignty, i.e. mystery, miracle, and authority.

That this image is ultimately defined by silence is attested to by the fact that throughout the Grand Inquisitor’s words, the figure of Christ remains silent before him:

When the Inquisitor fell silent, he waited some time for his prisoner to reply. His silence weighed on him. He had seen how the captive listened to him all the while intently and calmly, looking him straight in the eye, and apparently not wishing to contradict anything. The old man would have liked him to say something, even something bitter, terrible. But suddenly he approaches the old man in silence and gently kisses him on his bloodless, ninety-year-old lips. (262)

What meets the violent law—a simulacra of the Divine mystery—is Divine violence, that which is silent before the law. That this would be the ending of the tale of “The Grand Inquisitor” noticeably belies Ivan Karamazov’s conflicted intentions. While Ivan’s grappling with this necessary silence is ultimately madness, as will be shown, the exigency to respond to this silence defines Alexei’s life as much as Ivan’s. Alexei, like Ivan, is called to sojourn in the world and face the personal, yet silent image of Christ. For Alexei, it is the impossibility of resolving that silence into totalizing speech, into the law of history, which conditions ethical life as found within the Orthodox Church. This community—the Christian *ecclesia*—is hence configured in *The Brothers Karamazov* as a form-of-life that encounters the Divine image through the temporal frame of a tradition. Importantly, the time of Orthodox tradition is one that is already fulfilled, and in which the Inquisitor’s “future history” has no place. Exemplified in the text most strikingly through the figure of the Elder Zosima, this form-of-life is shown to effect a personal encounter with the Divine image through eucharistic life with the other. Importantly, this dual encounter, with the Divine and the other, is an encounter that allows the time of this world to end, and so constitutes a riposte to sovereign law’s unending *gewalt*.

2 - Figurations: The Life of the Elder Zosima

Elder Zosima is a figure that dominates much of the novel. Indeed, he is axial for understanding the form of life that is Orthodox tradition in the text. For those around this saintly figure, particularly Alexei, he makes present the Divine Image of Christ in its fullness. Not through a solitary grace, but through imbrication of his life with those around him. Indeed, it is the Elder's presence that comes to be determinative of Alexei's fate, and likewise Alexei for Zosima. It is in this way, under the form of the tradition, that the reciprocal and personal presence of the other comes to coalesce the Divine image. The architecture of these personal encounters is rendered in the text that can be thought through the rubric of typology inasmuch as they evoke the same relationship to time, one that is undeniably eschatological.

The invocation of typology in speaking of Christian tradition is far from novel; typology has been a favorite methodological trope of Western biblical hermeneutics. However, the contours of Eastern Orthodox theology, particularly its divergence from Western Christian epistemology, needs to be understood with this invocation of typology. As the prominent Orthodox thinker Georges Florovsky has noted, Divine scripture cannot be understood as a cipher, consisting of mysterious symbols, but first and foremost must be understood as a history. Inasmuch as the scriptures and the traditions of the Church are *necessarily* historical, "typology . . . is always historical; it is a kind of prophecy—when the events themselves prophesy. One can also say that prophecy is also a symbol—a sign which points to the future—but it is always an historical symbol which directs attention to future events" (25). The specificity of the incarnation of God in Christ is the confessed history to which scriptural typology necessarily relates.

Importantly, the affirmation of a history is not the validation of Hegelian History, i.e. the progressive attainment of the absolute in this world, but rather an eschatology—a total History's very impossibility. Extending Florovsky's argument, it may be argued that Orthodox theology is an affirmation of a history that is generative of history's end. While the typological work of the Old Testament serves as a foretaste to the historical nexus of the incarnation, the time *after* that fact occurs within an eschatological frame. Eschatology here does not denote the far off ending of the world but rather, to quote Alexander Schmemmann, "a kind of [lived] rhythm — leaving, abandoning, denying the world, and yet at the same time always returning to it; living in time by that which is beyond time; living by that which is not yet come, but which we already know and possess" (3-4). The work of the tradition of the Orthodox Church in this world is thus nothing but a consummation and a witness to an end that has already come.

In the novel, this typological work that is at the same time an eschatological enactment centers around the life and, critically, the death of the Elder Zosima. At the threshold of his end in this world, Elder Zosima gathers those closest to him, most importantly the young ostensible protagonist, Alexei. It is here that the elder reveals to those gathered the special import of the young man for him:

[Alexei's] face has been, as it were, a reminder and a *prophecy* for me. At the dawn of my days, when still a little child, I had an older brother who died in his

youth, before my eyes, being only seventeen years old . . . I gradually came to see that this brother was, as it were, a pointer and a destination from above in my fate, for if he had not appeared in my life, if he had not been at all, then never, perhaps, as I think, would I have entered monastic orders and set out upon this precious path. That first appearance was still in my childhood, and now, on the decline of my path, a *repetition* of him, as it were, appeared before my eyes . . . Alexei seemed to me to resemble him so much spiritually that many times I have actually taken him, as it were, for that youth, come to me mysteriously at the end of my way, for a certain remembrance and perception. (285-286; emphasis added)

The typological return of the elder's deceased brother through his disciple binds the past ("at the dawn of my days") to his present and imminent future ("the decline of my path"). This is not to say that the past is mediated by the present but is rather a "memorial trace."⁸ As a trace, the past is not open to be determined by present and future time but rather, much like Florovsky's historical symbol, determinative of the now as much as the future. The temporality of remembrance that Alexei's presence enacts for Zosima is thus not linear, nor the simple recollection of dead *past* time. Instead, the consolation of Alexei's presence as the return of his brother's death determines and consummates Zosima's own eschatological fate.

"Fate" in this context should not be rendered as anything similar to "destiny," in the sense of a unique purpose towards which only a few are called, i.e. the apex of a progressive, individual biography. In the words of Elder Zosima, "everything is from the Lord, and all our fates as well" (285). "Fate" is not oriented towards the future but rather the shared past of the Divinely instituted *ecclesia*. As such, life in this world finds its origin in Divine eternity as it is disclosed in time; the incarnation of the Divine image in Christ. Divine time is thus not determined by secular-chronological time, as its exception, but instead generative of it. Secular time is a suspension that is only made possible by its imbrication with Divine transcendence. The repetition of his eschatological fate—an encounter that "touches other worlds" (285)—interpellates the elder and collapses the distance between transcendence and life in this world.

Importantly, Elder Zosima as exemplary of an Orthodox form-of-life, shows how the tradition enables a different relation to time and hence the rule through the fact that it is a tradition. Tradition, as Talal Asad argues,⁹ engenders a temporal frame that collapses the Kantian interval between the moral law and its historical verification (i.e. the movement of positive law). Instead, as a set of embodied *capabilities*, tradition enables a different relation to the rule: "there is no longer a temporal interval between judging according to a universal rule and acting in a particular situation" (Asad 208). Tradition as a *form-of-life*, a term coined by Wittgenstein,¹⁰ is thus not reducible to a set of, *a priori*, moral principles. This point is elaborated by Giorgio Agamben's who shows form-of-life to consist of an inherited potentiality rather than a series of ends-oriented practices. For the Western monastics of the Middle Ages, he writes; "it is not a matter so much of applying a form (or norm) to life, but of *living* according to that form, that is of a life that, in its sequence, makes itself that very form, coincides with it"

(99). The tradition as a form-of-life offers a different relation to the rule, one in which the capacity of the form itself is generative of life.

In Eastern Orthodox tradition, it is the personal form of Christ himself, as well as the saints, scriptures, and sacraments that animate the life of the Church. This is shown strikingly in *The Brothers Karamazov* where it is the *form* of the Gospel itself, not the summation of “rules” extracted from it, that allow it to be, quoting Elder Zosima, “like a carven image of the world, and of man, and of human characters, [in it] everything is named and set forth unto ages” (292). We should notice that this “unto ages” is not the “future history” of the Grand Inquisitor (the image of the Church-as-state in this world). Rather, the figures of this world participate in a typological encounter that emerges from Divine eternity, one that, as we have seen, remains in the ineluctably silence of inexpressibility.¹¹ Neither form nor life can be subsumed by the other; the form of the Divine Image emerges only through living according to it.

It is no accident, then, that immediately following the elder’s death in the novel, we are treated to a hagiographic rendering of Zosima’s life. In this telling, we find the appearance of his brother Markel, who comes to figure the image of the saint for Zosima and, later, for Alexei. These embedded typological encounters serve to stage the form of the saint as that which produces life and moreover to abrogate the violence of the law. Dying from a sudden onset of illness at seventeen, Markel, who had been avowedly anti-religious, comes to be rapidly and utterly “changed in spirit” (288) as he draws closer to death. In Elder Zosima’s rendition (which is hagiographical recorded by Alexei)¹² of the discussion between Markel and his mother, Zosima’s brother begins,

I shall also tell you, dear mother, that each of us is guilty in everything before everyone, and I most of all.” At that mother even smiled, she wept and smiled: “How can it be,” she said, “that you are the most guilty before everyone? There are murderers and robbers, and how have you managed to sin so that you should accuse yourself most of all?” “Dear mother, heart of my heart,” he said... “heart of my heart, my joyful one, you must know that verily each of us is guilty before everyone, for everyone and everything. I do not know how to explain it to you, but I feel it so strongly that it pains me. (289)

This affirmation—to be guilty “on behalf of all and for all”—will be repeated both in the life of Elder Zosima and in the life of Alexei following the elder’s death. In Orthodox thinking, such an affirmation expounds an ontology of the person that outright refuses the individual in favour of an existence that is irreducibly ecclesial. It is not surprising then, that in the novel, the phrase bears a typological configuration and acts as the axis on which these figures’ ethical encounter with this world, through the image of eternity, turns. It is precisely because Alexei must accede to ontological communion with the Elder Zosima and his brother that frames Alexei’s actions. The saint is ultimately the one who freely recognizes that they ontologically belong to the other.¹³

Critically then, the *form* of Markel's utterance is intimately caught up in the work it enacts. We may find ourselves asking, like his mother, how it can be that he is the first among sinners. Is it some kind of helpful fiction, a pietistic performative spoken for the sake of hyperbole? However to ask such a question is to misappropriate the work of the utterance to the level of a norm, rather than from the potentiality that emerges through its coincidence with life. We are inclined to take such an utterance as an epistemological statement at the level of a proposition about a certain state of affairs; hence, the statement is open to falsification. Markel, however, is intimating the level of the sensorium, and as such a bodily capacity found within the tradition. The validity of his utterance is something he feels so strongly that it "pains" him. Indeed, Markel's critical confession goes far beyond his individual condition, but finds its origin in Paul's words (*The Orthodox Study Bible*, 1 Tim 1:15) and is professed by all the faithful in the Orthodox liturgy.¹⁴

Importantly, Markel's guilt should not be considered guilty *as such*, that is, within the paradigm of the violence of law, which retroactively casts guilt onto its subjects. Under the auspices of sovereign law, the "future history" of mankind is undoubtedly one of guilt, which is thrown onto a past at the same moment it propels itself into the future. In contrast, to confess oneself as guilty "for all and on behalf of all" is to enact the abrogation of the law's violence by disrupting the very temporality of guilt under the law. Nevertheless, it may be argued, both seem to impose a kind of fictitious guilt on the individual. Even if we are not *the most* sinful, surely it is juridically untenable that we be guilty *for* all. Not so, for guilt in this context is not configured as ends, but rather enacts a critical clearing as *means*, that is, as a potentiality.¹⁵ It serves to enact a typological time that draws the "carven image" of the world, what Zosima describes as the Holy Scripture, into one's very life. The invocation of the eschaton radically disrupts the guilty "future history" of the juridical subject, bringing about the end of the time of this world.

This ontological clearing of guilt "before all and for all" is an ethical encounter within the condition of being in this world, inasmuch as it responds to the mystery of the silent image of Christ, and therefore the violence of the law. It serves to enact the abrogation of law through the very withdrawal of law from the space of ends. Indeed, this phrase, "before all and for all," so often repeated in *The Brothers Karamazov*, features prominently in the Divine Liturgy of the Orthodox Church. At the offering of the Eucharistic gifts, Christ's very body and blood are held aloft by the presbyter, who exclaims "your own of your own we offer unto you, on behalf of all and for all." Christ is liturgically rendered as the one who fulfils the law and so effects its end. Indeed, the act of exclaiming oneself guilty "on behalf of all and for all" through the *form* of guilt offers participation in this Divine fulfillment. It serves to open a space where the Divine Image, the person of Christ, would be, in Paul's words, πάντα ἐν πᾶσιν, "all, and in all" (*The Orthodox Study Bible*, Col 3:11) rather than the law.

We see this fulfillment enacted in the life of Alexei Karamazov. After his master's death and apparent disgrace in the monastery, Alexei finds himself in the gravest of temptations. Brought to the house of the local jezebel Grushenka by his acquaintance Rakitin, who colludes with her to see the righteous youth falter, the vulnerable Alexei is surprisingly spared by Grushenka

upon her hearing of the death of Zosima. This moment of inversion forges a friendship between Alexei and Grushenka, who subsequently confesses to him the abusive condition she has endured. Alexei, now defending her from the rising calumny of Rakitin, exclaims,

I stood up to speak to you not as a judge but as the lowliest of the accused. Who am I compared with her? I came here seeking my own ruin, saying: 'Who cares, who cares?' because of my faintheartedness; but she, after five years of torment, as soon as someone comes and speaks a sincere word to her, forgives everything, forgets everything, and weeps! (355)

For both Alexei and Grushenka, the moment of the recognition of guilt is the same moment as the disruption of the law's totalizing claim. The personal relation between them exceeds the conditions of juridical subjecthood.

This encounter spurs Alexei's return to the monastery chapel, where the now-disgraced elder lies with only a solitary priest reading the Gospel over his body. Attempting to pray, Alexei finds himself slowly drifting off into a dream. Swept into the very Gospel account of the wedding at Cana,¹⁶ he encounters his master once more, transfigured:

Yes, to him, to him he came, the little wizened old man with fine wrinkles on his face, joyful and quietly laughing. Now there was no coffin anymore, and he was wearing the same clothes as the day before, when he sat with them and visitors gathered around him. His face was all uncovered and his eyes were radiant. Can it be that he, too, has been called to the marriage in Cana of Galilee . . . The elder raised Alyosha a little with his hand, and Alyosha got up from his knees. "We are rejoicing," the little wizened man continued, "we are drinking new wine of a new and great joy. See how many guests there are? Here are the bridegroom and the bride, here is the wise ruler of the feast, tasting the new wine. Why are you marveling at me? I gave a little onion, and so I am here. And there are many here who only gave an onion."¹⁷ (361)

Alexei literally comes to constitute his life from within the form of the Holy Gospel in his rejuvenating encounter with the Elder Zosima. The disciple's encounter reaches its climax, as it did for the elder and for his brother Markel before him, with Alexei confessing himself as guilty on behalf of all and for all, prostrating himself before the earth, and asking forgiveness. In this moment, "some sort of idea, as it were, was coming to reign in his mind—now for the whole of his life and unto ages of ages" (363).

What then is Alexei's revealed fate following this encounter? Following the elder's instructions, it is nothing save to "sojourn in the world" (363). Alexei comes to enact the ethical encounter with his fate, as a sojourner in this world, through the typological rendering of his life in the form of the Divine Image, here the Holy Gospel, which offers the end of the pathogenic law. Indeed, Alexei leaves the world, touches other worlds, only to return to this one once more.

3 - Conclusion

Returning to the tale of “The Grand Inquisitor” and Ivan Karamazov’s pathos, we find the latter proclaiming to his brother the necessity of his “rebellion”:

I need retribution; otherwise I will destroy myself. And retribution not somewhere and sometime in infinity, but here and now, on earth, so that I see it myself. I have believed, and I want it for myself, and if I am dead by that time, let them resurrect me, because it will be too unfair if it all takes place without me. (244)

What we see in the eventual madness of Ivan is not a simple moral failing, that is, his inability to invoke morality or belief and so save himself from a nihilistic, amoral world.¹⁸ Such a reading invariably must assert a Kantian position in which morality is the law that is both sovereign and categorically imperative. What’s more, from the position of both Kant and Kierkegaard, the moral law is that which must be given to ourselves in an act of sovereign freedom. In this light, the pathological repetition encountered by Ivan and his Inquisitor is by all accounts a haunting, one in which the time of the law becomes not only endless but hopelessly void. It is precisely the inability to ultimately grant himself the moral law that haunts Ivan; in light of this inability the only option appears to be annihilation.

Ivan’s madness then is ultimately an interrogation that speaks, not outside of, but from the very place of the moral law. Before telling his brother the tale, Ivan calls into question the possibility of theodicy:

Listen: if everyone must suffer, in order to buy eternal harmony with their suffering, pray tell me what have children got to do with it? It’s quite incomprehensible why they should have to suffer . . . I do understand how the universe will tremble when all in heaven and under the earth merge in one voice of praise, and all that lives and has lived cries out: ‘Just art thou, O Lord, for thy ways are revealed!’ . . . but I do not want to cry out with them. While there’s still time, I hasten to defend myself against it, and therefore I absolutely renounce all higher harmony. It is not worth one little tear of even that one tormented child. (244-245)

For Ivan, “everything is permitted” precisely when the sovereign and violent law becomes that which fills all and in all.¹⁹ Life coincides with the law and an end of the time of this world becomes impossible to encounter. Thus, while it may appear at the outset that Ivan is adamant in his rejection of all morality, it is in fact the obverse; his pathology is bound to the moral law, haunted by its impossibility.

Lest we think the paths that separate Alexei and Ivan are constituted by a simple choice, we should remember the words of Elder Zosima: "all our fates are from the Lord." Ivan's madness must be confronted not only as an inscrutable mystery, but as revealing an exigency. This exigency is nothing less than the grappling with the Divine Image that offers silence before the sovereign law. This is enacted in the text when Alexei, upon hearing his brothers distressed ramblings, images Christ as before the Grand Inquisitor: he responds to his brother in silence, and gently kisses him upon the lips.

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¹ The authors that have been most influential for my understanding of Orthodox tradition, particular in regards to the questions raised here, are, among others, Georges Florovsky, Thomas Hopko, Alexander Schmemmann, and John Zizioulas.

² See, for example, Tracy B. Armstrong's introduction to Schmitt's *Political Theology*.

³ The supposed homology of Western Christian theology and the foundations of modern political authority is critical, not only for Schmitt's writing, but the modern corpus of political theology. The consonance of the "Master Signifier" as that which founds both the sovereign law and a transcendent God's tautological being has become an axial part of modern political theory. For examples of this see the works of: Giorgio Agamben, Slavoj Žižek, and Alain Badiou.

⁴ This realization challenges the view that Dostoevsky's writings are fundamentally reactionary, that is that they express a longing for a truly Orthodox Russian monarchic polity. In the tale of "The Grand Inquisitor", we are subjected to a much more tendentious account of the problem of disenchantment. Indeed, as Georges Florovsky notes in his essay "Dostoevsky and Europe" in *Theology and Literature*, Dostoevsky grapples with the world as such through the optic of an "ever-unfolding catastrophe", and thus fails to inscribe modernity with a uniquely tragic oeuvre.

⁵ To place Benjamin and Dostoevsky's works alongside one another is not to efface the serious differences. It does however, serve to highlight how in both instances the problem of sovereignty vis-à-vis the law can be thought of as a problem of time. Interestingly, both Benjamin and Dostoevsky invoke Divine time as a riposte to the law in this world.

⁶ This argument can be found in great detail in Reinhardt Koselleck's collection of essays, *Futures Past*, wherein the mutual collapse of the space of experience and the horizon of expectation produces an ever-accelerating and open futurity. See especially his essay, "Historia Magistra Vitae: The Dissolution of the Topos into the Perspective of a Modernized Historical Process".

⁷ This is found most strikingly in St. Matthew's Gospel: "Then two men will be in the field: one will be taken and the other left...therefore you also be ready, for the Son of Man is coming at an hour you do not expect" (24:40-44). Importantly, Orthodox Christian temporality is defined through a witnessing accomplished through death to an end of history that has already occurred. Hence, the mystery of revelation of Christ's second coming is not a future-oriented *telos* as such; rather, the mystery is already, paradoxically, revealed through Christ's death on the cross where he utters the word "τετέλεσται", "it is finished".

⁸ This term is taken from Mary Carruthers' *The Book of Memory* which deals with the historically situated reading and writing practices of Middle Ages Europe. Carruthers notes that the past as a memorial trace is not as it will come to be in the Renaissance and Modern thought—i.e. as an objective fact that is always subjugated and distorted through the conditions of the present. Rather the past is the means by which the present and future obtain coherence.

⁹ Talal Asad has written heavily on the concept of tradition. In Asad's rendition, tradition is an analytic that allows one to bring the maintenance of temporal boundaries to the fore and as such draws one away from an understanding tradition as a stable adjudication of insider and outside.

¹⁰ There is not space here to elaborate on Wittgenstein's notion of "form of life" which is heavily related to the same philosopher's notion of conceptual grammar. Importantly, the rules that bound a form of life are precisely those which are not professed to be rules, but rather are unknowingly followed. See, *Philosophical Investigations*.

¹¹ Malcom Jones, in his book, *Dostoevsky and the Dynamics of Religious Experience* makes this point clearly: "[For Dostoevsky] human beings are fated to use a discourse which is inadequate to their higher nature, the deepest spiritual realities and the fullness of God" (146).

¹² The chapter "From the Life of the Elder Zosima" bears striking resemblance to hagiographic literature that records the lives of saints, and is read by the faithful as an exhortation. As has been noted by, the Elder Zosima and his life's record bears striking resemblance, among others, to the life of St. Tikhon of Zadonsk. See Gorodetzky, Nadejda. *Saint Tikhon of Zadonsk, Inspirer of Dostoevsky*. St. Vladimir's Seminary Press, 1976. Print.

¹³ For an Orthodox anthropology of the person that is irreducibly communal and is moreover an ontology animates both human life and the Divine reality, see John Zizioulas *Being as Communion*.

¹⁴ The theme of unworthiness permeates Orthodox tradition but is most conspicuous liturgically in the form of the pre-communion prayers, which are professed by all the gathered faithful.

¹⁵ There is a clear similarity here between pronouncing oneself as guilty “on behalf of all and for all” and Benjamin’s call to bring about a “real state of emergency” as both take on what is a form of ends under the law as one of pure means.

¹⁶ The account of the wedding at Cana is found in St. John’s Gospel. It is the first public sign performed by Jesus in the Gospels. In Eastern Orthodox tradition, this account is taken typologically to reference the mystical eighth day, i.e. the fulfilment of the Kingdom to Come in Christ. As such, it is entirely appropriate that Alexei meets his spiritual father at the fulfilled Eucharistic banquet.

¹⁷ To give an onion refers to a narrative trope within *The Brothers Karamazov* wherein the smallest act of kindness is enough to gain entrance to the Kingdom of God. Grushenka also mentions this reference in her encounter with Alexei.

¹⁸ Ivan’s true madness comes after his encounter later in the novel with the devil, a shrill, interminably tortuous figure that takes up the place of frustrated speech, contrasted with Divine silence.

¹⁹ The law becomes literally the antichrist, that is, that which stands in the place of

