Carl Schmitt’s International Thought

An unrepentant Nazi, Carl Schmitt remains one of the most divisive figures in twentieth-century political thought. In recent years, his ideas have attracted a new and growing audience. This book seeks to cut through the controversy surrounding Schmitt to analyse his ideas on world order. In so doing, it takes on board his critique of the condition of order in late modernity, and considers his continued relevance. Consideration is given to the two devices Schmitt deploys, the Großraum and the partisan, and argues that neither concept lives up to its claim to transcend or reform Schmitt’s pessimistic history of the state. The author concludes that Schmitt’s continuing value lies in his provocative historical critique, rather than his conceptual innovation.

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For Arthur, my grandfather
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Preface

My first exposure to Carl Schmitt was in 2001–2 when I had the good fortune to study the history of political thought from 1890 to the present under the supervision of Martin Rühl, then of Queens’ College, Cambridge. In this setting, my first reading of Schmitt was in the context of thinkers such as Nietzsche, Weber, Sorel, Franz Neumann, Adorno and Horkheimer, all of whom were grappling in their varying ways with the political problems of late modernity. Schmitt stood out from this field both for his polemical force, and for his profound neglect among English-speaking scholars. At this time, none of Schmitt’s post-war works were available in English translation, and except for the occasional efforts of Gary Ulmen as editor of Telos, there was virtually no English language scholarship on The Nomos of the Earth. The ‘gap in the market’ for serious study of Schmitt as an international thinker seemed self-evident.

In 2003 I produced a master’s thesis entitled Justus hostis: Carl Schmitt on Public Enmity, returning a year later to embark on a Ph.D. studying themes of theological truth and order in Schmitt’s view of world politics. Throughout this period the LSE provided a stimulating and supportive environment for the pursuit of what was often a necessarily solitary research agenda. In particular, I was enormously lucky to have Chris Brown as my supervisor. Chris’s support comes not only in the form of constructive remarks and sage tactical advice, but most agreeably in the form of food, drink and great fun. I am sure he would accept of himself the description ‘interested in Schmitt, but certainly not Schmittian’, making him an informed and sympathetic reader of my work. I hope that he has now overcome early misgivings that he was somehow complicit in siring an underground ‘Schmitt School’ at the heart of the LSE.

Kim Hutchings and Nick Renngger acted as my Ph.D. examiners. They happily agreed to pass the Ph.D., but also gave detailed and very constructive attention to areas in which I could strengthen my research and sharpen my critical approach. They have both gone beyond the call of duty in their support and their proactive encouragement for me to take my work forward. I am also extremely grateful to Gabriella Slomp and an
anonymous reviewer, both of whom read a first draft of this book, and provided numerous suggestions, criticisms and conceptual challenges. That I have not followed all of the advice so generously given in no way lessens my appreciation.

Many others at the LSE and elsewhere have also helped to shape my research and, ultimately, this book, through their generous suggestions and criticism. Margot Light and Mick Cox have been constant in their enthusiasm, and an excellent source of advice and guidance. I am also grateful to Doug Bulloch, Barry Buzan, Simon Curtis, Joe Devanny, Spyros Economides, Philippe Fournier, Rune Henriksen, Stefanie Ortmann, Serena Sharma, Ewan Stein, Louisa Sunderman and Peter Wilson for their various remarks and suggestions.

Tom Burn, David Matthews and John Matthews have frequently asked the sort of probing non-specialist questions that force one to re-evaluate some fundamental tenets of the thesis. I am grateful to them for the interest they have shown. Greg Callus deserves particular thanks for being a great well of knowledge and insight across the broad spectrum of political thought. I am also indebted to him for his help with the dreary task of indexing.

In exploring the religious and theological aspects of the thesis, I have been fortunate to develop links with the ECPR Standing Group on Religion. I am grateful to Giorgio Shani for chairing a panel at the ECPR Conference in Budapest in September 2005 where I had the opportunity to present an earlier version of Chapter 3 of this book. I also developed certain themes from Chapters 3 and 4 at the IPSA Conference in Fukuoka, Japan, in July 2006, in a panel chaired by Jeff Haynes. I am grateful to Giorgio and Jeff for including me in these events, and for their stimulating discussions of my work. I am also grateful to other participants for their criticisms and encouragement, and in particular to Vendulka Kubalkova, Mustapha Pasha and Richard Ryscavage.

None of this would have been possible without the relentless support and assistance of my family. Firstly, I thank my grandfather and my brother James, for their interest and encouragement. My parents have remained enthusiastic about my research, and have given me more material and emotional support than one could wish for. I am especially grateful to them for providing me with a peaceful and focussed environment in Tewkesbury in which to work, often denying themselves the utility of their country retreat in the process. Without the many productive hours I spent there, it is doubtful whether this thesis would ever have come to fruition.

Last, but in no way least, my thanks go to Sarah. In the course of completing this thesis she obtained the dubious honour of becoming
‘Mrs Hooker’. She has helped me to avoid the worst pathologies of mind that total immersion in the work of Carl Schmitt can sometimes threaten. She has borne my frustrations with grace, and her simple confidence in me has headed off my pessimism at the pass. I am very fortunate.

Note on sources, translation and citation

Efforts at translating Schmitt’s work into English have been somewhat patchy and piecemeal. Wherever a recent and reliable English translation of a work exists, that translation will have been used in this thesis. This includes George Schwab’s translations of The Concept of the Political, Political Theology and The Leviathan in the State Theory of Thomas Hobbes, as well as the MIT Press series of translations including Political Romanticism and The Crisis of Parliamentary Democracy. Gary Ulmen’s 2004 translation of The Nomos of the Earth is of great value in opening up Schmitt’s more emphatically international work to an English-speaking audience. Ulmen has also recently completed a translation of Theory of the Partisan.

For the most part, Schmitt showed a preference for writing extended essays of between 3,000 and 10,000 words. Several of these have been published in English in the journal Telos, although there is no comprehensive English-language collection of Schmitt’s essays. Many of the most important of these have been collected and published in three German-language volumes. Positionen und Begriffe im Kampf mit Weimar–Genf–Versailles 1923–1939 (Hamburg, 1940) brought together thirty-six of Schmitt’s essays written before the Second World War. Its focus, as the title implies, is on works that tend to concentrate on the post-1919 international order, international law and the political conditions of Europe. Staat, Großraum, Nomos: Arbeiten aus den Jahren 1916–1969 (Berlin, 1995) brings together a further thirty-nine essays written over a longer time period. Edited by Günther Maschke, it is the most wide-ranging and comprehensive collection of Schmitt’s works. It contains sketches of many of the ideas that Schmitt would subsequently work up into book-length pieces. Maschke also prepared a heavily edited collection of Schmitt’s works entitled Frieden oder Pazifismus? Arbeiten zum Völkerrecht und zur internationalen Politik 1924–1978 (Berlin: Duncker and Humblot, 2005). There is a certain amount of overlap between the works contained in this latter work and the other two volumes. Some of these essay pieces are extremely important in their own right, and provide points of interconnection between Schmitt’s more substantial works. Still others represent work in progress and, as would be expected, are worked up in more detail into monographs. In such contexts, I have tried in so far as is possible to emphasise the more major monographs, utilising Schmitt’s essay pieces only to clarify ambiguity, or to trace
particular lines in the development in his thought. Since this is intended as an account of Schmitt’s specific understanding of the historical fate of the international system and not as an intellectual biography or a comprehensive survey of Schmitt’s oeuvre, selectivity has been a necessary part of the exercise.

Where no English-language translation is available, or where available translations are provisional, unreliable or arcane, all translations are my own. For the most part, Schmitt is an extremely direct and stylish author, and the common difficulties of rendering ‘academic German’ are blissfully avoided. Nevertheless, where there may be some ambiguity of meaning, I have adopted the practice of reproducing the original German either in parenthesis or, with longer passages, as a footnote. Following Ulmen, I have taken the step of rendering the phrase Hegung des Krieges as ‘the bracketing of war’. The verb ‘to bracket’ appears, in this context, to have become a common standard in English language, and to use a different phrase would threaten confusion. Nevertheless, as the later discussion of Schmitt’s concept illustrates (see below, p. 21 n. 27, and p. 80), this is by no means an unproblematic translation.

Consideration is also given to a comparatively small amount of unpublished material from the collection of Schmitt’s papers at the State Archive in Düsseldorf. The Schmitt Nachlaß contains almost 500 archive cartons, and includes correspondence to and from Schmitt, handwritten notes, sketches and early drafts, as well as Schmitt’s collected library of books and essays, complete with marginalia. For details of the contents of the archive, see D. van Laak and I. Villinger, Nachlaß Carl Schmitt: Verzeichnis des Bestandes im Nordrhein-Westfälischen Hauptstaatsarchiv, Siegburg: Republica-Verlag (1993). I am grateful to Herr Professor Jürgen Becker for permission to access the archive in July 2005, and to all the staff who provided assistance in finding materials. I have adopted their suggested form in citing material from the archive. HSTaD designates the Haupstaatsarchiv Düsseldorf. RW265 is the unique identifier for the Schmitt collection. There then follows an individual folder number. Since many folders contain several items collected thematically, I have endeavoured to identify the specific material under consideration.
Chronology of Schmitt’s life

1888  Born in Plettenberg in Westfalen
1914  Publishes habilitation thesis *Der Wert des Staates und die Bedeutung des Einzelnen (The Value of the State and the Significance of the Individual)*
1915  Graduates in law from Strassburg University
1916  Marries first wife, Pawla Dorotić (divorced in 1925)
1921  Professorship at the University of Greifswald
1922  Publishes *Die Diktatur (On Dictatorship)*
1925  Marries second wife, Duška Todorović
1926  Professor at the Hochschule für Politik in Berlin
1932  Professor of law at Cologne University
1933  Publishes second edition of *Der Begriff des Politischen (The Concept of the Political)*
1933  Professor of law at the University of Berlin
1936  Organises anti-Semitic conference of jurists calling for the elimination of Jewish influences in German law
1937  Publishes *Der Leviathan in der Staatslehre des Thomas Hobbes (The Leviathan in the State Theory of Thomas Hobbes)*
1942  Publishes *Land und Meer (Land and Sea)*
1945  Arrested by Soviet forces in Berlin
1946  Released without having been indicted
1950  Publishes *Der Nomos der Erde (The Nomos of the Earth)*
1963  Publishes *Theorie des Partisanen (Theory of the Partisan)*
1985  Dies in Plettenberg aged 97