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The Impossible Unity. Carl Schmitt against the World State

Damiano Palano

Abstract

This article examines the shifting strands of Carl Schmitt's critique of the project of a "political unity of the world." I show that Schmitt's polemic against both the feasibility and the desirability of global political unification wove together distinct – and in part ambivalent – elements. On the one hand, Schmitt was acutely aware of the "despatializing" thrust of modern technology, its capacity to dissolve the spatial order of modernity and, at least potentially, to propel a movement toward worldwide political unification. On the other hand, he remained attached – perhaps even nostalgically – to the framework of the *jus publicum Europaeum*: to the image of the modern state and to the idea of conflict juridically "formed" by international law. His opposition to a future world state thus rested not only on his concept of the political but also on a backward-looking attachment to a lost order, which led him to look more to the past than to acknowledge the full scope of transformations he had himself early identified.

Abstract (Italiano)

Questo articolo esamina le diverse sfumature della critica di Carl Schmitt al progetto di una "unità politica del mondo". L'autore mostra come la polemica di Schmitt contro la fattibilità e la desiderabilità di una unificazione politica globale intrecci elementi distinti – e in parte ambivalenti. Da un lato, Schmitt era profondamente consapevole della spinta "despazializzante" della tecnologia moderna, della sua capacità di dissolvere l'ordine spaziale della modernità e, almeno potenzialmente, di favorire un movimento verso un'unificazione politica mondiale. Dall'altro, egli rimase legato – forse persino in modo nostalgico – al quadro del *jus publicum Europaeum*: all'immagine dello Stato moderno e all'idea di un conflitto "formato" giuridicamente dal diritto internazionale. La sua opposizione a un futuro Stato mondiale si fondava dunque non solo sul suo concetto di politico, ma anche su un attaccamento retrospettivo a un ordine perduto, che lo portò a guardare più al passato che a riconoscere pienamente la portata delle trasformazioni che egli stesso aveva individuato in anticipo.

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Introduction

In his autobiographical memoirs, Julien Freund wrote that the Jesuit Leo Naphta, one of the characters in Thomas Mann's *The Magic Mountain*, "physically represented Lukács and intellectually Carl Schmitt" (Freund, 1996: 123). It is certainly very difficult to establish whether Mann really drew inspiration from those two renowned intellectuals when shaping the figure of Naphta. Yet in the *Weltanschauung* of the "ascetic and violent Jesuit, communist and dogmatist, denier of progressive humanism" (Tronti, 2024: 18), one can indeed find something of Schmitt's conception – at least regarding the foreshadowing of the universal republic. In Mann's novel, the elderly Lodovico Settembrini, Naphta's opponent in endless dialectical disputes, was a supporter of Enlightenment optimism, cosmopolitan ideals, and something resembling a Kantian-style world federation. By contrast, Naphta fiercely criticized every variant of progressive ideology, including the idea that perpetual peace and a unitary government of the world could ever be achieved. Settembrini, for example, celebrated the "principle of motion and of rebellion," destined to lead to pacification and to the "universal republic," whereas Naphta emphasized the contradictions in which such reasoning inevitably became ensnared:

> And then the world-republic! I refrain from asking what becomes of the principle of revolt when peace and prosperity have once been brought about. For it is plain that from that moment rebellion becomes a crime (Mann, 1924: 382).

Carl Schmitt likewise reserved for the scenario of the world state the same mistrust (or rather, the same aversion) as Naphta. For roughly half a century – from the early remarks in *The Concept of the Political* through to his reflections in *The Legal World Revolution*, published in 1978 – he articulated his reservations regarding the various hypotheses of political unification of the world. This article examines the different criticisms that Schmitt, over the course of his thought,

directed against the hypothesis of the "political unity of the world." Although he addressed the subject only fragmentarily, he rejected both the idea that political unity might be forged in response to an external threat, and the belief that a future world state could achieve a depoliticization of human relations and bring about perpetual peace.

As the following pages will show, Schmitt's polemic against the feasibility and desirability of world political unity wove together distinct – and in some respects ambivalent – components. On the one hand, Schmitt was acutely aware of the "despatializing" impetus of technology, its ability to break apart the political order of modernity, and thus, at least potentially, its drive toward worldwide political unification. On the other hand, he remained bound – perhaps even nostalgically – to the structure of the *jus publicum Europaeum*: both to the image of the modern state and to the idea of conflict "shaped" by international law. Thus, he opposed the prospect of a future world state not only on the basis of his concept of the political, but also out of a kind of nostalgia that led him to look back toward the lost order, rather than to recognize the full scope of the transformations that he himself had so early identified – almost recoiling from the consequences suggested by his own.

1. Against the World State

The hypothesis of the world state was already considered by Carl Schmitt in the first edition – and in subsequent editions – of the *Begriff des Politischen* (*The Concept of the Political*) (Kervégan, 1999, 2004; Petito, 2007; Resta, 1999). In this case, the outline of the *Weltstaat* was evoked by Schmitt to clarify certain aspects of his theoretical proposal, concerning both the way in which political relations between communities had to be understood and the implications that logically followed from his view of the political world as a pluriverse. In section 6 of the essay, after setting out his definition of the political, he emphasized that, in his view, the world had always to be conceived as a *pluriversum*, that is, as a reality inevitably marked by a plurality of groups potentially in conflict with one another:

> The political entity presupposes the real existence of an enemy and therefore coexistence with another political entity. As long as a state exists, there will thus always be in the world more than just one state. A world state which embraces the entire globe and all of humanity cannot exist. The political world is a pluriverse, not a universe (Schmitt, 1932: 53).

For Schmitt, such a conviction derived from the definition of the specifically political criterion. Since politics had to be reduced to the opposition between friend and enemy, a world with only one community and without conflicts would be, for Schmitt, a world without politics – with the consequence that such a unity could no longer be defined as political unity. In such a context, disagreements and divergences of various kinds might exist, but genuinely political conflicts could never occur. On this basis, after recognizing the plural character of the political world of human beings, he therefore denied that a world state could take shape (although he did not absolutely rule it out in the more distant future):

> The political entity cannot by its very nature be universal in the sense of embracing all of humanity and the entire world. If the different states, religions, classes, and other human groupings on earth should be so unified that a conflict among them is impossible and even inconceivable and if civil war should forever be foreclosed in a realm which embraces the globe, then the distinction of friend and enemy would also cease. What remains is neither politics nor state, but culture, civilization, economics, morality, law, art, entertainment, etc. If and when this condition will appear, I do not know. At the moment, this is not the case. And it is self-deluding to believe that the termination of a modern war would lead to world peace – thus setting forth the idyllic goal of complete and final depoliticalization – simply because a war between the great powers today may easily turn into a world war (Schmitt, 1932: 53–54).

Within this objection, two different yet closely intertwined components can be discerned. The first advances a theoretical critique, recalling the anthropological roots of Schmitt's conception and focusing on the conceptual definition of the political. The second develops instead a political critique, directed at the instrumental use of the idea

of a world state (or more generally the political unity of humanity): namely, a critique aimed at demystifying the apparent neutrality of the notion of political unity of the world as a guarantor of humanity's peaceful existence, and thus contesting the prospect of depoliticization that the world state would entail. Although these arguments are tightly interwoven, and not contradictory, each has a specific autonomy. For this reason, they deserve to be examined separately.

The first line of argument with which Schmitt contests the hypothesis of world political unification stems from the anthropological foundations of his conception of the political. When he affirms that the world is a *pluriversum* and not a *universum*, he draws the consequences of a view of human beings as "unproblematic but a dangerous and dynamic being" (Schmitt, 1932: 61), characteristic of the tradition of political realism. Although the jurist did not explicitly declare adherence to realist anthropology, it is evident that his view of politics rests upon such foundations: only by acknowledging the constitutive tendency toward conflict inherent in human beings could one, in his view, conceive the political in its specific configuration. "Because the sphere of the political is in the final analysis determined by the real possibility of enmity," he observes, "political conceptions and ideas cannot very well start with an anthropological optimism," because in this way one would eliminate "the possibility of enmity and, thereby, every specific political consequence" (Schmitt, 1932: 64). On this basis, then, one could imagine a world state capable of eradicating war from the planet and unifying it under a single government only by assuming the possibility of a radical transformation of human beings and the overcoming of all potential conflicts between groups. Schmitt, however, excluded such a possibility, and therefore the world state appeared to him unrealizable, precisely because of the irreducible plurality of human communities.

Although connected to the first, the second line of argument with which Schmitt criticizes the hypothesis of the world state is guided by a more overtly political intent. In this case, the world state, rather than being seen as an unrealizable entity, is interpreted as the ideological expression of the imperialist ambitions of certain powers. In this second critique, Schmitt's attacks against the League of Nations clearly come to the fore, particularly his accusation that France and Britain used a supranational institution – which in

theory ought to have aimed at preserving world peace – as an instrument to legitimize imperialist politics and, above all, to delegitimize states contesting the existing international order (Schmitt, 1932, 1936, 1937, 1938). His attack on the supposed "universality" of the League of Nations thus provides the basis for his theoretical critique of the instrumental use of the notion of "humanity" elaborated in the *Begriff*. Despite its claim to universality, the League is instead seen as the political tool of a group of states fighting against others. In full coherence with this position, a war waged in the name of "humanity" appears to Schmitt only as a war in which one state attempts to seize a universal concept in order to identify itself with it, to the disadvantage of its enemy. He writes:

> When a state fights its political enemy in the name of humanity, it is not a war for the sake of humanity, but a war wherein a particular state seeks to usurp a universal concept against its military opponent. At the expense of its opponent, it tries to identify itself with humanity in the same way as one can misuse peace, justice, progress, and civilization in order to claim these as one's own and to deny the same to the enemy. The concept of humanity is an especially useful ideological instrument of imperialist expansion, and in its ethical-humanitarian form it is a specific vehicle of economic imperialism. [...] To confiscate the word humanity, to invoke and monopolize such a term probably has certain incalculable effects, such as denying the enemy the quality of being human and declaring him to be an outlaw of humanity; and a war can thereby be driven to the most extreme inhumanity (Schmitt, 1932: 54).

In this context, Schmitt entertains the theoretical hypothesis of a truly universal league of nations that would materially withdraw the *jus belli* from all "the still existing human groupings," while "simultaneously not assuming the jus belli itself" (Schmitt, 1932: 59). However, he rejects this possibility. To his eyes, only two options are conceivable: if wars continue to exist, the concept of humanity – like the idea of a world state – remains merely an instrument to legitimize hegemonic powers and to delegitimize their adversaries as criminals; if, on the other hand, wars were genuinely to disappear, then the state in the proper sense – that is, as a genuinely political entity – would also disappear. "Were a world state to embrace the entire globe and

humanity," he observes, "then it would be no political entity and could only be loosely called a state" (Schmitt, 1932: 57).

After the end of the Second World War, faced with the bipolar opposition between the USA and the USSR, Schmitt once again turned to the hypothesis of world unity, albeit only in a series of rather fragmentary writings. In a short text from 1952, he asked first whether the earth was "already ripe for a single center of political power" (Schmitt, 1952: 496). The idea that there was a trend toward political unification was, according to Schmitt, the reflection of the "technico-industrial vision of the world now dominant," according to which technological development led "inevitably to new forms of organization and centralization." It was therefore mainly a myth cultivated by technocrats, for whom "the establishment of world unity would be a trifle, opposed today only by a handful of nostalgic reactionaries" (Schmitt, 1952: 497). For Schmitt, however, such an outcome remained improbable, since it was equally plausible that the two contenders might become three. In any case, it seemed likely to him that "the present duality" was "closer to such a plurality than to a definitive unity, and that most of the combinations of *one world* were therefore reckless" (Schmitt, 1952: 503).

A few years later, in *The Nomos of the Earth*, Schmitt once again revisited the question of the future political configuration of the planet. Here he evoked three scenarios. First, he again entertained the possibility that the East–West dualism could give rise to "a definitive, closed unity of the world," in which the victor would become "the sole master of the world": a master capable of seizing possession of "the entire globe – land, sea, air," and of dividing and exploiting it according to his plans and ideas (Schmitt, 1955: 514). But such an evolution remained, for Schmitt, highly problematic: "however immense the effects of modern technical means," he observed, "they cannot annihilate either the nature of man or the power of earth and sea without at the same time annihilating themselves" (Schmitt, 1955: 514). The other two scenarios he envisaged were, on the one hand, the extension of American hegemony – combining the maritime dominance of the old British Empire with aerial supremacy – and, on the other, the formation of several Great Spaces, "capable of realizing among themselves a balance, and with it an order of the earth" (Schmitt, 1955: 515).

Beyond predictions about the future structure of world politics, Schmitt's position on the "unity of the world" did not change over time. In the famous essay *The Legal World Revolution*, published in the late 1970s, Schmitt, by then in his nineties, once more reflected on the goal of political unity of the world, sought in various strands of progressive thought. Noting the transformations brought about by industrialization, Schmitt asked whether technical development might permit the "seizure of world space" by a single power, and in this sense he reconsidered the possibility of the political unification of the planet. In reality, however, he emphasized that the drive to create supra-state spaces of industrial development had not yet led to political unity of the world, but only to the constitution of three Great Spaces – namely the USA, the USSR, and China – while another space remained represented by contested areas between the superpowers. To realize a genuine "political unity of humanity," he specified, something like a "patriotism of humankind" would be required. Yet it had also to be acknowledged that technology, however formidable a tool it might offer to a potential global hegemon, would also provide dangerous weapons to its adversaries. The attainment of that goal would presumably require a long "civil war." At the end of this reasoning, Schmitt thus reiterated – in terms consistent with those of the 1920s – his position on the political use of the notion of humanity:

> Humanity as such and as a whole has no enemies. Everyone belongs to humanity. Even the murderer, at least as long as he lives, must be treated as a human being. If he is as dead as his victim, then he no longer exists. However, until then he remains, good or evil, a human being, i.e., a bearer of human rights. "Humanity" thus becomes an asymmetrical counter-concept. If one discriminates within humanity and thereby denies the quality of being human to a disturber or destroyer, then the negatively-valued person becomes an unperson and his life is no longer the highest value: it becomes worthless and must be destroyed. Concepts such as "human being" thus contain the possibility of the deepest inequality and thereby become "asymmetrical" (Schmitt, 1978: 88).

Even in these reflections, undertaken after the Second World War, the structure of Schmitt's critique of the world state retained

elements analogous to those deployed since the first edition of the *Begriff des Politischen*. As has been seen, from the 1920s onwards two distinct objections were interwoven in Schmitt's reflection on the world state. The first rested on Schmitt's anthropology, according to which the world could only ever be a *pluriversum* and never a *universum* – so that a political unification guaranteeing complete pacification of the planet was an unattainable goal, unless a radical transformation were to alter humanity's constitutive "dangerousness." The second was based on his polemic against states that employed the notion of humanity to legitimize their own interests and thus waged wars against "enemies of humanity," who could be denied any recognition and against whom any instrument of annihilation could be used. Moreover, as we have seen, these two objections entailed very different critiques of liberalism: the first reproached liberalism for its incomprehension of the political (and thus its inability to recognize that every political unity requires a sovereign able to decide on the state of exception); the second instead accused liberalism not of misunderstanding the political but of a duplicitous use of notions that seemed neutral and depoliticized – such as "peace," "humanity," and "international police" – to wage war and present enemies as criminals stripped of any legitimate right to use force. On the basis of these objections, Schmitt distrusted the idea that a hypothetical world state could truly "overcome" the political and achieve perpetual peace. Without abandoning these grounds for suspicion, however, Schmitt gradually added a further critical dimension to the hypothesis of the world state and thus developed a third type of critique, one that would become central in his later writings.

2. Revolutions of Space

The hostility toward the hypothesis of the world's unity that emerges especially in Schmitt's post–Second World War writings did not concern only a "realist" analysis of the balance of power among the great powers – which made a transition to a unipolar order or to a universal empire unlikely. Its roots also lay in a further critique of the world-state hypothesis: a critique closely tied, in this case, to another objection Schmitt directed at liberalism in the "geopolitical"

writings in which he characterized the Second World War as a global civil war (Antoniol and Palano, 2024; Campi, 1994, 1996; Colombo, 1999; Elden, 2010; Galli, 2008; Hooker, 2009; Pietropaoli, 2022).

In the second half of the 1930s Schmitt began to devote intensive attention to issues of international law, noting that in the face of "total war" not only did the distinctions between combatants and non-combatants disappear, but so too did a clear line separating peace from war (Schmitt, 1936, 1937). In a series of writings with an evident ideological charge, Schmitt also elaborated – between the 1930s and 1940s – the idea of the *Großraum*, understood as the political configuration adequate to an order in which the territorial conception of the modern state was rendered increasingly obsolete by technical development (Schmitt, 1939). In these texts – clearly aimed at legitimizing Hitler's Germany's power ambitions on the European continent – Schmitt did not explicitly consider the world-state hypothesis, but conceived an order of Great Spaces as the alternative to the universalist design pursued by the United States and based less on direct political domination than on an economic hegemony guaranteed by control of commercial networks. To contest Washington's universalist ambitions, the jurist did not invoke the anthropological roots of the political but rather the technical impossibility of global economic planning. The ongoing war itself demonstrated such impracticability, since Schmitt portrayed it as a kind of resistance by the Old Continent to the American ambition to secure global hegemony. "There can be no world-level planned economy," he wrote, and only Great Spaces are "suited to the intrinsic measure of human control and planning" (Schmitt, 1942).

In the article "Strukturwandel des Internationalen Rechts" ("Change of Structure in International Law"), he also defined the ongoing armed conflict as a "world civil war." It was, in fact, a boundless war in spatial terms and at the same time a total one, because the United States addressed itself directly to the citizens of other states in order to incite them to rise up against their governments. In obviously strained terms, Schmitt thus went so far as to depict the Old Continent – of which Germany was taken as the principal representative – as fighting against American and Soviet universalism, allied against the alternative of an order founded on Great Spaces: "the discriminatory world war of American style,"

he wrote, "turns into a world civil war of a total and global stamp" (Schmitt, 1943: 294–295).

The reflection on Great Spaces, in addition to seeking to legitimize German expansionism, was grounded in the conviction that the revolution of technique had a "despatializing" reach with respect to established political arrangements. Like other thinkers of his time, Schmitt recognized very early the revolutionary role of technology and, in particular, understood that, by virtue of this transformation, the form of state erected by modernity was bound to retreat (Kervégan, 2016: 56). In effect taking leave of constitutional law and venturing ever more decisively into the terrain of international law, from the mid-1930s Schmitt began to reread the history of European modernity from a new vantage point organized around the notion of "spatial revolution," central especially to *Land and Sea*. And within this idea he placed the core of his "political materialism": a view according to which the appropriation of a new space – conquered also thanks to a new technique – not only produces a new political equilibrium, but is accompanied, in a specific sense, by the rise of a transformed perception of space and of new concepts (Schmitt, 1942). The emergence on the world stage of England and later the unstoppable irruption of the United States were not, for Schmitt, merely a simple change in the cast of great-power actors; the appearance of these new actors reflected a radical transformation whose roots were to be sought in the spatial revolution inaugurated by modernity. Over the nineteenth century, coinciding with the industrial revolution, a further development also began to take shape – one destined once again to disrupt the balance among the elements and set in motion an even more radical spatial revolution. In the jurist's eyes, the two world wars obviously constituted the extreme consequence of this process: in the final pages of his reconstruction Schmitt also hinted at the scope of a new spatial revolution, stemming from the appropriation of the air.

In *The Nomos of the Earth*, the analysis initiated in the 1940s was developed far more extensively through a precise reconstruction of the stages that first led to the birth of the *jus publicum Europaeum* and then to its slow dissolution. Schmitt concentrated in particular on transformations in the technologies of war and, for the twentieth century, on the implications of submarine and aerial warfare. These

very transformations required a legitimation of the resort to force that broke with the logic of international law in the Westphalian era and prompted a kind of revival of the medieval doctrine of just war (albeit without the religious anchoring it possessed in the order of the *Respublica Christiana*). The emphasis thus fell on the technical change introduced by air power on the battlefield and by the resort to bombing enemy territory, while the doctrinal shift in the legitimation of violence appeared as a consequence set in motion by the overwhelming technological revolution. According to Schmitt, it was precisely the innovation of aerial war that made annihilation – not territorial conquest or the seizure of booty – the principal objective of military action, with the result that both the distinction between civilians and soldiers and the traditional connection between protection and obedience fell away. "With air bombardment, the lack of relation between military personnel in the air and the earth below, as well as with inhabitants thereon, is absolute" (Schmitt, 1950: 320), with the result that every trace of the relation between protection and obedience disappears. Although Schmitt does not explicitly posit a deterministic connection between technical change and the new doctrine of discriminatory war, his analysis largely proceeds in that direction.

> The discriminatory concept of enemy as a criminal and the attendant implication of *justa causa* run parallel to the intensification of the means of destruction and the disorientation of theaters of war," he writes, adding: "Intensification of the technical means of destruction opens the abyss of an equally destructive legal and moral discrimination" (Schmitt, 1950: 321).

Despite the importance he assigns to technology – and in particular to spatial revolutions – Schmitt nonetheless holds that ideology also plays a major role in transformations of enmity. And it was precisely in relation to the implications of a certain kind of ideology – universalist ideology – that he came to formulate a third kind of critique of liberalism and of the world-state hypothesis itself. This critique has nothing to do either with a misunderstanding of the political or merely with the accusation of instrumentalizing the notion of humanity. Rather, it concerns Schmitt's "post-decisionist" turn, which led him to locate

the new fulcrum of his vision of politics and law in the concept of *nomos*. And although in this way the thinker of Plettenberg undoubtedly puts forward a highly suggestive hypothesis, with that revision he introduces into his theoretical system an element that tends to clash with the framework outlined in the *Begriff* – an element destined to have consequences as well for his critique of the world state.

3. "Real" Enemies

When, in the 1920s, he lashed out at the League of Nations or at the doctrine of discriminatory war, Schmitt – as we have seen – never denied the political character of the appeal to the notion of humanity that was made in those cases: the very revival of the just-war doctrine, transferred into the ideological apparatus of humanitarian law, and the consequent reappearance – under altered guises – of the "enemy of the human race" constituted, in his eyes, yet another confirmation of the ineliminable character of the political, even though the enemy was morally disqualified as a kind of monster to be banished from humanity. In other words, although Schmitt repeatedly condemned the return of the just-war doctrine and the use of the idea of humanity as instruments for legitimating war, he clearly recognized their political character. Nevertheless, in Schmitt's thought an aspect that had previously been (almost entirely) absent would gradually be emphasized. At first, he had maintained that the political has to do with the friend/enemy distinction and had expressed the conviction that the political is originally bound up with human experience. After clarifying that liberalism's limit lies in failing to recognize the irreducible nature of the friend/enemy opposition, Schmitt, in a second moment, introduced a differentiation among types of political enmity: this differentiation did not concern the "intensity" of the clash, but the fact that some forms of enmity were "virtuous," while others were "distorted," "degenerate," "impure" forms of the political.

In light of this new theoretical element, Schmitt could criticize the world state with a further argument: the world state could be criticized not because it would pacify the world and thus "de-humanize" the human being, nor simply because it would fly the flag of humanity to legitimize the imperial projects of a single power; it

could be criticized because it would champion absolute enmity – a kind of conflict different from the "virtuous" enmity that the old *jus publicum Europaeum* had guaranteed. A relevant aspect of this further operation, however, concerns the cause of this transformation. Schmitt did not attribute such absolutization to technology, but to ideology – or rather, to the universalism of certain ideologies, of which liberalism, alongside Marxism, remained the principal model.

Revising his original decisionist stance, in the 1930s Schmitt began to bend his view of the "concrete order" in an institutionalist direction, and above all he began to elaborate a theory that assigned to *nomos* the role of foundational pivot of political order. This theory would be fully spelled out only in the 1950s, in *The Nomos of the Earth* and other shorter essays, but in many respects it provided the premise for the entire "geopolitical" phase of his reflection. If, in *Land and Sea*, he grasped the reach of technique as the lever of successive spatial revolutions, that reading nonetheless contained an implication that would introduce (or further accentuate) a value-laden component destined to suggest precisely a distinction between "virtuous" and "degenerate" forms of the political and thus a distinction among different expressions of enmity. Instead of recognizing in extreme conflict the "pure" manifestation of the political, Schmitt began – more or less implicitly – to portray it as a "degenerate" form. On this basis, he would address to the world-state hypothesis a third type of objection.

Reconstructing the path of the ancient Greek term *nomos*, Schmitt argued that it derived from *nemein*, a verb indicating both an act of taking possession and an original division: events that sanctioned the possibility of initiating settled productive activities such as agriculture and pastoralism.

> *Nomos* is the immediate form in which the political and social order of a people becomes spatially visible – the initial measure and division of pasture-land, i.e., the land-appropriation as well as the concrete order contained in it and following from it (Schmitt, 1950: 70).

In Schmitt's reconstruction, historical priority is thus assigned to land-appropriation, because in this historical fact the *nomos* becomes

visible through which a tribe or a people becomes settled, "becomes visible in the appropriation of land in the founding of a city or a colony" (Schmitt, 1950: 70). Secondly, *nomos* indicates the act of the original division: an act that requires – and at the same time fixes – a given criterion for measuring the fields to be allotted and, implicitly, a criterion of justice. The link between *nehmen* (to take), *Nahme* (taking/appropriation), and *Nomos* therefore confirmed, for Schmitt, not only the hypothesis of the inextricable connection between *Ortung* (localization) and *Ordnung* (order), but also the idea that any concrete order must rest on the possibility of inscribing into the land the boundaries indispensable to the constitution of the community.

Schmitt's hypothesis has elements of undoubted originality and certainly manages to offer at least fascinating explanations of the millennial process of transformation of international law. Nonetheless, the interpretation of the original nexus between *Ordnung* and *Ortung* raises more than a few problems and, above all, clearly reflects the jurist's value orientations – beyond the purely ideological support for the Nazi regime (which, to be sure, clearly surfaced in some of those texts). If the writings on the Great Space and on the idea of empire display their political intent quite openly, evident traces of a value orientation can also be recognized in the interpretation centered on localization as the founding moment of order. On the eve of the Second World War, the opposition between land and sea obviously alluded to the contrast between the Anglo-Saxon democracies, Great Britain and the United States, while land referred to continental Europe, which Germany aspired to make its pivot and on whose soil many states had already embarked on the path of authoritarianism. The conviction that the Old Continent is the bulwark of the terrestrial rooting of politics, against the despatializing thrust of technology, is not, however, tied only to the political conjuncture, nor is it abandoned after the tragic collapse of Hitler's expansionist ambitions. That idea was in fact destined to far outlast the ephemeral political season in which the Great Space proposal was formulated, and above all to imprint on Schmitt's path a durable trajectory, different (if not outright contradictory) from the one inaugurated with the *Begriff des Politischen*.

The political thesis underpinning *Land and Sea* and the other writings of the period is that the technical conditions of the old

divergence between land and sea – which had handed England the keys to dominion – had faded. Schmitt held that air war had diminished the importance of sea power and thus the old balance had collapsed, fueling American pan-interventionism. Washington's ambition to global hegemony, however, collided with the resistance of the Great Spaces. In "Change of Structure of International Law," as we have seen, Schmitt indeed presented the conflict as a global civil war because the two universalist powers – the USA and the USSR – aimed to extend their rule over the entire planet (Schmitt, 1943). The "'global' imperialisms, without limits or space, postulated by capitalist West and Bolshevik East" are, for the jurist, "abstract and superficial," unlike the "substance of Europe, which cannot be treated as a surface." The spatial revolutions of modernity are thus interpreted by Schmitt as a progressive "uprooting" of politics, because technical development unhinges the original connection between *Ortung* and *Ordnung*.

If in the 1930s and 1940s the doctrine of Great Spaces served to defend a politics rooted in the soil against the despatializing power of technology and of the United States' universalist ideology (and of course also as an attempt to legitimize Nazi Germany's expansionist policy), after the Second World War – hen two universalisms confronted one another on the world stage – Schmitt did not renounce the idea that a Great-Space order might still be pursued, even if the project could only rely on a generic aspiration that called for a return to a politics rooted in the land. A politics rooted in places thus remained, for him, the bulwark against the onrush of technical development. Schmitt therefore continued to trust in the restraining power that those new Great Spaces might have – spaces that, as he observed, received

> a content not only from technique, but also from the spiritual substance of the men who collaborated in their development, from their religion and their race, from their culture, language, and the living force of their national heritage (Schmitt, 1962: 343).

In precisely this sense he celebrated the partisan theorized by Mao as "one of the last sentinels of the earth, an element of world history not yet completely destroyed" (Schmitt, 1963: 99).

Although the idea that politics is originally tied to the land resolves the problem of indeterminacy in the historical-political substrate of sovereign decision that had marked much of Schmitt's 1920s reflection, it also set his thought on a trajectory not only innovative but also tending to conflict with the positions laid out in the *Begriff*. By positing a structural and genetic link between *Ortung* and *Ordnung*, Schmitt suggests (not even very implicitly) that an authentically political community is constituted not so much in relation to the (real or potential) danger of an *hostis* as in the presence of a land-appropriation; and that, by fixing a line of separation between inside and outside, it also establishes who are friends and who are enemies. Any grouping that does not rest on such rootedness would thus be, tendentially, less political – or even non-political.

The theoretical centrality assigned to *Ortung* thus brings to the surface a value orientation hitherto marginal in Schmitt's reasoning: the conviction that the "true" substance of politics is found in groups rooted in places and in the land; in other words, for him, groups anchored to the soil are the most authentic manifestations of political unity. This very premise guides his rereading of the historical arc of the *jus publicum Europaeum* and suggests a partly mythologized interpretation of the "bracketed" war of the eighteenth and nineteenth centuries – an interpretation that overlooks certain real aspects of relations among European states (Koskenniemi, 2004: 495). A particularly significant theoretical innovation linked to this general revision concerns enmity itself – the crucial aspect of Schmitt's vision of the political.

Indeed, whereas in the *Begriff* the centrality of the friend/enemy opposition – as the qualifying presupposition of the political – had let show through a kind of "sympathy" with which Schmitt regarded all the forms in which "dangerousness" could manifest itself, in his later thought this sympathy would be scaled back – or, at least, directed only toward certain forms of enmity deemed "virtuous," clearly distinguished from the "pathological" forms in which enmity appears as absolute. Following the "post-decisionist" turn of the late 1930s, Schmitt drew a sharp line between a conflict to be viewed with admiration and a conflict to be regarded with dismay. The striking example of absolute enmity was, naturally, discriminatory war. Whereas war in the *jus publicum Europaeum* was "a peer

relation between sovereign states in which *justi et aequales hostes* face each other without discriminations of international law," in the discriminatory conception of war "the distinction between justice and injustice of war consists precisely in this: that the enemy is no longer considered a *justus hostis*, but a criminal," and thus war in the proper sense disappeared, replaced by a kind of police action: "Since, on the one side, war becomes a punitive action in the sense of modern criminal law, on the other, the opponent no longer can be a *justus hostis*," he wrote (Schmitt, 1950: 124). "War is thus abolished," he concludes, "but only because enemies no longer recognize one another as equals, morally and juridically" (Schmitt, 1950: 124).

The distinction between "bracketed" war and war as "penal action," and thus between *justus hostis* and criminal, captured a historical process of transformation in international law that *The Nomos of the Earth* reconstructs with care. In this way Schmitt not only recorded a change but also sought to establish a difference in the very mode of expressing conflict. In a sense, he distinguished two different expressions of enmity, insofar as discriminatory war was presented as the manifestation of a "total" war whose aim was the annihilation of the enemy and not simply his defeat. In the essay on the discriminatory concept of war, with reference to the transformation of the League of Nations in a federal direction, he maintained, for example, that the result was an "ever deeper and sharper, ever more 'total,' distinction between friends and enemies," and that, prior to the achievement of peace, one might therefore imagine "a 'final, ultimate war of humanity': a 'total' war rendered thereby still more deep and intense" (Schmitt, 1938: 78).

A highly significant aspect of this operation is that Schmitt – who had assigned such importance to technological development – attributed the absolutization of the enemy, i.e., the shift toward forms of armed conflict in which the adversary is portrayed as a criminal or as an *hostis generis humani*, to ideology, and in particular to universalist ideologies. And it is precisely here that he located his third critique of the world state and of liberalism. Having criticized liberalism for its inability to understand the political and for its capacity to manipulate the notion of humanity for partial ends, Schmitt now charged liberalism – understood as the principal universalist ideology, alongside Marxism – with responsibility for absolutizing enmity. His insistence

on recognizing the nexus between universalism and absolute enmity was undoubtedly an inheritance of the old polemic against the League of Nations; but, instead of merely pointing out the political use of the non-political concept of humanity, the jurist increasingly broadened the scope of his critique, attributing to the universalism of Anglo-Saxon liberalism the very tendency to absolutize enmity and thus the recourse to the doctrine of discriminatory war, which transformed the enemy into a criminal, or even into an enemy of the human race. Despite the importance he accords to the despatializing role of technology, in this case the principal responsibility for the absolutization of enmity is laid at the door of ideology and its ambition to politically unify humankind. It is precisely the claim to "be the true humanity" that would trigger an absolute vision of enmity, by virtue of which those who obstruct the path to the full realization of humanity's interests must be opposed by every means – not only as enemies of humankind but as essentially alien to it.

Schmitt illustrated the connection between universalist ideology and the absolutization of enmity with particular clarity in *Theory of the Partisan*. In particular, he defined the "real enemy" as the adversary who, though the target of armed struggle, must be defeated but not eliminated (Schmitt, 1963: 85). The Spanish partisan "who defended the national soil against the foreign invader, became the hero, who actually fought against a real enemy" (Schmitt, 1963: 124). What made the enemy against whom the partisan fought "real," however, was the defensive character of the battle: the fact that the partisan was defending the soil of his homeland from the invader. The defensive character made his war one of expelling the invader, not exterminating the enemy. "The partisan," he wrote, "has a real, but not an absolute enemy"; he "defends a piece of land with which he has an autochthonous relation," and his position "remains defensive, despite the intensive mobility of his tactics" (Schmitt, 1963: 92). By virtue of these elements, the partisan's enmity remained limited: "the real enemy will not be declared to be an absolute enemy, also not the last enemy of mankind" (Schmitt, 1963: 92).

In Schmitt's reading, the role of architect of the transformation of the enemy into an absolute enemy was assigned instead to Lenin, the "professional revolutionary of global civil war." The jurist drew on a 1906 text by Lenin, when – after the failure of the 1905

revolution – the Bolshevik leader considered the need to resort to partisan warfare. Forcing the reading, Schmitt discerned there a theorization of the use of illegal means to sustain world revolution. "If partisans are controlled by the Communist Central Committee," he commented, "they are freedom fighters and glorious heroes"; "if they shun this control, they are anarchistic riffraff and enemies of humanity" (Schmitt, 1963: 50). Only revolutionary war was, for Lenin, "true war," because it sprang from "absolute enmity": "The war of absolute enmity knows no bracketing. The consistent fulfillment of absolute enmity provides its own meaning and justification" (Schmitt, 1963: 52).

Despite the centrality he ascribed to technology, Schmitt's attribution to Lenin of responsibility for theorizing absolute enmity and absolute war to be fought in every country was closely tied to Marxism's universalist projection. In this sense, Marxism was placed alongside liberalism, because both – albeit in different ways – aspired to realize the unification and pacification of the world. Schmitt's charge that these two ideologies absolutized the enemy was thus connected to their characteristics: as they reached out to unify humanity – through the triumph of socialism or through the commercial pacification of the world by the growth of trade – both ideologies undermined the original connection between *Ortung* and *Ordnung* that, in his view, underpinned "true" politics (and thus true enmity). Here, the fault to be found with liberalism and Marxism was therefore neither a misunderstanding of the political nor merely the capacity to use the idea of a world revolution to discriminate against enemies. The point was to show that a hypothetical world government, sustained by a universalist ideology and detached from any rootedness in the soil, would have to abandon antagonism toward any real enemy and turn instead toward total wars against absolute enemies, against whom every possible instrument of annihilation would be deployed.

The distinction between the "real enemy" and the "absolute enemy" thus corresponded, in many respects, to a distinction between "virtuous" and "pathological" forms of enmity, and it derived neither from the anthropological premises of Schmitt's discourse nor from his epistemological critique of liberalism, but rather from the conviction – emerging in the theoretical phase of the concrete order and in the geopolitical writings – that there exists an original link

between *Ortung* and *Ordnung;* that localization – with the subsequent operations of occupying a territory, delimiting it, and dividing it internally – is the founding act of legal order and of a political community. By virtue of the structural connection between localization and order, any ideological form that sought to unhinge rootedness in the land would inevitably produce disorder. Universalist ideologies that, by different routes, aimed to unify humankind under a unitary government thus became, in Schmitt's eyes, forms of conflict inherently incompatible with the existence of an order. The absolute enmity they supported could trigger only a total war directed at the extermination of the other side and – unlike the war fought between real enemies, i.e., between peoples whose roots sank into soil and history, as in the *jus publicum Europaeum* – could not lead to any stable order at the international level.

The turn carried out by Schmitt produced a series of far-from-secondary consequences that have often gone unnoticed – and some of these were directly connected with the kinds of objections addressed to the world-state hypothesis. A first consequence concerned the evaluation of universalist ideologies, to which he attributed the ambition to bring about a centralized and technicized humanity, as well as the adoption of an absolute conception of enmity that drove total wars against enemies perceived as alien to humanity itself. The theory of the concrete order in fact invited one to locate precisely in the earthly foundation of a community the deepest root not only of political existence but of the very existence of a people. At the same time, universalist ideologies – which sought to unify humanity and thus dissolve the bond with the land – became pathological forms of conflict, because they were incompatible with the construction of an order.

The distinction between the real enemy – the "virtuous" enmity attributed to the arrangement of the *jus publicum Europaeum* – and the absolute enemy – the "immoral" enmity carried by universalist ideologies – found its justification less in history than in the "sympathy" with which Schmitt looked at communities whose historical-cultural roots were sunk into the land. Despite his own definition of the political, Schmitt did not seem willing to abandon a conception of political communities as groups rooted in a place (and "political" precisely insofar as they are localized on a territory). It

was indeed by virtue of this value distortion that he ascribed to universalist ideologies an absolute vision of enmity, while overlooking the many forms of absolute enmity linked to particularist ideologies or traditions. And it was for this reason that, paradoxically, he had to set aside the idea – advanced in the third edition of the *Begriff* – that a universal empire might become the theater of a global civil war.

Although Schmitt polemicized almost constantly against the idea that a world state could realize a complete depoliticization, his arguments – especially those of the *Begriff* period – had not (at least not entirely) ruled out the possibility that a global empire capable of extending its control over the entire planet might take shape; they ruled out that such a unification could overcome the friend/enemy opposition. Without entirely discarding the possibility that unification might actually come about, after the Second World War he therefore underscored the implications of that hypothetical outcome, albeit in problematic terms. Considering the scenario of planetary unification, in his last writing he observed that, were such an arrangement truly achieved, world politics would then be transformed into a "world police." Although Schmitt doubted the contribution this transformation would make to moral progress, his argument here – by linearly developing the schema of spatial revolution – arrived at recognizing the concrete "feasibility" of political unification, while emphasizing that such a unity would be fatally torn by internal conflict, by a war between the universal empire and its enemies – who would inevitably be regarded as criminals, by virtue of the transformation of politics into police. In reaching its "end," world politics – by becoming police – would instrumentalize the notion of humanity to legitimize recourse to weapons of mass destruction.

Conclusions

As shown in the preceding pages, Schmitt articulated three distinct objections to the idea of a political unification of humankind: the first grounded in a conception of politics more or less directly inspired by the anthropology of political realism; the second centered on the claim that any political use of concepts such as "humanity" can only ever be partial; the third focused on the idea of an original

connection between land and politics – one that technological development has progressively dismantled. These three lines of argument were, of course, tightly interwoven, but they were not fully coherent with one another; it is therefore possible to discern, even in Schmitt's polemic against the world state, the traces of certain ambivalences. The first two objections were in many respects complementary: if the goal of pacifying the world is impracticable – by virtue of the structurally plural character of human communities – then the political use of the concept of humanity to legitimize a state or planetary empire can only be marked by irreducible partiality, beneath which conflict persists and which serves to legitimize one's own side as morally superior to its enemies. Schmitt's polemic against liberalism, however, unfolded in two directions that could even appear to diverge. On the one hand, he reproached liberalism for its inability to grasp the political, owing to its original individualist stamp, and thus attributed to it a fundamental ineffectiveness, especially with respect to internal instability (of which the Weimar Republic, in his view, offered the glaring example). On the other hand, he recognized in liberalism a duplicitous logic: while the transfer of conflict to an ethical and economic register at the domestic level had deleterious consequences, at the international level it furnished hegemonic powers with a formidable instrument for legitimizing the status quo, insofar as it transformed the enemy into a criminal and thus deprived him of any legitimate right to resort to the *jus belli*.

As we have seen, it was above all the third critique of the world-state hypothesis – shaped in the late 1930s, during the post-decisionist phase of the "concrete order" – that pushed Schmitt toward a revision with significant consequences. Although for decades he dwelt on the despatializing reach of technological development and was well aware of the forces propelling the technical and economic unification of the world, he did not merely reject the idea of a pacified world, incompatible with his conception of the political. Despite fleetingly evoking that scenario, he also tended to exclude the idea that the universal empire made possible by technique could become the theater of a global civil war even more extreme than those he had discussed since the 1940s. The reason for this resistance had nothing to do with obstacles to political unification or with the anthropological premises of his view of the political (since, as we have seen,

civil war within a global empire would be anything but a peaceful situation). Rather, it stemmed from his polemic against universalist ideologies, of which liberalism – alongside socialism – was the principal example. This critique differed from the earlier ones: it was neither about liberalism's failure to understand the political nor merely an accusation of instrumentalizing the notion of humanity to justify partisan interests. It was the consequence of the theoretical turn Schmitt undertook in the works composed during the Second World War (and throughout his subsequent reflection), which, by focusing on the nexus of *Ortung* and *Ordnung*, located an original connection between politics and territory, to the point of defining as "true" enmity only that which referred to a bond with the soil and to the defense of terrestrial rootedness.

Despite having spoken, as early as 1943, of a "world civil war," and despite the fact that all his inquiries into the transformations of international law rested on the conviction that technology was breaking the spatial equilibria of modernity, Schmitt hesitated to recognize in the scenario of the world state the genuine theater in which *Weltbürgerkrieg* could fully manifest itself and in which enmity could assume the truly absolute form of a confrontation between foes who mutually deny each other any legitimacy. In such a framework, obviously, any distinction between *hostis* and *inimicus* would collapse, as would any distinction between enemy and criminal. There could be nothing resembling a "war in form," and both sides would see themselves as enemies of the human race. Such a world state would not entail the suppression or overcoming of the political but only the extreme radicalization of conflict. Yet Schmitt did not go so far as to consider seriously a world state destined to discover the enemies of humankind not on another planet or in the depths of space, but precisely on Earth – and thus to give conflict the form of humanity's last war against its enemies. Confronted with the most extreme implications of his own hypothesis about the despatializing reach of technique, he ultimately halted and recoiled before the specter of a truly global civil war.

For all his insights, Schmitt never really came to conceive global space as an arena of conflict capable of producing order, nor a hypothetical world state as the theater of an extreme war between absolute enemies. World civil war remained for him a nightmare destined to

produce disorder, simply because "true" order – like "true" politics and "true" war – could only be rooted in the land. The world state, therefore, remained for him nothing other than a kind of new Tower of Babel, and any attempt to erect it could only generate new disorder.

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Damiano Palano is a Full Professor of Political Philosophy at Università Cattolica del Sacro Cuore in Milan. He also serves as Director of Polidemos, Center for the Study of Democracy and Political Change, and as Director of ASERI, Graduate School of Economics and International Relations. Palano is an active member of leading editorial boards and academic associations. His research spans democracy, political realism, populism, and the effects of digital media on public discourse. Recent books: *Politica. Un'introduzione*. Scholé–Morcelliana, 2024; *Animale politico. Introduzione allo studio dei fenomeni politici*. Scholé–Morcelliana, 2023; *Towards a Bubble Democracy? Notes for a Theoretical Framework*. EDUCatt, 2022.
Email: damiano.palano@unicatt.it