

This is the first in-depth critical appraisal in English of the political, legal, and cultural writings of Carl Schmitt, perhaps this century's most brilliant critic of liberalism. Moreover, it offers an assessment of this most sophisticated of fascist theorists without attempting either to apologize for or demonize him.

Schmitt's eventual collusion with the Nazis has long discouraged any serious engagement with the critique of liberalism that he undertook during the crisis-ridden Weimar Republic. However, contemporary political conditions, such as disaffection with liberalism and the rise of extremist political organizations, have rendered Schmitt's work both relevant and insightful.

Schmitt's Weimar writings confront the role of modern technology as it finds expression through the principles and practices of liberalism. Just as technology is characterized by both the abstractly formal logic of Enlightenment science and the irrational will toward domination generated by mass exhilaration and fear, so liberalism, according to Schmitt, lays out abstractly neutral rules to govern a social reality comprising a plurality of mutually irrational and incommensurable subjective perspectives. John McCormick examines why technology becomes a rallying cry for both right- and leftwing intellectuals at times when liberalism appears anachronistic, and he shows the continuities between Weimar's ideological debates and those of our own age.

By setting Schmitt's work in the context of contemporaries such as Weber, Lukács, Benjamin, Heidegger, and Adorno as well as earlier figures such as Machiavelli, Hobbes, Hegel, Marx, and Nietzsche, John McCormick has furnished philosophers, historians, and political theorists with the most comprehensive account of Schmitt available.



CARL SCHMITT'S CRITIQUE OF LIBERALISM



#### MODERN EUROPEAN PHILOSOPHY

General Editor
Robert B. Pippin, University of Chicago
Advisory Board
Gary Gutting, University of Notre Dame
Rolf-Peter Horstmann, Humboldt University, Berlin
Mark Sacks, University of Essex

This series contains a range of high-quality books on philosophers, topics, and schools of thought prominent in the Kantian and post-Kantian European tradition. It is nonsectarian in approach and methodology, and it includes both introductory and more specialized treatments of these thinkers and topics. Authors are encouraged to interpret the boundaries of the modern European tradition in a broad way and in primarily philosophical rather than historical terms.

#### Some Recent Titles

Frederick A. Olafson: What Is a Human Being?
Stanley Rosen: The Mask of Enlightenment: Nietzsche's Zarathustra
Robert C. Scharff: Comte after Positivism
F.C.T. Moore: Bergson: Thinking Backwards
Charles Larmore: The Morals of Modernity
Robert B. Pippin: Idealism as Modernism: Hegelian Variations

Daniel Conway: Nietzsche's Dangerous Game



# CARL SCHMITT'S CRITIQUE OF LIBERALISM

# AGAINST POLITICS AS TECHNOLOGY

JOHN P. McCORMICK

University of New Hampshire





#### CAMBRIDGE UNIVERSITY PRESS Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo

Cambridge University Press The Edinburgh Building, Cambridge CB2 2RU, UK

Published in the United States of America by Cambridge University Press, New York

www.cambridge.org
Information on this title: www.cambridge.org/9780521591676

© John P. McCormick 1997

This book is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 1997 First paperback edition 1999

A catalogue record for this publication is available from the British Library

Library of Congress Cataloguing in Publication data

McCormick, John P., 1966—

Carl Schmitt's critique of liberalism: against politics as technology /John P. McCormick.

p. cm. – (Modern European philosophy)

Includes bibliographical references and index.

ISBN 0-521-59167-8

Schmitt, Carl, 1888

 Liberalism. 3. Technology and civilization. I. Title. II. Series.
 JC263.S34M385 1997

320'.092 – dc21 97-12109

CIP

ISBN-13 978-0-521-59167-6 hardback ISBN-10 0-521-59167-8 hardback

ISBN-13 978-0-521-66457-8 paperback ISBN-10 0-521-66457-8 paperback

Transferred to digital printing 2005



FOR MY PARENTS,
J.M. AND B.T. MCCORMICK



# **CONTENTS**

Acknowledgments Abbreviations		<i>page</i> ix xi	
710	oreviations .	XI	
In	troduction	1	
Ι	Between Critical Theory and Political Existentialism: Schmitt's Confrontation with Technology		
1	Antinomies of Technical Thought: Attempting to Transcend Weber's Categories of Modernity	31	
2	Myth as Antidote to the "Age of Neutralizations": Nietzsche and Cultural Conflict as Response to Technology	83	
II	Liberalism as Technology's Infiltration of Politics		
3	Emergency Powers	121	
4	Representation	157	
5	Law	206	
6	The State	249	
vii			



# viii CONTENTS

# III Liberalism and Fascism/Technology and Politics

Epilogue and Summary	293
Conclusion	302
Works Cited	315
Index	343



### ACKNOWLEDGMENTS

There are many people and institutions who aided and encouraged me to undertake and carry out this project. During my years as a graduate student I was fortunate to benefit from the learned guidance and unfailing support of perhaps the best mentors and colleagues in the world. I especially thank Stephen Holmes, Bernard Manin, Robert Pippin, Moishe Postone, Dan Carpenter, Ann Davies, Neil Brenner, Gia Pascarelli, as well as particular members of the Workshop in the History of Political Thought, the Interdisciplinary Social Theory Forum, the Modern European History Workshop, and the Political Theory Sunday Night Group at the University of Chicago. All were enthusiastic in their engagement with this book in earlier incarnations, ruthless in their criticisms of it, as well as faithful in prodding me to bring the various versions of it to completion.

Other scholars whose help with the manuscript as a whole has proven indispensable over the years include Richard J. Bernstein, Carl Caldwell, David Dyzenhaus, Michael Geyer, Charles Larmore, George Schwab, Tracy Strong, Leo Walsh, and Richard Wolin. Specific portions of the manuscript have benefited markedly from the critical attention of Susan Buck-Morss, Renato Cristi, Adam Daniel, Gary Herrigel, Ellen Kennedy, Matthias Konzett, Reinhart Koselleck, Pasquale Pasquino, Lloyd Rudolph, Susanne Hoeber Rudolph, Bill Scheuerman, and Gary Ulmen. The final manuscript has been drastically improved by the diligent, creative, and always expedient editorial and production efforts of



#### X ACKNOWLEDGMENTS

Terence Moore, Andrew Roney, Gwen Seznec, and Lisa Lincoln of Cambridge University Press, as well as the copyediting work of Carol Roberts. The shortcomings that remain in the finished product are of course my own responsibility.

Without the financial support of the following institutions, I would have been able to complete this manuscript in neither a moderately timely nor a tolerably competent manner: The Mellon Foundation and the Division of the Social Sciences and the Department of Political Science of the University of Chicago provided generous dissertation funding; the William J. Fulbright Foundation provided a grant to conduct research in Germany at the University of Bremen during 1994–95; and the European University Institute awarded me a Jean Monnet postdoctoral fellowship to reside in Florence, Italy, during 1995–96.

Moreover, I thank the many scholars in Europe at the time of my stay who improved this project by reading and commenting on its chapters, by discussing its contents, by providing public forums for it at their institutions, or by simply offering friendship and community to a scholar abroad: Perry Anderson, Marina Calloni, Dario Castiglione, Richard Dienst, Klaus Eder, Michelle Everson, Andrea Gavriel, Christian Joerges, Christian Joppke, Axel Honneth, Stephan Leibfried, Steven Lukes, Ingeborg Maus, Reinhard Mehring, Jo McKendry, Peter Niesen, Claus Offe, Gianfranco Poggi, Ulrich Preuß, Peggy Somers, Yasemin Soysal, John Torpey, and Bruce Western.

I must also express my gratitude to the late Michael Harrington for first impressing on me how essential German philosophy could be for understanding political power, historical change, and social justice in modernity.

To Gia Pascarelli I owe a special acknowledgment for all the support – emotional, intellectual, and otherwise – that she has afforded me over the years as a friend, a spouse, a partner, a colleague, and in so many other capacities for which, fortunately, there do not exist categories. Simply, thank you.

This book is dedicated to my parents, who encouraged me unconditionally in this as in all endeavors.

Permission to reprint the following is gratefully acknowledged: An earlier version of Chapter 2 appeared in *Philosophy and Social Criticism* 21: 4 (Copyright © 1995 by Sage Publications); parts of Chapter 3 appeared in the *Canadian Journal of Law and Jurisprudence* 10: 1 (Copyright © 1996, Faculty of Law, University of Western Ontario); and parts of Chapter 6 appeared in *Political Theory* 22: 4 (Copyright © 1994 by Sage Publications).



## **ABBREVIATIONS**

Listed below are abbreviations of the works by Carl Schmitt most frequently cited in this study.\* The publication dates of the original German editions appear in brackets.

- N Theodor Däublers "Nordlicht": Drei Studien über die Elemente, den Geist und die Aktualität des Werkes ([1916] Berlin: Duncker & Humblot, 1991).
- PR Political Romanticism, trans. Guy Oakes ([1919] Cambridge, Mass.: MIT Press, 1986).
- Die Diktatur: Von den Anfängen des modernen Souveränitätsgedankens bis zum proletarischen Klassenkampf ([1921] Berlin: Duncker & Humblot, 1989).
- PT Political Theology: Four Chapters on the Theory of Sovereignty, trans. George Schwab ([1922] Cambridge, Mass.: MIT Press, 1986).
- RC Roman Catholicism and Political Form, trans. G. L. Ulmen ([1923] Westport: Greenwood Press, 1996).
- P The Crisis of Parliamentary Democracy, trans. Ellen Kennedy ([1923] Cambridge, Mass.: MIT Press, 1986).
- V Verfassungslehre ([1928] Berlin: Duncker & Humblot, 1989).

<sup>\*</sup>Works by other authors that may be abbreviated in the study are listed in the notes of the particular chapters.



xii	ABBREVIATIONS
ND	"The Age of Neutralizations and Depoliticizations" (1929), trans. Matthias Konzett and John P. McCormick, <i>Telos</i> 96 (summer 1993).
CP	The Concept of the Political, trans. George Schwab ([1932] New Brunswick: Rutgers University Press, 1976).
LL	Legalität und Legitimität (1932), in Verfassungsrechtliche Aufsätze aus den Jahren 1924–1954: Materialien zu einer Verfassungslehre (Berlin: Duncker & Humblot, 1958).
L	The Leviathan in the State Theory of Thomas Hobbes: Meaning and Failure of a Political Symbol, trans. George Schwab and Erna Hilfstein ([1938] Westport: Greenwood Press, 1996).
PJ	"The Plight of European Jurisprudence" (1943/44), trans. G. L. Ulmen, <i>Telos</i> 83 (spring 1990).