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Whose Reason, Whose Law, Whose Public?

“The Political” and “Hegemonic Sovereignty” in Carl Schmitt

Abstract

Carl Schmitt is one of the most dedicated opponents of liberal universalism, with its notion of pluralist, rational and non-exclusivist consensus politics as a progressive democratic project and its understanding of the political arena – “purified”, being free from struggles and conflict – as the progressive move of democratic logic. In this paper I will first try to show Schmitt’s pessimistic and negative stance based on ontological and theological grounds on the deliberative model of politics with its claim about the possibility of making particular wills reach the conception of common public interest or the common good through discussion and dialogue. Secondly, I’ll try to show that, within Schmitt’s project, the concept of the sovereign dictatorship exists as the necessary counterpoint to the concept of the political. Schmitt refuses to understand political life as a medium of dialogue leading to a rational consensus. In this context, the sovereign in Schmitt’s theory should be precisely understood as a force constructed to reproduce homogeneity in a hegemonic manner. Hegemonia, in a Gramscian sense, is not a bare oppressive force. Rather, it refers to a ruling force which is able to inject its own ideology and world view into the public through persuasion. In this framework, leftist thinkers like Mouffe, who recommended that we should think “with Schmitt against Schmitt” in order to develop a new democratic political understanding, draw attention to Schmitt’s thesis that every political identity functions as “we-they” antinomy, yet they miss the fact that it is impossible to deduce a conception of a truly democratic public sphere from Schmitt’s theory. As it will be emphasized in this paper, democracy in the Schmittian sense can be the perfect form of sovereignty, one which in contrast to liberal democracy results in homogenization and the exclusion of the heterogeneous and thus must be conceived as a fundamentally hegemonic system. The Schmittian ideal of democracy requires that political identities, public opinion, public sphere and will formation are the products of a sovereign will and not of open and free discussion.

Keywords

Carl Schmitt, modernity, the political, public sphere, Chantal Mouffe, Karl Marx, social determination

After the two World Wars, Western nations have witnessed a dramatic change, not only in the socio-cultural field, but almost in all areas of human thought, from law to theology, and political theory. Despite the fact that significance and meaning of this transformation is not always obvious, many people adopted the idea that its primary aspect was the end of the ideological politics. The end of ideological politics, of course, is understood as the fall of all universalistic political discourses which legitimate themselves with reference to universal, general principles or ideas (Laclau 1995: 1–2). Therefore, the changes were in general described as the “crisis of modernity”. Undoubtedly, this meant the collapse of the strong Enlightenment belief of the eighteenth century – that only when human life can fulfill Kantian demand “Sapere Aude!” (“Dare to

know!”) under the guidance of reason, it can liberalize itself from the darkness which had covered entire humankind.

In this manner, the “crisis of modernity” has always been associated with the ending, fall, and termination of Enlightenment, of Western *ratio*, of history or of philosophy. At the same time a range of negative developments, such as the loss of the authority, moral collapse, the spread of anarchy, the instrumentalisation of law, the rise of individualism against traditional structures almost always have been understood as the signs of the crisis. Certainly, the Western dream of creating universal welfare society consisting of free, rational, and equal people turned into nightmare by the rise of communism and fascism. In the wake of the disaster caused by those two phenomena, many political theorists and philosophers began to question the very validity of the principles of liberal democracy and the ideals of the Enlightenment such as rational political order, freedom, equality, autonomy, progress, democracy, and individual rights. In brief, as Leo Strauss have observed, this meant, specifically, challenging the legitimacy of universal values, rational goals and objective measures (Strauss 1964: 1–6).

It was the pulsating “heart of darkness” behind the “civilization image” of the West which inherited from the Enlightenment the idea that the humankind would progress towards the great end along a straight, continuous line. The basic dilemma for philosophers who attempted to rejuvenate the West’s decadent self-image, was re-conceptualization of human world by finding a new modality of living together. As one of the most famous jurists and political theorists of twentieth century, Carl Schmitt was a witness to the socio-political events that have played a vital role in the transformation of the German society: the consequence of programs such as Bismarck’s Kulturkampf, the unsuccessful experience of parliamentarianism, First and Second World Wars, and the Treaty of Versailles. He declared that the pursuit of a neutral space away from conflicts resulted finally in the rejection of the political (Schmitt 2007a). Arguing at the same time that as first priority, the question of “what is the political?” must be posed as the most important and urgent question for the human being.

Undoubtedly, it was this discovery of the political by Schmitt that can be called one of the biggest discoveries in political philosophy in the twentieth century.¹ It was about an exploration of the ontological basis of politics² and as many other important discoveries in the history of ideas it was simple and straight-forward: the political precedes the state and the law.³ This was a serious challenge to the Enlightenment hope that reason organized in the right way will be able to create a better life for people, and a better forms of association if it makes it necessary to distinguish between friend and enemy. In this framework, Carl Schmitt is one of the most powerful opponents of universalist liberalism with its notion of pluralist, rational and non-exclusivist consensus politics as a progressive democratic project, and the understanding of the political arena – “purified”, free from struggles and conflict – as the progressive move of the democratic logic. Carl Schmitt, the famous advocate of a strong state, would consistently argue that it is impossible to call the ‘political public sphere’ “quintessential concept denoting all those conditions of communication under which there can come into being a discursive formation of opinion and will on the part of a public composed of the citizens of a state”, and of a ‘public reasoning’ – as Habermas has stated (Habermas 1996: 446) or “the outcome of a procedure of free and reasoned deliberation among individuals considered as moral and political equals” – in the words of Benhabib (Benhabib 1996: 68).

As a matter of fact, Marx himself – before Schmitt – has challenged three fundamental liberal ideas:

- the first about isolated individuals who perceive and conceptualize the society as an entity established thanks to their free wills (choices) (Marx 1993: 84);
- the second about possibility of resolving dilemmas and conflicts emerging in the socio-political field by open and rational debate;⁴
- ultimately the belief that parliament is the manifestation of the rational discourse.⁵

However, the same Marx, by confronting moral, political or social problems reducing them to the economic dimension and believing that controversies leading to conflict can be resolved by equal sharing of commodities, turned his revolutionary vision into an issue of social welfare policy rather than essential opposition to the hegemony of liberalism as such. Schmitt showed that the Marxist thesis about political identities as produced by the class struggle for economic resources and means of production shares the same premises with the liberal argument that political identities can be understood by reference to the instrumental rationality of the market where there is no value outside the economic interests. According to Schmitt, both traditions – Marxism and liberalism – are founded on the same basis of the acceptance of “the economical” as the motor of the history (Schmitt 2007: 84; Schmitt 2006: 331–334; Schmitt 1985b: 73; Müller 2003a: 465; Dotti 1999: 92–94; Dotti 2000: 1473–1476).

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Of course, it was rather a re-discovery which can be traced back to the ancient Greeks. However, the Schmittian conception of the political was the endeavor to resurrect the meaning of the political in Hobbesian framework against the ancient Greeks who sought to understand human being as a *zoon politikon*. Some years before his death, he wrote to G. L. Ulmen that “I’m no Hobbes, but, like Hobbes, I am a ‘sole retriever of an ancient prudence’”. For the very reason, it was not a coincidence that he was called “Hobbes of the twentieth century” or “Hobbes for the twentieth century” by Jacob Taubes and Günther Maschke (Kennedy 2004: 182; Müller 2003b: 154; McCormick 1994: 652, n. 63).

2

Generally speaking, although Schmitt’s anti-liberalism and anti-parliamentary democracy, which are based on his theory of the state and the conception of the political, were formed in the context of political crisis of the Weimar period, I would like to say that his ideas and works would remain unintelligible if they are understood within the narrow cultural world of the Weimar Republic. The distinction between friend and enemy is defined as the criteria of the political, and is offered as the existential condition of the human so that nobody can get rid of it. Michael Marder, in his excellent book *Groundless Existence*, has called this Schmittian ontology as “non-objectivist political ontology” that investigates

– on the level of concrete political existence – to what extent is it possible to measure the “humanness” (humanity) of the human by the potentiality, the possibility and the intensity of its “implementation” (embodiment) (Marder 2010: 1–4).

3

Schmitt’s *The Concept of the Political* starts with the sentence “the concept of the state presupposes the concept of the Political”. In this sentence – against Max Weber from “Politics as a Vocation” – Schmitt highlights that the state as a people’s political and legal organization is grounded in the political (Schmitt 2007b: 19–22; Dyzenhaus 1998: 8–10).

4

In *Manifesto of the Communist Party*, Marx and Engels’s saying “the history of all hitherto existing society is the history of class struggles” argue that bringing an end to the power of the bourgeoisie would be possible thanks to the socialization of the means of production and not through rational and open debate.

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Although the relationship between Marxism and Democracy is a very complicated issue, it can be maintained uncontroversially that for Marx liberal democracy is a form of man’s alienation (Kurki 2013: 57–65; for a more extensive treatment of the subject see Lichtman 1993).

For this reason, the fact that for the last few decades we have been witnessing a growing interest in Schmitt's project from both left and right circles – as evidenced in translations, reviews, critical commentaries, special issues of scholarly journals and other publications – cannot be treated as accident. Of course this interest refers to different reasons in the case of each mentioned camps. For instance, Shapiro has argued that Schmitt suggested the model of national unity under the sovereign authority just at a time when the masses enjoyed high mobilization – incomparable to any other period before – and won political power (Shapiro 2008: xi). Similarly, Paul Hirst has pointed out to Schmitt's decisionism that challenged the hegemony of liberal-democratic doctrine as the main source of this interest (Hirst 1999: 7–8). Ellen Kennedy's remark that “the most cogent and coherent critique of liberal institutions in this century was developed by Schmitt” (Kennedy 2004: 39) can be considered the summary of the main justification and explanation of interest in Schmitt's theory from the academic Left. In fact, the thing that attracted the Left in the case of this theory, along with its sharp critique of liberal constitutionalism, was the expectation of grasping with full clarity the true nature of the liberal state by supplementing Marx's theory – centering on the economic – with Schmitt's political theory focused on the genuine meaning of the political (Telman 2001: 128–129). Chantal Mouffe's proposal to think “against Schmitt with Schmitt” in order to develop a new understanding of liberal democratic politics faced with the reality of antagonism (agonism) rather than to reject the liberal democratic political project altogether, suggests that Schmitt has an antidote effect on the revival of the left understood as a project focused on the fight in the name of equality and justice. She says:

“In my view one of Schmitt's central insights is his thesis that political identities consist in a certain type of we/they relation, the relation friend/enemy which can emerge out of very diverse forms of social relations. By bringing to the fore the relational nature of political identities, he anticipates several currents of thought, such as post-structuralism, that will later stress the relational character of all identities. Today, thanks to those later theoretical developments, we are in a position to elaborate better what Schmitt forcefully asserted but left untheorized. The challenge for us is to develop his insights into a different direction and to visualize other understandings of the friend/enemy distinction, understandings compatible with democratic pluralism.” (Mouffe 2005: 14–15)

However, taking into consideration previous comments, the reason why Schmitt has become a significant intellectual figure and “value” among left circles, is not – as Mouffe suggested – linked to the fact that he revealed “the deficiencies of liberalism” thus helping us “unwittingly to identify the issues that need to be addressed and thereby to gain a better understanding of the nature of modern democracy” (Mouffe 1993: 2). At the same time, Schmitt's concept of the political and his distinction between democracy and liberalism – showing the limits of the belief that social welfare can be achieved by the expansion of the means of production, of the ideal of democratization at the global level, the inadequacy of formal egalitarianism, the irrelevance of moral reasoning in the political field and the necessity of a strong nation-state as a requirement for citizenship – supplied important opportunities for those from the Left who wished to rethink limitations and some deficiencies of this orientation.

Referring to Mouffe's observation we can ask: what was that which the left didn't theorize but an authoritarian and conservative lawyer strongly voiced? Undoubtedly, the fact of pluralism and the problems of integration.

Orthodox Marxism traditionally focused on imperialism and class struggle which it treated as its biggest enemies and problems of primary importance.

Precisely because of this narrow perspective, it was unable to explain structural transformations of modernity, such as multiculturalism, globalization of economy, transnational forms of governance, globalization of information technologies – processes described by political sciences at the end of the Cold War and the dissolution of the Soviet System, which resulted in questions about formation of political identities. A new perspective was needed that could cover in a “holistic manner” the realities of contemporary capitalism, emerging new set of problems and new social movements motivated by emancipation (feminism, gay movements, ethnic claims, religious freedom claims etc.). The rise and significance of these new social movements are impossible to explain if the priority of the economy is maintained and cultural, sexual and even political relations are treated just as causal phenomena in superstructure. With an inclination to analyse the new social space composed of heterogeneous elements in their own dynamics, and in the face of disappearance of property as the sole criterion of class differences, there has emerged the need for new theoretical parameters and a holistic approach.

Because of the mentioned above tendencies the fact of pluralism as “the empirical reality of the social life” or “the basic law of the spiritual world” can once again move to the centre of political thought. It is the problem about prospects of integration – within political community – of different lifestyles, goals, values, worldviews, and sometimes conflicting emancipatory and identity claims.

Obviously, just as in the case of orthodox Marxism, supporters of liberal democracy do not take the problem of integration seriously enough. According to them, liberal system is already equipped with a number of democratic mechanisms that make its legitimacy permanent: principle of limited government, constitutional guarantees of individual rights and liberties, limitation of the state by distribution of power among various institutions in accordance with the principle of their separation, the right to use force in accordance with the consent of the governed, and the regular and free elections. At this point, Carl Schmitt’s political theory poses a challenge to liberal optimism by pointing to its internal inconsistencies and contradictions, and offers important theoretical possibilities to those who want to rethink ideas of parliamentarianism, democracy, state of exception, sovereignty, law and government.

To understand Schmitt’s critique of liberalism with legal normativism, parliamentarianism and theories that equate democracy with liberalism as its main features, we have to start from the concept of the political. Here, I will argue that the political includes two semantic levels. The first of these refers to the inevitability of political as the fate of human condition. I would call this level ontological-theological. According to Schmitt, every political community is built on an opposition between “we” and “they” and necessarily contains an exclusionary dimension. Liberalism’s humanitarian democracy – by tolerating all the differences between the enemy and friend or refusing to distinguish between the enemy and friend, and thus eliminating conflicts – supports the belief that universal peace is possible.

Against the liberal idea of humanitarian democracy, Schmitt – as it was noted by Mouffe – “reveals the impossibility of a fully inclusive ‘rational’ consensus (...) by showing that every consensus is based on acts of exclusion” (Mouffe 2005: 19). Political life cannot be understood neither as a dialogue, an exchange of ideas functioning in a democratic way among political camps, nor as a medium of rational consensus that is reached at the end of the process of open and free discussion without any exclusions. Political life by necessity

contains homogeneity which excludes “the other” (“they”) which is not a part of the collective identity (“we”).

From Schmitt’s perspective, the political has not only ontological dimension that is inherent to human existence – it can emerge in every situation; its content cannot be determined in advance. It is sometimes increasing or sometimes decreasing, intensifying or diminishing but never can be eliminated. The political is the unavoidable destiny, because at the same time it has theological essence (Schmitt 2007b: 68; Meier 1995: 47, 61–62; see also Meier 1998). The political finds its legitimacy in the theological. In fact, the history of mankind, for Schmitt, starts not with Adam and Eve, but with Cain killing his brother Abel. The war between brothers is the human condition itself. “The fundamental theological dogma of the evilness of the world and man” eliminates “optimism of a universal conception of man” (Schmitt 2007b: 65).

The political that is based on a theological basis exists as a moral decision for “terribly conscious of state of exception” and irreducible opposition “either–or”. According to Schmitt, “high politics” comes into being as soon as the divergence between friend and enemy has occurred and undisclosed an enemy as the enemy itself (Schmitt 1985a: 65–66; Meier 1995: 54–58).

Second semantic level of the political refers to the fact that the political is an experience of extreme density with a relative autonomy (the political cannot be derived from – or reduced to – any specific criteria of areas such as economic, moral, legal etc.) (Schmitt, 2007b: 25–26). After all, political community is possible only because of the fundamental intense tension and decision to which we owe our political identity. The concept of the political refers to the founding moment of the establishment of any society or a moment of the founding uncertainty. The political is the constitutive event (*grundlegende Ereignis*). Because the political is by nature an event, it necessarily involves an unforeseeable dimension. The political is not the substance – it is form without content. Thus, this which is the political can only be established if it remains in the phenomenal area. As Derrida emphasizes – following perhaps Strauss – Schmitt grasps the essence of the political through a kind of phenomenological reduction, specifically in the area of performative praxis (Strauss 1995: 94; Derrida 2005: 86–88, 114; Ojakangas 2005: 29–30).

When both levels are approached together, it can be seen right away that Schmitt is not the appropriate candidate for building democratic theory. Now, I would like to highlight difficulties of some interpretations of Schmitt’s theory from the left which try to use this author to criticize liberalism, strengthen liberal democracy or develop new ways of understanding democracy without eliminating its exclusionary character. They are problematic because theses about the political as a destiny and an experience of intensity assume that human needs for domination are eternal, that war underlies peace, that enemy underlies political unity composed of allies and that the constituent will underlies judiciary political order.

Schmitt’s decisionism predicts a strict dualism between chaotic and irrational social domain on one hand and the state which establishes an order with its political rationality – on the other. He conceptualizes the social domain as chaotic structure with wills coinciding, clashing mutually and attempting to exclude each other (Bull 2005: 676–677). He has failed to notice the founding effects of the moral in order to oppose the “humanitarian moral” of liberalism.⁶ The social domain contains no rationality and it owes its existence to sovereign will. For Schmitt, the social is a legitimizing power, but it is in no way the subject of political action.⁷ For the very reason, Schmitt embraces

– instead of democracy – a kind of sovereignty theory which can suspend the law in effect on the grounds that the political, which emerges in the form of difference between friend and enemy, is a possibility immanent to civil society. Therefore, as Strauss and Kalyvas point out, he cannot introduce to his theory principles of *rational deliberation*, *public negotiation*, *dialog* and *public consensus* (Kalyvas 2009: 124).

The existence of the political is grounded in the absolute commitment of the public to people's own way of life, their will of separating themselves from the others and not to allow strangers to become members of their political community (Schmitt 2007b: 45–46). This means that the political is collective experience of association and dissociation. The most dangerous thing is that the will of a people to exist becomes possible only if they can be convinced about a constant presence of a threat to their existence. The continuity of this will depends on the continuity of the public perception of the enemy. For that reason, actually, the political refers to a moment of creation in absence of any traditional structures, constitutions, values and concepts as its crucial features and where the sovereign is – so to speak – deified. The sovereign becomes, as it were, an idealized model of rationality. Within this framework the society is not an actually active order but a category of existence which is voluntarily created from scratch (from the null point), whose identity can be specified only after distinguishing friend from enemy, and which is articulated in the political adventitiously, contingently.

No matter what its source is, the legitimacy of the image of enemy depends on its being shareable *publicly*. This means that the enemy is an image usually created by the sovereign power and used for the continuity and legitimacy of rulership:

“And today, how many examples could be given of this disorientation of the political field, where the principal enemy now appears unidentifiable! The invention of the enemy is where the urgency and the anguish are; this invention is what would have to be brought off, in sum, to repoliticize, to put an end to depoliticization. Where the principal enemy, the ‘structuring’ enemy, seems nowhere to be found, where it ceases to be identifiable and thus reliable — that is, where the same phobia projects a mobile multiplicity of potential, interchangeable, metonymic enemies, in secret alliance with one another: conjuration.” (Derrida 2005: 84)

Following Agamben, we can say that this is a dangerous and violence-producing technique of ruling which has been not rarely resorted in the modern world (Agamben 2005: 2). Undoubtedly, Schmitt agrees that transcendent positions which deduct legitimacy from transcendental ground are political theologies no longer possible to sustain. Theoreticians such as Gramsci and Claude Lefort prefer to read this change as the structural transformation of ancient and modern practices of the institution of principedom. Modernity is an era in which the power has been purged of any personal dimension and when the public gets on the stage as the constituent power. Therefore, according to Lefort, contrary to ancient prince, the modern prince who intends to create a new order can succeed only thanks to collective practice, persuasion and the participation of the people in the domain of the public (Kalyvas 2001: 364). It is the essence of democratization of constituent act. The act of constitution

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Like Strauss, Karl Löwith criticizes Schmitt, saying that the moral foundation of the political is not at all clear (Löwith 1995: 141; McCormick 1994: 628).

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Difficult problem of complex interrelations between the social, the political, and the scope and domain of sovereignty in Schmitt's thought is discussed in more details in Günsoy 2010.

which contains violence and the act of preservation of order which stipulates peace, obedience and goodness require different kinds of political subjects (mythological hero vs. public) and different kinds of political activities (constitution vs. law). Consequently, the acceptance by Schmitt of democratic sovereignty does not mean that he perceives the constituent act, which he ascribes to a mythical hero, as the process of negotiating decision.

What Schmitt proposes to us is a model of democracy that excludes heterogeneity. All that is left from Schmitt's effort to purify democracy from liberal factors is the public that quietly approves the sovereign and does not negotiate. As Brunkhorst indicated, on the one hand, citizenship in the Schmittian theory is not a meaningful category and on the other hand, the law shows up itself as a structure based on obedience and protection rather than liberating and protecting differences and diversity (Brunkhorst 2004: 516). Schmittian sovereign is – exactly as Thomas Hobbes' sovereign – the power which decides alone what is the truth and who transforms the truth into law. Law or the idea of justice cannot be constituted with rational deliberation about universal norms. At the moment of constitution of the whole legal order there are neither natural law nor self-evident truths nor tradition. Where there is conflict, there are neither negotiation nor rational actors who are able to negotiate. Hegemonic sovereignty means the ability to create a collective identity out of a formless mass. It is the strength to homogenize a heterogeneous crowd using specific persuasion techniques. For this reason, hegemonic sovereignty is moral and intellectual leadership. Within this framework, Schmitt's conception of democracy – which he clearly distinguishes from liberalism and which according to him must be based on homogeneity and the exclusion of the heterogeneous – is the most perfect form of hegemony, far from being a proof of hegemony's end. Thus, according to Kalyvas, Gramsci could affirmatively state that “democracy is a hegemonic world, its opposite is domination, feudalism”.⁸

Schmitt fails to notice that “every human community needs some degree of agreement at least as regards the basic moral questions” (Strauss 2006: 127) because in his view the principles of *rational deliberation*, *public negotiation*, *dialog* and *public consensus* are typical of humanitarian-passivist morality of liberalism and must be rejected on that account. The “practical basis of common life” or living together is mutual understanding. However, the persistence of enemy or the sense of threat makes it impossible to constitute stable norm(s) because when norms are temporal, crisis definitely is continuous. This case renders every consensus temporal and inevitably exclusive. Chantal Mouffe observes, affirming the need of politicization in the social field, that “politics, especially democratic politics, cannot overcome conflict and separation”. According to her:

“Politicization never ceases because undecidability continues to inhabit the decision. Every consensus appears as a stabilization of something essentially unstable and chaotic. Chaos and instability are irreducible, but as Derrida indicates, this is at once a risk and a chance, since continual stability would mean the end of politics and ethics.” (Mouffe 1996: 10)

Certainly, perpetual consistency renders politics unnecessary but perpetual inconsistency renders politics impossible to the same degree. Because circumstances under which legal order is loosened or where judiciary uncertainty and normative gaps reveal themselves with all of their weight, at the same time make authoritative politic structures firm. We cannot rule out this danger.

References

- Agamben, Giorgio (2005). *State of Exception*. Chicago: University of Chicago Press.
- Benhabib, Seyla (1996). “Toward a Deliberative Model of Democratic Legitimacy”. In: Benhabib, Seyla (ed.) (1996). *Democracy and Difference: Contesting the Boundaries of the Political*, Princeton University Press, pp. 67–94.
- Brunkhorst, Hauke (2004). “The Right to War: Hegemonial Geopolitics or Civic Constitutionalism?”. In: *Constellations* 11 (4/2004), pp. 512–526. doi: <https://doi.org/10.1111/j.1351-0487.2004.00392.x>.
- Bull, Malcolm (2005). “The Social and the Political”. In: *The South Atlantic Quarterly* 104 (4/2005), pp. 675–692. doi: <https://doi.org/10.1215/00382876-104-4-675>.
- Derrida, Jacques (2005). *The Politics of Friendship*. London: Verso.
- Dotti, Jorge E. (2000). “Schmitt Reads Marx”. In: *Cardozo Studies in Law and Literature*, 12 (2/2000), pp. 1473–1485. doi: <https://doi.org/10.1525/lal.2000.12.issue-2>.
- Dotti, Jorge E. (1999). “From Karl to Carl: Schmitt as a Reader of Marx”. In: Mouffe, Chantal (1999). *The Challenge of Carl Schmitt*. London: Verso, pp. 92–117.
- Dyzenhaus, David (1998). “Introduction”. In: Dyzenhaus, David (Ed.) (1998). *Law as Politics: Carl Schmitt’s Critique of Liberalism*. Durham, pp. 1–20. <https://doi.org/10.1215/9780822377849-001>.
- Günsoy, Funda (2010). *Felsefe İle Teolojinin Kavşağından Schmitt ve Strauss’ta Politik Olan*. İstanbul: Kabalci.
- Habermas, Jürgen (1996). “Further Reflections on the Public Sphere”. In: Calhoun, Craig (ed.) (1996). *Habermas and the Public Sphere*, Cambridge (MA): Cambridge University Press, pp. 421–461.
- Hirst, Paul (1999). “Carl Schmitt’s Decisionism”. In: Mouffe, Chantal (1999). *The Challenge of Carl Schmitt*. London: Verso, pp. 7–17.
- Kalyvas, Andreas (2009). *Democracy and the Politics of the Extraordinary. Max Weber, Carl Schmitt, and Hannah Arendt*. Cambridge: Cambridge University Press. doi: <https://doi.org/10.1017/cbo9780511755842>.
- Kalyvas, Andreas (2001). “Hegemonic sovereignty: Carl Schmitt, Antonio Gramsci and the constituent prince”. In: *Journal of Political Ideologies* 5, pp. 343–376. doi: <https://doi.org/10.1080/713682944>.
- Kennedy, Ellen (2004). *Constitutional Failure. Carl Schmitt in Weimar*. Durham (NC): Duke University Press. doi: <https://doi.org/10.1215/9780822385578>.
- Kurki, Milja (2013). *Democratic Futures: Re-visioning Democracy Promotion*. Routledge: Routledge University Press.
- Laclau, Ernesto (1995). “Introduction”. In: Laclau, Ernesto (ed.) (1995). *The Making of Political Identities*. London: Verso, pp. 1–2.
- Lichtman, Richard (1993). *Essays in Critical Social Theory: Toward a Marxist Critique of a Liberal Ideology*. New York: P. Lang.
- Löwith, Karl (1995). “The Occasional Decisionism of Carl Schmitt”. In: Löwith, Karl (1995). *Martin Heidegger and European Nihilism*. New York: Columbia University Press, pp. 37–69.
- Marder, Michael (2010). *Groundless Existence: The Political Ontology of Carl Schmitt*. New York: Bloomsbury Academic. doi: <https://doi.org/10.5040/9781501301476>.

- Marx, Karl (1993). *Grundrisse*. London: Verso.
- McCormick, John (1994). “Fear, Technology and the State: Carl Schmitt, Leo Strauss and the Revival of Hobbes in Weimar and National Socialist Germany”. In: *Political Theory* 22 (4/1994), pp. 619–652.
- Meier, Heinrich (1998). *The Lesson of Carl Schmitt*. Chicago: University of Chicago Press.
- Meier, Heinrich (1995). *Carl Schmitt and Leo Strauss: The Hidden Dialogue*. Chicago: University of Chicago Press.
- Mouffe, Chantal (2005). *On the Political*. New York – Abingdon: Routledge University Press.
- Mouffe, Chantal (1996). “Deconstruction, Pragmatism and the Politics of Democracy”. In: Mouffe, Chantal (ed.) (1996). *Deconstruction and Pragmatism*. London: Verso, pp. 1–12.
- Mouffe, Chantal (1993). *Return of the Political*. London: Verso.
- Müller, Jan-Werner (2003a). “Myth, Law and Order: Schmitt and Benjamin read *Reflections on Violence*”. In: *History of European Ideas* 29 (4/2003), pp. 459–473. doi: <https://doi.org/10.1016/j.histeuroideas.2003.08.002>.
- Müller, Jan-Werner (2003b). *A Dangerous Mind: Carl Schmitt in Post-War European Thought*. New Haven: Yale University Press.
- Ojakangas, Mika (2005). “Philosophies of ‘Concrete’ Life: From Carl Schmitt to Jean-Luc Nancy”. In: *Telos* 132 (2005), pp. 25–45.
- Schmitt, Carl (1985a). *Political Theology: Four Chapters on the Concept of Sovereignty*. Cambridge (MA): Cambridge University Press.
- Schmitt, Carl (1985b). *The Crisis of Parliamentary Democracy*. Cambridge (MA): Cambridge University Press.
- Schmitt, Carl (2006). “Appropriation/Distribution/Production: An Attempt to Determine from Nomos the Basic Questions of Every Social and Economic Order”. In: Schmitt, Carl (2006). *The Nomos of the Earth*. New York: Telos Press Publishing, pp. 324–335.
- Schmitt, Carl (2007). “The Age of Neutralizations and Depoliticizations”, In: Schmitt, Carl (2007): *The Concept of the Political*. Chicago: University of Chicago Press, pp. 80–96.
- Schmitt, Carl (2007). *The Concept of the Political*. Chicago: University of Chicago Press.
- Shapiro, Kam (2008). *Carl Schmitt and The Intensification of Politics*. Lanham: Rowman & Littlefield Publishers.
- Strauss, Leo (1964). *The City and Man*. Chicago: University of Chicago Press.
- Strauss, Leo (1995). “Notes on Carl Schmitt, *The Concept of the Political*”. In: Meier, Heinrich (1995): *Carl Schmitt and Leo Strauss: The Hidden Dialogue*. Chicago: University of Chicago Press, pp. 91–119.
- Strauss, Leo (2006). “The Living Issues of German Postwar Philosophy”. In: Meier, Heinrich (2006). *Leo Strauss and the Theologico-Political Problem*. Cambridge: Cambridge University Press, pp. 115–140. doi: <https://doi.org/10.1017/cbo9781139177948.009>.
- Telman, Jeremy D. A. (2001). “Should We Read Carl Schmitt Today?”. In: *Berkeley Journal of International Law* 127 (2001), pp. 127–160.
- Urbinati, Nadia (1998). “Detecting Democratic Modernity: Antonio Gramsci on Individualism and Equality”. In: *Philosophical Forum* 29 (3–4/1998), pp. 168–181.

Funda Günsoy

Čiji razum, čiji zakon, čija javnost?

»Političko« i hegemonijski suverenitet kod Carla Schmitta

Sažetak

Carl Schmitt je jedan od najposvećenijih protivnika liberalnog univerzalizma sa svojim pojmom pluralističke, racionalne i uključive konsenzualne politike kao progresivnog demokratskog projekta i svojeg razumijevanja političke arene kao pročišćene, od sukoba slobodne, i na taj način progresivne kretnje demokratske logike. U ovom radu nastojat ću pokazati Schmittove pesimističke i negativne stavove, zasnovane na ontološkim i teološkim temeljima, o deliberativnom modelu politike koja tvrdi da partikularna volja može doći do koncepta zajedničkog javnog interesa ili zajedničkog dobra kroz raspravu i dijalog. Nadalje, pokušat ću pokazati da unutar Schmittovog projekta koncept diktature suverena postoji kao nužni kontrapunkt pojmu političkog. Schmitt odbija razumijevati politički život kao medij dijalog koji vodi razumskom konsenzusu. U ovom kontekstu, suveren iz Schmittove teorije mora se razumijevati upravo kao sila napravljena da proizvodi homogenost kroz hegemoniju. Hegemonija, u Gramscijevom smislu, nije gola opresivna sila. Namjesto toga, odnosi se na vladajuću silu sposobnu upisati vlastitu ideologiju i pogled na svijet u javnost kroz uvjerenje. U tom okviru, ljevičarski mislitelji poput Mouffea, koji preporuča da moramo misliti »sa Schmittom protiv Schmitta« kako bismo razvili novo demokratsko političko razumijevanje, svraćaju pozornost na Schmittovu tezu da je svaki politički identitet u funkciju »mi–oni« antinomije, ali im promiče činjenica da je nemoguće deducirati koncept zbiljski demokratske javne sfere iz Schmittove teorije. Kao što će biti naglašeno u radu, demokracija u Schmittovom smislu može biti savršena forma suverenosti, takva kakva usuprot liberalnoj demokraciji rezultira homogenizacijom i isključenjem heterogenosti, te na taj način mora biti začeta kao fundamentalno hegemonijski sistem. Schmittov ideal demokracije zahtijeva da politički identiteti, javno mišljenje, javna sfera i formiranje volje vudu rezultati suverenove volje i bez prostora za raspravu.

Ključne riječi

Carl Schmitt, moderna, političko, javna sfera, Chantal Mouffe, Karl Marx, društvena određenost

Funda Günsoy

Wessen Vernunft, wessen Recht, wessen Öffentlichkeit?

„Das Politische“ und die hegemoniale Souveränität bei Carl Schmitt

Zusammenfassung

Carl Schmitt ist einer der mächtigsten Gegner des liberalen Universalismus mit dessen Vorstellung von pluralistischer, rationaler und nicht exklusivistischer Konsenspolitik als einem progressiven demokratischen Projekt und dessen Verständnis der politischen Arena – „gereinigt“, frei von Kämpfen und Konflikten – als eines progressiven Schritts der demokratischen Logik. In diesem Beitrag werde ich zunächst versuchen, Schmitts pessimistische, negative und auf ontologischer und theologischer Grundlage ruhende Haltung zum Beratungsmodell der Politik darzulegen, mit dessen Behauptung über die Möglichkeit, partikulare Willen zu veranlassen, durch Diskussion und Dialog die Konzeption des gemeinschaftlichen öffentlichen Interesses oder Gemeinwohls zu erreichen. Zweitens werde ich versuchen zu zeigen, dass im Rahmen des schmittschen Projekts der Begriff der souveränen Diktatur als notwendiger Kontrapunkt zum Begriff des Politischen existiert. Schmitt weigert sich, das politische Leben als ein Medium des Dialogs zu begreifen, das zu einem rationalen Konsens führt. In diesem Zusammenhang soll das Souveräne in der schmittschen Theorie eben als eine Gewalt aufgefasst werden, die konstruiert ist, um eine solche Homogenität in einer hegemonialen Art zu reproduzieren. Die hegemonia im gramscischen Sinne ist nicht eine bloß repressive Kraft; vielmehr bezieht sie sich auf eine herrschende Kraft, die in der Lage ist, durch Überzeugungsvermögen ihre eigene Ideologie und Weltanschauung in die Öffentlichkeit zu injizieren. Linksorientierte Denker wie Mouffe, die empfohlen haben, wir sollten „mit Schmitt gegen Schmitt“ denken, um ein neues demokratisches politisches Verständnis zu entwickeln, lenken in diesem Kontext das Augenmerk auf Schmitts These, jede politische Identität funktioniere durch die „wir – sie“-Antinomie, doch sie übersehen die Tatsache, dass es unmöglich ist, aus der schmittschen Theorie die Vorstellung von einer wahrhaft demokratischen öffentlichen Sphäre abzuleiten. Wie es in dieser Arbeit be-

tont wird, kann die Demokratie im schmittschen Sinne die perfekte Form der Souveränität sein, die – im Gegensatz zur liberalen Demokratie – in der Homogenisierung und Ausgrenzung des Heterogenen resultiert und daher als ein grundlegend hegemoniales System erachtet werden muss. Das schmittsche Ideal der Demokratie erheischt, dass politische Identitäten, öffentliche Meinung, öffentliche Sphäre und Willensbildung keine Produkte einer offenen und freien Diskussion, sondern eines souveränen Willens sind.

Schlüsselwörter

Carl Schmitt, Modernität, das Politische, öffentliche Sphäre, Chantal Mouffe, Karl Marx, soziale Determination

Funda Günsoy

À qui la raison, à qui la loi, à qui le public?

La souveraineté « politique » et hégémonique chez Carl Schmitt

Résumé

Carl Schmitt est l'un des opposants les plus puissants de l'universalisme libérale de par sa notion de consensus politique pluraliste, rationnel et non exclusiviste en tant que projet démocratique progressiste, mais aussi de par sa compréhension de l'arène politique - « purifiée », libre de toutes luttes et de tout conflit – en tant que mouvement progressiste de la logique démocratique. Dans cet article, je vais en premier lieu tenter de montrer l'opinion pessimiste et négative de Schmitt – basée sur des fondements ontologiques et théologiques – concernant le modèle délibératif de la politique et sa prétention à penser que la formation de volontés particulières pourrait toucher l'intérêt public commun ou le bien commun à travers la discussion et le dialogue. En second lieu, je vais tenter de montrer qu'à l'intérieur du projet de Schmitt le concept de dictature souveraine existe comme contrepartie nécessaire au concept du politique. Schmitt refuse de penser la vie politique comme instrument de dialogue menant au consensus rationnel. Ainsi, le souverain dans la théorie de Schmitt doit précisément être compris comme une force construite pour reproduire une telle homogénéité de manière hégémonique. Hegemonia, au sens gramscien, n'est pas une simple force oppressive ; il s'agit plutôt d'un terme qui se réfère à une force dirigeante capable d'injecter sa propre idéologie et vision du monde dans le domaine public à travers la persuasion. Dans ce contexte, certains penseurs de gauche telle que Mouffe qui nous recommande de penser « avec, et contre, Schmitt » dans le but de développer une nouvelle compréhension de la politique démocratique, attirent notre attention sur la thèse de Schmitt où chaque identité politique fonctionne par l'antinomie « nous/eux ». Toutefois, ces penseurs passent à côté du fait qu'il est impossible de déduire une conception de réelle sphère publique démocratique sur la base de la théorie de Schmitt. Comme cet article le souligne bien, la démocratie au sens schmittien peut être la forme parfaite de souveraineté, une forme qui – en contraste avec la démocratie libérale – aboutit à une homogénéisation en excluant l'hétérogénéité, et ainsi doit être conçue comme un système fondamentalement hégémonique. Selon l'idéal schmittien de démocratie, les identités politiques, l'opinion publique, la sphère publique et la formation de volontés doivent être les produits, non pas d'une discussion ouverte et libre, mais d'une volonté souveraine.

Mots-clés

Carl Schmitt, modernité, le politique, sphère publique, Chantal Mouffe, Karl Marx, détermination sociale