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### The Anglo-American Reception of Carl Schmitt from the 1930s to the Early 2000s

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## Abstract

This thesis examines the Anglo-American reception, from the 1930s to the early 2000s, of the ideas of the German political theorist Carl Schmitt. The introduction provides an overview the key concepts in Schmitt's writings in the 1920s. Chapter one examines Schmitt's influence on the German-Jewish émigré political theorists Leo Strauss and Hans Morgenthau, in an attempt to explain how Schmitt's ideas were initially transported from Germany to the U.S. The second chapter is a more detailed case study of the American leftist journal, *Telos*, which played a key role in introducing Schmitt's writings to a broader, English language audience in the late 1980s and 1990s. Chapter three examines the reception of Schmitt among left and left-liberal Anglo-American political theorists more generally. Both chapter two and three address the larger question of which elements of the Anglo-American left were drawn to Schmitt and why the ideas of this conservative German thinker – and former Nazi – still seemed relevant to them.

State University of New York  
College at Buffalo  
Department of History

The Anglo-American Reception of Carl Schmitt from the 1930s to the Early 2000s

A Thesis in  
History

by

Benjamin T. Watkins

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of the Requirements  
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## *Introduction*

Why has the German legal and political theorist Carl Schmitt become so popular in recent American political theory? From the early-1920s to the mid-1930s Schmitt was one of the best-known legal and political scholars in Germany. From his work on constitutional theory in the early 1920s to his critique of parliamentarism in the early 1930s, Schmitt was recognized in Germany mostly as a critic of liberalism and parliamentary democracy. He was also critical of the Weimar Republic in favor of a sovereign ruler. Schmitt's work on political theory led him to join the National Socialist Party, which eventually resulted in him becoming one of their principal legal and political thinkers. Due to his membership in the National Socialist Party, he was barred from teaching at German universities after the war. But he continued to study and write about international law until his death in 1985. Since his death, Schmitt's reception and reputation have grown internationally. His thought has gained widespread attention among conservatives, mainly because of his criticism of liberalism and parliamentarism. Surprisingly, Schmitt has also influenced the political Left. As a longtime enemy of the political Left, it would seem unlikely to find Schmitt appearing in the leftist journal, *Telos*, as well as in a number of books written by those on the Left during the 1990s. Not all scholars found Schmitt's political work relevant; there were many on the Left who believed Schmitt was dangerous. This study is concerned with why there was a political divide in the reception of Schmitt and why it matters. It is important to understand how Schmitt's American reception initially developed, and why it continued during the 1990s. We will see that Schmitt's reception was not arbitrary, but rather indicative of how weakened the political Left was in their desperate attempt to find answers.

Given how widespread Schmitt's American reception has become during the latter part of the twentieth century, his reception is in need of an explanation. This study is partly concerned with Schmitt's impact on conservative intellectuals in the mid-twentieth century. His posthumous reception in the Leftist journal, *Telos*, was Schmitt's first sustained appearance among the political Left, which would have a lasting effect in regards to how some on the political Left would broaden their perspective on Schmitt during the 1990s through the 2000s.

This study will approach Schmitt's American reception in three chapters. The first chapter addresses Schmitt's relationship to Hans Morgenthau and Leo Strauss during the 1920s and 1930s. It will explain how Schmitt's relationship to them had an effect on their political work as well as Schmitt's work. The conservative-realist, Hans Morgenthau, admired Schmitt's concept of the political, which eventually influenced how Morgenthau thought of power politics. Considered one of the founders of neo-conservatism, Leo Strauss is another political theorist who had a relationship with Schmitt, which affected how Strauss and Schmitt thought of Thomas Hobbes and political liberalism.

The final two chapters of this study are concerned with why the political Left became interested in Schmitt's political theory. Although many on the political Left considered Schmitt a counter-revolutionary and a dangerous mind, some of them during the mid-1980s changed their view of Schmitt. This reassessment of Schmitt led to discussions of how his concept of friend and enemy, and his critique of political liberalism and globalization were relevant to Leftist problems. We will examine what some Leftist scholars thought of Schmitt from the early 1980s to the early and mid-2000s. Ultimately, this study will shed light on why Schmitt has been widely discussed

since the late 1980s and why he is important in contemporary political theory. Although this study is not intended to be an exhaustive study of Carl Schmitt, it is intended to show why some prominent leftist thinkers involved with *Telos*, as well as leftist scholars and intellectuals outside this journal, wrote about Schmitt. It will provide an historical overview of some enigmatic changes in American political theory at a time when Schmitt's ideas were being discussed among the political Left. It will introduce the ideas of Schmitt and analyze why he has become a prominent political theorist in the U.S among the political Left. But before examining the introduction and ongoing reception of Schmitt's ideas in Anglo-American scholarly and political debates, it is important to understand some of Schmitt's key ideas as they emerged in the historical context of Weimar Germany.

### **Carl Schmitt's Political Thought in the 1920s.**

A brief introduction to some of Schmitt's main writings and key concepts from the 1920s will be useful in setting the stage for our examination of his later reception in the U.S. The thinkers we are concerned with here would incorporate these concepts into their own political writings and utilize them in different ways in theoretical debates in the U.S.

Schmitt's first political work in 1922, *Political Theology*, introduces his concept of sovereignty. Written in the early years of the Weimar Republic, *Political Theology* is both a critique of liberalism and a defense of a sovereign ruler defined by his power to act during exceptional situations. Divided into four chapters, *Political Theology* mostly consists of Schmitt's definition of sovereignty and, in particular, how a sovereign ruler

acts during an exceptional situation and why the sovereignty of the state is based on theological concepts.

Schmitt defines sovereignty as the power to decide on the exception.<sup>1</sup> He makes it clear that only the sovereign can act during an exceptional situation and make a decision for the general public. Part of his justification of a sovereign ruler, is that he believes that there must be unlimited jurisdictional competence. The sovereign ruler would be able to act freely in an emergency situation. This belief is contrary to the liberal constitutional point of view. Schmitt explains that the liberal constitutional point of view limits any idea of sovereignty with checks and balances. There is no clear sovereignty. Schmitt argues this in chapter one of *Political Theology*, addressing how the sovereignty of the state eliminates any extreme emergency situation by deciding how to act upon it. He refers to Jean Bodin, a French political theorist, as one of the first theorists to write about how the sovereignty of the state is not bound by laws. Following Bodin's theory, Schmitt argues that the legal order rests on a sovereign decision and not the norm.<sup>2</sup>

We can put Schmitt's definition of sovereignty, as the one who decides in an emergency situation, into its historical context by looking briefly at his analysis of Article 48 of the German constitution of 1919.<sup>3</sup> Schmitt believes that the exception is declared by the president of the Reich, but is limited by parliament.<sup>4</sup> It is obvious that Schmitt's support for sovereignty is tied to his critique of liberal constitutionalism, which underlined the newly formed Weimar Republic. Schmitt points out, however, that it was liberal constitutionalism, not article 48, which limited exceptional powers. This is clear

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<sup>1</sup> Carl Schmitt, *Political Theology*: Trans. George Schwab (Chicago and London: University of Chicago Press, 1985), 5.

<sup>2</sup> Ibid., 10.

<sup>3</sup> Ibid., 11.

<sup>4</sup> Ibid.



when he states, “But only the arrangement of the precondition that governs the invocation of exceptional powers corresponds to the liberal constitutional tendency, not the content of Article 48. Article 48 grants unlimited power.”<sup>5</sup> Schmitt’s critique of liberal constitutionalism in *Political Theology* is based on how liberal constitutionalism limits sovereign power. Sovereign power should have the ability to eliminate the norm in the state of exception and to decide the exception beyond the liberal constitution. According to Schmitt, it is the sovereign’s power to decide and he need not defer to the procedural norms of parliamentary government.

*Political Theology* defines the role of sovereignty in contrast to liberal constitutionalism. Schmitt further defines sovereignty as a secularized theological concept.<sup>6</sup> He argues that the concept of sovereignty was transferred from theology to the theory of the state.<sup>7</sup> Sovereignty is represented as God. Schmitt also explains that the exception in jurisprudence is similar to the miracle in theology. *Political Theology* offers some of Schmitt’s major concepts in his theory of the sovereignty of the state.

In 1923, Schmitt further elaborated on his critique of liberal constitutionalism in *The Crisis of Parliamentary Democracy*. He explains how the scientific study of democracy must begin with political theology.<sup>8</sup> Beginning in the nineteenth century, parliamentarism and democracy were interwoven. Schmitt argues that democracy has since then been separated from parliamentarism. In particular, he argues that parliamentarism has changed since the nineteenth century, such that its original purpose and political justification have been undermined. Parliamentary government was intended

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<sup>5</sup> Ibid.

<sup>6</sup> Ibid., 36.

<sup>7</sup> Ibid.

<sup>8</sup> Carl Schmitt, *The Crisis of Parliamentary Democracy*, trans. Ellen Kennedy (Cambridge, Mass: MIT Press, 1988), 32.

for openness and discussion among representatives of all significant social groups. According to Schmitt, however, this system of balanced rational debate no longer exists. It has become a façade, which no longer represents genuine public discourse. In turn, parliamentarism has become committees of parties or party coalitions that decide behind closed doors.<sup>9</sup>

In *The Crisis of Parliamentary Democracy*, Schmitt further developed his critique of parliamentarism, by defending certain concepts of popular sovereignty and democracy. In the first chapter of *The Crisis of Parliamentary Democracy*, he argues that popular sovereignty represented a true democracy. Here, Schmitt discusses the history of democracy and parliamentarism. One of the characteristics of a democracy, according to Schmitt, is that it is sociologically and psychologically heterogeneous. It is separate from the economic sphere because it has a string of identities.<sup>10</sup> Schmitt believed that these identities are what defined a democracy. These identities, however, can never form an absolute identity. Schmitt explains that, although these identities represented a democracy, which formed the will of the people, individuals were selected in the nineteenth century to represent the people and to give them an absolute identity. But when this happened, according to Schmitt, democracy was forfeited. Similarly, a constitution cannot contradict the will of the people. According to Schmitt, liberalism viewed democracy as abstract, placing it in the economic sphere. Being in this sphere was the reason that Schmitt wanted to separate democracy from economics. It was abstract, not concrete. Schmitt argues that the will of the minority and majority of the people can

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<sup>9</sup> Ibid., 50.

<sup>10</sup> Ibid., 25.

never be the unanimous will of the people.<sup>11</sup> Regardless, the minority and the majority represent a certain identity of the state. The identity of the people is represented by a sovereignty of the state. This sovereignty represents the concept of legitimacy, the power to act for the people against the enemy; to be the will of the people.

Schmitt also discusses the problem of parliamentarism in chapter two of *The Crisis of Parliamentarism*. He explains how parliamentarism originated as a means to be expedient, because all the people could not gather together at the same time and everyone cannot know every detail of policy debates. Therefore, parliamentarism was a forum for the people. Schmitt believes that a single trusted representative could also decide for the people.<sup>12</sup> Popular sovereignty was a way for the people to elect a dictator, or a sovereign ruler to decide for the people. The openness, the balance of power, and limitations of legislation, and parliamentary discussion are what limit parliamentarism. Schmitt believed it was essential for the sovereign to be able to decide for the people without limitations. A sovereign ruler could decide in an emergency situation, without the corruption, the indecisiveness, and the limitations of legislation, which Schmitt believed existed in parliamentarism.

Following his critique of parliamentarism, Schmitt's *The Concept of the Political* further addressed his distaste for liberal constitutionalism. Published in 1927, *The Concept of the Political* introduces Schmitt's concept of friend and enemy. He believed that political actions and motives could be reduced to the distinction between friend and enemy. He argued that knowing your friends and enemies defined politics. His distinction was a way to separate political entities beyond aesthetic, economic, or moral distinctions.

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<sup>11</sup> Ibid., 26.

<sup>12</sup> Ibid., 34.

Furthermore, Schmitt argued that the enemy is not necessary evil, but an indication of a stranger, suggesting that conflicts are possible.<sup>13</sup> The friend and enemy also defined the political as a concrete situation, different from economic and moral conceptions, which Schmitt believed weakened the political. Economics and moral conceptions were more akin to liberalism, because they lacked a clearly defined adversary.

Schmitt defended the concept of friend and enemy because it provided a concrete justification for a sovereign ruler who could act for the people against the enemy. He also notes that the friend and enemy distinction avoided pacifism. The friend and enemy distinction provided the real possibility of physical killing.<sup>14</sup> It provides the possibility of war. Schmitt's concept of friend and enemy appeared as an alternative to liberalism. He believed that liberals are pacifist; they avoid any possibility of war. For politics to be recognized, there must be that possibility of war. Schmitt argued that the political is destroyed if one refuses to distinguish clearly between friend and enemy.

Schmitt's concept of friend and enemy was based on a critique of liberal notions of global order. He argued that the political world is not universalistic, because then there would be cease to be a political grouping of friend and enemy. The concept of humanity that exists in a liberal global order is used as an instrument for imperialistic expansion.<sup>15</sup> Schmitt argued that this idealism denies the enemy. According to Schmitt, humanitarianism is not a political concept. Schmitt states, "Humanity as such cannot wage war because it has no enemy, at least not on this planet."<sup>16</sup> In his critique of ethical-humanitarian movements, Schmitt is critical of liberalism. This criticism is seen when

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<sup>13</sup> Carl Schmitt, *The Concept of the Political*: Trans. George Scwab (Chicago and London: The University of Chicago Press, 2007), 22.

<sup>14</sup> *Ibid.*, 33.

<sup>15</sup> *Ibid.*, 54.

<sup>16</sup> *Ibid.*, 54.

Schmitt explains how liberalism turns politics into private law and private enterprise. By focusing on these concepts, liberalism deprives politics of significant meaning – the friend and enemy distinction. Schmitt believes that economics and morality assume a concrete political meaning, but do not contain political conflict.

In 1928, Schmitt wrote *Constitutional Theory*, in which he discussed the origin and purpose of a constitution. Schmitt discusses the norms of a constitution and what makes it valid. For a constitution to be valid, Schmitt argues that it needs a political decision by an authority. This decision preexists the constitution. It is important to note that Schmitt was writing at a time when the Weimar Republic was in debt to other countries following the Versailles Treaty. With an unstable Weimar Republic as well as the League of Nations being formed in 1919 as a way to maintain global peace, Schmitt wrote about constitutional law as well as a sovereign leader to decide for the people. He did so in order to develop a critique of the new liberal-Wilsonian global order and of the victorious Allies' efforts during this time to reestablish what he viewed as anachronistic traditions of nineteenth-century parliamentarism. Schmitt makes clear that a constitution is not based on a norm. It is based on a political decision that determines the validity of the constitution. A decision maker, or sovereign, acts through the will of the constitution, according to Schmitt.

In chapter nine of Schmitt's *Constitutional Theory*, he examines the legitimacy of a constitution. He believes that an authority determines the legitimacy of a constitution. It determines the will of the people. When Schmitt explains this legitimacy, he discusses how the people's constitution-making will is expressed clearly through popular vote, to elect a decision-maker. As in Hobbes' *Leviathan*, the authority of the political ruler

emanates from popular consent, not divine rights, or other forms of traditional, top-down legitimacy. We also see how Schmitt explains a dictatorship in relation to Article 48. Article 48 states that the dictatorship has the authority to compel the federal states execution of Reich laws.<sup>17</sup> Schmitt believes this article supported a sovereign ruler to be the constitution-making will. His critique of parliamentarism is also present in *Constitutional Theory*. His critique of a parliamentary system led Schmitt to believe that only a sovereign ruler representing a homogenous body of people could give legitimacy to the constitution.

Taken together, these key concepts from Schmitt's writings from the 1920s represented a fundamental critique of liberalism, which articulated clearly and powerfully many of the discontents that existed among conservative elites in the Weimar Republic. At the same time, Schmitt's defense of an homogenous and authoritarian concept of democracy, which did not see any contradiction between popular sovereignty and dictatorship, anticipated the destruction of the Weimar Republic that would be carried by some of these conservative elites with the help of the radical, right-wing populist movement that gathered under the banner of National Socialism in the early-1930s. But, as we shall see, Schmitt's own support of National Socialism thoroughly discredited his thought only in the eyes of some of his later critics. For many others, on both the right and left, his thought remained an important source of insight into the pitfalls and abuses of liberal political theory. In what follows, we shall examine some of the most important figures involved in the introduction and ongoing reception of Schmitt's ideas in Anglo-American scholarly and political debates from World War II to the present.

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<sup>17</sup> Carl Schmitt, *Constitutional Theory*: Trans and Edit. Jeffrey Seitzer (Durham: Duke University Press, 2008), 315.

## Chapter I

### Carl Schmitt's Relationship to Hans Morgenthau and Leo Strauss

Carl Schmitt's influence on political theorists in the U.S has had a significant impact on American political theory. This chapter is concerned with his influence on the German-American political scientist and Jewish émigré, Hans Morgenthau, and the German-American political philosopher as well as Jewish émigré, Leo Strauss. Both were strongly influenced by Schmitt's concept of politics during the late 1920s and early 1930s. The connection between these political theorists and Schmitt indicates how Schmitt's political thought initially developed in the U.S. It ultimately explains why Morgenthau and Strauss had a relationship to Schmitt, and why his concept of politics influenced Morgenthau's thought on international relations as well as Strauss's understanding of political liberalism.

This chapter explains how Schmitt's ideas influenced Morgenthau and Strauss. It will examine why Schmitt had a significant influence on Morgenthau that affected his perception of political value, and how Strauss's critique of Schmitt's concept of liberalism affected how Strauss interpreted liberalism beyond Schmitt. Morgenthau and Strauss were influential in the rise of political realism in international politics and neo-conservatism in the 1960s. This chapter will also demonstrate how Morgenthau and Strauss had an effect on Schmitt that led him to change part of what he wrote in *The Concept of the Political*. Examining Morgenthau and Strauss's relationship to Schmitt will also help us to understand when and why Schmitt's theoretical ideas first appeared in the U.S. In short, the overall purpose of this chapter is to explain what sort of connection

existed between Schmitt and Morgenthau and Strauss. It also seeks to determine which parts of Schmitt's thought Morgenthau and Strauss found beneficial in their study of political theory and which have influenced American political theory more generally.

### **Introduction to Hans Morgenthau's Life and Work**

Schmitt influenced Morgenthau's interpretation of international politics in the U.S. After Schmitt's *The Concept of the Political* was published in 1921, it would influence a young German by the name of Hans Morgenthau. Born in Coburg, Germany in 1904, Morgenthau was educated at the Universities of Berlin, Frankfurt, and Munich. After he graduated, he taught and practiced law in Frankfurt from 1923 until 1932, when he was offered a teaching position at the University of Geneva.<sup>18</sup> Following teaching and earning his *Habilitation* academic credential at the University of Geneva, he accepted another teaching position in Madrid in 1935.<sup>19</sup> From 1936 to 1937, Morgenthau and his wife traveled to Italy and other parts of Europe, in part because there was a military uprising in Madrid and the Spanish Civil War had begun. Eventually, he emigrated to the U.S in 1937 where he would become a powerful influence in American politics as a teacher, writer, and lawyer.<sup>20</sup>

Before addressing Morgenthau's relationship to Schmitt, it is important to understand some of Morgenthau's work and its impact in the U.S. It is important to know that Morgenthau was part of the intellectual migration of the 1930s that also included theorists such as Hannah Arendt, Leo Strauss, and others. In 1929 he published his first

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<sup>18</sup> Christoph Frei, *Hans Morgenthau: An Intellectual Biography* (Baton Rouge: Louisiana State University Press, 2001), 43.

<sup>19</sup> *Ibid.*, 53.

<sup>20</sup> Hans Morgenthau, *Truth and Tragedy*, eds. Kenneth Thompson and Robert Myers (New Brunswick: U.S.A: Transaction Books, 1984), 384.



book: *The International Administration of Justice, Its Essence and Its Limits*. In later years Morgenthau would be an active participant in those who were critical of political liberalism. He would be part of a different school of political theory. John Gunnell discusses this political theory in *The Descent of Political Theory*<sup>21</sup>, in which he argues that Morgenthau's 1946 work, *Scientific Man and Power Politics*, contributed to a more general turn away from liberalism. According to Gunnell, Morgenthau was part of the Chicago School that included Charles Merriam and Harold Lasswell.<sup>22</sup>

When Morgenthau arrived in the U.S in 1937, he emphasized the importance of political power, believing that it played a crucial role in defining politics. His work on political power is especially evident in *Scientific Man versus Power Politics*, which was his first book in English in 1946.<sup>23</sup> After this publication, his *Politics Among Nations*<sup>24</sup> appeared in 1948. One particular work on Morgenthau that was published in 1977, *Truth and Tragedy: A Tribute to Hans Morgenthau*<sup>25</sup>, contained essays about his personal life and political work. One of the essays: "The Mission of Morgenthau,"<sup>26</sup> written by Robert Osgood, an expert on foreign policy, discusses Morgenthau's work on political power in international relations. Osgood explains that Morgenthau disagreed with the notion that the economy could provide political stability. Morgenthau disagreed that the U.S. could establish political stability with other nations. He believed, instead, that political conflict was inevitable. For example, Morgenthau believed that the Vietnam War would never benefit the U.S economically, but rather that it was an expression of U.S military

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<sup>21</sup> John Gunnell, *The Descent of Political Theory*. (Chicago: The University of Chicago Press, 1994), 330.

<sup>22</sup> *Ibid.*, 195.

<sup>23</sup> *Hans Morgenthau: An Intellectual Biography* 73.

<sup>24</sup> *Ibid.*

<sup>25</sup> Hans Morgenthau, *Truth and Tragedy*.

<sup>26</sup> *Ibid.*, 32.

power.<sup>27</sup> He advocated for a global balance of power. The Vietnam War, according to Morgenthau, was a way for the U.S. to define its national interests in terms of power.

The political scientist, Tang Tsou in his essay, “‘Scientific Man vs. Power Politics’ Revisited,”<sup>28</sup> explains how Morgenthau’s *Scientific Man vs. Power Politics* is a critique of the dominant rationalist social, political, and moral philosophy of the modern West.<sup>29</sup> Similar to Osgood, Tsou argues that Morgenthau believed that rationality would always be overcome by superior power. Furthermore, Morgenthau also believed that politics was an art and not a science that could be rationalized.<sup>30</sup> Tsou argues that Morgenthau thought that power politics served a moral value, and had a political purpose. Although Morgenthau considered political action as “inevitably evil,” he believed that to act nonetheless required moral courage.<sup>31</sup>

*Realism Reconsidered: The Legacy of Hans Morgenthau in International Relations*<sup>32</sup> is another anthology on Hans Morgenthau, which contains essays by different authors on his political work. One essay, specifically, “The Balance of Power in Politics Among Nations,” provides some insight into Morgenthau’s thought. The author, Richard Little discusses Morgenthau’s *Politics Among Nations* in order to explain Morgenthau’s belief in the balance of political power. Little explains how Morgenthau’s belief in political power was defined by the transformation of the international system from 1919 to 1973.<sup>33</sup> Morgenthau believed that the First World War transformed political power because of the development of nationalism. Germany, the U.S., and the Soviet Union

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<sup>27</sup> Ibid., 33.

<sup>28</sup> Ibid., 41.

<sup>29</sup> Ibid., 50.

<sup>30</sup> Ibid., 47.

<sup>31</sup> Ibid., 51.

<sup>32</sup> *Realism Reconsidered: The Legacy of Hans Morgenthau in International Relations*. Ed. Michael C. Williams (Oxford: Oxford University Press, 2007), 278.

<sup>33</sup> Ibid., 155.

adhered to a form of “nationalistic universalism” that, according to Morgenthau, was used by different ideologies to contest for power. He argues that the power of nation-states was diminishing in the face of these rising great powers. According to Little, Morgenthau favored a world in which social justice and national self-determination were promoted.<sup>34</sup> He believed that man could remedy his own misery. Little concludes his analysis of *Politics Among Nations* by arguing that Morgenthau ultimately recognized how politics is constrained by brutal forces.

Overall, these essays on Morgenthau highlight some of the particular reasons why he was an advocate of political realism. These essays also illuminate Morgenthau’s interpretation of politics, which is important in understanding the difference between Morgenthau and Schmitt. Morgenthau’s *The Concept of the Political* demonstrates Schmitt’s influence on him. It also makes clear that Morgenthau acknowledged the concept of power politics. In the introduction to the 2012 English translation of Morgenthau’s *The Concept of the Political*, Hartmut Behr and Felix Rösch argue that despite Morgenthau’s criticisms of Schmitt, he agreed with Schmitt regarding the ways in which human interests collide and how dominant social and political institutions emerge.<sup>35</sup> Understanding some of Morgenthau’s significant work as well as what some authors say about him provides an understanding of how Morgenthau and Schmitt were alike in their political thought.

### **Schmitt’s Influence on Morgenthau**

When Morgenthau wrote his doctoral dissertation in 1929, in part as a response to Schmitt’s *Concept of the Political*, it would attract the renowned political theorist Carl

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<sup>34</sup> Ibid.,157.

<sup>35</sup> Hans Morgenthau, *The Concept of the Political*. Ed. Hartmut Behr, Felix Rösch (New York: Palgrave Macmillan, 2012), 176.

Schmitt's attention. After Schmitt's review of Morgenthau's dissertation, *The International Administration of Justice, Its Essence and Its Limits*, Schmitt would meet Morgenthau that year to discuss it with him. The meeting, however, went very badly according to Morgenthau,<sup>36</sup> who described Schmitt as one of the "evilest" men he had ever met. Regardless of his dislike for Schmitt, Morgenthau stated in his autobiography that: "It was inevitable that I would be influenced – however temporarily and negatively – by Carl Schmitt."<sup>37</sup> Because of Morgenthau's Jewish heritage, his admiration for Schmitt further faded when Schmitt joined the National Socialist Party. Nonetheless, Schmitt would influence Morgenthau. Part of Schmitt's influence on Morgenthau is seen in Morgenthau's work *The Concept of the Political*, which was first published in French in 1933.

In Morgenthau's *The Concept of the Political*, he attempts to distance himself from Schmitt's definition of politics in terms of friend and enemy. He argues that Schmitt's friend and enemy concept did not encompass morality, economy, or politics.<sup>38</sup> According to Morgenthau: "...could we assert in the same way that the enemy represents what is politically without value, while the friend represents what is politically of value? The answer is obviously no."<sup>39</sup> This interpretation addresses Morgenthau's disagreement with Schmitt, especially how he considered Schmitt's reduction of politics to friend and enemy as tautological. Nevertheless, Morgenthau did accept some aspects of Schmitt's distinction between friend and enemy: "it was on the basis that the one who distinguishes between friend and foe while pursuing political, moral, aesthetic or economic goals also

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<sup>36</sup> Ibid.,17.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid., 112.

<sup>39</sup> Ibid.

establishes a distinction between what tends to promote the realization of his or her goal and what tends to hinder it.”<sup>40</sup> Behr and Rösch argue that Morgenthau believed the political was defined by the humanization of politics. It contained characteristics that held political value. From this perspective, Morgenthau went beyond Schmitt’s concept of friend and enemy because he considered it tautological.

After Morgenthau’s *The Concept of the Political* was published in 1933, he continued to express political ideas similar to Schmitt. In 1998, Hans Karl Pichler, addresses this similarity in his article: “The Godfathers of ‘Truth’: Max Weber and Carl Schmitt in Morgenthau’s Theory of Power Politics.”<sup>41</sup> Pichler’s explains how Morgenthau’s theory of power politics is connected to Max Weber and Carl Schmitt. Pichler formulates his argument based on Morgenthau’s “Six Principles of Political Realism,” taken from chapter six of Morgenthau’s *Politics Among Nations*, which was originally published in 1948. Pichler’s overall purpose is to locate Morgenthau’s ideas in the German intellectual tradition, thereby denaturalizing him as an American thinker.<sup>42</sup> In so doing, Pichler believes that Schmitt was a significant influence on Morgenthau. This influence is evident in their similar interpretation of “the political,” as well as their personal relationship. Pichler presents their similarity in their critique of liberalism and their belief in power politics. Morgenthau believed that the search for power is always directed toward another individual, similar to what Schmitt also argued in his concept of friend and enemy.

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<sup>40</sup> Ibid., 114.

<sup>41</sup> Hans-Karl Pichler, "The Godfathers of 'Truth': Max Weber and Carl Schmitt in Morgenthau's Theory of Power Politics," *Review of International Studies* 24, no. 2 (1998): 185-200.

<sup>42</sup> Ibid., 187.

Pichler also argues that Morgenthau and Schmitt agreed on the idea that enmity defined international politics. Schmitt's interpretation of power politics would have an impact on Morgenthau's belief that universalism was achieved through political power. Pichler argues that Morgenthau attempted to overcome the value of the social sciences in order to analyze international politics "objectively," as the ultimate pursuit and preservation of national interest.<sup>43</sup> At the conclusion of his essay, Pichler argues that Morgenthau's work is falsely perceived as being in the "American positivist tradition," and that it was instead an attempt to transfer European philosophical problems into the American political system.<sup>44</sup> Pichler examines how these ideas are transformed in Morgenthau's relocation from Europe to America. His overall analysis of Morgenthau offers an explanation of how Schmitt's ideas were transferred from Europe to America through Morgenthau's political thought.

In *Carl Schmitt: The End of Law*,<sup>45</sup> William Scheuerman includes a chapter on Morgenthau's relationship to Schmitt. Scheuerman explains that, despite Morgenthau's personal abhorrence of Schmitt, especially after he joined the National Socialists, Schmitt's political thought could still be seen in Morgenthau. When addressing their relationship, Scheuerman refers to the German philosopher, Heinrich Meier's argument, about how theology was influential in Schmitt's political theory. Scheuerman disagrees with Meier and argues instead that Morgenthau distanced himself from Schmitt. For example, in 1933 Morgenthau criticized Schmitt's *The Concept of the Political*, yet

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<sup>43</sup> Oliver Jütersonke, *Morgenthau, Law and Realism* (New York: Cambridge University Press 2010), 212.

<sup>44</sup> *Ibid.*, 200.

<sup>45</sup> Bill Scheuerman, *Carl Schmitt: The End of Law* (Lanham, Md: Rowen and Littlefield Publishers, 1998), 360.

Schmitt did not reply to Morgenthau's remarks.<sup>46</sup> Morgenthau's critique was an attempt to distance himself from Schmitt, believing him to be misguided, which became more evident after Schmitt joined the Nazis. Moreover, Scheuerman argues that Morgenthau and Schmitt diverged in how they perceived the value of a political state. For Morgenthau, the value of a certain political entity was based on morality, aesthetics, and economics. For Schmitt, however, these values were not relevant to politics, which he viewed as an autonomous sphere, whose values are defined by the distinction between friend and foe, not by morality, aesthetics, or economics. Scheuerman makes the distinction between Morgenthau and Schmitt clearer when he states: "For Morgenthau, the reduction of politics to the criterion of friend and foe is conceptually arbitrary. The criterion of friend versus foe fails to capture the distinct characteristics of political life..."<sup>47</sup> Morgenthau believes Schmitt's concept of friend and foe did not define the value of the political as a concrete substance. It did not recognize the value in morality, aesthetics, or economics. Ultimately, Morgenthau believes that Schmitt's concept of friend and foe does not capture the core of political existence. Regardless of their differences, Scheuerman also notes Morgenthau's unusual reference to Schmitt in 1979 as brilliant and original for his contribution to international law. In his attempt to explain Morgenthau's admiration for Schmitt, Scheuerman argues that Morgenthau agreed with Schmitt's critique of American liberalism and part of his definition of political entities.

At the end of Scheuerman's study, he argues that Morgenthau was not indebted to Schmitt, but rather respected Schmitt's critique of international law. Morgenthau and

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<sup>46</sup> Ibid., 239.

<sup>47</sup> Ibid., 239.

Schmitt shared a tradition of realist thought in international politics.<sup>48</sup> Scheuerman tries to show how Morgenthau and Schmitt differed in regards to realist thought. Morgenthau argues that politics was conducted in terms of a “Realism of Peace,” similar to Thomas Hobbes. They held the belief that, regardless of all the danger in human nature, it was possible to promote peace. Scheuerman argues, however, that Morgenthau still believed in the tragedy of war because of the inevitable evil in man. Yet, for Morgenthau, this evil could be minimized. Carl Schmitt, in contrast, supported the “Realism of War,” which Scheuerman believes was based on his interest in “...exposing the inconsistencies and contradictions of contemporary international law.”<sup>49</sup> Revealing that he is not sympathetic to Schmitt, Scheuerman believes Schmitt’s involvement with National Socialism was based on his belief in imperial power, and was an attempt to overcome liberal international relations.

Scheuerman also wrote an article in 2007 titled, “Was Morgenthau a Realist? Revisiting *Scientific Man Vs. Power Politics*.”<sup>50</sup> Scheuerman addresses Morgenthau’s similarity to Schmitt when he states: “Not surprisingly, key components of *Scientific Man* can be read as a critical dialogue with Schmitt.”<sup>51</sup> With the comparison of Morgenthau’s *Scientific Man* to Schmitt’s critique of liberalism, it was evident, according to Scheuerman, that both of these scholars were critical of the development of technology and science. For many liberals and leftist, Western modernity was a way beyond political conflict. Morgenthau and Schmitt, however, believed in the inevitable conflict of war that

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<sup>48</sup> Ibid., 246.

<sup>49</sup> Ibid., 247.

<sup>50</sup> William Scheuerman, “Was Morgenthau a Realist? Revisiting *Scientific Man Vs. Power Politics*,” *Constellations: An International Journal of Critical and Democratic Theory*, (December 2007): 1-25.

<sup>51</sup> Ibid., 5.



would occur in politics, and that Western modernity could not prevent the unavoidable outbreak of war.

Furthermore, *Scientific Man* formulated a critique of modern liberal international law,<sup>52</sup> presenting Morgenthau as a realist, indicating a close affinity to Schmitt's political thought. For Morgenthau to separate himself from Schmitt, he argues that moralism was part of political nature, which Schmitt rejected. Schmitt believes that the idea of friend and foe held no moral value. Scheuerman concludes his comparison of Morgenthau and Schmitt by suggesting that Morgenthau's ethics ultimately separated him from Schmitt, defining politics through moralism, whereas Schmitt joined Nazism, in which there was not any sense of moralism in political nature.

Throughout Morgenthau's international career he subscribed to political realism, the belief that politics is defined by power. From this notion of politics, scholars recognize the close similarity between Morgenthau's advocacy of power politics and Schmitt's concept of friend and enemy, suggesting that Schmitt's political thought was transferred to the U.S through Morgenthau. A closer examination of the relationship between Morgenthau and Schmitt reveals how much Schmitt influenced Morgenthau, and how Schmitt's political thought reached the U.S before his posthumous reception.

In *Realism Reconsidered*,<sup>53</sup> which includes a number of essays written on Morgenthau's impact on international relations, there is further indication of Schmitt's influence on Morgenthau. In his essay, Chris Brown compares and contrasts Morgenthau and Schmitt's positions on modern international relations. Schmitt argues that the new concept of war in the twentieth century was disastrous because it would eliminate the

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<sup>52</sup> Ibid., 7.

<sup>53</sup> Michael Williams, *Realism Reconsidered the Legacy of Hans Morgenthau in International Relations* (Oxford: Oxford University Press, 2007).

bracketing of war that defined friend and foe, leading to total war against the enemy. Schmitt disagreed with universalism. Morgenthau, however, argues in his essay, “The Twilight of International Morality,”<sup>54</sup> that the new conception of war, which was based on universal boundaries, represented “genuine moral progress,” but is still dangerous because states and the people who adhere to this non-political conception of war have to deal with people who exercise force and accept no limits, beyond political actions.<sup>55</sup> Brown also addresses the issue of universalism between Morgenthau and Schmitt. For Schmitt, the old European spatial order has been destroyed and no new *nomos* had taken its place. Morgenthau also believed that the old European international society was gone. He believed it was the failure to agree on a new basis of civilization that brings about the twilight of international morality.<sup>56</sup>

William Scheuerman also wrote an essay in *Realism Reconsidered*, explaining the “hidden dialogue” between Morgenthau and Schmitt. This “hidden dialogue,” according to Scheuerman, provides a clearer understanding of Morgenthau’s idiosyncratic realism. With both scholars explaining twentieth-century global politics primarily in terms of the increased power of the U.S, Scheuerman argues that Morgenthau and Schmitt believed that the U.S was undermining a European dominated system with American liberalism, toward universalism.<sup>57</sup> They believed there was no escaping war; therefore, it must be bracketed among nation-states. They felt that the U.S was controlling universalism as a form of American imperialism, spreading American liberalism as a humanitarian cause.

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<sup>54</sup> Hans Morgenthau, “The Twilight of International Morality,” *Journal of Ethics*, 58, no. 2 (1948): 79-99.

<sup>55</sup> Williams, *Realism Reconsidered*, 53.

<sup>56</sup> *Ibid.*, 56.

<sup>57</sup> *Ibid.*, 68.

Scheuerman argues that Morgenthau's criticism of U.S foreign policy was one of the ways in which Schmitt influenced Morgenthau.<sup>58</sup> Both of these German scholars believed that American interventionism was a form of imperial power. It proved to Morgenthau and Schmitt that politics was defined by power, not legal peace treaties, something Schmitt had seen fail in the Versailles Treaty. Schmitt was also critical of the Monroe Doctrine because it allowed the U.S to intervene in Latin America, providing the U.S with an imperial power to enforce its liberal democracy. Scheuerman argues that Schmitt's cynical view of the Monroe Doctrine eventually led to his justification of Nazi imperialism.<sup>59</sup> Although Morgenthau was critical of Schmitt's interpretation of the Monroe Doctrine, because it led to his justification of Nazism, Morgenthau's Westphalian system showed that he was critical of universal law and instead favored the sovereignty of the state. Morgenthau's perspective, according to Scheuerman, reflects a similar position to Schmitt's, which was that the Monroe Doctrine and non-intervention treaties were a form of U.S universal domination. One difference, however, between Morgenthau and Schmitt on the Monroe Doctrine was that Schmitt believed that this doctrine could be revitalized by "establishing new modes of regionally based imperialism." While Morgenthau argues that the Monroe Doctrine would keep the U.S involved in trying to balance power in Europe, it would also threaten U.S hegemony in the Americas.<sup>60</sup>

In another section of Scheuerman's essay, he explains how Morgenthau's post-World War II writings argued for a world state because of the increasing possibility that the sovereign state held the power of mass destruction through nuclear weapons. Towards

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<sup>58</sup> Ibid., 65.

<sup>59</sup> Ibid., 74.

<sup>60</sup> Ibid.,76.

the end of his essay, Scheuerman argues that Morgenthau is held back by Schmitt's influence on him. Scheuerman states: "Morgenthau was never able to think creatively enough about the possibility of a novel global order because he carried too much Schmittian intellectual baggage."<sup>61</sup> Scheuerman argues that Morgenthau was not able to break free of Schmitt's criticism of universalism, preventing Morgenthau from ever considering possible alternatives to a centralized world state.<sup>62</sup> At the conclusion of Scheuerman's essay, he argues that a "hidden dialogue" existed between Morgenthau and Schmitt, which indicates how Schmitt influenced Morgenthau. According to Scheuerman, it played a "crucial role" in Morgenthau's unsuccessful attempt to synthesize realism and international relations.

It is important for one to understand what kind of influence Morgenthau had on neo-conservatives, but also how he stood apart from them. Michael Williams states,

...Morgenthau's writings are replete with concerns that resonate with contemporary neo-conservatism, from the dangers of decadent liberalism, to the crisis of a technocratic or narrowly pluralistic liberal-democracy, to the challenges face by liberal-democracies in foreign affairs – especially in conditions of emergency.<sup>63</sup>

Williams demonstrates that Morgenthau's influence resonated with neo-conservatism. He helped to reinvigorate hawkish Republican values. Yet, as Williams also explains, Morgenthau believes that national greatness could easily become a crusading foreign policy.<sup>64</sup> Williams also believes that Morgenthau was critical of the issues that neo-conservatives presented, because they were often a radical response to liberal modernity. According to Williams, Morgenthau believed in national virtue, but not to the extent that it led to attacking other countries with power weapons. Professor of Political Science at

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<sup>61</sup> Ibid., 79.

<sup>62</sup> Ibid., 85.

<sup>63</sup> Michael Williams, *Realism Reconsidered: The Legacy of Hans Morgenthau in International Relations* (Oxford: Oxford University Press, 2007), 229.

<sup>64</sup> Ibid., 230.

the University of Chicago, John Mearsheimer, wrote an article, “Hans Morgenthau and the Iraq War: realism versus neo-conservatism,” which mentions Morgenthau’s opposing view of neo-conservatism. As a realist, Morgenthau believed in the balance of power, to uphold nationalism with military power. He did not believe in spreading nationalism or democracy through military power, which is the belief of neo-conservatism. According to Mearsheimer, “There is little doubt that Morgenthau saw nationalism as a potent political force and, more than any other factor, it drove his opposition to the Vietnam War.”<sup>65</sup> While Morgenthau did influence neo-conservatism to defend the idea of nationalism, neo-conservatism was more inclined to represent nationalism and democracy through military power, as seen in Iraq War and the George W. Bush administration. Morgenthau believed in the balance of power, a realist perspective, and he was intent on defending nationalism, not spreading it.

Schmitt’s political influence is also plainly evident in Morgenthau’s writing. In an effort to distance himself from Schmitt, Morgenthau was critical of Schmitt’s involvement with the Nazis, which showed how Schmitt had no concern over the moral aspects of politics. Here Morgenthau was of a different opinion. Despite this difference, Schmitt’s influence on Morgenthau would eventually reappear in Morgenthau’s political realism, as it related to international law. As Scheuerman, Pichman, and other scholars convincingly argue, Morgenthau and Schmitt were closely linked. They were critical of political liberalism and a world state, believing that politics was defined by the nature of enmity between nation-states. They argued that if the U.S were to coalesce these nation-states into a world state, it would offset the balance of these states, because it would

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<sup>65</sup> John Mearsheimer, “Hans Morgenthau and the Iraq War: Realism versus Neo-Conservatism,” *Open Democracy* (May 2005), accessed June 30<sup>th</sup>, 2015 [https://www.opendemocracy.net/democracy-americanpower/morgenthau\\_2522.jsp](https://www.opendemocracy.net/democracy-americanpower/morgenthau_2522.jsp)

impose liberal democracy on them, and establish the U.S as an imperial power. This notion of political power is where Schmitt most influenced Morgenthau. Schmitt's intellectual influence on Morgenthau helped him make his intellectual mark in the U.S, where the influence of his and Schmitt's ideas would continue to develop among other conservative intellectuals.

### **A Brief Introduction to Leo Strauss's Life and Work**

Leo Strauss is another political intellectual who has had a significant influence on political theory in the U.S. He was born in a Jewish home in Germany during the early nineteenth century. At a young age he participated in the Zionist movement. He attended several German universities, where he encountered the renowned German philosophers Edmund Husserl and Martin Heidegger. While attending these universities he was introduced to neo-Kantianism, but his primary focus was in Jewish studies.<sup>66</sup> He left Germany when Hitler came to power, living in England and France, before deciding to settle in New York where he accepted a faculty position. He later accepted a professorship at the University of Chicago where he wrote his famous works.

Before discussing Strauss's relationship to Schmitt, it is important to understand Strauss's intellectual background. Eugene Sheppard's biography, *Leo Strauss and the Politics of Exile: The Making of a Political Philosopher*, discusses the entirety of Strauss's life, from his origins in Europe, to his exile in the U.S.<sup>67</sup> Strauss's affiliation with Zionism influenced how he perceived the European bourgeoisie. Sheppard makes

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<sup>66</sup> Robert Howse, "Misreading Leo Strauss," *Policy Review*, (December 2012): 1-12.

<sup>67</sup> Eugene Sheppard, *Leo Strauss and the Politics of Exile: The Making of a Political Philosopher* (Waltham, Mass: Brandeis University Press, 2006).

the point that Strauss from an early age was critical of Enlightenment Rationalism, particularly questioning the political principles emanating from the French Revolution.

Throughout the 1920s, Strauss gained much of his understanding of philosophy and political theory from Edmund Husserl, Julius Ebbinghaus, and Martin Heidegger. Sheppard tells of how Heidegger, especially, influenced Strauss, helping Strauss resist the impulse of modernizing and distorting pre-modern philosophy.<sup>68</sup> Sheppard also discusses how Zionism shaped Strauss's political beliefs. Sheppard explains that throughout the 1920s, Strauss was consumed with how Zionism was related to the Jewish question of exile. Strauss devoted research throughout the 1920s to the Jewish question of exile, which he believed was an existential fact. Sheppard discusses how Strauss's Weimar Jewish writings consistently attempted to gauge the foundations of German-Jewish worldviews and ideologies.<sup>69</sup>

When Strauss arrived in the United States in 1932, his primary interest transitioned from Zionism to liberalism. Sheppard also discusses how Strauss was interested in the Jewish concept of exile in his political philosophy. Also influential in Strauss's political thought was the philosophy of Moses Maimonides. Sheppard explains that Strauss's research study in 1925 in Europe consisted of editing and translating the German writings of Moses Mendelssohn, also known as Moses Maimonides. Strauss viewed Mendelssohn as the model figure of the moderate Enlightenment.<sup>70</sup> According to Sheppard, "Strauss came to see the thought of Moses Mendelssohn as a promising alternative to the liberal configurations of Judaism precisely at the time that he was searching for an alternative paradigm in the modern sophistry of relativizing historicism

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<sup>68</sup> Ibid., 21.

<sup>69</sup> Ibid., 18.

<sup>70</sup> Ibid., 68.

and liberal politics.”<sup>71</sup> Strauss’s predilection toward Mendelssohn anticipated his criticism of liberalism. Strauss was critical of the Enlightenment’s victory because he believed it led to human arrogance. His criticism of the Enlightenment would be similar to Carl Schmitt’s beliefs, which eventually would have an influence on Strauss’s understanding of liberalism.

The American political theorist, John Gunnell also discusses Strauss’s contributions to American political thought. Gunnell argues that Strauss’s work on Hobbes as the founder of liberalism and his research on how Hobbes had turned away from classical political philosophy was dimly understood in England and the U.S.<sup>72</sup> Different from Schmitt, Strauss believed that Hobbes was the founder of liberalism and the originator of the notion that the political was not natural.<sup>73</sup> Moreover, Gunnell explains that political theory came to be defined by the dialogue between both sides of “traditional” and “scientific” theory. Strauss was critical of the scientific approach according to Gunnell. He explained that this new science eventually culminated in positivist liberal thought. Gunnell argues that Strauss attempted to present a conservative alternative to the degeneration of liberalism. Gunnell does not discuss much of Strauss’s political work, but he does offer some insight into Strauss’s political beliefs and what they opposed throughout the early twentieth century. Strauss’s political beliefs are pivotal to understanding who he was as an individual thinker and his relation to Schmitt.

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<sup>71</sup> Ibid., 69.

<sup>72</sup> John Gunnell, *The Descent of Political Theory* (Chicago, University of Chicago Press, 1993).

<sup>73</sup> Ibid., 175.



## Schmitt's Influence on Strauss

In this chapter we are not concerned with the entirety of Strauss's life, but instead with Schmitt's influence on Strauss's political thought. Examining this connection will also help us understand how Schmitt's political thought made its way to the U.S. It will also demonstrate how Schmitt's impact on Strauss contributed to the foundation of the American neo-conservative movement. Many scholars have written about this relationship between Schmitt and Strauss, attempting to understand it either as a "hidden dialogue,"<sup>74</sup> or in other ways. By examining various articles and books written about the relationship between Schmitt and Strauss, one will have a clearer understanding of when Schmitt's American reception developed, and what part of Schmitt's thought Strauss deemed important.

In his 1994 article "Fear, Technology, and the State: Carl Schmitt, Leo Strauss, and the Revival of Hobbes in Weimar and National Socialist Germany,"<sup>75</sup> John McCormick addresses Schmitt and Strauss's similarity to Thomas Hobbes. McCormick explains how Schmitt's concept of the political related to Hobbes's idea of the sovereign state. Schmitt agreed with Hobbes that the nature of the political was dangerous because human nature was corrupt, leading to greed, corruption, etc. McCormick argues that such a political antagonism developed in Weimar and provided the inspiration for Schmitt's idea that civil war was inevitable between political factions. This antagonism also lent credibility to Hobbes's concept of the state of nature. Hobbes believes that the nature of the state as it exists in relationship to the present is of vital concern, because of the

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<sup>74</sup> Heinrich Meier, *The Hidden Dialogue*, trans. Harvey Lomax, (Chicago: University of Chicago Press, 2006), 156.

<sup>75</sup> John McCormick, "Fear, Technology, and the State: Carl Schmitt, Leo Strauss, and the Revival of Hobbes in Weimar and the National Socialist Germany." *Political Theory* 22. No 4. (1994): 619-652.

potential threat against the state. Schmitt reformulates Hobbes's concept of the state as a way to undermine the Weimar Republic, and replace it with a sovereign state that would recognize friends and enemies. According to Schmitt, the state is a political unity, not a fragmented parliament, which must elect a sovereign ruler to defend the state.<sup>76</sup>

After explaining Schmitt's similarity to Hobbes, McCormick discusses Strauss's similarity to Schmitt – a similarity based on Strauss's acknowledgement of Schmitt's revival of the state and the fear that accompanies it.<sup>77</sup> Schmitt and Strauss agreed that liberalism has put the state into a critical situation, by complicating the political.<sup>78</sup> Strauss also agreed with Schmitt that a different system must be created to make the political recognizable. McCormick shows that Strauss, however, criticized Schmitt on how to establish this system. Strauss believed there was a need to cultivate human nature because it is "morally depraved nature." This task of educating humanity, was an approach that Strauss identified with Hobbes. The significant difference between Strauss and Schmitt is how they identify the political in relationship to human nature. Schmitt believes in the danger of man that is susceptible to subjectivity as well as the tendency toward neutrality and technology which, according to McCormick, is seen in the later Hobbes.<sup>79</sup> Strauss, however, believed that an "adequate" understanding of Hobbes demonstrates how fear controls man. To understand how man is by nature evil is to understand how the fear of death, specifically a violent death, checks the evilness of human nature. Strauss believes that human nature has infinite desires, resulting in conflict with other men and leading to

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<sup>76</sup> Ibid., 625.

<sup>77</sup> Ibid., 627.

<sup>78</sup> Ibid.

<sup>79</sup> Ibid., 631.

inflicting pain.<sup>80</sup> McCormick argues that Strauss had a better understanding of Hobbes' theory of the state by showing that the people of a state need to be educated to be controlled because of their dangerous nature. This danger is where Schmitt influenced Strauss, understanding the "the people" as being ruled and instilling fear in them because of the possibility of war with other political entities.

Toward the end of the essay, McCormick argues that Schmitt and Strauss attempted to supplant liberalism through a reinterpretation of Hobbes,<sup>81</sup> but ultimately failed to replace liberalism. According to McCormick, they failed in two ways; first, because liberalism successfully succeeded Hobbes. Secondly, they failed because the Hobbesian myth, which Schmitt and Strauss believed was embedded in the political state that controlled the people, produced something disastrous in Nazism. McCormick argues that Schmitt and Strauss's reformulation of the political state was no longer based on technology and neutralization, but on fear. Science and technology provided the individual with the idea of self-protection, which would be a threat to the state, leading to chaos of the state. Fear, in contrast, would give the state power and authority to defend the people. McCormick, however, argues that Schmitt and Strauss's interpretation of the political state is dangerous because it was a myth that the German National Socialists used to instill fear into the Jews. Their position leads to an authoritarian state, increases technology in modern politics, and overall creates chaos within the state.

McCormick's essay highlights a similarity between Schmitt and Strauss's political thought in regards to Hobbes' theory of the state. His essay also addresses how Schmitt's American reception impacted Strauss. In what follows we shall see that there

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<sup>80</sup> Ibid., 634.

<sup>81</sup> Ibid., 643.

are different explanations of the relationship between Schmitt and Strauss, depending on which aspect of Schmitt's thought was receiving attention among American scholars.

In his 1997 article: "From Legitimacy to Dictatorship – and Back Again: Leo Strauss's Critique of the Anti-Liberalism of Carl Schmitt,"<sup>82</sup> Robert Howse examines Strauss's debts to Schmitt. Howse attempts to explain what Strauss intended when he argued for a "horizon beyond liberalism," as well as how Strauss's relationship to Schmitt sheds light on Schmitt's concept of the political. Howse explains that Strauss's note on Schmitt's *The Concept of the Political* showed that Schmitt had a moral intention behind his political theories. Schmitt lacked, however, the understanding "that the moral intention was the moralization of the will to power."<sup>83</sup> Schmitt's moral intention, according to Howse, developed from Machiavelli. Howse later examines Schmitt's influence on Strauss, with Strauss believing in the need for decisionism. Strauss believed that the sovereign of the state must be able to serve equitably, resist using power to corrupt the law, regardless of whether he was a wise or unwise ruler. It is the character of sovereignty that decides the exception. Furthermore, Strauss argues that classic natural right is part of the decision, in distinguishing friend and enemy. Classic natural right calls for individual rights, a general set of rules, according to Howse. These rules, Schmitt believed, were embedded in the distinction between friend and enemy, legitimizing these rules in accord with society. Strauss, however, believed that the decision undermined classic natural right, by sacrificing what is good for man to the demand for politics.

Howse concludes his article by showing that Strauss was more inclined toward classic natural right, which shifted politics toward human perfection and closed societies,

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<sup>82</sup> Robert Howse, "From Legitimacy to Dictatorship – and Back Again: Leo Strauss's Critique of the Anti-Liberalism of Carl Schmitt," *The Canadian Journal of Law and Jurisprudence*, volume 10, (1997): 77-105.

<sup>83</sup> *Ibid.*, 90.

but also that he accepted the friend-enemy distinction.<sup>84</sup> Whereas Schmitt believed in classic natural right with a decision that decides the rules, Strauss defends the idea of classic natural right with a hierarchy of ends, as a legitimate end of politics.<sup>85</sup> Howse's overall intent is to present Strauss's belief in classical natural right as an alternative to Schmitt's decision that disregards the good of the people for the sake of violence. These differences aside, Strauss's reading of Schmitt's concept of the sovereign decision, influenced his interpretation of the exception. By affirming classical natural rights, Strauss affirms Schmitt's friend-enemy distinction, while also adding his own perspective to it. Howse presents Strauss's emphasis on classic natural right as a way beyond Schmitt's belief in war between friend and enemies. It was a way to find balance between the public safety of man and the "cultivation of human excellence,"<sup>86</sup> according to Howse. Overall, this article addresses Schmitt's political influence on Strauss, regarding the concept of friend and enemy and the sovereign decision. It shows how Schmitt's influenced Strauss but also how Strauss went beyond what Schmitt was able to realize.

Heinrich Meier's *Carl Schmitt and Leo Strauss: The Hidden Dialogue*<sup>87</sup> is a closer study of the relationship between Schmitt and Strauss and Schmitt's influence on Strauss. Meier's work is one of the few sources to clearly articulate Strauss's relationship to Schmitt and to provide an understanding of what Strauss learned from Schmitt. First published in 1988 in Germany, Meier's study attempts to shed light on this relationship by explaining how Strauss's criticisms of Schmitt's *The Concept of the Political* were eventually addressed by Schmitt in the third edition of *The Concept of the Political*.

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<sup>84</sup> Ibid., 101.

<sup>85</sup> Ibid., 99.

<sup>86</sup> Ibid.

<sup>87</sup> Heinrich Meier, *The Hidden Dialogue*.

Moreover, Meier suggests that Schmitt believed that Strauss knew him better than anyone else.<sup>88</sup> But more than a clear language spoken between Schmitt and Strauss, Meier also argues that there was a silent dialogue between these scholars. For example, in his 1933 edition of *The Concept of the Political*, Strauss never mentioned whom he was in dialogue with.<sup>89</sup>

Meier begins his book by showing that Strauss only wrote on three of his contemporaries: Alexandre Kojève, Martin Heidegger, and Carl Schmitt.<sup>90</sup> Meier's intention is to show how Schmitt influenced Strauss's interpretation of political theory. Meier is interested in finding what part of Schmitt's influence specifically took hold of Strauss. According to Meier: "...what primarily interested Strauss in writing on *The Concept of the Political* is to complete the critique of liberalism."<sup>91</sup> Strauss was concerned with how Schmitt criticized the concept of nature, how he interpreted the nature of politics, and why he was so critical of liberalism. Meier explains early on that Schmitt revised his *The Concept of the Political* based on Strauss's critique of Schmitt's work, suggesting that Strauss was interested in what Schmitt wrote on liberalism.

Meier argues that Schmitt's critique of liberalism was motivated by his religious background as a Catholic, which informed his critique of modern culture and which, in turn, influenced Strauss's critique of the philosophy of culture in terms of the immorality of human nature. Strauss believes that human nature "precedes and underlines every culture,"<sup>92</sup> according to Meier. In regards to Schmitt's interpretation of political nature, specifically concerning his concept of friend and enemy, Schmitt believed the enemy

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<sup>88</sup> Ibid., 9.

<sup>89</sup> Ibid.

<sup>90</sup> Ibid., 11.

<sup>91</sup> Ibid.

<sup>92</sup> Ibid., 32.

defined politics because human nature was corrupt. Yet, for Strauss, human nature could be controlled, despite its corruption. Although Schmitt appropriated some of Hobbes's political thought, Strauss followed Hobbes more closely, supporting his idea that the state of nature is a war of individuals. Schmitt, however, believes the 'state of nature' was recognized as a state of war of groups (nation-states).<sup>93</sup> Strauss believes that the state can justifiably demand individuals' obedience, as long as it does not contradict the preservation of their lives.<sup>94</sup> Schmitt, quite differently, believes the state is the authoritative power as a nation-state. In recognizing the power of the state, Meier believes that Strauss turns to Schmitt's interpretation of Hobbes to strike at the root of liberalism in order to preserve the authority of the state against the enemy. Meier argues that Strauss's interest in Schmitt's critique of liberalism gave Strauss directions on how to criticize liberalism, in Hobbesian fashion, as a critique of the bourgeois notion of individual control rather than state authority.

Meier goes on to show how Schmitt and Strauss each influence each other in their views of the state of nature. This is clearly understood when Meier states:

Schmitt's affirmation of the political, in Strauss's interpretation, is the affirmation of the 'state of nature.' The affirmation of the 'state of nature' as the *status belli* simply is not intended to be bellicose, however, and thus does not signify the affirmation of war. Schmitt is concerned, rather, with the 'relinquishment of the security of the status quo.'<sup>95</sup>

To protect the security of the state, Schmitt and Strauss are in agreement in disapproving of a world-state, aimed toward comfort and security, with faith in technology, which eliminates the idea that man is by nature evil. For Schmitt and Strauss, friend and enemy, not the idealistic notion of universal peace, must define the political, or else the political would cease to exist. Once again Meier argues that Schmitt's understanding of the

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<sup>93</sup> Ibid., 33.

<sup>94</sup> Ibid., 34.

<sup>95</sup> Ibid., 39.

political is based on his religious belief. Meier makes this argument in the *Hidden Dialogue* when he writes: “Ultimately, for Schmitt the affirmation of the political is nothing but the affirmation of the moral. But Schmitt sees the affirmation of the moral as itself based in the theological. For him the affirmation of the moral is part of his political theology.”<sup>96</sup> Meier contends that Schmitt’s belief in the “decision” was predicated upon a determination between good and evil. Whereas Schmitt opposed a world-state because it would be an “ungodly attempt to construct paradise on earth,” Strauss rejects the notion of a world-state because he sees it as Nietzsche’s “last man.”<sup>97</sup> According to Meier, Strauss’s dialogue with Schmitt revealed Schmitt as a political theologian because of Strauss’s comments in the later editions of *The Concept of the Political*. For instance, Strauss’s comments in Schmitt’s later edition of *The Concept of the Political* provided more substance to Schmitt’s belief in the evil nature of man. Meier argues that Strauss’s comments on Schmitt’s critique of liberalism indicate who Schmitt was – a political theologian. Schmitt’s theological influence is noted in the *Hidden Dialogue* when Meier argues that Schmitt and Strauss disagreed on neutralization and “depoliticization.” Meier explains that Schmitt’s arguments were based on political theology, whereas Strauss relied on political philosophy. Schmitt’s theology leads to his critique of liberalism, but it is also motivated by Strauss’s critique of Schmitt’s interpretation of liberalism.

Meier is mostly concerned with how Schmitt positioned himself in relation to liberalism. In the final two chapters of Meier’s *Hidden Dialogue*, he gives more attention to Strauss’s critique of Schmitt’s interpretation of liberalism. Meier argues that Schmitt’s criticism of liberalism was antireligious because it eliminated the concept of a sovereign

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<sup>96</sup> Ibid., 47.

<sup>97</sup> Ibid.



leader. Schmitt believed that universal peace, which was embedded in liberalism, denied human evil, and therefore denied the inevitability of war.

Overall, Meier believes that Schmitt regarded the sovereign decision as an act of faith based on political theology. Rejecting the theological underpinnings of Schmitt's thought, Strauss argues that there was a need to look beyond liberalism, to look to Thomas Hobbes for a greater understanding of the state. For Strauss, Hobbes represented the foundation for understanding liberalism. Meier concludes with the argument that: "The friends that Strauss chose for himself tell us much more about his identity, and it becomes visible nowhere else than in his philosophy."<sup>98</sup> Meier argues that Strauss chose to separate himself from Schmitt's political theology. To a greater extent, Meier argues that Strauss was more concerned with politics and human nature than with the idea of enmity between nation-states, believing that his interest in Schmitt was based on how the political should be defined.

There is very little doubt that Hans Morgenthau and Leo Strauss were deeply influenced by Carl Schmitt's political thought. Morgenthau and Strauss were affected by Schmitt's theory of power politics. His encounter with Schmitt would have a strong influence on Morgenthau. He would eventually write his own formulation of *The Concept of the Political*. Although he never encountered Schmitt, Strauss was engaged seriously with what Schmitt wrote. Meier explains that Strauss's dialogue with Schmitt was through letters, showing that Strauss influenced Schmitt, which resulted in the addition of Strauss's notes in *The Concept of the Political*. Schmitt's impact on Morgenthau and Strauss illustrates how Schmitt's political thought was introduced into

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<sup>98</sup> Ibid., 87.

the U.S. Schmitt's presence in the work of Morgenthau and Strauss was only the beginning of Schmitt's reception in the U.S, as well shall see in the following chapter.

## **Chapter II**

### **Discovering the Connection Between Carl Schmitt and the American Leftist Journal *Telos***

The Leftist journal *Telos* was founded in 1968, and focused primarily during its first decade on the Frankfurt School and Western Marxism.<sup>99</sup> When it began publishing essays during the late 1980s about the German legal and political theorist Carl Schmitt, it marked a significant change for it to take seriously a political opponent of the Left, or what many Leftist scholars considered a counter-revolutionary. In short, it seemed odd.

When *Telos* published an essay in 1987 by Ellen Kennedy, "Carl Schmitt and the Frankfurt School,"<sup>100</sup> it made clear that Schmitt was not completely disregarded among modern political theorists on the Left. Kennedy's essay is especially important to understanding how Schmitt's writings were initially received in *Telos*. For Kennedy's essay would be the first of many published in *Telos* about Schmitt's concept of politics.

During the late 1980s a number of essays published in *Telos* gradually show how Schmitt, once perceived as an enemy of the political Left, was beginning to find

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<sup>99</sup> *Telos* was a non-academic journal that devoted essays written by highly reputable scholars concerned with Western Marxism. When *Telos* formed in 1968, it was concerned with how Western Marxism offered a way of reexamining social issues beyond a class-driven society. Western Marxism in *Telos* was a turn from Marxism as it was seen in Soviet Communism. The essays in *Telos* analyzed Western Marxism in terms of reification amongst other things. One source that provides a good overview of the Western Marxist tradition is: Martin, Jay. *Marxism and Totality: The Adventures of a Concept from Lukács to Habermas*. Berkeley: University of California Press, 1984).

<sup>100</sup> Ellen Kennedy, "Carl Schmitt and the Frankfurt School" *Telos* 71, no. 71 (March 20<sup>th</sup>): 37-66.

favorable recognition from them. What had changed in *Telos* from 1968 to 1987 to lead to such positive interest in Schmitt? One possible reason that will be explored here is that his arrival in *Telos* was a symptom of a crisis on the political Left, which was searching for alternatives to Marxism during the decline and eventual collapse of the Soviet Union. For many leftist scholars involved with *Telos*, Schmitt seemed to provide insight into restructuring leftist theory.

Before addressing Schmitt's reception in *Telos*, it is important to understand how the journal originated in the late-1960s, and how it developed in the 1970s to mid-1980s. By identifying some of the main themes that emerged in *Telos* during its first two decades, one can better understand why Schmitt first appeared in its pages in 1987.

### **Telos before Schmitt: Paul Piccone and his purpose for Telos: 1968-1980**

Beginning in 1968, *Telos* published essays about Western European philosophies, especially Western Marxism. Paul Piccone (1940-2004) the editorial leader and founder of *Telos*, initially started the journal in Buffalo, New York as a graduate student with other graduate students.<sup>101</sup> These graduate students wrote essays about political and philosophical subjects, which questioned "... the common beliefs about the Cold War, leftist mass politics, sixties' radicalism, modern research universities, American democracy, Eastern European Communism, popular culture, the expanding European Union, and the New Left."<sup>102</sup> *Telos* was published quarterly with various Leftist scholars contributing essays on themes concerning social and critical theory.

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<sup>101</sup> <http://www.telospress.com/about-telos/>

<sup>102</sup> Ibid.

Although *Telos* published essays by a wide variety of scholars, this study places an emphasis on Piccone's essays. Since he was the founder and acknowledged leader of *Telos*, his essays offer the most insight into the overall direction of *Telos*. His essays also reveal his influence on *Telos* from when it first formed, to when it gradually changed in the 1970s and 1980s, and when it began to turn to Carl Schmitt in 1987. Moreover, this chapter will also examine essays by Jürgen Habermas, Martin Jay, Max Horkheimer, Russell Jacoby, Theodor Adorno,<sup>103</sup> and Andrew Arato because of their frequent appearance in *Telos*. By reviewing these essays of Piccone's, and others by leftist scholars during the 1970s and 1980s, one gains insight into the social and political theories – Western Marxism, Italian Marxism, Frankfurt School Critical Theory, Socialism, etc., – that defined *Telos*. How *Telos* defined itself is crucial to understanding how these ideas eventually led to their interest in Carl Schmitt.

In the spring of 1968, *Telos* published their first issue. Included in this issue was an essay by Paul Piccone titled: "Towards a Socio-Historical Interpretation of the Scientific Revolution."<sup>104</sup> His essay addresses Husserl's study of the crisis of European science<sup>105</sup> as it relates to the individual in a developing capitalistic society.<sup>106</sup> Piccone's essay shows his purpose for *Telos* by contesting old theories about the scientific revolution, especially the seeming paradox of how the scientific revolution has led to irrational thinking. He cites Italian philosopher, Antonio Banfi, to explain this irrationalism in society. Furthermore, Piccone argues that Husserl's study of subjective

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<sup>103</sup> Adorno and Horkheimer never published essays for *Telos*, but *Telos* did republish their essays to show the importance of Western Marxism and Frankfurt School Critical Theory during that time.

<sup>104</sup> Paul Piccone, "Towards a Socio-Historical Interpretation of the Scientific Revolution," *Telos* 1, no. 1 (Spring 1968): 15-26.

<sup>105</sup> Edmund Husserl, *The Crisis of European Sciences and Transcendental Phenomenology; an Introduction to Phenomenological Philosophy* (Evanston: Northwestern University Press, 1970).

<sup>106</sup> *Ibid.*, 26.

human rationality was determined by the European sciences, similar to Marx's analysis of capitalist development, which shows the irrationality of modern society. Husserl's argument was that the scientific revolution in the sixteenth century reduced the concrete man, a rational man, to a spectator that emerges in a class-driven society.<sup>107</sup> Piccone believes that the scientific revolution produced irrational thinking, an "objective capitalist world-order."<sup>108</sup> Piccone believes there was a need to study the counter-revolution against the scientific revolution, to return to human subjectivity.<sup>109</sup> He expresses a concern for the rational concrete man, who is reduced to a spectator by a new ruling class.

In the second issue in the fall of 1968, *Telos* turned its attention to the notion of the dialectic. Piccone examined the dialectic of the West in his essay: "Dialectical Logic Today."<sup>110</sup> His essay argues that dialectical logic has become irrational. It has become corrupted in the Soviet Union, as well as the United States, and given birth to two contradictory ideologies: Communism and Capitalism. Throughout the essay, Piccone traces the history of the dialectic, in regards to dynamism, teleology, objectivity, etc. He argues that there is a need to find concreteness in a class-driven society, specifically during the nineteenth-century bourgeois society. He believes that the solution lies in a Marxist analysis that provides a concrete theory of the conflicting classes. Piccone's early essays indicate how the development of science was abstract, and thus posed a threat to the concrete individual.

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<sup>107</sup> Ibid.

<sup>108</sup> Ibid.

<sup>109</sup> Ibid.

<sup>110</sup> Paul Piccone, "Dialectical Logic Today," *Telos* 1, no. 2 (Fall 1968): 38-83.

In the fall issue of 1969, Piccone wrote an essay titled: “Students’ Protest, Class Structure, and Ideology,”<sup>111</sup> which focuses on the proletarian class struggle and its relation to students’ protest. Piccone presents the students’ movement as a weak alternative to the bourgeoisie and the developing American industries. The students’ protest was an attempt to provide an alternative to the labor unions’ bureaucratized leaders. Yet, according to Piccone, it requires being theoretical, as more than student protesters frustrated by an affluent society.<sup>112</sup> He explains how the student movement must critique the objective conditions, including the labor unions as part of a class-driven society, without sacrificing the goal for a rational society. There must be different projects to achieve a just world order, such as that advocated by Western Marxism, to which Piccone and other scholars would soon direct their attention. At the end of the 1960s, Piccone addressed the effects of a global economy – the underdevelopment of the Third World and a war economy – that he believed needed a new perspective beyond an ideological student movement.

During the 1970s, *Telos* continued to attract the interest of leftist scholars, who contributed essays that often reflected the crisis of the U.S. and world economy, the problems in Soviet Communism, and the development of socialism in other countries. Many *Telos* authors also expressed their interest in Western Marxism, which had existed since the 1920s. They believed Western Marxism might provide political and theoretical guidance to a political Left that was no longer revolutionary.

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<sup>111</sup> Paul Piccone, “Students’ Protest, Class Structure, and Ideology,” *Telos* 1, no. 3 (Fall 1969): 106-122.

<sup>112</sup> *Ibid.*, 107.

## *Telos* through the 1970s

Piccone's essay in 1970: "The Problem of Consciousness,"<sup>113</sup> was his explanation of how class consciousness and Western Marxism are interconnected. Critical of the Soviet Union's concept of Marxism, it stressed the importance of Georg Lukács's theory of consciousness for Western Marxism. In his essay, Piccone reexamines the origins of Western Marxism and provides an opportunity for other leftist scholars involved with *Telos* to reintroduce this theoretical tradition. Piccone focuses primarily on the Hegelian component of Marxism. He reintroduces Western Marxism as an alternative to the Soviet Union's version of Marxism (Communism), as well as an alternative way to interpret global economic struggles.

In the early 1970s, Russell Jacoby, a historian at UCLA and a critic of academic culture, became an important figure at *Telos*, who also contributed essays in support of Western Marxism. In his first essay for *Telos* in 1970, "Marcuse and the New Academics: a Note on Style,"<sup>114</sup> Jacoby defends Marcuse's support of Marxism from the harsh critics that opposed him.<sup>115</sup> As a member of the Frankfurt School, Marcuse's writing figured prominently in *Telos*. Leftist scholars involved with *Telos* would often publish essays about the Frankfurt School, which specialized in critical social theory.

In the Fall issue of 1970, *Telos* introduced the French philosopher, Maurice Merleau-Ponty, with his essay, "Western Marxism."<sup>116</sup> He begins by asking, "How can relativism be overcome?"<sup>117</sup> According to Merleau-Ponty, Max Weber believed that

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<sup>113</sup> Ibid.

<sup>114</sup> Russell Jacoby, "Marcuse and the New Academics: A Note on Style," *Telos* 5, no. 5 (Spring 1970): 188-190.

<sup>115</sup> Ibid., 188.

<sup>116</sup> Maurice Merleau-Ponty, "Western Marxism," *Telos* 6, no. 6 (Fall 1970), 141-161.

<sup>117</sup> Ibid., 141.

relativism is determined by historicity and, in particular, by how the individual is perceived objectively or subjectively within a larger social totality.<sup>118</sup> Weber's student, Georg Lukács, argued that the concept of totality shows all the facts that have been given to us as history, and then as philosophy. Lukács recognized this philosophy as Marxism. He believed that event and meaning is the essence of Marxism as a dialectical philosophy. Merleau-Ponty presents Lukács's concept of Marxism to show how relativism can be overcome. Marxism offers an awareness of time, without describing the future.<sup>119</sup> Merleau-Ponty ultimately argues that to understand the purpose of Marxism is to see where Communism has gone wrong. He argues, however, that the path of Communism is perhaps a way of showing that true Marxism, of political, social, or economic analysis, is still being constructed.<sup>120</sup>

Lukács's concept of Marxism was also discussed in the Spring issue of 1971, when *Telos* introduced the political and social theorist, Andrew Arato, with his essay: "Lukács' Path to Marxism (1910 – 1923)."<sup>121</sup> His essay explains how Lukács's dislike for the Hungarian intellectuals led him to an admiration of the West. Arato focuses on Georg Simmel's influence on Lukács with his book *Philosophie des Geldes*.<sup>122</sup> Simmel displayed an affinity to Marx, especially with regard to the subjective and objective conditions of individuality in a class-driven society. Arato concludes his essay by showing how Lukács, after the First World War, became a firm advocate of revolutionary socialism. Eventually, Lukács's awareness of class conflict, the solidarity and alienation

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<sup>118</sup> Ibid., 142.

<sup>119</sup> Ibid., 161.

<sup>120</sup> Ibid.

<sup>121</sup> Andrew Arato, "Lukács' Path to Marxism (1910-1923)," *Telos* 7, no. 7 (Spring 1971): 128-136.

<sup>122</sup> Georg Simmel, *The Philosophy of Money*, (London: Routledge & Kegan Paul, 1978).



of the proletariat, and the reification of all aspects of life, would lead him to Marxism. Arato's essay is another example of how Marxism was seen in *Telos* during the 1970s. It showed how Western Marxism figured prominently in *Telos* with leftist scholars contributing essays about how it provided theoretical insight into contemporary social conflicts.

In the Spring issue of 1972, *Telos* continued publishing essays on Western Marxism. In that issue, Andrew Arato wrote an essay, "Lukács's Theory of Reification,"<sup>123</sup> which presents reification as part of the dialectical theory of society. He also examines reification in regards to Marxism. By examining this concept, Arato draws upon Lukács's *History as Class Consciousness* to describe Marxism and reification as useful theoretical tools to analyze 1970s society and culture.

In the previous year, in the Summer issue of 1971, *Telos* introduced the German-Jewish philosopher and social theorist, Herbert Marcuse, with his essay, "The Concept of Negation in the Dialectic,"<sup>124</sup> which addresses the value of Marxian theory in a capitalistic society.<sup>125</sup> As a prominent critical social theorist, and an original member of the Institute for Social Research,<sup>126</sup> Marcuse's contribution to *Telos* showed how Piccone's journal was receiving scholarly attention during the 1970s, rapidly gaining the attention of leftist scholars that promoted Western Marxism as well as Frankfurt School Critical Theory.

As *Telos*'s interest in Western Marxism continued into the 1970s, Russell Jacoby contributed another essay in the Summer issue of 1971: "The Politics of Subjectivity:

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<sup>123</sup> Andrew Arato, "Lukács' Theory of Reification," *Telos* 11, no. 11 (Spring 1972): 25-66.

<sup>124</sup> Herbert Marcuse, "The Concept of Negation in the Dialectic," *Telos* 8, no. 8 (Summer 1971): 130-132.

<sup>125</sup> *Ibid.*, 131.

<sup>126</sup> Martin, Jay. *The Dialectical Imagination: A History of the Frankfurt School and the Institute of Social Research, 1923-1950* (Boston: Little, Brown. 1973).

Notes on Marxism, the Movement, the Bourgeois Society.”<sup>127</sup> Jacoby describes how the political scene during the 1970s has disintegrated, except Marxist sects.<sup>128</sup> Jacoby wrote another essay in the Winter issue of 1971 that further addressed the issue of Marxism: “Towards a Critique of Automatic Marxism: The Politics of Philosophy from Lukács to the Frankfurt School.”<sup>129</sup> Jacoby argues that Korsch’s *Marxism and Philosophy* as well as Lukács’s *History and Class Consciousness*, both published in 1923, are still valuable for critical social theorists. Korsch and Lukács during the 1920s were at different times in opposition to the Communist party in Russia, which affected their idea of Western Marxism. For similar reasons, the Frankfurt school existed outside the Communist party. Jacoby ultimately believes that Lukács and the Frankfurt School demonstrate how Marxism remains important for contemporary critical social theory.

Piccone also addresses Lukács’s *History and Class Consciousness* in his essay: “Dialectic and Materialism in Lukács.”<sup>130</sup> Piccone argues that, when the new translations of Lukács’ *History and Class Consciousness* were published in 1961, 1967, and 1971, it reopened the debate concerning the foundations of Western Marxism.<sup>131</sup> In other words, Piccone’s theoretical interests, which influenced the direction of *Telos*, lay primarily in Western Marxism, especially after the new translations of Lukács’ *History and Class Consciousness* were published. These new translations influenced many Leftist scholars to write essays for *Telos* on the foundation and theoretical value of Western Marxism.

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<sup>127</sup> Russell Jacoby, “The Politics of Subjectivity: Notes on Marxism, the Movement, the Bourgeois Society,” *Telos* 9, no. 9 (Fall 1971): 116-126.

<sup>128</sup> *Ibid.*, 117.

<sup>129</sup> Russell Jacoby, “Towards a Critique of Automatic Marxism: The Politics of Philosophy from Lukács to the Frankfurt School,” *Telos* 9, no. 9 (Winter 1971): 119-146.

<sup>130</sup> Paul Piccone, “Dialectic and Materialism in Lukács,” *Telos* 11, no. 11 (Spring 1972): 105-133.

<sup>131</sup> *Ibid.*, 117.

In 1974, *Telos* published an essay by Martin Jay, “The Frankfurt School’s Critique of Karl Mannheim and the Sociology of Knowledge,” in which he discussed how the non-Marxist Mannheim’s concept of the sociology of knowledge was inadequately refuted by Frankfurt School figures. According to Jay, Horkheimer and his colleagues were closely involved with the concept of the sociology of knowledge, in part because it was a source of value to Marxist thinkers in contrast to relativism.<sup>132</sup> The essay mostly focuses on how Mannheim’s book, *Ideology and Utopia*, was an attack against Lukács’s *History and Class Consciousness*. Jay ultimately believes that the Frankfurt School understood how fragments of history present a perspective of the future, yet without a true conclusive solution, which ultimately does not refute the doctrine of the sociology of knowledge. Jay’s essay is part of the overall theme of showing how important Lukács’s analysis of Marxism as well as the Frankfurt School were to *Telos*.

In the Spring of 1974, *Telos* published the first essay by the German philosopher and social theorist, Jürgen Habermas, “On Social Identity.” Habermas argues that the structure of society will one day crystalize into a new society – a rationality that will create a non-prejudiced society.<sup>133</sup> He presents two reasons to justify his rational society: a rational society that is dependent on a collective identity, which is “...grounded in the consciousness of the universal and equal opportunity to participate in value and norm-forming learning processes.”<sup>134</sup> Habermas’s essay appears grounded in Western Marxist and leftist values, which signified the direction of *Telos* during the mid-1970s.

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<sup>132</sup> Martin Jay, “The Frankfurt School’s Critique of Karl Mannheim and the Sociology of Knowledge,” *Telos* 20, no. 20 (Summer 1974): 72-89.

<sup>133</sup> Jürgen Habermas, “On Social Identity,” *Telos* 19, no. 19 (Spring 1974): 91-103.

<sup>134</sup> *Ibid.*, 101.

In the Fall issue of 1974, *Telos* published another essay by Andrew Arato: “The Neo-Idealist Defense of Subjectivity.” Arato argues that to truly understand the development of Marxism after Marx, one must study Neo-Kantianism, which he believes was influential in the creation of modern Critical Theory.<sup>135</sup> By tracing this lineage, he focuses on how the creation of Neo-Kantianism led to problems concerning subjectivity. Specifically, Arato shows how any study of subjectivity must involve a critique of positivism, with its claims to objectivity, and its dismissal of subjectivity. He presents the development of positivism through the nineteenth-century. Arato then introduces the anti-positivist and German sociologists: Max Weber, Wilhelm Windelband, Wilhelm Dilthey, and Georg Simmel, to explain their theories of duality of subjectivity and objectivity. Arato focuses on these figures to show how Western Marxism, stemming from Lukács’ *History and Class Consciousness*, developed through Neo-Kantianism to the Frankfurt School.

For the 1975 Spring issue of *Telos*, Russell Jacoby wrote an essay: “The Politics of the Crisis Theory: Toward the Critique of Automatic Marxism,”<sup>136</sup> that presents a further defense of Western Marxism and explains how this theoretical tradition had developed since Marx. Jacoby writes about the crisis of capitalism as well as the intrusion of positivism against Marxism. For Jacoby, the ideas of subjectivity and Marxism present a solution that points beyond capitalism. It was capitalism that was once controlled by a fascist state, an authoritarian state. He believes that the “crisis theory” is an example of how it is inevitable for a capitalist system to collapse. Horkheimer and Marcuse are referenced in the essay to show the contradictions in how a capitalistic society

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<sup>135</sup> Andrew Arato, “The Neo-Idealist Defense of Subjectivity,” *Telos* 21, no. 21 (Fall 1974): 1-54.

<sup>136</sup> Russell Jacoby, “The Politics of the Crisis Theory: Toward the Critique of Automatic Marxism,” *Telos* 23, no. 23, (Spring 1975): 3-52.

progressively changes. Yet, it is this change, according to Jacoby, that can explode a capitalistic society. He ultimately believes that the solution lies in further defending the value of Western Marxism.

In the Winter issue of 1976, *Telos* republished an essay by Karl Korsch: “Ten Theses on Marxism Today,”<sup>137</sup> which was originally published in 1950. Korsch emphasized the need for a Marxist theory of society. He outlines what he thinks are the important aspects of Marxist thought. He specifically argues that for Marxism to be relevant as a critical social theory it must break away from its previous revolutionary initiative. For Korsch, workers must gain control over their lives. He argues that: “This control can only result from a planned intervention by all the classes today excluded from it into a production which today is already tending in every way to be regulated in a monopolistic and planned fashion.”<sup>138</sup> He believes that by studying the different goals of Marxism, as it existed on a world scale, it will provide insight into a destructive capitalist society.

*Telos* maintained their focus on Western Marxism and the Frankfurt School into 1977, with an essay by Martin Jay: “The Concept of Totality in Lukács and Adorno.” In his essay, Jay argues that Adorno’s critique of Lukács’ concept of Western Marxism allows for a new epoch of Marxism to emerge. Specifically, Jay examines the clash between Lukács’ *History and Class Consciousness* and Adorno’s *Negative Dialectics*, and how it affects Marxists today.<sup>139</sup> Jay also shows the connection between Adorno and Louis Althusser’s critiques of Lukács’s *History and Class Consciousness*, particularly his

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<sup>137</sup> Karl Korsch, “Ten Theses on Marxism Today,” *Telos* 26, no. 26 (Winter 1975-1976): 40-41.

<sup>138</sup> *Ibid.*, 41.

<sup>139</sup> Martin Jay, “The Concept of Totality in Lukacs and Adorno,” *Telos* 32, no. 32 (Summer 1977): 1-11.

concept of totality.<sup>140</sup> The overall purpose of Jay's essay, however, is to show the transformation of totality from 1923, when Lukács reintroduced it, to Marxism in the 1960s, when Adorno reformulated it.

*Telos* continued to publish essays about the origin and influence of Western Marxism and the Frankfurt School. The essays by Jay, Piccone, Arato, Habermas, and others continued to address themes concerning the concepts of subjectivity and objectivity, Western Marxism, the Frankfurt School, the concept of totality, etc. These themes represented an attempt to show how the position of the political Left could be reinvigorated. These themes also demonstrated how much *Telos* would change its political interests when it turned to Schmitt.

In the Winter issue of 1978, Jacoby wrote an essay for *Telos* titled: "The Politics of Objectivity: Notes on the U.S. Left," addressing how the political Left had become lost in Marxism-Leninism or Stalinism. According to Jacoby, "Stalinism is the adult disorder of the infantile left."<sup>141</sup> The New Left was far less revolutionary and rather passive, comprised of "sissy students" and "pre-scientific intellectuals."<sup>142</sup> The political Left has vested its energy in the pursuit of reviving Marxism in higher education that may be only a bubble.<sup>143</sup> The political Left's opaqueness is because of its past reckless involvement with revolutionary motives. For Jacoby, there is a need to look beyond the Left's Marxism-Leninism, and the New Left's student protests, because they have resulted in political fragmentation among the Left.

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<sup>140</sup> *Ibid.*, 8.

<sup>141</sup> Russell Jacoby, "The Politics of Objectivity," *Telos* 34, no. 34 (Winter 1977): 74-88.

<sup>142</sup> *Ibid.*, 87.

<sup>143</sup> *Ibid.*, 88.

In the Spring issue of 1978, *Telos* published Piccone's essay: "The Crisis of One-Dimensionality."<sup>144</sup> He argues that the Frankfurt School theorists failed to explain the socio-political nature of Stalinism and fascism.<sup>145</sup> According to Piccone, their failure to provide a socio-political theory of Stalinism and fascism resulted in their reluctance to give up traditional Marxist theory.<sup>146</sup> This failure, however, led to what Piccone described as an "objectivistic cancer for Marxist theory," from which it would never recover. Furthermore, Piccone argues that: "one-dimensionality meant the domination of collective capital over every facet of everyday life."<sup>147</sup> In contrast to the capitalist system, Piccone believes there should be a reexamination of socialism that explains why it has been subverted by the Bolshevik tradition.

The Spring 1979 *Telos* issue addressed the value of Habermas's thought for Marxism. In the introductory essay of that issue, Arato, Piccone, and James Schmidt outline the problems and the promise of Habermas's thought on social evolution. Habermas's 1976 essay, "History and Evolution," was republished in an English translation by *Telos*. In their introductory essay, Arato, Piccone, and Schmidt state that Habermas's essay was, "...an impressive attempt to inform critical theory with the results of empirical inquiries in contemporary social science – an effort that proceeds much in the spirit of Marx's critical appropriation of political economy."<sup>148</sup> Furthermore, essays by Axel Honneth, Adolph Reed, and other scholars in that issue are a reflection or a response to Habermas's thought on history and evolution, particularly with some scholars who are critical of his evolutionary perspective. In their introductory essay, Arato,

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<sup>144</sup> Paul Piccone, "The Crisis of One-Dimensionality," *Telos* 35, no. 35 (Spring 1978): 43-54.

<sup>145</sup> *Ibid.*, 3.

<sup>146</sup> *Ibid.*

<sup>147</sup> *Ibid.*, 4.

<sup>148</sup> Andrew Arato, "Introduction," *Telos* 39, no. 39 (Spring 1979): 2-3.

Piccone, and Schmidt argue that Habermas's "evolutionary turn" represents a major achievement because "...it calls into question the Marxist clichés that often pass as critical theory without abandoning Marx's central commitment to an emancipatory social theory."<sup>149</sup> Habermas's essay is, in short, part of the consistent trajectory with the themes in *Telos* during the 1970s.

Habermas's essay: "History and Evolution," begins by addressing the traditional ways to analyze history. He believes, however, that evolutionary theory on "contemporary social formations" can help developmental problems beyond traditional method.<sup>150</sup> He specifically mentions how Marcuse, Freyer, and Bell's theories were overlooked from past perspectives, but now their theories need to be overcome to address more progressive theories of Marxism. Overall, Habermas argues that there is a need for a contemporary perspective on evolutionary theory, to understand a Marxist view of advanced capitalism that creates problems in the social system.<sup>151</sup>

In the Winter issue of 1979-1980, *Telos* published an essay by an unfamiliar scholar, Antonio Carlo: "The Italian Crisis and the Role of the Left." In his essay, Carlo argues that from 1976-1979, Italy was weakened by an economic collapse, which he believes was caused by labor struggles and the rise of labor costs, inadequate planning, and the general underdevelopment of Italy.<sup>152</sup> He also maintains that certain reform initiatives by the political Left could revive the economy. Yet, Carlo believes that the Italian left must change toward a stance closer to the traditional Left for any valuable reform to occur. Ultimately, Carlo suggests that only through "radical anti-capitalist

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<sup>149</sup> *Ibid.*, 7.

<sup>150</sup> Jürgen Habermas, "History and Evolution," *Telos* 39, no. 39 (Spring 1979): 5-44.

<sup>151</sup> *Ibid.*, 43.

<sup>152</sup> Antonio Carlo, "The Italian Crisis and the Role of the Left," *Telos*, 42, no. 42 (Winter 1979-1980): 1-8.



politics” will the Left be able to find positive direction. He believes that the Italian Communist party must find anti-capitalist solutions, to strengthen the Left, rather than being criticized by them. Carlo discusses the problems in Communism, which weakens the Left. His essay is another example of why *Telos*’s interest in the question of how to revive the political Left.

With themes mostly comprised of Western Marxism, economic crisis, and the Frankfurt School critical social theory, *Telos* was earning its reputation as a leftist journal. It had attracted diverse leftist scholars that included Habermas, Jay, Jacoby, and Marcuse. These scholars contributed essays that defined the scope of *Telos* as a Marxist journal, concerned with critical theory, as well as contemporary social issues. As the founder of *Telos*, Piccone had created a path for others to follow. Beginning in the 1980s, Piccone and other scholars would find a different direction. Their eagerness to introduce Western Marxism into American culture would abate because of the social and political issues that would arise in the 1980s, which would force them to further reexamine leftist values, and would eventually lead them to an unlikely character – Carl Schmitt. We have just seen, however, that the themes that emerged in *Telos* during the 1970s indicate that the political Left was not yet interested in Schmitt. A further examination of the essays in *Telos* during the 1980s will show that political and social crises arose that would lead to a divide among Leftist scholars regarding the value of Schmitt’s political theories. These essays in *Telos* will, in other words, reveal that his arrival in *Telos* was not arbitrary, but rather indicative of how weakened and desperate the political Left became during the 1980s.

### *Telos* during the early-1980s: Crisis on the Left

During the early 1980s, *Telos* published many essays on American social movements and the crises of Communism in Eastern Europe. *Telos* was also developing an interest in the Soviet Union, beginning with some of the journal's issues published in 1984. It is important to understand the direction of *Telos* between 1980 and 1987, because of the surprising shift to Schmitt in 1987. Understanding the themes that were prevalent in *Telos* before Schmitt's introduction, will provide comparative insight into how he was regarded in the essays that *Telos* published after 1987 and, eventually, into the 1990s.

In the Summer of 1980, *Telos* dedicated a special issue to the German-Jewish sociologist and Frankfurt School figure, Leo Lowenthal. Included in this issue was an essay by Russell Jacoby: "What is Conformist Marxism."<sup>153</sup> Jacoby focuses on orthodox Marxism, and why he believes that orthodox Marxism has not been successful. He argues that its failure is because of its reliance on science to determine the condition of a particular society. Furthermore, Jacoby cites the French Marxist, Louis Althusser, who believed that Marxism has been disregarded because of its historical place in time – an idea that was originally derived from Karl Marx, who believed that his philosophy would only succeed in a particular historical situation. Jacoby argues that orthodox Marxism relies too much on the science of society to understand the struggles in a capitalistic society. Rather, science and other aspects of past Marxist thought have only created a disreputable name for Marxism. Althusser believed, however, that the failure in Marxism does not prove anything.<sup>154</sup> Jacoby, who agreed with Althusser on this point, concludes

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<sup>153</sup> Russell Jacoby, "What is Conformist Marxism," *Telos* 45, no. 45 (Fall 1980): 1-25.

<sup>154</sup> *Ibid.*, 6.

by suggesting that these past failures of Marxist thought, must be recollected and worked through to rediscover the value of Marxism.

1981 signified a change in *Telos*. This change is reflected in an essay by Paul Piccone and Russell Jacoby during the early 1980s, which addressed the crisis on the Left. It is especially important to understand that Piccone and Jacoby's essays, as well as other essays between 1980 and 1987, reveal a change from what *Telos* had been publishing in the late 1960s and 1970s. Before 1980, *Telos* had consistently published essays about the positive social and political potential of Western Marxism. But Western Marxism would begin to receive critical attention from Paul Piccone and others leftist scholars involved with *Telos*.

In one of the more revealing essays that addresses the collapse of the Left, "Why did the Left Collapse?"<sup>155</sup> Piccone presents the problems that had emerged among the Left. Published in the Winter issue of the 1980-1981, his essay is an examination of the crises among the Left in the light of multiple recent setbacks: Ronald Reagan's victory, the collapse of Eurocommunism and, especially, the faded effectiveness of Marxism and anarchism.<sup>156</sup> He argues that a reevaluation of the political Left will show that it has become "conformist" and "uncritical."<sup>157</sup> It has failed to adapt to modern social reality. According to Piccone, the development of "corporatist" politics in which, political parties opt for state power, undermined the Left's ability to radicalize, and led it instead to conform to capitalist rationalization. Piccone believes that the "homogenization of consciousness and the corporatization of politics tend to be ultimately incompatible."<sup>158</sup>

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<sup>155</sup> Paul Piccone, "Why did the Left Collapse?" *Telos* 46, no. 46 (Winter 1980-1981): 92-95.

<sup>156</sup> *Ibid.*, 1.

<sup>157</sup> *Ibid.*, 2.

<sup>158</sup> *Ibid.*

Nonetheless, in recent times the combination of homogenization and corporatization has “absorbed” the political Left. Moreover, he argues that since the New Deal project of social reconstruction, the political Left has degenerated.<sup>159</sup> He elaborates by stating: “In all of these issues and more, the political Left takes a stand with the Welfare State and remains silent. As an agency of homogenization or corporatization, it thus ends up sliding into the conformist logic of different modes of capitalist rationalization.”<sup>160</sup> In short, Piccone argues that the political Left’s inability to confront the inequality of classes and the welfare state has led it to become stagnant. It is a crisis that shows that the political Left has accepted capitalist rationalization.

Piccone does offer, however, an alternative to the collapse of the political Left. This alternative involves Lukács’s *Soul and the Forms*, Gramsci’s *La Città Futura*, and Bloch’s *The Spirit of Utopia*. According to Piccone, Lukács, Gramsci, and Bloch’s vision translates into a “vindication of that subjectivist quasi-religious precategory dimension,” which has not yet and never will fully capitulate to the logic of the institution but which all too easily and often falls prey to it.<sup>161</sup> Similarly, the Left has fallen prey to capitalist rationalization. He believes there was a need to reverse social homogenization through short-term projects toward “Community Development Corporations,” rather than accept the welfare state as a solution to the capitalist crisis, when it is actually an extension of this crisis. Piccone argues that the Left must “reappropriate” and radicalize the Right’s critique. *Telos* would find a way to confront the left’s uncritical acceptance of welfare-state liberalism. This anticipates *Telos*’s future interest in Schmitt and his critique of political liberalism.

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<sup>159</sup> Ibid., 3.

<sup>160</sup> Ibid.

<sup>161</sup> Ibid.

In the Winter 1980-1981 issue of *Telos*, Russell Jacoby also contributed an essay: “The Crisis of the Left?”<sup>162</sup> In this short three-page essay, Jacoby addresses how the Left has changed from 1968 to 1980, partly because of a lack of leadership since Herbert Marcuse and Isaac Deutscher. Jacoby also argues that part of this weakness is because Marxism is confined to academics, arguing that academic Marxism is not the whole of the Left.<sup>163</sup> For Jacoby, the Left represented radicalism – a future revolution – beyond the minority groups fighting for equality. Moreover, while the Left reinforces academic Marxism, it is void of any real impact against racism, poverty, and discrimination. For Jacoby, the struggles within the Left have occurred since the beginning of the twentieth century, referring to the crisis of Marxism in 1899, when Labriola attacked it. Beyond the Left’s stagnation, Jacoby believes that “partial struggles,” which consist of separate rights and interests, keep alive the political activity and commitment of the political Left.

Jacoby and Piccone’s essays are important to understand the connection between *Telos* and Schmitt. If the Left was severely weakened by its inability to actively engage in concrete social issues, it appears to have led them to seek insight by reconsidering the Right’s critique and its possible political value, particularly Schmitt’s critique of liberalism. Ultimately, Jacoby’s and Piccone’s essays express a concern over the problems occurring among the Left during the early-1980s, and address the need for a new theoretical orientation, which they would find in Schmitt’s concept of friend and enemy, his critique of liberalism, and universalism.

After Jacoby’s and Piccone’s analysis of a weakened political Left in the Winter issue of 1980-1981, *Telos* turned its attention toward radical politics, the future of the

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<sup>162</sup> Russell Jacoby, “The Crisis on the Left,” *Telos* 46, no. 46 (Winter 1980-1981): 111-114.

<sup>163</sup> *Ibid.*, 113.

political Left, new social movements, the crises in Eastern Europe and Soviet society, and modernity vs. post-modernity. Jacoby and Piccone's analysis of the failures of the political Left appeared to begin a trend in *Telos*. The journal would continue to publish essays by various scholars analyzing the failures among the political Left, gradually leading the political Left to find ways to defend and strengthen themselves, as well as direct attention away from themselves.

In the Spring of 1981, *Telos* published an issue titled: "Poland and the Future of Socialism." Included in this issue was a series of essays written about civil society in Poland. Andrew Arato contributed an essay in *Telos*: "Civil Society Against the State: Poland 1980-81."<sup>164</sup> Arato explains the difference between Western and Eastern Europe in regards to the state and civil society. The development of the bourgeoisie, the free-market economy, and the developing bureaucracies contribute to this separation of the state from society. In contrast, Eastern Europe represents a state that has dominant control over society. Arato, however, believes that the subordination of civil society to the state leads to authoritarian state socialism, which now exists in Poland, rather than true socialism. His support for reform socialist programs shows the themes emerging in *Telos* during the 1980s that related to the crises in Eastern Europe.

*Telos* continued to publish essays that provided a unique perspective on the crises in Eastern Europe during the 1980s. In the Winter issue of 1980-1981 there appeared a "Special Symposium on the Role of Intellectuals in the 1980s," to which Arato contributed another essay, "Empire vs. Civil Society: Poland 1981-1982." He analyzed the creation of the Polish democratic movement as well as the Polish Solidarity

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<sup>164</sup> Andrew Arato, "Civil Society Against the State: Poland 1980-81," *Telos* 47, no. 47 (Spring 1981): 23-47.

Movement against the communist government. He described how an independent self-governing workers union (Solidarity) continued to develop in Poland, separate from the Communist party. Arato argued that Western Europe can learn from this Polish democratic movement. For example, Western Europe must eventually break its trade with the Soviet Union, a trade that Arato believed subsidizes the Soviet Union's economic power.

With the electoral success of French Socialism in 1981, *Telos* published an issue in the spring of 1983 "A Special issue on French Socialism," describing the negative effects that were occurring within the French socialist party. Gérard Raulet, a French philosopher, as well as a specialist on Herbert Marcuse, contributed an essay to the issue titled: "The Agony of Marxism and the Victory of the Left."<sup>165</sup> Raulet expresses a change in attitude toward resocialization with a socialist government. For this change to occur, modern socialism must develop into the new post-modern era for it to remain modern. Raulet argues that the rise in technology produces a capitalist crisis among the economic classes, indicating that the political Left must study the problems in post-modernity to understand the missed opportunities that occurred in modernity, to recreate the dialectic of modernity.

In the following *Telos* issue in the Summer of 1984 an unknown scholar, Federico Stame contributed an essay, "The Crisis of The Left and New Social Identities,"<sup>166</sup> that addressed the problems that had occurred among Leftist ideologies and

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<sup>165</sup> Gérard Raulet, "The Agony of Marxism and the Victory of the Left," *Telos* 55, no. 55 (Spring 1983): 163-178.

<sup>166</sup> Federico Stame, "The Crisis of the Left and New Social Identities," *Telos* 60, no. 60 (Summer 1984): 1-7.

political parties in the twentieth century.<sup>167</sup> Stame describes the rise of an authoritarian state in capitalist societies, which had contributed to a weakened Left. Communism was thought to end the inequalities in society; however, the answer really lies in the significance of the labor movement as well as the development of state intervention. Stame considers the Left “banal.” He believes that the banality on the political Left is with totalizing politics – the concept of friend and foe. Stame uses the French Revolution and the Jacobins as an example of political struggles that produced the idea of friend and foe, which is also characterized in Schmitt’s concept of politics. Stame concludes by suggesting that the problem with the Left is that of formulating a new social contract, of liberty and security,<sup>168</sup> eventually leading to the reformulation of the welfare state. For Stame, the Left needs to formulate a new social contract that accommodates the principal of liberty and security.<sup>169</sup>

In the Summer issue of 1985, *Telos* published an essay by French social philosopher, André Gorz: “The American Model and the Future of the Left.”<sup>170</sup> Gorz describes the expansion of capitalism in the U.S and how it affected the working class as well as the political Left. Gorz believes that to reconstruct the political Left, society must share the work available among the working class. It would allow for a society to operate as a whole outside salaried working time in a local community, to help reduce unemployment. Gorz appears to be supporting the notion of a socialist society, as part of the overall theme in *Telos* during the 1980s.

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<sup>167</sup> See Website: <http://www.telospress.com/rethinking-the-lefts-political-project/>

<sup>168</sup> Federico Stame, “The Crisis of the Left and New Social Identities.” 3-14.

<sup>169</sup> See Website: <http://www.telospress.com/rethinking-the-lefts-political-project/>

<sup>170</sup> André Gorz, “The American Model and the Future of the Left,” *Telos* 64, no. 64 (Summer 1985): 117-121.



At the end of 1986, *Telos* had published essays on the topics of Western Marxism as an alternative to Soviet Communism, the development of Socialism in France, and how social theories derived from the Frankfurt School were relevant to the modern era. While some of these essays were indirectly related to Schmitt, with topics concerning the value of universalism, as well the concept of friend and enemy, few of them explicitly mentioned Schmitt during this time. The broader themes, however, that defined *Telos* between 1980 and 1986, seemed to suggest that Schmitt's concepts of political theory could be valuable to what many essays in *Telos* described as a weakened Left. Schmitt had arrived at a propitious moment in *Telos*. Leftist scholars involved with *Telos* would begin to see valuable insight in Schmitt's ideas.

Beginning in 1987, *Telos* would publish essays about Schmitt in relation to the Frankfurt School and eventually other topics. These essays would show how critical *Telos* had become of the political Left, and how they reevaluated theoretical ideas of the twentieth century. This reevaluation would begin with Schmitt, eventually producing numerous essays concerning how valuable his insights were to the Left. Overall, Schmitt's introduction into *Telos* would mark a considerable change for the journal, shifting their political perspective toward a more conservative approach. Ultimately, his presence in *Telos* would significantly change their leftist values as the post-modern era approached.

### **Carl Schmitt's Introduction into *Telos***

In the Spring issue of 1987, *Telos* devoted an issue to Carl Schmitt. Ellen Kennedy, Professor of political theory at the University of Pennsylvania, wrote an essay,

in which she argues that there was a connection between Schmitt and the Frankfurt School. Kennedy argues that Schmitt influenced Frankfurt School figures before 1931 (the year Horkheimer became the Director of the Institute for Social Research). Her essay elicited a response from three other scholars, and may also have attracted the attention of other authors who would write about Schmitt in *Telos* during the 1990s and post-2000.

In her essay, Kennedy argues that a connection exists between Schmitt and Jürgen Habermas, Walter Benjamin, and Otto Kirchheimer. Kennedy argues that Schmitt's impact on Habermas, Benjamin, and Kirchheimer shows how much he influenced the political Left and the Frankfurt School. Martin Jay, Ulrich Preuss, and Alfons Söllner, however, disagreed with Kennedy's interpretation of Schmitt. Each of them wrote a response to Kennedy in the very same issue, addressing how inaccurate it was to claim that Schmitt influenced certain Frankfurt School figures. Their debate about Schmitt was the beginning of other scholars assessing Schmitt's value in *Telos*.

What came as a particular surprise was not that Kennedy introduced Schmitt to *Telos*, or that Martin Jay, Ulrich Preuss, and Alfons Sollner replied to Kennedy's essay by criticizing Schmitt, but rather that the subject of Carl Schmitt continued to find attention with *Telos* beyond 1987. After the publication of the essays about how Schmitt influenced Frankfurt School figures, *Telos* became more concerned with Schmitt in regards to international law. When *Telos* author G.L. Ulmen wrote about Schmitt in the Summer issue of 1987: "Return of the Foe,"<sup>171</sup> and "American Imperialism and

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<sup>171</sup> G.L. Ulmen, "Return of the Foe," *Telos* 72, no. 72 (Summer 1987): 187-193.

International Law: Carl Schmitt on the U.S. in World Affairs,”<sup>172</sup> Schmitt was beginning to make his impact in the U.S. in the field of international relations.

Some scholars would write essays defending Schmitt’s critique of political liberalism because of their belief that he would reinvigorate the political Left. Yet other scholars believed that Schmitt’s involvement with the Nazis and his ideas regarding friend and enemy clearly demonstrated the danger of his ideas. Regardless, he was becoming a popular figure among the Leftist journal. The following examination of essays published in the journal after 1987 will show which themes emerged after Schmitt’s introduction to *Telos* and how his introduction influenced the direction of the journal.

Why Schmitt, why now?<sup>173</sup> These questions address the enigmatic connection between *Telos* and Schmitt that ultimately reveals why *Telos* took an interest in someone strongly opposed to leftist values. While some authors affiliated with *Telos* defended Schmitt’s critique of political liberalism, there were others who considered his concept of politics dangerous and, therefore, useless. The many Leftist scholars who valued Schmitt’s political ideas may well indicate that the political Left was desperate for answers. There is a need to understand the importance of the essays in *Telos* that describe the position of part of the political Left during the late-1980s, particularly by Paul Piccone and Russell Jacoby. They provide insights into what led *Telos* to consider a conservative revolutionary political theorist, Carl Schmitt, as a solution to the crises on the political Left.

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<sup>172</sup> G.L. Ulmen, “American Imperialism and International Law: Carl Schmitt on the US in World Affairs,” *Telos* 72, no. 72 (Summer 1987): 187-193.

<sup>173</sup> Paul Piccone, “Introduction to Carl Schmitt,” *Telos* 72, no. 72 (Summer 1987): 3-14.

### Schmitt's Reception in *Telos*: Post-1987

Analyzing what some scholars wrote in *Telos* about Schmitt after 1987 will help us understand why *Telos* was interested in Schmitt's ideas, specifically with his critique of political liberalism. In 1987, G.L. Ulmen and Piccone wrote, "Introduction to Carl Schmitt,"<sup>174</sup> as part of an entire *Telos* issue devoted to Schmitt; they addressed the logical question of what a conservative political theorist was doing in *Telos*. Ulmen and Piccone argued that Schmitt, as an advocate of super-legality and a critic of pseudo-universality, provided perspectives on a number of leftist issues. For instance, Schmitt's critique of pseudo-universality was something the political Left, according to Piccone and Ulmen, can learn lessons from when it concerns itself with the pursuit of egalitarianism as the super-legal form of politics.<sup>175</sup> Piccone and Ulmen argued that the political Left during the late 1980s was consumed with formal and abstract equality, which has only produced inequality. Piccone and Ulmen address this inequality in their essay by stating, "The super-legal imperative of equality-no-matter-what succeeds in blinding leftist theory to new social conflicts which, to the extent that they remain unproblematized, can only remain unsolved, worse yet, become intensified."<sup>176</sup> Schmitt's theory was becoming valuable to the political Left, according to them, because of their inability to recognize the enemy, rather treating the enemy as an equal. Piccone and Ulmen understand that the political Left does not consider Schmitt's answers relevant, but they urged it to consider how important his questions are concerning the power struggle between political opponents and the effort to promote equality.

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<sup>174</sup> G.L. Ulmen and Paul Piccone, "Introduction to Carl Schmitt," *Telos* 72, no. 72 (Summer 1987): 3-14.

<sup>175</sup> *Ibid.*, 12.

<sup>176</sup> *Ibid.*

In the Winter issue of 1987-1988, Jeffrey Herf, an intellectual historian at the University of Maryland, wrote an essay on the danger of Schmitt to the political Left: “Reading and Misreading Schmitt.”<sup>177</sup> The essay is addressed to the editors of *Telos*, criticizing their issues devoted to Schmitt. Herf argues that the danger in Schmitt lies in Schmitt’s belief that authoritarianism was a solution to the Weimar Republic.<sup>178</sup> Herf questions why Schmitt has received a warm welcome in *Telos* when he was involved with the Nazis. He asks, what is so important about Schmitt that he should come before Churchill, Alexander Hamilton, or any other less scrutinized conservative? Also part of the essay was Piccone and Ulmen’s response to Herf’s criticism. They argued that his reaction against *Telos* was motivated by Joseph Bendersky’s recent critical review of Herf’s book *Reactionary Modernism: Technology, Culture, and Politics in Weimar the Third Reich*.<sup>179</sup> Herf’s book describes Schmitt’s involvement with the National Socialist Party. Piccone and Ulmen argue that *Telos* does not buy into the nonsense that Schmitt’s involvement with the Nazis was driven by his desire to join them.<sup>180</sup> Rather, for the political Left, specifically *Telos*, to read and understand Schmitt shows an open mind. His critique of liberalism can reform liberal institutions from their “mechanistic” and “neoconservative” ways. This essay was the beginning of many essays published in *Telos* that enshrined Ulmen’s, and especially Piccone’s political opinion of Schmitt in *Telos*. As the 1990s approached, *Telos* would publish other essays that either criticized or defended

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<sup>177</sup> Jeffrey Herf, Paul Piccone, and G.L. Ulmen, “Reading and Misreading Schmitt,” *Telos* 74, no. 74 (Winter 1987-1988): 133.

<sup>178</sup> *Ibid.*, 3.

<sup>179</sup> Jeffrey Herf, *Reactionary Modernism: Technology, Culture, and Politics in Weimar the Third Reich* (Cambridge: Cambridge University Press, 1986), 264.

<sup>180</sup> “Reading and Misreading Schmitt,” 133.

Schmitt, indicating that if anything was certain in *Telos*, it was that it continued to change its political perspective on Schmitt.

After the publication of Herf's essay, *Telos* would not publish another essay on Schmitt until 1990. During Schmitt's brief absence, *Telos* turned its attention toward *Perestroika*, the movement for economic reform within the Soviet Communist party. Other themes involved the inequality of capitalism; there was also an issue devoted to the twenty-year anniversary of *Telos*; an issue concerning communitarianism; a special issue devoted to Max Weber; and an issue concerning the crisis of Communism in China and Poland.

In the Spring issue of 1990, Schmitt reappeared in *Telos* with Piccone and Ulmen's essay: "Schmitt's 'Testament' and the Future of Europe."<sup>181</sup> The essay addresses Schmitt's concept of European jurisprudence as it related to postmodern Europe and the U.S. Piccone and Ulmen show how Schmitt argued that there should be a balance between super power countries, if countries can be self-limited and homogenous with one another. Piccone and Ulmen believe that Schmitt offers some perspective into European jurisprudence, as an alternative to pseudo-universalism, or human rights.<sup>182</sup> As the 1990s continued, *Telos* focused its attention on the crises of the Soviet Union and the New Soviet Left, devoting in an entire issue on the future of the Soviet Left.

In the Spring issue of 1991, Piccone wrote an essay: "The Crisis of Liberalism and the Emergence of Federal Populism."<sup>183</sup> Federal populism emerged as a broader theme in *Telos* during the 1990s, and it related to Schmitt's work on the homogeneity of a

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<sup>181</sup> Paul Piccone and G.L. Ulmen "Schmitt's 'Testament' and the future of Europe," *Telos* 83, no. 83 (Spring 1990): 3-18.

<sup>182</sup> *Ibid.* 4.

<sup>183</sup> Paul Piccone, "The Crisis of Liberalism and the Emergence of Federal Populism," *Telos* 89, no. 89 (Spring 1992): 7-44.

state. Although *Telos* published other essays on federal populism during the 1990s, Piccone's introductory essay in this issue represents a new direction for the journal. It became more concerned with federal populism and how it related to Schmitt's concept of state sovereignty. Piccone describes in his essay the crises of a liberal democracy after the fall of communism, mentioning the crisis of "ungovernability." Populism demands government accountability. According to Piccone, this accountability failed with the welfare state because it ends up "...relegitimizing existing relations of domination, privilege and socio-economic inequality by redimensioning the role of the central government."<sup>184</sup> Piccone presents the positive effects of Lombard League's new populism, which developed in Italy, based on a federal populism outside of bureaucratic inefficiency.<sup>185</sup> It calls for the break-up of Italy into three more viable sub-units.<sup>186</sup> To achieve territorial control through smaller entities, the Lombard League's new populism presents a new democratic spirit beyond a declining liberalism. The Lombard League is an example of redefining territorial control, something that Piccone argues is possible in the U.S and in Europe, rather than defining territorial terms through ethnic, racial, racial, linguistic, or other terms.

In the Spring issue of 1992 "Special Issue on Federalism," Schmitt was part of an essay by Ulmen titled: "Schmitt and Federalism: Introduction to the Constitutional Theory of the Federation."<sup>187</sup> In his essay, Ulmen describes Schmitt's interpretation of federalism in the Weimar Constitution. Especially important for Ulmen is Schmitt's analysis of federalism as a historical perspective as seen with the League of Nations,

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<sup>184</sup> Ibid., 36.

<sup>185</sup> Ibid., 44.

<sup>186</sup> Ibid., 38.

<sup>187</sup> G.L. Ulmen "Schmitt and Federalism: Introduction to the Constitutional Theory of the Federation," *Telos* 91, no. 91 (Spring 1992): 16-25.

which was an attempt for nation-states to conform to universal norms. States that did not comply with this universalism, according to Schmitt, would become a hindrance to peace. Ulmen notes how Schmitt presents the problems in a federation; for example, the homogeneity of every nation-state is different, which leads to different ideas on forming a federal constitution. Ulmen's essay is an example of the new tendency of *Telos* to publish fewer essays on Western Marxism and the Frankfurt School because it was becoming more intrigued with what Schmitt had to offer in regards to territorial control.

Also included in the spring issue of 1992 was an essay by American political scientist, George Schwab: "Carl Schmitt Hysteria in the U.S: The Case of Bill Scheuerman."<sup>188</sup> Schwab analyzes William Scheuerman's attack on "young Schmittians," a term used to describe young scholars interested in reviving Schmitt during the 1990s. Schwab describes in his essay how Scheuerman attacks his book *The Challenge of the Exception*.<sup>189</sup> Schwab shows how Scheuerman attacks his view of Schmitt, specifically how Schwab underemphasizes Schmitt's role with the Nazis. Scheuerman believes that Schmitt played a far greater role with the Nazis, such as sending Jews to concentration camps. Schwab describes Scheuerman's position and others scholars who criticize Schmitt as "crude Schmittians." Other scholars would also write about Schmitt's role with the Nazis in *Telos* as part of a consistent theme in the journal during the 1990s, further indicating a divide among the political Left over the value of Schmitt.

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<sup>188</sup> George Schwab "Carl Schmitt Hysteria in the U.S: The Case of Bill Scheuerman," *Telos* 91, no. 91 (Spring 1992): 99-107.

<sup>189</sup> George Schwab, *The Challenge of the Exception: An Introduction to the Political Ideas of Carl Schmitt Between 1921 and 1936* (New York: Greenwood Press, 1981) 189. Schwab believes his book initially started Schmitt's revival in the Anglo-American world. This will be further addressed in chapter three.



Italian jurist, political scientist, Gianfranco Miglio wrote an essay, “Beyond Schmitt,”<sup>190</sup> for *Telos* in the Summer issue of 1994 on “Federalism.” In Miglio’s essay, he argues, similar to Schmitt, that politics and the modern state, centered on Christian theology, are joined together. The state was developed to “normalize” politics, toward “self-neutralization.”<sup>191</sup> According to Miglio, however, new conflicts developed inside and outside the state. The state becomes useless when it can no longer resolve every conflict. The state becomes a manifestation of politics, rather than the state and politics acting in cohesion. According to Miglio, Schmitt cannot accept this separation between politics and the state. As a result, Miglio believes political science must look beyond Schmitt to deal with “politics beyond the state.”<sup>192</sup> Miglio was another example of how many scholars were critical of Schmitt, be it for his concept of political theory or for his involvement with the National Socialist Party.

A response to Miglio’s essay appeared in the Summer *Telos* issue of 1994: Ulmen’s essay, “Beyond Schmitt? A Reply to Miglio.”<sup>193</sup> Ulmen addresses Miglio’s criticism of Schmitt by arguing that, while Miglio believes that the political is enmity itself, Schmitt views the political as the distinction between friend and enemy. Ulmen also shows that Miglio believes that the state and the political are separate, which is beyond Schmitt. But Ulmen argues that Schmitt’s concept of friend and enemy was a way of defining the political and who is sovereign. Overall, Ulmen argues that Miglio fails to recognize Schmitt’s influence in political theory, his idea of the modern state, his concept of *nomos*, and his concept of the political.

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<sup>190</sup> Gianfranco Miglio, “Beyond Schmitt,” *Telos* 100, no. 100 (Summer 1994): 123-128.

<sup>191</sup> *Ibid.*, 125.

<sup>192</sup> *Ibid.*

<sup>193</sup> Gary Ulmen, “Beyond Schmitt? A Reply to Miglio,” *Telos* 100, no. 100 (Summer 1994): 129-135.

As Schmitt's Anglo-American reception widened during the 1990s, a common theme that kept reappearing in *Telos* was how Schmitt was considered valuable for his critique of universal law. In the Winter *Telos* issue of 1995, leftist scholars continued to write about Schmitt's critique of liberalism as well as his critique of universalism. One of the essays to appear in this issue was by Julien Freund, the French philosopher and sociologist: "Schmitt's Political Thought."<sup>194</sup> Freund's overall purpose for his essay is to explore Schmitt's political vision as a jurist.<sup>195</sup> Similar to Miglio's essay, Freund addresses Schmitt's concept of the state as part of political unity. The state is the political, having the ability to intervene when politics is challenged by religion or economics.<sup>196</sup> Furthermore, Freund presents Schmitt's concept of friend and enemy and the sovereignty of the state that coincides with political unity. As Freund elaborates the extent of Schmitt's political thought, he argues that Schmitt's life is full of contrasts; he goes against the current ways of thinking among the political Left. Despite these contradictions, according to Freund, Schmitt provides quality writing that cannot be ignored.

Another essay included in the Winter *Telos* issue of 1995 was by a Roman Catholic Theologian, Wolfgang Palaver: "Schmitt's Critique of Liberalism." His essay analyzes Schmitt's perspective on liberalism, particularly how Schmitt was an advocate of sacrificial Christianity, which Palaver believes is completely different from liberalism, in that man pursues his own goals and rejects sacrifice.<sup>197</sup> Palaver argues that Schmitt is a communitarian critic of liberalism because of his idea of sacrifice, which derived from

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<sup>194</sup> Julien Freund, "Schmitt's Political Thought," *Telos* 102, no. 102 (Winter 1995): 11-42.

<sup>195</sup> *Ibid.*, 11.

<sup>196</sup> *Ibid.*, 12.

<sup>197</sup> Wolfgang Palaver, "Schmitt's Critique of Liberalism," *Telos* 102, no. 102 (Winter 1995): 43-71.

the National Socialist Party. For this reason Palaver believes that Schmitt should be disregarded. Palaver argues that Schmitt's concept of sacrificial Christianity lacks universal love, suggesting that Schmitt should not be the model for communitarian critiques of liberalism.

Although Schmitt's concept of the state and liberalism was a reoccurring theme in *Telos*, the concern over his idea of Nomos of the earth was also receiving attention. This theme was part of another essay that Palaver wrote in the Winter issue of 1996: "Carl Schmitt on Nomos and Space."<sup>198</sup> Palaver focuses on the religious dimensions of Schmitt's ideas on international relations. Focusing on Schmitt's religious influences, Palaver believes, could lead to some new interpretations of Schmitt's thought, particularly his critique of universalism and the rejection of a unified world.<sup>199</sup> Palaver claims that Schmitt's concept of Nomos was a form of religious order, developed from Catholicism, which Palaver sees in Schmitt's post-World War II writing and lectures. Although Palaver agrees with Schmitt's religious interpretation of the spatial world order, he disagrees with Schmitt regarding universalism. Schmitt viewed universalism as an impossible solution because there had always been enmity between nations. In contrast to Schmitt's opposition to universal world-order, Palaver believes that universalism is part of Catholicism, which would create a homogenous world, a necessary step beyond Schmitt.

Palaver's essay about Schmitt's concept of Nomos and space elicited a response from Ulmen, that was published in that same issue. Ulmen argues that Palaver's analysis of Schmitt's concept of Nomos is "absurd," because Palaver argues that Schmitt's idea of

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<sup>198</sup> Wolfgang Palaver, "Carl Schmitt on Nomos and Space," *Telos* 106, no. 106 (Winter 1996): 105-127.

<sup>199</sup> *Ibid.*, 106.

Nomos and space is defined by religion. For Ulmen, Schmitt's concept of Nomos and space was not designed for a religious purpose, but rather to understand global territory as well as the distinction between friend and enemy.<sup>200</sup> Palaver presents Schmitt's rejection of universalism as a means to discredit Schmitt's interpretation of Nomos and space and, therefore, to look beyond his concept of international politics. Although Ulmen disagrees with some of Palaver's religious perspectives on Schmitt, he agrees that we should look to Schmitt in order to strengthen a weakened Left. These two essays are an example of why Schmitt remained important for *Telos* throughout the 1990s to post-2000.

In the Fall issue of 1996, *Telos* devoted a special issue to Schmitt's impact on *Telos*: "Carl Schmitt Now." It addressed how the interpretation of Schmitt's thought had changed from when he had first appeared in *Telos* in 1987. The first essay to appear in this issue was by Ulmen: "Toward a New World Order; Introduction to Carl Schmitt's, The Land Appropriation of a New World."<sup>201</sup> Ulmen provides a short analysis of Schmitt's book *Nomos of the Earth*, specifically chapter two, which was titled "The Land Appropriation of a New World." In a comparison to Schmitt's *Nomos of the Earth*, Ulmen shows how other contemporary intellectuals, such as Francis Fukuyama and Samuel Huntington, developed theories of spatial order from Wilsonianism. Ulmen believes that these two intellectuals held flawed views concerning global conflict and how to resolve it. Towards the end of his essay, Ulmen addresses Schmitt's value after the fall of Communism during the 1980s and specifically how it related to developing larger spatial entities and creating a new Nomos.

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<sup>200</sup> Gary Ulmen, "Schmitt as a Scapegoat: Reply to Palaver," *Telos* 106, no. 106 (Winter 1996): 128-138.

<sup>201</sup> Gary Ulmen, "Toward a New World Order; Introduction to Carl Schmitt's The Land Appropriation of a New World," *Telos* 109, no. 109: 3-27.

As part of the special Fall issue of 1996 concerning Schmitt's impact on *Telos*, German legal philosopher, Ernst-Wolfgang Böckenförde contributed an essay titled: "Carl Schmitt Revisited."<sup>202</sup> Böckenförde discusses Schmitt's rising popularity in the U.S. and the burgeoning literature written about him, signifying how Schmitt is more relevant than ever during the mid-1990s. Leftist scholars continued to write about Schmitt's theory of the state, his role in National Socialism, and his role as a political theologian, which Böckenförde believes is key to understanding Schmitt.<sup>203</sup> Böckenförde argues that it will reveal if Schmitt is a genuine Catholic or if his Catholicism was a way of protecting himself from his past mistakes.

Ulmen reappeared in the Fall of the 1996 *Telos* issue with another essay, "Just Friends or Just Enemies,"<sup>204</sup> about Schmitt's work on international law. Ulmen explains how the twentieth century is characterized by a lack of bracketing war; there is a need for a new *Nomos* of the earth. He believes that Schmitt's concept of friend and enemy is relevant during the 1990s because it relates to just and unjust wars that have occurred during the twentieth century. Ulmen specifically addresses Schmitt's 1945 book *Gutachten*, in which Schmitt explains "War Crimes," "The Legal Situation Between Ordinary Citizens during War," as well as his friend and enemy distinction. Ulmen attempts to show the relevance of Schmitt during the 1990s, especially how nations group themselves as friends and enemies.<sup>205</sup> Ulmen believes that "...the dissolution of old orders and the desire for new types of political collectivities has raised again the central

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<sup>202</sup> Ernst-Wolfgang Böckenförde, "Carl Schmitt Revisited," *Telos* 109, no. 109: 81-86.

<sup>203</sup> *Ibid.*, 86.

<sup>204</sup> Gary Ulmen, "Just Friends or Just Enemies," *Telos* 109, no. 109 (Fall 1996): 99-113.

<sup>205</sup> *Ibid.*, 110.

question of international law – the concept of war.”<sup>206</sup> Overall, Ulmen perceived Schmitt as offering insight into the future of international law toward universalism and peace by creating a new nomos of the earth.

Joseph Bendersky’s essay, “Schmitt and Hobbes,”<sup>207</sup> appeared in *Telos* as the final essay on Schmitt in the Fall issue of 1996. The essay was a review of Schwab’s translation of Schmitt’s book, *The Leviathan in the State Theory of Thomas Hobbes: Meaning and Failure of a Political Symbol*.<sup>208</sup> In this review, Bendersky also addresses Schmitt’s similarity to Thomas Hobbes. According to Bendersky, Schwab’s English translation of Schmitt’s *Leviathan* during the 1990s provides a more definitive understanding of Schmitt’s political concept of the state. He also argues, however, that Schmitt’s interpretation of Hobbes does not fully define Schmitt’s work as a political theorist. One of the reasons for this claim is because Bendersky shows how Schwab’s translation of Schmitt’s *Leviathan* indicates Schmitt was “free of Nazi jargon.”<sup>209</sup> Unlike Schwab, Bendersky believes that Schmitt’s *Leviathan* is still confusing because when he wrote it, it was unclear if he was loyal to the Nazis or if he was paying homage to Jewish scholars. For this reason, Bendersky argues that an interpretation of Schmitt’s life in relation to the *Leviathan* is difficult because of how one should perceive him after his involvement with the Nazis.

In the Summer issue of 1998, Schmitt made another appearance in *Telos*.

Professor of Political Science at UC Santa Cruz, Andrew Norris, wrote an essay, “Carl

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<sup>206</sup> Ibid.

<sup>207</sup> Joseph Bendersky, “Schmitt and Hobbes,” *Telos* 109, no. 109 (Fall 1996): 122-129.

<sup>208</sup> Carl Schmitt, *The Leviathan in the State Theory of Thomas Hobbes: Meaning and Failure of a Political Symbol*, (Westport, Conn: Greenwood Press, 1996).

<sup>209</sup> Ibid., 122.

Schmitt on Friends, Enemies, and the Political,”<sup>210</sup> devoted to interpreting some of Schmitt’s political ideas. Norris explains Schmitt’s concept of friend and enemy as a political decision, of the ruler and ruled. Schmitt perceived politics in regards to a defense against the enemy, a physical battle, in which the ruler could supersede the law for war. For Norris, however, too many critics perceive Schmitt as “war mongering.”<sup>211</sup> Schmitt understood the political through a democracy which required homogeneity, was committed to an authority, and must be prepared to fight to the death against the enemy. Norris concludes by arguing that Schmitt’s concept of the political offers insight into individual commitment to a community. Norris states: “For it is simply not true that every Nazi or Stalinist was an evil, stupid, or morally retarded human being. As disturbing as it sounds, it follows from this that there were what appeared to be good reasons to believe that legitimate needs could be met by such movements.”<sup>212</sup> By looking beyond Schmitt’s involvement with the Nazis as well as the Nazis themselves, Norris ultimately believes that Schmitt’s concept of the political can provide insight into the shortcomings of political liberalism, and the importance of political unity.

From the start of the 1987 *Telos* issue, to Schmitt establishing his mark in *Telos* through the end of the 1990s, his political ideas were becoming more popular among the political Left. One of the common themes to reappear in the essays on Schmitt during the 1990s was his past involvement with the Nazis, and particularly, how it affected the value of his writings after he left the Nazi party. While many scholars were willing to overlook Schmitt’s involvement with the Nazis, was not downplayed by some on the political Left.

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<sup>210</sup> Andrew Norris, “Carl Schmitt on Friends, Enemies, and the Political,” *Telos* 112, no. 112 (Summer 1998): 68-90.

<sup>211</sup> *Ibid.*, 75.

<sup>212</sup> *Ibid.*, 90.

Piccone, Ulmen, Bendersky, and others who were willing to look beyond Schmitt's involvement with the Nazis, believed that Schmitt's idea of territorial control through smaller entities was an alternative to universal world order.

In the Spring issue of 2001, Ulmen wrote an essay titled: "Between the Weimar Republic and the Third Reich: Continuity in Carl Schmitt's Thought."<sup>213</sup> This essay continues the theme from essays in the 1990s by addressing previous discussions of whether or not there was a break in Schmitt's political thought after he joined the Nazi Party, or if he was tainted from the start of his political career.<sup>214</sup> Ulmen demonstrates sympathy for Schmitt's involvement with the Nazi Party by arguing that Schmitt was left with no choice but to join the Nazi party with the collapse of the German state and the Weimar constitution. According to him, there was also no trace of anti-Semitism in Schmitt's writing prior to 1933. Ulmen concludes by arguing that Schmitt's understanding of Thomas Hobbes was predicated on an "authoritarian form of bourgeois liberalism."<sup>215</sup> Although aware of Schmitt's terrible compromises with the Nazi party, Ulmen believes that Schmitt did not lose his mind during the Third Reich, but rather continued to study constitutional law and international law. It presents continuity in Schmitt's thought that was not disrupted by his involvement with the Third Reich.

Another essay published on Schmitt in the spring issue of 2001 addressed the relationship between the French philosopher, Michel Foucault and Schmitt. Written by Mika Ojakangas, a Finnish political theorist and philosopher, "Sovereign and Plebs:

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<sup>213</sup> Gary Ulmen, "Between the Weimar Republic and the Third Reich: Continuity in Carl Schmitt's Thought," *Telos* 119, no. 119 (Spring 2001): 18-31.

<sup>214</sup> *Ibid.*, 23.

<sup>215</sup> *Ibid.*



Michel Foucault Meets Carl Schmitt”<sup>216</sup> argues that an affinity exists between Foucault and Schmitt in regards to the sovereignty of the state and the plebs. Foucault sees the plebs as a source of political resistance, as outside the normal legal order. In a similar way, Schmitt described the sovereignty of the state as outside the legal order. Ojakangas also recognizes the differences between Foucault and Schmitt over “how” and “who” is sovereign, but shows their similarity in their opposition to “concrete life and universal domination.”<sup>217</sup> While this particular essay does not relate to the previous essays that *Telos* published on Schmitt, it shows how some on the political Left perceived Schmitt and how important he remained to *Telos*.

In the Winter issue of 2002, Piccone and Ulmen wrote an essay titled, “Uses and Abuses of Carl Schmitt.”<sup>218</sup> Piccone and Ulmen explain that when *Telos* was initially gaining interest in Schmitt, it was because of the collapse of the political Left and Norberto Bobbio’s criticism of how the political Left and Marxism had no political theory.<sup>219</sup> Nearly two decades later, Piccone and Ulmen discuss Schmitt’s reception through different scholars, who were hostile to Schmitt because of how he had been part of the Nazi regime. Piccone and Ulmen conclude by attempting to show that Schmitt was no authoritarian or fascist, but rather one who has insight from his Weimar and post-World War II work.

Also included in the Winter *Telos* issue was Bendersky’s essay: “The Definite and the Dubious: Carl Schmitt’s Influence on Conservative Political and Legal Theory in the

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<sup>216</sup> Mika Ojakangas, “Sovereign and Plebs: Michal Foucault Meets Carl Schmitt,” *Telos* 119, no. 119 (Spring 2001): 32-40.

<sup>217</sup> *Ibid.*, 35.

<sup>218</sup> Paul Piccone and Gary Ulmen, “Uses and Abuses of Carl Schmitt,” *Telos* 122, no. 122 (Winter 2002): 3-32.

<sup>219</sup> *Ibid.*, 14.

U.S.”<sup>220</sup> Bendersky contributes to the continuing theme of Schmitt’s involvement with the Nazis. He describes how some scholars label Schmitt a “Weimar Fascist.” Bendersky, however, believes that Schmitt should be labeled a “statist,” because his aim was for order and stability.<sup>221</sup> Through most of his essay, Bendersky argues that Schmitt’s influence on American conservatism through Schumpeter, Hayek, Morgenthau, etc., has been based on a “hidden dialogue,” which was based on a close reading of Schmitt’s writings. Bendersky disagrees with this notion of a “hidden dialogue” that influenced American conservatism because of other intellectual influences that have to be taken into account. Yet these influences are not named in his essay. Moreover, while Schmitt has influenced American conservatism, Bendersky argues that “Schmitt’s ghost” – a fascist influence on American conservatism – is not seen in conservative intellectuals during the twentieth century. Bendersky overall argues that Schmitt’s influence on Schumpeter, Hayek, and Morgenthau was from his Weimar writings, suggesting that Schmitt’s involvement with the Nazis should be overlooked.

Luis María Bandieri, also wrote an essay for the 2002 Winter issue titled “Carl Schmitt and Federalism,”<sup>222</sup> which addresses Schmitt’s idea of federalism.<sup>223</sup> Bandieri describes Schmitt’s writings on federalism in terms of how they related to the homogeneity of its members and when the sovereignty of the state acts in an exceptional situation. According to Bandieri, Schmitt perceived the unity of the state as necessary for global juridical order because the state secures its own internal peace. But with the decline of state sovereignty at the end of the twentieth century, Bandieri argues that

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<sup>220</sup> Joseph Bendersky, “The Definite and the Dubious: Carl Schmitt’s Influence on Conservative Political and Legal Theory in the U.S,” *Telos* 122, no. 122 (Winter 2002): 33-47.

<sup>221</sup> *Ibid.*, 44.

<sup>222</sup> Luis María Bandieri, “Carl Schmitt and Federalism,” *Telos* 122, no. 122 (Winter 2002): 48-58.

<sup>223</sup> *Ibid.*, 48.

global sovereignty is needed, especially since the September 11<sup>th</sup> attacks. In regards to terrorism Schmitt can provide insight into global safety. Federalism was part of an overall theme in which *Telos* continued to take an interest, indicating why Schmitt kept reappearing in some of the essays in *Telos*.

In the Fall 2002 issue, Ulmen wrote an essay titled: “Carl Schmitt and Donoso Cortés.”<sup>224</sup> Also published in that issue were three of Schmitt’s essays on Donoso Cortés, offering additional information on Schmitt’s perspective of Cortés. In his essay, Ulmen addresses how Cortés is relevant to the “global civil war.”<sup>225</sup> With the September 11, 2001 attacks, a global civil war has erupted. Since these attacks, according to Ulmen, sovereign governments are still bound by certain constraints, unable to defeat the international foe. Ulmen believes that Cortés’ influence on Schmitt’s concept of sovereignty and international law makes Cortés especially relevant in an age of global civil war.

Many leftist scholars after 2002 continued to write essays in *Telos* on Schmitt’s concept of international law and state sovereignty. Although many scholars disagreed with Schmitt’s concepts of friend and foe or state sovereignty, others believed that Schmitt’s concept of a new Nomos provided an alternative to universalism, especially with the emergence of universal protection after the terrorist attacks in 2001.

## **Conclusion**

Schmitt’s introduction into *Telos* was an indication of a weakened political Left, critical of itself after the collapse of the New Left in the 1970s and the decline of Soviet

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<sup>224</sup> Gary Ulmen, “Carl Schmitt and Donoso Cortés,” *Telos* 125, no. 122 (Fall 2002): 69-79.

<sup>225</sup> *Ibid.*, 65.

Communism in the 1980s. *Telos* defended Western Marxism as the alternative to Soviet Communism from 1968 to the mid-1980s. After the defeats of the political Left in the early-1980s, however, many leftist scholars felt that a way to reinvigorate the political Left in Europe and the U.S. was to explore new ideas. This eventually led them to examine Schmitt's critique of liberalism as well as state sovereignty. Some leftist scholars involved with *Telos* argued that Schmitt had been unjustly overlooked in the past, believing his critiques of liberalism and universalism were a way to reorient the political Left. The appeal of his political ideas shows that the *Telos* group was desperate for new theoretical perspectives beyond Western Marxism. As a way for *Telos* to look beyond the perceived shortcomings of Western Marxism, Schmitt's challenging questions provided *Telos* with the opportunity to reorient themselves, particularly with a critical focus on liberalism and universalism. The essays published by *Telos* throughout the 1970s and early 1980s, signify how important Western Marxism had been to the journal. However, when all forms of Marxism, even the Western Marxist tradition that had been defined largely in opposition to Soviet Communism, were weakened by the decline and eventual collapse of the Soviet Union during the early-1980s, *Telos* reexamined their principles. Part of this reexamination was introducing Schmitt's political work into the leftist journal, to determine if his work held relative value among the political left. As many of the essays in *Telos* during the late-1980s and throughout the 1990s suggest, Schmitt's work helped spur a new discussion among the Left. For Piccone and many scholars who wrote about Schmitt during that time, Schmitt was popular because of the rise of a new aggressive liberal universalism in the 1990s and, again, after the attacks on the World Trade Center on September 11<sup>th</sup>, 2001. Yet Schmitt did not appear only in

*Telos*. His presence in the journal is a reminder of how popular Schmitt became during this time rather than the solutions that were found among the Left.

### **Chapter III**

#### **Schmitt's Reception among the American Left: 1981-2003**

In addition to Schmitt's reception in *Telos*, his work on political theory continued to attract scholarly attention beyond the leftist journal. This chapter explains why Anglo-American political theorists outside of *Telos* found Schmitt relevant or irrelevant. This chapter's aim is to discuss the main camps that drew from Schmitt, if they were critical of Schmitt or attempted to show the value of his ideas. One of the themes that continued to reappear in political theory, which will be discussed in this chapter, is why the political Left drew on Schmitt's critiques of liberalism and universalism as well as why there were still some on the political Left who continued to criticize Schmitt. There were those on the political Left, such as John McCormick, who defamed Schmitt's reputation because of his affiliation with the National Socialist Party. But others on the Left, such as Chantal Mouffe, found Schmitt relevant for his critique of liberal universalism. The first section of this chapter is an explanation of why certain leftist scholars opposed Schmitt. The second section of this chapter identifies why these specific leftist theorists found Schmitt relevant beyond his collaboration with the National Socialist Party. While some theorists emphasized the political reasons why Schmitt should be criticized, and others stressed his value as a political theorist, there were others who thought Schmitt was dangerous as well as valuable. The overall intent of this chapter is to understand some of the different ways

in which various leftist scholars have interpreted Schmitt's political thought and how they shaped Schmitt's American reception at the end of the twentieth century.

### **The Leftist Critique of Schmitt**

Before Schmitt began to appear in *Telos* in 1987, the American political theorist, George Schwab introduced Schmitt's political concepts in his book, *The Challenge of the Exception: An Introduction to the Political Ideas of Carl Schmitt Between 1921 and 1936*.<sup>226</sup> Originally published in 1970, with the second edition published in 1989, Schwab notes in an essay he wrote about Schmitt – later republished by *Telos* – that his work on Schmitt opened the debate on how relevant Schmitt's political thought was to the political Left. Schwab's work on Schmitt shows how Schmitt's ideas developed between 1921 and 1933, and which parts of Schmitt's writings from 1933 to 1936 reflected Nazi ideology.<sup>227</sup> It is important to note that, since Schwab had to interpret Schmitt's German writings, because they had not yet been translated in English, he was one of the first American political theorists to explicitly introduce Schmitt's ideas into the U.S. Schwab explains that his work serves as an introduction to Schmitt's main ideas between 1921 and 1936.<sup>228</sup>

Schwab begins his study of Schmitt by explaining how Schmitt's concept of the state was based on the Weimar Constitution. Closely studying Schmitt's interpretation of Article 48, Schwab explains that Schmitt argued for a dictatorship that could supersede the law in circumstances that called for a state of exception. Schmitt was critical of

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<sup>226</sup> George Schwab, *The Challenge of the Exception: An Introduction to the Political Ideas of Carl Schmitt Between 1921 and 1936* (New York: Greenwood Press, 1982), 175.

<sup>227</sup> *Ibid.*, 7.

<sup>228</sup> *Ibid.*, 8.

Article 48 because it limited the power of the dictator under the Weimar Constitution. Schwab describes Schmitt's concept of dictatorship as a latitudinarian interpretation because it allowed the dictatorship to take control of the state when the state could no longer protect the people. Part of Schwab's main argument emerges near the end of his first chapter, where he argues that Schmitt's interpretation of the state of exception as well as the meaning of dictatorship does not disprove the claim that his writings undermined the Weimar Constitution or paved the way for Hitler.<sup>229</sup> On the contrary, Schmitt's writing on the meaning of dictatorship in no way opposed the rise of Nazism, according to Schwab.

Schwab also offers an explanation of Schmitt's interpretation of dictatorship, sovereignty, democracy, and political liberalism. Schwab tries to demonstrate why Schmitt's interpretation of the Weimar Constitution makes clear that he condoned the events leading to the National Socialist seizure of power. In chapter three Schwab explains why Schmitt advocated for presidential powers. Schmitt deplored a parliamentary system of government, which he identified with liberalism. The essence of liberalism, according to Schmitt, was public debate, the separation of powers, and the enactment of laws through parliamentary discussion. Schmitt argued that this parliamentary system did not embody the decision of the people. For the people needed to make the decision on how to form their constitution. And this decision must take the form of a sovereign leader who acts for the people. Schwab ultimately argues that Schmitt desired to restore unity and order through presidential powers beyond a parliamentary system. When the National Socialists came to power in 1933, it was based on "equal chance" which, Schmitt explains, was the idea that the party in power cannot

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<sup>229</sup> Ibid., 43.

deny any other party the chance to acquire power.<sup>230</sup> Schwab shows that through legality and “equal chance,” the National Socialist Party was able to obtain political power. It was legality and “equal chance,” Schwab argues, that were embedded in Schmitt’s political theory.<sup>231</sup>

In the second section of Schwab’s study, he discusses Schmitt’s involvement with the National Socialist Party. To further argue that Nazism corrupted Schmitt’s work, Schwab shows that Schmitt includes Nazi terminology in some of his writings after 1935.<sup>232</sup> Schwab specifically looks at three events that illuminate Schmitt’s role in the National Socialist Party: the Reichstag fire of February 27<sup>th</sup>, 1933; the election of March 5<sup>th</sup>, 1933; and the Enabling Act of March 24<sup>th</sup>, 1933.<sup>233</sup> Because of the Reichstag fire a presidential decree was promulgated which suspended individual liberty, which allowed Hitler to gain additional power. The March 5<sup>th</sup> election ushered in 288 National Socialist representatives, enough to pass – with the help of the German National People’s Party (DNVP) and the Catholic Center Party – an Enabling Act that put an end to the Weimar Republic and superseded the Weimar Constitution. Schmitt believed the Weimar Constitution was no longer valid because it no longer contained any substance. According to Schwab, Schmitt believed Hitler was a viable solution to Germany’s political problems.

Schwab is also concerned with why Schmitt’s polemics against Kelsen’s normativism during the 1920s continued after Hitler’s reign of power.<sup>234</sup> Schwab argues that “Schmitt’s friend-enemy distinction was based on his polemics against non-political

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<sup>230</sup> Ibid., 94.

<sup>231</sup> Ibid., 97.

<sup>232</sup> Ibid., 100.

<sup>233</sup> Ibid., 102.

<sup>234</sup> Ibid., 115.



normativism.”<sup>235</sup> For Schmitt, concrete-order, which expresses the will of the people, is not the basis of legitimacy, but is rather a part of it. Part of the problem that Schwab sees in Schmitt’s explanation of legitimacy, is that Schmitt believes legitimacy was created when the National Socialist Party acted in a state of emergency, through concrete-order and not interpretation; yet they would have hesitated to act in normal times. Schwab believes, however, that a totalitarian system would have had complete control of concrete order in the state of emergency as well as in normal times.

In his conclusion, Schwab argues that Schmitt’s answers to concrete legal questions demonstrate how and why Schmitt valued the state. With his concern for the political unity of the German state, he opted for a totalitarian system, because of the perceived failures of the Weimar Republic. Schwab believes that Schmitt was a firm advocate of Nazism because it was a way to preserve the German state after the fall of the Weimar Republic. Schmitt also advocated against the Weimar Constitution because he did not want any majority taking control of political decisions. It is important to recognize Schwab’s interpretation as one of the first works on Schmitt because other scholars during the 1990s would take a similar position to Schwab, in arguing that Schmitt’s involvement with the National Socialist Party defined Schmitt as a dangerous political theorist.

Twenty-five years after Schwab’s work, John McCormick published *Carl Schmitt’s Critique of Liberalism: Against Politics as Technology*.<sup>236</sup> McCormick explains how Schmitt’s theory of technology affects his criticism of liberal parliamentarism. As part of his overall purpose, McCormick argues that Schmitt’s critique of liberalism

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<sup>235</sup> Ibid.

<sup>236</sup> John McCormick, *Carl Schmitt’s Critique of Liberalism: Against Politics as Technology* (Cambridge, UK: University Press, 1999).

demonstrates the threat of neo-conservatism as well as neo-fascist authoritarianism.

McCormick's work on Schmitt is similar to Schwab, with both arguing that Schmitt's involvement with the Nazis highlights the danger of Schmitt's political ideas.

McCormick argues that Nietzsche, Heidegger, Lukács, and especially Weber, held political positions similar to Schmitt's critique of technology. For Schmitt believed that technology was not abstract, which was what Heidegger, Lukács, and Weber also held true. According to McCormick:

Weber, Nietzsche, and Heidegger tend to view the concrete qualitative as either remnants of the pre-modern past or something that must be 'willed' into the modern present. As demonstrated, Schmitt is more sensitive to the particular dualism that makes up modernity and modern thought and their interrelatedness: objective/subjective, form/content, abstract/concrete.<sup>237</sup>

McCormick argues that Schmitt's confrontation with rationality and irrationality or technology/romanticism, led him to accept totalitarian politics as a way to transcend these two antinomies.<sup>238</sup> Another way for Schmitt to transcend these two antinomies, McCormick argues, was through Catholicism. Catholicism was behind Schmitt's vision of politics. He believed that Catholicism created a distinction between good and evil, whereas economics and technology obscured this distinction. McCormick argues that Schmitt saw the Antichrist in economics and technology. Therefore, the Antichrist is seen as something fearful, as a mythical character, which is why Schmitt attached it to economics and technology, as a way to conquer these things that obscure the distinction between good and evil. McCormick argues that Schmitt used the imagery of myth as an antidote against economics and technology – a myth that was ingrained in totalitarianism.

McCormick also discusses Schmitt's interpretation of political liberalism and how it was related to technology. McCormick argues that Schmitt's political position in *The*

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<sup>237</sup> Ibid., 65-66.

<sup>238</sup> Ibid., 81.

*Dictatorship*, which was published in 1921, changed when he wrote *Political Theology* in 1922.<sup>239</sup> Schmitt argues in *The Dictatorship* for a temporary dictatorship that attempts to restore constitutional order because it is worth preserving. Just a year later, when *Political Theology* was published, Schmitt argued for an unlimited sovereign leader who could restore a constitutional order that had grown torpid.<sup>240</sup> McCormick explores the danger of Schmitt's work in *Political Theology*. His belief in an unlimited sovereignty that acts in an emergency situation to overrule the constitution led him from conservatism to fascism, according to McCormick. In other words, in *Political Theology* Schmitt begins to fuse popular sovereignty and emergency provisions, which was quite different than a year earlier in *The Dictatorship*, in which Schmitt had been wary of revolutionary initiatives that fused popular sovereignty and emergency provisions.<sup>241</sup>

McCormick also argues that Catholicism and political form were influential to Schmitt's understanding of political theory. McCormick argues that Schmitt's belief in medieval Catholicism as representative of a state, which advocates a sovereign leader, is no different than a parliamentary representation. Both representations create sociopolitical results for 'publicity of display.' But when Schmitt turns medieval Catholicism towards presidential power, he makes a nation ready for combat.<sup>242</sup> Through Catholicism Schmitt aims for an authoritarian state as a way to undermine a parliamentary system of government.

McCormick also shows that Schmitt believes technology has corrupted not only parliament and representation, but also the theory of the law. McCormick argues that

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<sup>239</sup> Ibid., 121.

<sup>240</sup> Ibid., 122.

<sup>241</sup> Ibid., 156.

<sup>242</sup> Ibid., 204.

Schmitt favored a constitutional democracy as opposed to a liberal democracy. He was critical of abstract positivism in jurisprudence because, as McCormick states, "... it allows concrete political reality to elude theoretical analysis or because it acts as a normative obstruction to his designs for a new form of concrete domination adequate to the twentieth-century state/society relationship."<sup>243</sup> To do away with the abstractness of the law, Schmitt requires a concrete form of law, which he finds in state activity rather than individual liberty. McCormick argues that Schmitt aims to replace liberal principles with the element of fear.<sup>244</sup>

Further on in his study, McCormick addresses Schmitt's interpretation of the state at the end of the 1920s. McCormick specifically shows why Schmitt was an advocate of Thomas Hobbes, and how Schmitt applied Hobbes's interpretation of the nature of humanity to his political theory. For Schmitt believed that fear was embedded in the nature of humanity. McCormick explains, however, that fear, technology, and the state are not as easily distinguishable in Hobbes's thought as Schmitt believed in *The Leviathan in the State Theory of Thomas Hobbes*.<sup>245</sup> Moreover, Schmitt revived Hobbes's notion of the state and the fear that embodies it because it gave clarity to understanding how politics is defined by friend and enemy. This fear, according to McCormick, is how the state controls the people living in the state, which leads to an authoritarian state.

McCormick also addresses Strauss's relationship to Schmitt and, in particular, how Strauss criticized Schmitt's interpretation of Hobbes's theory of the state. Strauss argues that the state demands the obedience of its citizens, to be governed because they cannot govern themselves, whereas Schmitt believes that the state demands a readiness to

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<sup>243</sup> Ibid., 207.

<sup>244</sup> Ibid., 247.

<sup>245</sup> Ibid., 250.

die from the people of the state. Beyond their differences, Schmitt and Strauss believed that through the myth of fear the state could control its citizens. This fear, McCormick argues, was a way for Schmitt to justify his collaboration with the Nazis by invoking the Hobbesian standard that it was “obedience for protection.”<sup>246</sup>

McCormick concludes his study of Schmitt by arguing that Schmitt’s Weimar writings were an indication of how supportive he was of an authoritarian state. By looking at Schmitt’s Weimar and post-Weimar writing, McCormick argues that Schmitt’s concept of politics never changed; he reaffirmed his belief in an authoritarian state. For McCormick, there is a need to look toward Jürgen Habermas for an alternative model of a rational society, beyond Schmitt’s power politics. According to McCormick:

One of the tasks of critical and political theory today, one that would escape the drawbacks of Weberian social science, as well as the dangers exhibited by the work of its most radical discontented practitioners, especially Schmitt, should be an attempt to understand the relationships among transformation, the academic debates and the cultural stands, as well as the persistence of the oppositions, the antinomies, the dualisms, explicated earlier within them.<sup>247</sup>

McCormick believes there is a need to embrace a diversifying culture, to understand and develop as a unified culture among other nations, and to not adhere to the fascist mind of Schmitt. McCormick as well as Schwab are both examples of those who were initially critical of Schmitt when he arrived in modern American political theory. Schwab’s interpretation of Schmitt as an advocate of National Socialism and McCormick’s argument that Schmitt’s thought was always a part of National Socialism demonstrate why some on the political Left thought Schmitt’s concept of politics was dangerous. Along with McCormick and Schwab, there were other Leftist scholars interested in defaming Schmitt’s work because of his collaboration with the National Socialist Party.

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<sup>246</sup> Ibid., 288.

<sup>247</sup> Ibid., 313.

Published in 1998, *Law as Politics: Carl Schmitt's Critique of Liberalism*<sup>248</sup> included twelve essays on Schmitt written by different scholars. Edited by David Dyzenhaus, a Professor of Law at the University of Toronto, *Law as Politics* offers different perspectives on Schmitt's political and legal work. This volume provides us with a good opportunity to recognize why particular scholars defend the work of Schmitt, while others denounce it. Although all of the essays reveal interesting aspects of Schmitt, only some of these interpretations will be addressed here.

John McCormick's essay in this volume, "The Dilemmas of Dictatorship: Carl Schmitt and Constitutional Emergency Powers," is critical of Schmitt. McCormick specifically looks at Schmitt's line from *Political Theology*: "Sovereign is he who decides the exception," to show how this line signifies the overall trajectory of Schmitt's Weimar work.<sup>249</sup> Schmitt's critique of liberalism is based on a false notion of parliamentary democracy, according to McCormick, because parliamentary democracy is not meant to be closed off from the public or to thwart the political populace; instead, parliamentary democracy ensures that the public is not self-destructive. Moreover, Schmitt based his critique of liberalism on eighteenth and nineteenth-century liberals, according to McCormick, who were naïve to constitutional emergency powers.<sup>250</sup>

To conclude his essay, McCormick explains why Schmitt's *The Dictatorship* is misread as a book of arguments. Schmitt wrote *The Dictatorship* to explain the value of exceptional situations that call for a sovereign dictator. He explains this through different histories. The transition from *The Dictatorship* to *Political Theology*, McCormick argues,

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<sup>248</sup> *Law as Politics: Carl Schmitt's Critique of Liberalism*, ed. David Dyzenhaus (Durham, NC: Duke University Press, 1998).

<sup>249</sup> *Ibid.*, 217.

<sup>250</sup> *Ibid.*, 238.

is that it presents Schmitt's change from conservatism to fascism. McCormick, however, does argue that we should not conflate Schmitt's concept of popular sovereignty with emergency powers, for it shows the difference between a commissarial and sovereign leader in an emergency situation.<sup>251</sup>

*Law as Politics* offers certain scholars' interpretations of Schmitt's critique of liberalism. In "Carl Schmitt and the Paradox of Liberal Democracy,"<sup>252</sup> the Belgian political theorist, Chantal Mouffe scrutinizes Schmitt's critique of liberal democracy.<sup>253</sup> Mouffe is concerned with the boundaries of citizenship and the nature of liberal democratic consensus. Specifically, Mouffe argues that Schmitt's belief that democracy and liberalism contradict offers some insight into the boundaries of modern citizenship. Mouffe discusses Schmitt's notion of "homogeneity" and how it relates to the democratic conception of equality, especially as a substantive equality, rather than an abstract conception. Schmitt rejects the notion that the equality of citizens can serve as the foundation of a state, because it does not establish criteria for political institutions. Mouffe states: "He [Schmitt] claims that liberalism negates democracy and democracy negates liberalism and that parliamentary democracy, since it consists in the articulation between democracy and liberalism, is therefore a nonviable regime."<sup>254</sup> Ultimately, Mouffe believes that Schmitt's critique of liberalism offers insight into why liberal universalism cannot exist.

At the conclusion of Mouffe's essay, she explains that Schmitt's rejection of pluralism is a warning that should be heeded. Mouffe believes that Schmitt's critique of

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<sup>251</sup> Ibid., 242.

<sup>252</sup> Ibid., 159.

<sup>253</sup> Ibid., 159.

<sup>254</sup> Ibid., 161.

liberalism challenges the failure of commonality that exists within pluralism. According to Mouffe: “Once we have recognized that the unity of the people is the result of a political construction, we need to explore all the logical possibilities that a political articulation entails.”<sup>255</sup> Unlike Schwab and McCormick, Mouffe has a desire to apply Schmitt’s critique of liberalism to overcome the weaknesses in liberalism that many liberals fail to recognize.

In 1999, William Scheuerman, a critic of Schmitt, published *Carl Schmitt: The End of Law*.<sup>256</sup> Scheuerman describes the trajectory of Schmitt’s American reception during the 1990s among different scholars, and illustrates the reasons why certain political theorists, or political philosophers criticized Schmitt. Scheuerman argues that Schmitt’s actions exposed his nature as a political theorist. Specifically, Scheuerman points to Schmitt’s involvement with the Nazis. Before Scheuerman arrives at this point in part one of his book, “The Jurisprudence of Lawlessness,”<sup>257</sup> he describes Schmitt’s interpretation of law and parliamentarism. He explains that Schmitt’s pre-Weimar writing was applied in modern critical theory – referring broadly to other leftists interpretation of Schmitt – when there should have been some concern about how Schmitt’s writing indicated his support for an authoritarian state. Schmitt was critical of a legal or administrative decision, because he supported an authoritarian state that was unregulated by legal and political constraints. An authoritarian state “celebrates” the willfulness of legal experience, whereas, according to Scheuerman, a liberal democratic state is

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<sup>255</sup> Ibid., 172.

<sup>256</sup> William Scheuerman, *Carl Schmitt: The End of Law* (Lanham, MD: Rowen and Littlefield Publishers, 1999), 360.

<sup>257</sup> Ibid., xi.



committed to the rule of law, aware of the harsh realities of legal indeterminacy.<sup>258</sup>

Ultimately, Scheuerman argues that there are harsh implications in supporting the willfulness of law that can be learned by knowing the example of Carl Schmitt.<sup>259</sup>

Scheuerman also discusses Schmitt's critique of parliamentarism and liberal constitutionalism. He argues that Schmitt's critique of legal indeterminacy is part of his critique of parliamentarism. The failure in Schmitt's critique of parliamentarism, according to Scheuerman, is that it is anachronistic. Schmitt bases his critique of parliamentarism on a nineteenth-century parliamentary system. For Scheuerman, parliament represents open discussion, not one-sided representative democracy, as Schmitt claims. Scheuerman also argues that *Constitutional Theory*, which was published in 1928, shows Schmitt as an antipode to liberal constitutionalism.<sup>260</sup> Scheuerman believes that Schmitt was critical of liberal constitutionalism because Schmitt was critical of the arbitrary divisions among parliamentary and judicial action. According to Schmitt, normativism existed as part of liberal constitutionalism and a parliamentary system. Scheuerman argues, overall, that Schmitt's writing has no value in regards to liberal indeterminacy, liberal constitutionalism, or parliamentarism.

Scheuerman also argues that Schmitt's theory of the state made him vulnerable to the National Socialist Party.<sup>261</sup> Scheuerman discusses how Schmitt overcame legal indeterminacy through the National Socialist Party:

As we have seen, for Schmitt the central problem of modern legal theory is the enigma of legal indeterminacy, according to which legal norms inevitably fail to provide mean guidance to legal decision makers. Schmitt sides with the Nazis because he sees them as offering a real chance for developing a novel legal order able to 'solve' the dilemma of legal indeterminacy.<sup>262</sup>

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<sup>258</sup> Ibid., 36.

<sup>259</sup> Ibid., 37.

<sup>260</sup> Ibid., 61.

<sup>261</sup> Ibid., 86.

<sup>262</sup> Ibid., 115.

Scheuerman believes that Schmitt's concern with legal indeterminacy explains why Schmitt supported a total state, and why he eventually joined the National Socialist Party. It ultimately shows why Schmitt's contribution to the debate on legal indeterminacy provides important lessons for contemporary legal theory.<sup>263</sup> Schmitt believed that legal determinacy was based on racial homogeneity, liberating state officials, in order to salvage legal determinacy. Yet, according to Scheuerman, it resulted in Nazi terror.

Part two of Scheuerman's work on Schmitt, "Schmitt in America," is about Schmitt's relationship to the Austrian economists and political scientists, Joseph Schumpeter, Friedrich Hayek, and Hans Morgenthau. Since Morgenthau's relationship to Schmitt was already discussed in chapter one, it is only relevant to assess Schmitt's relationship to Hayek and Schumpeter. In this final section of Scheuerman's study, he attempts to demonstrate how Schmitt's post-Nazi writings were appropriated by Hayek and Schumpeter, to convey a warning about how Schmitt's intellectual thought is present in post-war American political theory.

Scheuerman presents the similarities between Schmitt and Schumpeter in regards to democratic elitism. Based on this concept, Schmitt and Schumpeter discussed some notion of an authoritarian state, which would influence American legal theory. Both men were concerned with formulating a critical response to Max Weber's theory of modern Western rationalism. Their responses, as Scheuerman notes, were very similar in that they believed that parliamentarism must be supplanted – rather than what Weber believed, which was supplementing parliamentarism with mass-based plebiscitarianism. It should be noted that Schumpeter and Schmitt were similar, but not identical, in their

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<sup>263</sup> Ibid., 116.

concept of an authoritarian state. Moreover, Scheuerman addresses Schmitt's and Schumpeter's opposition to Weber when he states: "Both Schmitt and Schumpeter make it clear that not only the possession of charismatic capacities make effective leadership possible (for Schmitt, in the state; for Schumpeter, within the factory), but also such skills are possessed by only a tiny minority of human beings."<sup>264</sup> Scheuerman believes that Schumpeter argued something similar to Schmitt: that politics is ruled by elites. For this reason, Scheuerman argues that Schumpeter was not very far from Schmitt's authoritarian approach. Regardless, Scheuerman argues that Schumpeter's "democratic elitism" was a reformulated understanding of totalitarianism, which was more palatable to an American audience,<sup>265</sup> and which did eventually influence American political theorists.

Beyond Schmitt's influence on democratic theory, Scheuerman argues that Schmitt also had a profound impact on the Austrian émigré economist, Friedrich Hayek. In Scheuerman's final chapter on Schmitt, he explores Schmitt's influence on contemporary free-market conservatism. Attempting to elucidate the relationship between Hayek and Schmitt, he shows how authoritarianism and capitalism have coexisted. While Schmitt was critical of the welfare state, and favored instead an authoritarian state, Hayek was hesitant to accept this alternative. Scheuerman explains, however, that Hayek perceived the welfare state as revolutionary threat, and thus was willing to find any means to combat this threat.

Scheuerman's study represents another critique of Schmitt and the theorists he influenced. It provides additional insight into how certain scholars perceived Schmitt's

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<sup>264</sup> Ibid., 190.

<sup>265</sup> Ibid., 206.

theoretical concepts at the end of the 1990s. Scheuerman chooses to address Schmitt's involvement with the Nazis to devalue his work, and to show how irrelevant and dangerous Schmitt is to contemporary political theory. It is also important to note that the scholarly work on Schmitt during the 1990s was mostly concerned with his involvement with the National Socialist Party. The writing on Schmitt already presented in this chapter has shown the different arguments about why Schmitt is perceived as a threat in contemporary political theory, considering the danger of his political work and what certain scholars believe it led to. The final two works on Schmitt that are presented in this chapter, however, argue something different than these previous scholars.

### **Representations of Left-Schmittians**

This section of the chapter also draws from those who argue against Schmitt's work but from a perspective beyond his involvement with the National Socialist Party. In *The Enemy: An Intellectual Portrait of Carl Schmitt*,<sup>266</sup> Gopal Balakrishnan, Professor of European Intellectual History at the University of California, Santa Cruz, shows how critical he is of Schmitt, but for different reasons beyond Schmitt's involvement with the Nazis. Balakrishnan also finds Schmitt relevant for certain reasons. Understanding the broader context of Balakrishnan's work on Schmitt will provide us with a clearer picture of why Schmitt has been discussed in recent American political thought.

To understand Balakrishnan's argument, only specific sections of his study will be presented here. This process will help to draw out what Balakrishnan argues about Schmitt. He explains in his introduction that the purpose of his study is to use Schmitt's

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<sup>266</sup> Gopal Balakrishnan, *The Enemy: An Intellectual Portrait of Carl Schmitt* (London: Verso, 2000), 320.

political thought to understand contemporary political liberalism. Particularly, he is concerned with Schmitt's work from 1919 to 1950.<sup>267</sup> Balakrishnan studies Schmitt for the purpose of exploring both the danger and the relevance of Schmitt's thought, through a systematic and comprehensive study.<sup>268</sup>

Balakrishnan's study of Schmitt is in many ways an intellectual biography, with the exception that it does not discuss every part of Schmitt's life and focuses more on his political work. First, by addressing Schmitt's work in the 1920s – such as *The Dictatorship* (1921); *The Crisis of Parliamentary Democracy* (1923), *Political Theology* (1922), *The Concept of the Political* (1926) – Balakrishnan shows how Schmitt developed his theoretical critique of liberalism. In the early 1920s, Schmitt wrote *The Dictatorship*, explaining the value of a dictatorship that is sovereign in contrast to one that is commissarial. Balakrishnan explains that Schmitt grappled with the idea of a counter-revolutionary dictatorship as well as a very different idea that was based on how the Catholic Church could stabilize the postwar situation. He also grappled with the idea of integration of the masses into a homogeneous' national democracy.<sup>269</sup>

When *Political Theology* was published in 1922, Schmitt believed that Catholicism could be the mediator between political nations, according to Balakrishnan. He also argues that Catholicism played a major role in the early part of Schmitt's thought and led him to rationalize a sovereign dictatorship that could protect a nation from other nations and unite a state under one ruler. Balakrishnan also argues that Schmitt's critique of parliamentarism, which was published in the form of an essay a few years after *Political Theology*, showed his theoretical affinities to Donoso Cortés, Charles Maurras,

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<sup>267</sup> Ibid., 3.

<sup>268</sup> Ibid., 9.

<sup>269</sup> Ibid., 41.

and Benito Mussolini.<sup>270</sup> Schmitt defended a strong concept of sovereignty, according to Balakrishnan, because he opposed the neutrality of legal positivism.

Balakrishnan argues that when Schmitt became part of the Nazi regime, it was because he was left with no alternative. Furthermore, Balakrishnan believes that, although Schmitt was critical of political liberalism, the neutrality of legal positivism, and parliamentary democracy, he was not a fascist thinker. According to Balakrishnan:

Unable to see the Nazis as a force of renewal, he was also unwilling to support efforts to stabilize the Republic, as this would have put him on the other – the ‘left’ – side of the political fence. Failing, perhaps, to sense the necessity of making a decision here, he put his trust in ineffectual conspiracies.<sup>271</sup>

Balakrishnan does not condemn Schmitt for the role he played with the Nazis. Although Balakrishnan does not support the work of Schmitt entirely, he does not concentrate on Schmitt’s involvement with the Nazis, but rather points to more important parts of Schmitt’s work in legal and political theory.

Balakrishnan, however, does not overlook Schmitt’s involvement with the Nazis. He explains that Schmitt was initially enthusiastic to be part of the National Socialist Party. Schmitt changed his belief, however, when he thought the will of the people represented the will of the state. When the National Socialist Party came to power, Schmitt favored a sovereign leader. After he was forced to resign from his position in the National Socialist Party, Schmitt returned to a more sharpened understanding of his political theory. Balakrishnan notes the subtle difference in Schmitt’s work when he states: “While in earlier works references to the mysteries of evil were an undercurrent, an interplay of tone and allusion, they now began to press closer to the surface,

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<sup>270</sup> Ibid., 134.

<sup>271</sup> Ibid., 175.

periodically erupting, as he sought to form a more vivid picture of the enemy.”<sup>272</sup> This enemy would be in the form of a myth, something that Schmitt derived from Hobbes. Balakrishnan argues that Schmitt wrote about the Leviathan myth because after understanding the power of the National Socialist Party, it became clearer that control over the people of the state could be established through the fear of a mythic creature.

In Balakrishnan’s conclusion, he explains what he believes will be the future reception of Schmitt. Part of the relevance of Schmitt, according to Balakrishnan, is his insight into international relations, especially how it relates to world domination. Balakrishnan believes that the rising power of the U.S poses a universal threat, particularly how it related to the invasion in Iraq, which makes Schmitt especially relevant to modern legal and political theory. Ultimately Balakrishnan argues that Schmitt’s critique of universalism is critical to understanding the threat of U.S hegemony, as it continues to develop into the post-modern age. However, similar to the previous authors, Balakrishnan believes that Schmitt is also dangerous because he advocates war, and because of his concepts of friend and enemy, a sovereign dictator, and the state of emergency.

Chantal Mouffe’s 1997 essay, “Carl Schmitt and the Paradox of Liberal Democracy,”<sup>273</sup> describes Schmitt’s work on liberalism as a contribution to understanding the tension that exists between democracy and liberalism. Mouffe argues that Schmitt’s belief in the homogeneity of the people in representing a democracy is something that modern liberalism seems to escape. Schmitt did not believe in liberal individuality, but in the unity of the people to elect a sovereign ruler that decides in an

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<sup>272</sup> Ibid., 208.

<sup>273</sup> Chantal Mouffe, “Carl Schmitt and the Paradox of Liberal Democracy,” *Canadian Journal of Law and Jurisprudence*, no. 10 (1997): 21-27.

emergency situation. The unity of the people is part of what defines democracy, apart from liberalism. According to Mouffe, “Schmitt makes an important point when he stresses that the democratic concept of equality is a political one which therefore entails the possibility of a distinction.”<sup>274</sup> As another advocate of Schmitt, Mouffe is different from Balakrishnan in recognizing how Schmitt is valuable because of how he separates the homogeneity of the people as a true representation of democracy from liberal individualism. Furthermore, Mouffe argues that political states are defined by political entities that are represented by different citizens. She argues that Schmitt’s belief in the homogeneity of a state, separate from other entities, is a lesson that liberals need to adhere to because of their firm belief in globalization. Globalization mistakenly prioritizes economics over politics, according to Mouffe.<sup>275</sup>

In recognizing Schmitt’s work on the homogeneity of the state, she is critical of political liberalism. She praises Schmitt’s work on defining democracy as the will of the people, not as an enclosed political party that is representative of the people. Mouffe makes this clearer when she states, “Liberal democratic politics consists in fact in the constant process of negotiation and renegotiation – through different hegemonic articulation – of this constitutive paradox.”<sup>276</sup> Mouffe argues that there is a need to take seriously Schmitt’s critique of liberal democracy and to accept Schmitt’s insight into inclusion/exclusion – the distinction of the power of the people as opposed to the power of representatives. Mouffe believes that Schmitt addresses weaknesses in a liberal

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<sup>274</sup> Ibid., 23.

<sup>275</sup> Ibid., 24.

<sup>276</sup> Ibid., 25.



democracy, and that he can help us find the solution to the paradox of liberal democracy and the problems of globalization.<sup>277</sup>

Princeton Political Theorist, Jan-Werner Müller's insightful work, *A Dangerous Mind: Carl Schmitt in Post-War European Thought*,<sup>278</sup> is concerned with Schmitt's work after World War II and with Schmitt's European reception, specifically politically and culturally.<sup>279</sup> It reveals how Schmitt's political thought has spread from his homeland of Germany, to other parts of the country, and why there are followers of Schmitt globally.

Müller believes that there is a need to reverse the perception of Schmitt. The main purpose of Müller's study is not to delve into what Schmitt thought, but rather to examine the idiosyncrasies of his career. Specifically, Müller intends to show which countries have been attracted to Schmitt's political thought after 1945, in order to show the danger of his ideas. According to Müller: "...he [Schmitt] employed what has been a kind of philosophical 'double talk,' shifting the meaning of concepts central to his theory and scattering allusions and false leads throughout his work."<sup>280</sup> Müller argues that regardless of how confusing his writing is, there is a certain attraction to what Schmitt wrote. One of the primary reasons for this attraction, according to Müller, is that Schmitt's writing, and specifically his political work, is aesthetic. Schmitt's aesthetic writing held purpose, and therefore was not accidental.<sup>281</sup> Müller believes that Schmitt embodies a mindset of "philosophical or anthropological conservatism."<sup>282</sup> Müller explains this concept by stating: "It is a mindset that seeks to cut through the web of liberal procedures and

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<sup>277</sup> Ibid., 34.

<sup>278</sup> Jan Werner Muller, *A Dangerous Mind* (New Haven: Yale University Press, 2003), 304.

<sup>279</sup> Ibid., 2.

<sup>280</sup> Ibid., 4.

<sup>281</sup> Ibid., 9. Müller states that Schmitt knew that his writing contained contradictions. His deployment of concepts, metaphors, and myths are part of his battle against liberalism. And the quality of his language helped reinforce these things.

<sup>282</sup> Ibid., 11.

indirect action which mediate every political claim and to end the endless liberal postponements of final decisions in favor of what is both the ultimate and the immediate.”<sup>283</sup> This statement captures Müller’s explanation of what he sees as the essence of Schmitt’s thought, which is different from traditional conservatism because it is predisposed towards direct action and decisionism.<sup>284</sup> Schmitt believes that there is a political morality beyond humanitarian and economic causes. It is important to understand what Müller argues about Schmitt, especially regarding political liberalism and universalism, because he provides a different perspective on how Schmitt has been interpreted.

The first section of Müller’s work on Schmitt is on his career during the 1920s and early 1930s. In the second section he explains Schmitt’s critique of liberalism and modern universalism in his post-World War II writing. Müller explains how Schmitt’s vision of global order developed in the 1940s. Müller argues that Schmitt’s vision of global world order was often inaccurate. Schmitt desired a return to an old liberal order in Europe, without the interference of U.S power. That is why Schmitt devoted written work on spatial order and land appropriation, to protect European nation-states.

Müller also writes about how Schmitt’s concept of globalization has been appropriated in Europe and the U.S. Most importantly, for our purposes here, Müller discusses Schmitt’s Anglo-American reception and how it has affected American political theory. Müller discusses the modern global humanitarian movement that has brought violence. According to Müller: “...it was in fact the global multiculturalist management of ‘unity in difference’ and the formation of a rationalist consensus around

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<sup>283</sup> Ibid.

<sup>284</sup> Ibid., 12.

humanitarian principles itself that produced apparently irrational and contingent outbreaks of cruelty and violence.”<sup>285</sup> Müller believes that the Left displaced politics into ethics and economics. Globalization was a false form of universalism.<sup>286</sup> It was a form of imperialism that spread American liberalism according to Müller. Developing a critique of this imperialism is where the political Left found value in Schmitt, who believed that the U.S was becoming an imperial power, already after World War I. Liberal universalism in particular, argues Müller, advocated for new wars, in which interventions would become a matter of policing. Schmitt argued against this universalism because it did not recognize legitimate enemies. Liberal universalism was a humanitarian movement that deceptively promoted war.

As liberal universalism spread globally, Müller argues that Schmitt was becoming more relevant among the political Left. He states, “Schmitt’s apocalyptic vision that almost anything was preferable to liberalism had apparently invaded the Marxist imagination – and often made it into a form of messianism.”<sup>287</sup> Müller argues that the developing tension in international conflicts allowed Schmitt to surface among the Left and the Right because of his work on spatial order. Specifically, during the 1990s, Müller explains that the U.S experienced the resurgence of populism. Müller also notes that liberalism remained the dominant ideology in the U.S. during the 1990s, allowing Schmitt to make his way into American political theory, with scholars divided on whether Schmitt was a danger or an insightful diagnostician.<sup>288</sup>

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<sup>285</sup> Ibid., 222.

<sup>286</sup> Ibid., 223.

<sup>287</sup> Ibid., 231.

<sup>288</sup> Ibid., 232.

Müller criticizes liberal universalism as a humanitarian façade, which in reality, spreads violence to different nations. Schmitt criticized liberal universalism because it ignored the political intensity between nation-states, a sovereign leader, and the unity of the people. Müller states: “Schmitt’s ultimate challenge to philosophical liberals will perhaps be this: can a ‘post-heroic’ age create new, supranational identities without enmity or even some form of homogeneity?”<sup>289</sup> Müller argues that liberal universalism is an attempt to establish universal homogeneity, as one global-nation. The problem with this, according to Müller, is that the failure of globalization through humanitarian military intervention will always be vulnerable to Schmitt’s critique of universalism. Müller ultimately argues that liberalism must accept political difference rather than forcing liberalism in other countries. When the task of liberalism is to share existence with other countries, it must recognize the struggle with the enemy.<sup>290</sup>

Although Müller is critical of Schmitt, he understands why Schmitt is seen as insightful. Many of the scholars that have been discussed in this chapter chose to attack Schmitt’s involvement with the National Socialist Party. Yet, to understand why Schmitt has been so influential in political theory, one must not attack his character, but assess the relevance of his political work in relation to modern political theory. Müller’s study of Schmitt is the most useful in understanding why Schmitt’s critique of globalization continues to appear among the political Left. When liberal universalism triumphed in the latter part of the twentieth century, it was often through humanitarian military interventions. It created violence. Those critical of liberal universalism found Schmitt useful because he understood that enmity exists between nation-states, and universalism

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<sup>289</sup> Ibid., 242.

<sup>290</sup> Ibid., 250.

could never be achieved. Müller ultimately argues that to understand Schmitt's global reception, there is a need to look at the development of liberal universalism. He shows why Schmitt's presence was needed in modern political theory.

## **Conclusion**

Through the mid-twentieth and early twenty-first century, political theorists found Carl Schmitt's work intriguing. Our examination here of his influence on Morgenthau and Strauss, the Leftist journal, *Telos*, and other contemporary Leftist theorists, addresses how Schmitt was perceived in the U.S. Despite all the criticism of Schmitt's involvement with the Nazis, his work continues to resurface among the political Left – mainly in the form of a debate about how valuable his critiques of universalism and liberalism are to the Left. With Morgenthau and Strauss, we have seen Schmitt's early influence and how his ideas crossed the Atlantic. With *Telos*, Schmitt's work was a reoccurring theme. He represented a way to reconstruct the Left after the perceived decline of Marxism during the 1980s. Among the other contemporary Leftist that have written about Schmitt, some are critical of his involvement with the Nazis, while others believe that he provided a way to overcome idealistic liberalism and universalism, and brought clarity to understanding political enmity.

Schmitt's reception ultimately demonstrates how important he continues to be in political theory. His ideas are still prevalent among some on the Left, who are more accepting of a different approach – one that entails an open mind toward global order, toward rethinking populism and political sovereignty. Furthermore, even those critical of Schmitt – Balakrishnan, McCormick, and others – have only enhanced his image in

contemporary political theory. His reception in *Telos* only demonstrated how desperate some on the Left were to reorient themselves after the fall of Soviet Communism. To them, Schmitt seemed to provide a way to think beyond traditional Leftist thought. In a 1987 essay in *Telos*, Piccone and Ulmen defended Schmitt for his ability to critique liberalism and universalism: “Schmitt’s critique of liberalism is not accompanied by an illiberal answer but leaves open the question of an alternative.”<sup>291</sup> Schmitt’s presence among the Left, particularly in *Telos*, represented a viable solution to a weakened Left. While some are critical of Schmitt’s involvement with the Nazis, it is only a way for them to summarily dismiss his work. Müller’s work on Schmitt is so valuable because it recognizes Schmitt’s critique of liberal universalism as a practical alternative to Leftist idealism.

Schmitt’s American reception on the Left represents how valuable his work has become. There is a need, however, to not misinterpret Schmitt’s value. There is a need to understand Schmitt’s value. His presence in *Telos* was a way to rethink Western Marxism, specifically its critique of liberal universalism. It also led Piccone and others involved with *Telos* to rethink populism and the violence of universalism. For Piccone, populism was an alternative to political representation, away from political parties as well as a distant ruler. It represented state homogeneity instead of violent universalism. For those on the political Left that have come to accept Schmitt’s work, it is a realization that political enmity exists. Schmitt’s political work may not be the best solution to strengthening the Left, but it is a closer step to acknowledging the violent political realities that exist in the modern world.

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<sup>291</sup> Paul Piccone, Gary Ulmen “Reading and Misreading Schmitt.” *Telos* 78, no. 78 (Spring 1987): 138.



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