

Critical Remarks on Schmitt's Political Realism

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Abstract. According to a widely accepted line of interpretation, Carl Schmitt's political philosophy is a classic example of political realism. In this article I propose, starting with an analysis of some themes from the essay published in 1923 *Die geistesgeschichtliche Lage des heutigen Parlamentarismus*, to challenge this interpretation. An in-depth analysis of Schmitt's critique of parliamentarism and identitarian democracy may, in fact, suggest that his proposal is a normative theory of political enmity.

Keywords: Carl Schmitt, political realism, political enmity, normative theory.

Kritinės pastabos apie Schmitto politinį realizmą

Santrauka. Remiantis plačiai pripažįstama interpretacija, Carlo Schmitto politinė filosofija laikoma klasikiniu politinio realizmo pavyzdžiu. Šiame straipsnyje, pradėdamas nuo kai kurių temų, išdėstytų 1923 m. publikuotoje jo esė *Die geistesgeschichtliche Lage des heutigen Parlamentarismus*, siūlau užklausti šią interpretaciją. Nuodugni Schmitto parlamentarizmo ir identitarinės demokratijos kritikos analizė gali, tiesą sakant, rodyti, kad jis siūlo normatyvinę politinio priešiško teoriją.

Pagrindiniai žodžiai: Carlos Schmittas, politinis realizmas, politinis priešiškas, normatyvinė teorija.

1.

Schmitt's essay *Die geistesgeschichtliche Lage des heutigen Parlamentarismus* (Schmitt 2000), published for the first time in 1923, represents a decisive moment in his intellectual and political career. This brief work is particularly instructive not only for the economy of Schmitt's production, but also and above all because it represents the extreme outcome of a possible reading of the democratic phenomenon. As Roberto Esposito has written,

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the themes typical of the democratic tradition – particularly Jean-Jacques Rousseau's democracy – are brought “at once to the utmost clarity and to exasperation” (Esposito 2022: 69). What is the outcome of the negation of the divarication between the people and the sovereign, between the governed and the governed, and thus the absolute immanence of the One that cannot be transcended without being degraded, and consequently the weakening of the democratic perspective, finds in Schmitt a development that is both logical and terrible.

The critique of parliamentarianism that Schmitt engaged in at the beginning of the 1920s was undoubtedly nourished, and by his own admission, by the stimuli that Georges Sorel (whom Schmitt claims to have introduced first in Germany, but in fact shares this primacy with Walter Benjamin) had disseminated in his *Réflexions sur la violence*, especially where the French thinker harshly criticised parliamentary socialism. Equally, it was the historical concreteness of the Weimar crisis and the humiliation suffered a few years earlier with the Treaty of Versailles that prompted in the young German jurist a radical critique of the parliamentary system and the liberal metaphysics that underpinned it. Hence also the reference to “philosophical Jacobinism” (Schmitt 2000: 52) as a possible legitimisation of the co-implication of dictatorship and democracy, which will be discussed shortly.

It should be noted at the very beginning that Schmitt's investigation into parliamentary reason is first and foremost a critique of discursive mediation, which resolves the contingent singularity of historical-political concreteness into the universality of the logos. As Carlo Galli has noted, parliament is the institutional arm of liberal metaphysics, and like it remains “a prisoner of the ideology [...] of the discursive formation of the political universal” (Galli 1996: 514). If Schmitt, at this height of his legal-philosophical production, has already developed (in the essay on *Belagerungszustand*) and then taken to extremes (in *Die Diktatur*, but also in *Politische Theologie* with the decisive mediation of Søren Kierkegaard) the idea that modern politics originates from the concrete case, in an exception that represents the original and necessary political point of fall of that discourse, then the polemical depth of the critique of parliamentarism can immediately be grasped.

Parliamentarism, in fact, since it is entirely internal to the discursive and dialogical order that permeates the principle of the publicity of powers, is unable to recognise the founding exception that renders that principle theoretically obsolete, and therefore can neither decide on it nor, coherently with this impossibility, decide from it. Parliamentarism, which discusses to the point of discussing discussion itself, since it is the height of indecision – as it does not recognise that exception that of the decision is both subject and object, and therefore prevents the drawing of lines of ordering conflictuality, – is also the height of the impolitic, being the concrete neutralisation of politics. From this perspective, liberal democracy, the backdrop against which parliament is situated as the legitimate site of liberal political form, cannot be presented as an ordering form of conflict, but only as “demagogic plutocracy” (Schmitt 2000: 68). But if this is the metaphysical-abstract side of the critique, there is also a historical-determined one. Namely, the inability of parliamentarism to empirically restore the reasons for its legitimacy. Where parliamen-

tarism represents itself as a free coercion of reasons in dialogue, the truth of the historical institution is that it increasingly bears witness to a “cabinet politics, conducted by a few people behind closed doors” (Schmitt 2000: 38), i.e. that parliamentary transparency has been hypocritically replaced by *arcana imperii*, that the democratic politics of which parliament is supposed to be an expression is increasingly relegated to the realm of the private. One must therefore be very careful to hold together both of Schmitt's criticisms of parliament and parliamentarianism: the criticism of its metaphysical foundations, and that of its hypocritical empirical outcome.

2.

Let us take a closer look at some theoretically decisive aspects of the essay. The aim of Schmitt's work is to identify the spiritual foundations of parliamentarianism, i.e. within which metaphysical framework – understood, to use a late-Heideggerian language that Schmitt would not have despised at all, as the epochal emergence of an essential configuration within which entities find their own meaning – parliament, with its logic and its real functioning, finds both its condition of possibility and its legitimisation¹. Within this epochal metaphysical framework lies liberalism, understood not from a historical-genealogical point of view but from an ideal-typical one, in the sense of Weber – of whom Schmitt was initially a pupil² – of an institution founded on logos and not on decision (Parise 1995). And yet, although there is no *history* of liberalism, it is for Schmitt the opponent of the present. It is therefore not possible to understand parliament in the idealised form of a mere assembly of debating individuals, but it is necessary to place this institution, precisely, in its present condition, in its determined historical contingency, on pain of incurring an illegitimate excess of abstraction. To this end, it is necessary to recognise that Schmitt's analysis is set in a context that the author points out as extremely problematic: that of a sterile parliament, incapable of really taking on the political, legal and existential task of decision-making, of a politics that is anything but noble, but rather “the despised business of a rather dubious class of persons” (Schmitt 2000: 4). And it is precisely in order to lift politics from the stagnation in which it has found itself that it is necessary to radically rethink it, from the foundations, setting aside the fruitless dream given birth to by liberal thought and practice of a harmony immanent to discussion, of a concord emanating from the free and frank use of reasoning, returning to the beating heart of democracy. With the risk, of course, of introducing into the political-legal discourse both practical and theoretical options that liberal ideology, the antagonist *par excellence*

¹ “It is essential that liberalism be understood as a consistent, comprehensive metaphysical system” (Schmitt 2000: 35). This means that liberalism should be understood as an order of meaning within which apparently autonomous logics are understood and refer to each other. For example, the idea that truth emerges from the dialogue between different opinions is for Schmitt the analogue of the competitive principle whereby the freedom of markets in itself produces price harmony.

² On Schmitt's turbulent relationship with Weberian theoretical heritage see Galli 1996: 98–102; Engelbrekt 2009.

of the entire Schmitt's philosophical framework, had invited to definitively forget, and that instead have proved with time to be, net of possible criticism, options that are in any case indispensable.

Schmitt's astonishing thesis in *Die geistesgeschichtliche Lage des heutigen Parlamentarismus* is the co-implication of democracy and dictatorship, whereby "dictatorship is just as little the definitive antithesis of democracy as democracy is of dictatorship" (Schmitt 2000: 32). The two phenomena are not separated as antitheses, but rather articulate one as the extreme possibility of the other. A thesis that is extremely coherent if we understand what Schmitt means by democracy. And this, of course, is only possible if we do not transport our current perception of the democratic phenomenon into Schmitt's theoretical framework. This does not imply not verifying the primarily theoretical problematic nature of Schmitt's position, but it is a warning not to degrade it to a mere *boutade* or provocation.

The idea of an original co-implication of democracy and dictatorship derives from a substantive and not a procedural conception of democracy. It is one of Schmitt's most anti-Kelsenian points, as can easily be guessed. And it is also one of Schmitt's theses that is most influenced by Rousseau, read in such a way as to make him "the beginning of modern democracy" (Schmitt 2000: 13), but subjecting the *Contrat social* to profound criticism. The *Contrat*, in fact, would be based on two contradictory assumptions, namely the contract and the homogeneity of the people. Rousseau's mistake consists in attempting to weld two axioms that in everything diverge and are repugnant to each other. The institution of the contract is, in fact, the liberal side of the *Contrat*, whereas it is only in the recognition of the homogeneity of the people that Rousseau shows himself to be fully and radically democratic. The contract entails an equality of men, but still of men as such: a purely formal equality that does not refer to a politico-legal dimension, but is shot through with suspicious humanitarian afflatus. Schmitt claims, against the still prevailing interpretation of Rousseau as a thinker tout court of democracy, to have identified the specifically democratic quality of Rousseau's text:

it still seems to have gone unnoticed that the theory of the state set out in *Du Contrat social* contains these two different elements incoherently next to each other. The façade is liberal: that state's legitimacy is justified by a free contract. But the subsequent depiction and the development of the central concept, the "general will", demonstrates that a true state, according to Rousseau, only exists where the people are so homogeneous that there is essentially unanimity (Schmitt 2000: 13).

The theoretical acceleration with respect to *Die Diktatur* is forcefully revealed here. The specificity of the Rousseauian performance is no longer the transition, its being an epochal hinge, but the political-democratic monism it supports (Somek 1986). The liberal side of the contract is the bad side of the *Contrat*, which still lies in the liberal ideology of empirical individualities rationally discussing common associative forms. But even more pregnant with consequences is the reading of the *Contrat* as a theory of the homogeneous body. Since the Rousseauian state is founded on the homogeneity of its members, it is governed by a series of identities:

governed and governing, sovereign and subject, the identity of the subject and object of state authority, the identity of the people with their representatives in parliament, the identity of the state and the current voting population, the identity of the state and the law, and finally an identity of the quantitative (the numerical majority or unanimity) with the qualitative (the justice of the laws) (Schmitt 2000: 26).

The impossibility of representation, i.e. of mediation between those who govern and those who obey, derives directly from the homogeneity that alone can guarantee the democratic hold of the state. This being the case, it is evident why democracy is opposed not to dictatorship, but to liberal politics. The latter, since it needs the absolute mediation that is parliament, cancels and repudiates homogeneity. By contrast, in dictatorship homogeneity can be maintained, the identity of ruled with rulers can still occur. The dictator may well be the “direct expression of democratic substance and power” (Schmitt 2000: 17), whereas parliament can only be the place of compromise and endless mediation. The appeal to the homogeneity of the people as the *sine qua non* of the state thus entails the full denial of parliamentary logic. If parliament is the place par excellence of mediation as the representation of popular sovereignty, then it will be the place where this sovereignty manifests itself in inauthentic and false forms. In parliament, the place of the heterogeneous, the general will, which Schmitt interprets as absolute identity, disintegrates. Since, according to the Rousseauian doctrine, the general will is not the will of all, i.e. it is not the sum of individual private wills, in the same way parliament cannot be the expression and execution of the unrepresentable general will, but the place where individual empirical wills confront each other. The Japanese charlatans referred to by Rousseau, of whom it is said that they “cut up a child before the eyes of the spectators; then, throwing all its limbs into the air, they make the child come down again alive and whole” (Rousseau 2002: 171), is the literary figure of the liberal theorist of parliamentarism: he confuses the body of the child, the general will, as the amalgam of its pieces, the will of all, but fails to explain how the pieces can be reassembled.

To speak of a liberal democracy constitutes from this hermeneutic perspective a *contradictio in adiecto*, whereas a dictatorial democracy or a democratic dictatorship are perfectly logical political-legal forms, since what distinguishes the democratic phenomenon are not the procedures that unfold and realise it. Which, of course, does not imply that Schmitt's homogeneous democracy does not also have its own forms and procedures. With remarkable consistency, Schmitt suggests the famous thesis that the form par excellence of the general will would be the *acclamatio*, the saying yes or no of the people assembled as one voice (Dean 2017; Herrero 2019; Sferrazza Papa 2021). The people, after all, is for Schmitt a concept of public law. This implies that it finds its *raison d'être* in the publicity of its actions, in the total transparency of its participation in common life, of which the *acclamatio* is an excellent example. In contrast, liberal procedures transform the public into a myriad of isolated private individuals, capable of expressing themselves solely through the secrecy of the vote, a technical expedient repugnant to the perfect transparency of the democratic body:

this effort belongs to the undemocratic conception, resulting from a blend of liberal principles in the nineteenth century that a people could only express its will when each citizen voted in deepest secrecy and complete isolation, that is, without leaving the sphere of the private and irresponsible (Schmitt 2000: 16).

The idea that a democratic people is only such when it succeeds in being homogeneous produces problematic consequences from both a theoretical and moral point of view. Firstly, it should be noted that the elimination of the contract side empties the Rousseauian text of meaning. In this way, Rousseau's text is interpreted by Schmitt in a way that is not entirely legitimate. It is not an over-interpretation on the part of the Plettenberg philosopher, but a genuine conscious misinterpretation, since the homogeneity of the people of the Rousseauian state follows directly from the moment of the original pact. Since in the absence of pact there is no people, it is in principle impossible to separate the two dimensions of Rousseauian theory.

But it is the political and moral consequence of the homogeneity thesis that is startling. Homogeneity, in fact, has to be painstakingly constructed in order to keep the democratic people strong. The compulsion for freedom of the general will then presents itself according to the figure of the periodic harvest, whereby heterogeneous elements are eliminated from time to time in order to confirm the substantial unity of the people. Schmitt's textual passages on this point leave no doubt about this interpretation:

every actual democracy rests on the principle that not only are equals equal but unequals will not be treated equally. Democracy requires, therefore, first homogeneity and second – if the need arises – elimination or eradication of heterogeneity (Schmitt 2000: 9).

Here is the most critical point where Schmitt's argumentation plummets: *Ausscheidung* oder *Vernichtung*. Schmitt constructs the argument in such a way as to make it seemingly stringent. The heterogeneous element is in itself a threat to be annihilated, since it contradicts the homogeneity that the democratic body needs. The annulment of the heterogeneous thus becomes the authentic horizon of possibility of the democratic phenomenon, since in its absence otherness would break into the identical, shattering it. Hence the intensive character of Schmitt's political philosophy, the call for the formation of a homogeneous popular will that can only be organised to the extent of the polemical mobilisation of the people, which obtains the mortar of its own homogeneity by means of continuous caesuras with respect to what is heterogeneous.

To the "metaphysical cowardice of discursive liberalism" (Schmitt 2000: 97) Schmitt opposes the energetic fullness, the surplus power of the people, whose form has all the traits of Spinozian substance³. *En passant*, it should be noted how the very idealising conception of liberalism tends to degrade it, to construct a more convenient target to hit. Schmitt,

³ Already in Spinoza's metaphysics "the agent subject is lost in the great sea of being" (Galli 2016: 212). It is precisely the immanence of Spinozian metaphysics that places him politically in the groove of radical democracy. Koekkoek 2014 insists on the Spinozist influence in Schmitt's 1920s political theory.

disinterested in the historical evolution of liberalism, does not see – or rather: does not want to see – its complex stratification, the fact that one cannot speak of liberalism as a single monolithic block, and that the metaphysical reading of a political order has an intrinsic limitation that leads to an illegitimate simplification. As Gaetano Azzariti has written, “the liberalism proposed by Schmitt is the result of a one-way forcing, oblivious of the complexity and historical reality that the principles of liberalism have represented” (Azzariti 2005: 15).

Within the theory of the homogeneous democratic body lies another significant aspect of Schmitt's doctrine. Namely: the notion of representation itself is chiselled in such a way as to be, seemingly paradoxically, compatible with the rigid political monism that Rousseauian democracy imposes. Schmitt refines, with explicit reference to Catholic doctrine, a conceptual distinction that the German language is capable of illustrating. The absolute incompatibility of democracy and representation is such only when the latter is understood in the sense of *Vertretung* (but also *Stellvertretung*), of *being for*; on the other hand, there is full compatibility with an idea – decidedly of Catholic matrix – of representation as *Repräsentation*, that is, the spiritual union of the represented with the representative, a happy marriage that ensures that the difference between the governed and the governors, between the represented and the representatives, is all nominal and in no way substantial. It is precisely in this sense that in the essay on the political form of Catholicism the people can be considered a conceivable content of a representation (Schmitt 1996; see also Pietropaoli 2012: 56–60).

Similarly, Rousseau, however ambiguously, understands the “representatives” (“deputies”) of the people as its “commissioners” or “agents”: “the deputies of the people, then, are not and cannot be its representatives; they are only its agents and can conclude nothing definitively” (Rousseau 2002: 221). While the error of parliamentarism is to disregard the logic of representativeness (and the caesarism implicit in it), replacing it with the absurd opposition between representation and representative, between the representation of the people and that of the king. Thus the contradiction emerging from the struggle between two representations of the same political body can only be dissolved in the conception of a spiritual representation. I cannot go into this in depth in this article, but it is worth mentioning that precious and theoretically vivid pages will be written also in the *Verfassungslehre*.

3.

As has been sharply noted by a great Italian jurist, Schmittian democracy can only be realised “in the totalising dimension of the political, which is above all the existential form of man's destiny” (Ridola 2016: 79–80). It is an existential vision of democracy, which dispels and repudiates any aspect that might proceduralise it. And it is existential because, as Schmitt writes, the concepts of friend and foe must be taken in their concrete, “original existential sense” (Schmitt 2007: 33). It is no coincidence that Roberto Esposito

has called Schmitt's theory the "immunitarian suicide of democracy" (Esposito 2022: 74). There is truth in this merciless definition. The conceptual apparatus made available by the Rousseauian text is screwed onto itself, and so radical democracy itself is pulled to pieces. This, unlike its degenerate liberal sister, does not rest on the idea of a progressive inclusion of the different. The people's scene is already unfolded, metaphysically abstract, and must defend its homogeneity. This, however, is the contradiction that Schmitt cannot heal: on the one hand, the people already is; on the other, the people must be constructed. In this way, what is included must be understood as already included from always, while any element of this original scene can, at some point, catalyses the negative energy of the democratic people and be excluded. Since the inclusion-exclusion device in Schmitt is a formal device, a functional transcendental in the formation of the social body, it can in fact be used as needed. Just as there is no people-substance, similarly there is no substantive enemy, a 'natural' enemy. This, however, implies that the enemy must be understood as a logical-political function of the cohesion of the social body. In the *Begriff* Schmitt emphasises that that between friend and foe is not a normative contraposition, but in the interpretation I have proposed, I seem to have shown that he in fact operates a confusion between descriptive and normative categories. The enemy must exist, the heterogeneous must show itself, on pain of the social body's loss of constituting itself in unity, the collapse of its existential framework. The enemy must be found, and politics in Schmitt becomes a Sisyphus fatigue.

Reading Schmitt in this way leads one to question the widely credited reading of his political philosophy as pure realism. The proposal put forward here is radically different. What appears to be a realist description of concrete politics, what his student-friend Julien Freund called a *banalité supérieure*, proves to be in the end a strongly normative perspective. A people, in order to exist, must be able to draw a line separating it from its enemies; at the same time, it must be able to survive internal enmity by tracing the enemy among those momentarily included. Indeed, this is what happens with the Nazi delirium, to which Schmitt's doctrine offers more than just a philosophical shore. What is the Jewish People, after all, if not an internal enemy to be annihilated? There is a tendency to interpret the friend-enemy dialectic as the ascertainment of a state of affairs, a clear and distinct immediate truth. The antithetical friend-enemy pair would be a kind of political divining rod, which vibrates when it encounters a relationship *so full* that it resolves itself into a conflictual relationship. In reality, Schmitt's theory of the political, constructed not only in the *Begriff*, is far more demanding since it places the existence of the enemy at the very heart of the existence of the political body. A People does not simply have enemies: *it needs to have them*, and for this it ceaselessly produces them. Since the enemy must exist, true politics is only given in its recognition and endless harvesting.

As has been noted by Luigi Alfieri, in Schmitt's hypothesis a condition that is not one of war (external or internal) "is even unthinkable within the horizon of the political". An absolutely "realist" thinker like Hans Joachim Morgenthau (see Frei 2001) had already pointed out, in his logical critique of Schmitt's theory of the political, that it raises a

metaphysics of violent confrontation whose necessity should be given as a conclusion of immediate logical evidence (See Morgenthau 2012). Schmitt's political theory, in short, despite claiming to take the path of political realism, of the pure squaring of the state of affairs, on closer reading shows itself to be an extremely demanding normative theory of political enmity⁴.

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⁴ Against Schmitt himself, who writes that “all essential concepts are not normative but existential” (Schmitt 2007: 85). Contrary to my interpretation, Mariano Croce and Andrea Salvatore distinguished between an “analytical-descriptive level” and a “programmatically-operational perspective” (Croce, Salvatore 2020: 109), and argued that Schmitt should definitely be placed in the first option. The reason is that the political in Schmitt has “no morphogenetic function” (Croce, Salvatore 2020: 110), since it always unfolds in pre-given and pre-formed political communities. Nevertheless, here for me lies Schmitt's contradiction. That is to say, political existence is indeed already given, but at the same time it must continually be decided through the individuation of the enemy: “if a people no longer possesses the energy or the will to maintain itself in the sphere of politics, the latter will not thereby vanish from the world. Only a weak people will disappear” (Schmitt 2007: 53). It is in this sense that I defend the thesis that in Schmitt the normative and the descriptive levels fall into confusion.

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