

Week 1: Carl Schmitt: An Introduction

Core reading:

Wolin, Richard. 1992. "Carl Schmitt: The Conservative Revolutionary Habitus and the Aesthetics of Horror" *Political Theory* 20 (3): 424–47. <https://www.jstor.org/stable/192186>

Who was Carl Schmitt?

A very good chronology of Schmitt's life can be found here: [Carl Schmitt's Life: A Chronology](#).

For the purposes of this seminar series, there are three relevant components to Schmitt's life that shed light on his political thought. These are his Catholicism, his conservatism, and his Nazism.

1. **Carl Schmitt the Catholic** - Schmitt was a Catholic his entire life. He was excommunicated from the Church in 1926 for bigamy. He was also a horrendous lecher his entire life. However, despite this, Schmitt borrows heavily from Catholic and Christian imagery in his works. Amongst the works we will look at in this seminar, Catholic institutions and imagery feature most strongly in *Political Theology* and *Political Romanticism*.
2. **Carl Schmitt the Conservative** - During the Weimar period, Schmitt was aligned with the conservative German right against both Nazism and Communism. Schmitt wrote extensively about the dangers of an overpowered executive destroying the existing legal order in books like *Dictatorship* and *Constitutional Theory*. However, he also served as legal counsel for the Weimar government in the Pruessenschlag which ultimately led to the end of democracy in the state of Prussia and centralised government power. Much of the work we will be looking at in this seminar is written in this period. During this time, Schmitt associated and worked with Jewish students and academics like Hans Kelsen, a young Leo Strauss, and Hans Morgenthau. In fact, *The Concept of the Political's* critical account of the friend-enemy distinction drew heavily from Morgenthau's 1929 dissertation. Some scholars like Dyzenhaus point to Schmitt's pre-Nazi affiliations as evidence that he was only opportunistically Nazi and anti-semitic.
3. **Carl Schmitt the Nazi** - Schmitt joined the Nazi Party in 1933. He immediately began to write in defense of the Nazi regime and Hitler, going so far as to offer justification for the Night of the Long Knives, in which his previous patron during the Weimar period, General von Schleicher, and his wife, were both killed. He refused to condemn the persecution of his Jewish colleagues and cut off contact with former Jewish collaborators and students, including Leo Strauss. His anti-semitism is apparent in works like *The Leviathan in the State Theory of Thomas Hobbes*. In the Nazi regime, Schmitt reached the height of his career. He became the head of the Association of National Socialist German Jurists in 1933. However, in 1936, he was condemned by the official SS newspaper and fell from grace within the

regime. Though he retained many of his posts, he was no longer influential. After WWII, he would be detained twice by American denazification authorities. He refused to denazify and was barred from teaching for the remainder of his life although he continued to write books including *Theory of the Partisan* and *Nomos of the Earth*. Until the day he died, he did not express remorse for his Nazism.

These three aspects of Schmitt's life are intertwined but ultimately distinct. His affinity for Nazism in spite of his Catholicism and conservatism shed light on the overall inclination of his work. His work must be understood within the context of these three components of his intellectual life and he must be understood first and foremost as a theorist of the far-right.

Schmitt's Political Thought and Seminar Aims

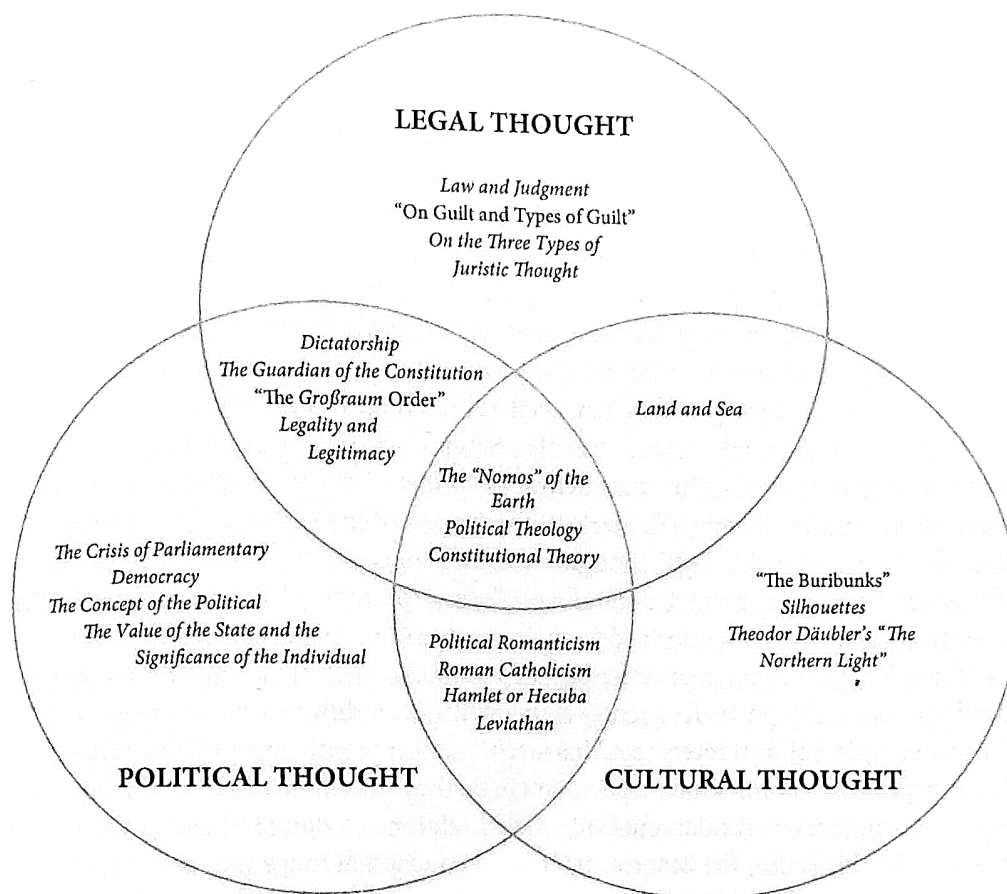


FIGURE 1.2 Polycentricity and Transdisciplinarity in Carl Schmitt's Major Works, 1910–1956.

The basic tenets of Schmitt's political thought can be best understood as emerging from two tendencies: a right-wing criticism of liberal democracy and an emphasis on an organic, as opposed to mechanistic, account of the nation state.

Schmitt despised liberalism. He thought that liberalism, particularly liberal democracy, was an oxymoron and too weak to face serious internal and external threats to its integrity. His response to his perceived weakness of liberalism was to articulate the need for a well-defined 'organic' national community with a shared metaphysics under decisive leadership capable of resisting states of exception and expanding its' sphere of influence to enhance security. In a world of democratic backsliding, it is important to see what lessons can be gleaned from Schmitt as it appears that many of his insights into the weakness of liberal democracy are currently being exploited by illiberal forces to bring about the realisation of his preferred political order: homogenous nations with strong state apparatuses arranged antagonistically against other powers and domineering towards weaker allies and dependents.

This seminar aims to illustrate how Schmitt's work should be taken as a cohesive corpus which argues for a specific vision of the world and the dangers of taking Schmitt's work out of the context of its intellectual aims. Each week, we will look at a major work by Carl Schmitt and explore the key arguments made within each work. We will connect the readings for each week with readings from previous weeks to understand the political image that Schmitt is trying to articulate with his writing.

Appendix: Why should we study Carl Schmitt?

"If Pol Pot came up with the general theory of relativity, does that mean we ought to dismiss the general theory of relativity just because Pol Pot went on to kill a quarter of the Cambodian population?" (Unnamed Professor at University of Cambridge)

1. Influential figures within the three leading world powers (USA, China, and Russia) have all variously described their regimes as Schmittian or have explicitly drawn from Schmitt in their defence/justification of their regimes actions.
2. Leading scholars in political theory make use of Schmitt in such a diverse manner of ways it is worth stopping and considering what makes Schmitt so versatile (Habermas, Agamben, de Benoist, Benjamin, Latour, Bratton, Mouffe, Dugin, Laclau, etc.)
3. His main ideas and attacks on liberalism are sufficiently powerful that they cannot be dismissed with the wave of a hand. Despite being a Nazi, the reputation of Schmitt's work has been somewhat rehabilitated since the end of WWII. He stands as one of the most effective non-left critics of liberalism.

Schmitt's Influence in Politics

1. Schmitt in Russia - Aleksandr Dugin, a theorist described as "Putin's brain," believes that modern Russia has much to learn from Carl Schmitt to justify Russian territorial expansionism. He has written extensively and favorably about Schmitt's concepts of Grossraum over the years. He understands the Russian interventions in Ukraine since 2014 to be part of the establishment of a Russian sphere of influence couched in explicitly

Schmittian terms. Dugin's work has been instrumental in the establishment of the so-called "fourth political theory," a political framework that seeks to transcend liberalism, communism, and fascism.

2. Schmitt in China - Schmitt has been well received in the People's Republic of China as a thinker whose work can be used to shore up the authority of the ruling Communist Party of China (CPC). This has been the explicit line taken by Jiang Shigong, who utilises Schmitt's concept of an unwritten constitution to argue that the power and authority of the CPC is far greater than what it is legally permitted to carry out. It is also alleged that Jiang is the author of the 2014 white paper to the Chinese government calling for harsher crackdowns in Hong Kong which eventually culminated in the passing of the 2020 National Security Law.

"So, as Schmitt said, the first question in politics is how to define your friends and enemies when making those decisions. Between enemies and friends, there are no questions of freedom, only force and subjugation. This is the essence of politics, an essence which liberals are often afraid to confront." (Jiang Shigong, Constitutional Authority in Ukraine's Transition, 2004 Interview)

3. Schmitt in Germany - Schmitt has had a significant influence in Germany through Ernst-Wolfgang Böckenförde, a major legal scholar and justice on the German Constitutional Court. Böckenförde was often described as a pupil of Schmitt. Böckenförde wrote extensively about legitimacy within liberalism and the nature of constitutional law. Although he did not reference Schmitt explicitly within these works, Böckenförde would visit Schmitt in Plettenberg and express in numerous letters his admiration for Schmitt and his work. Böckenförde also wrote several academic works exploring Schmitt's work and expounding on Schmitt's constitutional theory.

"If one reads the work [The Concept of the Political] phenomenologically-analytically and not as normative theory, it is simply persuasive." (Ernst-Wolfgang Böckenförde)

4. Schmitt in the USA - Since 2016, Schmitt has been increasingly well received by leading Republicans in the United States as a theorist to contextualise the bitter enmity between the two main political parties. The [NYT reports](#) that JD Vance stated the importance of Schmitt in informing his idea that in politics there is only power that matters. Schmitt has also been popularised by Harvard Law School academic Adrian Vermuele on multiple occasions, most notably through his paper arguing that American administrative law is Schmittian. Eric Posner, a leading International Law scholar at the University of Chicago, has also written a book with Vermuele on the Schmittian character of the American executive branch. Vermuele's influence extends into American constitutional interpretation, especially in his articulation of Common Good Constitutionalism which bears clear influence from Political Theology.

“Our administrative law contains, built right into its structure, a series of legal “black holes” and “grey holes” — domains in which statutes, judicial decisions and institutional practice either explicitly or implicitly exempt the executive from legal constraints. Legal black holes and grey holes are best understood by drawing upon the thought of Carl Schmitt, in particular his account of the relationship between legality and emergencies. In this sense, American administrative law is Schmittian. Moreover, it is inevitably so. Extending legality to eliminate these black and grey holes is impracticable; any aspiration to eliminate the Schmittian elements of our administrative law is utopian.” (Vermule 2009)

Schmitt's Influence on Theory

1. Left Schmittians - Habermas treats Schmitt's thinking as antithetical to his own. As a theorist primarily concerned with reclaiming the public sphere and dialogue, Habermas categorically rejects Schmitt's account of politics as inherently antagonistic. However, this has not stopped Habermas from citing Schmitt's criticisms of liberal democratic institutions favourably. In particular, Habermas's critiques of existing parliamentary institutions mirror Schmitt's own, something that has led Ellen Kennedy to assert that Habermas is a crypto Left-Schmittian.
2. Schmitt and the environment - Schmitt's thought has also been applied by theorists concerned with establishing new frameworks to think about the environment. This is because Schmitt's own political thought allows for radical departures from existing liberal epistemologies and appears as a viable alternative for emancipatory politics.

“Carl Schmitt deserves credit for bringing back to light the essential political importance of the enemy whom one does not hate, but I am of course extending the meaning of this term to nonhumans, or rather to composite propositions produced by humans and nonhumans. Here is Schmitt's famous distinction: “The distinction between a friend and an enemy denotes the utmost degree of intensity of union or separation, of association or dissociation. It can exist theoretically and practically, without having simultaneously to draw upon all those moral, aesthetic, economic, or other distinctions. The political enemy need not be morally evil or aesthetically ugly; he need not appear as an economic competitor, and it may even be advantageous to engage with him in business transactions. But he is, nevertheless, the other, the stranger; and it is sufficient for his nature that he is, in a particularly intense way, existentially something different and alien, so that, in the extreme case, conflicts with him are possible. These can be decided neither by a previously determined general norm nor by the judgment of a disinterested and therefore neutral third party” (Schmitt 1976 [1963], 26–27)” (Latour 2004, p. 278)

3. Schmitt and the War on Terror - Schmitt's thought on the state of exception has been applied to analyse the War on Terror. Scholars like Giorgio Agamben combine Schmitt's thought with Foucault's to study how the state of exception has slowly transformed into the norm and that extrajudicial powers originally intended to restore a sense of normalcy and security have become a part of everyday life.

4. Schmitt and Technology - Bratton takes Schmitt's ideas about *nomos* and applies them to the realm of advanced post-industrial technology, confirming Schmitt's anxieties about the disappearance of sovereignty as the exercise of power becomes increasingly diffuse. The application of Schmitt's work on the impacts of technologies he could not even fathom demonstrates the adaptability and robustness of his work.

Further reading:

- Strong, Tracy B. "Carl Schmitt and Thomas Hobbes: Myth and Politics." Foreword in Schmitt, Carl. *The Leviathan in the State Theory of Thomas Hobbes: Meaning and Failure of a Political Symbol*. Chicago: Univ. Of Chicago Press, 2008. pp. vii–xxviii. [The Leviathan in the State Theory of Thomas Hobbes.pdf](#)
- Auer, Stefan. 2015. "Carl Schmitt in the Kremlin: The Ukraine Crisis and the Return of Geopolitics." *International Affairs* 91 (5): 953–68. <https://doi.org/10.1111/1468-2346.12392>.
- Dugin, Aleksandr. 1994. "Carl Schmitt's 5 Lessons for Russia" from *The Conservative Revolution*. Translated by Jafe Arnold. <https://eurasianist-archive.com/2016/10/12/carl-schmitts-5-lessons-for-russia/>
- Martinez Mitchell, Ryan. 2020. "Chinese Receptions of Carl Schmitt since 1929." *8 Penn. St. J.L. & Int'l Aff.* 181. <https://elibrary.law.psu.edu/jlia/vol8/iss1/8>.
- Böckenförde Ernst-Wolfgang, Künkler Mirjam, and Tine Stein. 2017. *Constitutional and Political Theory*. Oxford University Press. pp. 10–18; 70–85. [Constitutional and Political Theory.pdf](#)
- Vermeule, Adrian. 2009. "Our Schmittian Administrative Law." *Harvard Law Review* 122 (4): 1095–1150. [Our Schmittian Administrative Law.pdf](#)
- Specter, Matthew G., "What's "Left" in Schmitt? From Aversion to Appropriation in Contemporary Political Theory", in Jens Meierhenrich, and Oliver Simons (eds), *The Oxford Handbook of Carl Schmitt* (2017; online edn, Oxford Academic, 16 Dec. 2013). <https://doi.org/10.1093/oxfordhb/9780199916931.013.011>
- Latour, Bruno. 2004. *Politics of Nature: How to Bring the Sciences into Democracy*. Cambridge, MA: Harvard University Press. pp. 143–150. [Politics of Nature.pdf](#)
- Latour, Bruno. 2017. *Facing Gaia : Eight Lectures on the New Climate Regime*. Polity: United Kingdom. pp. 220–254. [Facing Gaia.pdf](#)
- Agamben, Giorgio. 2005. *State of Exception*. Chicago: University of Chicago Press. pp. 1–31. [State of Exception.pdf](#)
- Bratton, Benjamin H. 2016. *The Stack : On Software and Sovereignty*. Cambridge, Massachusetts: The Mit Press. pp. 19–40. [The Stack.pdf](#)