

The Power of Political Theology: an Analysis of Carl Schmitt's Sovereign Dictatorship and Friend-Enemy Distinction through Friedrich J. W. Schelling and Sigmund Freud*

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In this paper, I draw together Carl Schmitt's take on sovereign power and its dictatorial exceptionalism with his political theology and his insistence on the friend-enemy distinction in order to take steps towards a critique of his work. To explain why we would be remiss to take Schmitt's insights into political theology prescriptively, I turn to Friedrich W. J. Schelling's 1809 *Freiheitsschrift*. I then take-up Sigmund Freud's 1929 *Das Unbehagen in der Kultur* in order to shed light on the psychological underpinnings of the friend-enemy distinction as it actually plays itself out in everyday life. I explain Schmitt's analogy between divine power and sovereign power in Section II. In Section III, I argue that the role of the sovereign dictator in the state of emergency is especially problematic given Schmitt's insistence on the friend-enemy distinction. In Section IV, I turn to Schelling's view of God, and of the manifestation of divine principles in the human world, and argue that Schmitt's theologized sovereign dictator is a force of evil. In section V, I engage with Freud's understanding of the role of religion and his view of the effects of repression of the powerful drives (*eros* and *thanatos*) in civilized society. I then argue that the practical unravelling of Schmitt's political theology and his concept of the political, when put to the test of psychoanalytic inquiry, is that they end up demonizing those who are deemed "enemies".

Keywords: Dictatorship, civilization, *eros*, evil, god, sovereign power, state of exception, *thanatos*

I. Introduction

The central concern of this paper is the problematic alignment that Carl Schmitt's theorizing suggests between political theology, sovereign dictatorship, and the friend-enemy distinction. I argue that this alignment eventuates in politically and socially disastrous prescriptive elements of Schmitt's thought. In effect, instead of securing international justice through the balance of powers (as Schmitt recommends in *Der Nomos der Erde* 1950), Schmitt's political theory denies us a chance of a just and fair world. Schmitt develops his ideas, not in the least part, in an attempt to counter what he sees as the anti-theological thrust of 19th and 20th century sociology, politics, and jurisprudence. To draw out the unsavory consequences of the practical effects of Schmitt's theories, I will concentrate my analysis on Schmitt's *Political Theology* (1922) and *Dictatorship* (1921), but I will also draw on the *Concept of the Political* (1932). I argue that, while Schmitt correctly identifies the force that theology has when it comes to shaping the decisions and actions

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of the sovereign (be this leadership represented by a single individual or by a social class), we would be ill-advised to take Schmitt's findings prescriptively.

My analysis shows that Schmitt's political theology, when brought together with his articulation of the state of exception and the role of sovereign power therein, theologizes the sovereign in a problematic way. That is, the sovereign and the power thereof for constitutive or foundational action are thought by Schmitt by analogy with the omnipotent power of God. However, such power cannot be exercised by humans without violence of hubris. This is also the case in extraordinary circumstances when the sovereign acts as a dictator. Schmitt himself denies to the Church, as an institution, the power of a "stupendous monopoly" (Schmitt, 1923, 1996: 25). Instead, for Schmitt, the "essence of the Roman-Catholic *complexio oppositorum* lies in a specific, formal superiority over the matter of human life such as no other imperium has ever known" (Schmitt, 1923, 1996: 8). The Church is such a confluence and complex of opposites that it admits a standing higher than that of everyday material existence. The latter abides by the logic of non-contradiction where opposites collide, but do not co-exist. Thus, the Church has a form that can be representative of the many elements — including opposing ones — of secular life. Schmitt admits that "the Church requires a political form. Without it there is nothing to correspond to its intrinsically representative conduct" (Schmitt, 1923, 1996: 25.). The spirit and form of Roman Catholicism, then, especially provided that the Church undergoes a political reform, is not that of a monopoly or of an absolute authority, but it is the spirit of a representative power. Despite this account of the Church, Schmitt nonetheless ascribes God-like power to the sovereign dictator.

Furthermore, if we take Schmitt's friend-enemy distinction as the condition necessary for political life — the life that readily includes the God-like power of the sovereign — then the result (despite Schmitt's own claims to the contrary) is that the enemy can never be an equal, but must always be in a disadvantaged position. In Schmitt's theory, for genuine political life to continue, the enemy must always exist, be treated dispassionately, and possessed of such a stature and power as to be capable of taking the opponent's life. However, historically and in practice, when the enemy is singled out by the sovereign dictatorial power in the state of exception, this enemy is no match for the latter and eschatologically, the power structure is such as always to secure the ultimate victory of the sovereign powers that be.

I draw together Schmitt's take on sovereign power and its exceptionalism with his political theology and his insistence on the friend-enemy distinction in order to open his work up to critique. To explain why we would be remiss to take Schmitt's insights into political theology prescriptively, I turn to Friedrich W. J. Schelling's 1809 *Philosophical Investigations into the Nature of Human Freedom (Freiheitsschrift)* where he offers sustained analyses of God, the divine principles of the dark ground and the revealing light, and of the way in which these manifest in the human world. I establish the meaning of the principles' effects in the human world for the possibility of good and evil and our claims concerning the matter. I argue that, although Schmitt correctly identifies the coincidence between the power of sovereign dictatorship and the God-like stance of the dictator, as-

essed through the lens of Schelling's theology, Schmitt's sovereign is bound to do evil, and not, as Schmitt would have it, see to the good and preservation of the state. I then turn to Sigmund Freud's *Civilization and Its Discontents* in order to shine light on the psychological underpinnings of the friend-enemy distinction as it actually plays itself out in life, including in Schmitt's lifetime.

Through Freud's interpretation of religious belief as well as the psychological effects of *eros* and *thanatos* — the forces that are at play in the formation and potential disintegration of society — I contextualize the proclivity toward establishing the poles of “good” and “evil,” especially as these poles determine political life.¹ This dichotomy itself is often used — as Freud clearly indicates — to demonize those who are deemed or declared to be political opponents or, in Schmitt's terms, “enemies” (including enemies of the state). This demonization becomes especially problematic in times of crisis or, as Schmitt would have it, in extraordinary situations when the sovereign decision and action post-factum legitimize things done against those deemed dangerous to the existence of the state. The psychoanalytic investigation suggests that under duress, the public readily admits of seeing a group of people as “enemies” because this label affords the needful target upon which violent, destructive energies of the death-drive — energies that otherwise must remain repressed in civil life — can be expended. Thus, drawing on Freud avails me of another aspect of critique against Schmitt's recommendations regarding the coincidence between the constitutive power of the sovereign dictator in the state of emergency and the friend-enemy distinction as a requirement for political life.

I explain Schmitt's analogy between divine power and sovereign power in Section II. In section III, I argue that the role of the sovereign dictator in the state of emergency is especially problematic given Schmitt's insistence on the friend-enemy distinction. In Section IV, I turn to Schelling's view of God and argue that Schmitt's sovereign dictator, if analyzed through Schelling, is a “force of evil” in the world. In section V, I engage with Freud's understanding of the role of religion and his view of the effects of repression of the powerful drives (*eros* and *thanatos*) in civilized society. I then argue that, put to the test of psychoanalytic investigation, the practical denouement of Schmitt's political theology and his concept of the political is that they end up demonizing those deemed “enemies.” Although in 1963, the concept of an “enemy” is repositioned not to apply to internal conflicts, in 1922, Schmitt unambiguously states that under extraordinary circumstances there would be those who “without ceasing to be citizens, would be treated as ‘enemies’ or ‘rebels’ without rights” (Schmitt, 1922, 1985: 121).² The use of this label ends

1. Schmitt's own discussion of good and evil in view of the Roman Catholic faith can be found in the appendix to Schmitt, 1923, 1996: 46-59.

2. On Schmitt's later view of the friend-enemy distinction, see Schmitt, 1963, 2007: 85-89. Reinhard Mehring further shows how both Schmitt's friend-enemy and his concept of war invite criticism because as “conceptual definitions can hardly be separated from the context of his overall body of work; its aims were limited to the construction of a theory with a practical purpose and to being a tool in a political battle” (Mehring, 2014: 186). See further Mika Ojakangas who draws a direct connection between the Jews under National Socialism and Schmitt's “enemies” (Ojakangas, 2003: 411-424). See further Mehring's summary of

up spearheading atrocious acts against a group of people who become the target of the psychic discharge of the repressed, aggressive drive, i.e., *thanatos*.

II. Theological Roots of Sovereign Power

In this section, I argue that Schmitt identifies the political arrangement of a given historical era with what he sees as a metaphysical foundation at the basis of this practical arrangement. I further claim that, for Schmitt (and at least in the context of his historical milieu), the most appropriate basis for political order is the divine power of the One and Only God, which in practice is expressed as the will and action of the sovereign leader.

In *Political Theology*, Carl Schmitt identifies the general tendency of 19th and 20th century sociology, jurisprudence, and politics to disavow the theological underpinning of power and government.³ He offers analyses and critiques of materialist and positivist positions as well as of liberalism and constitutional democracy⁴. Schmitt observes that there is a break in positivism, normative thought, and materialism with such rationalist thinkers of the 18th century, like Rousseau, who engages in the “politicization of theological concepts” (Schmitt, 1922, 1985: 46)⁵. Already in the 17th century, the ideas of Descartes and Hobbes pave the way for a rationalistic and mechanistic view of the political society. However, as Schmitt himself holds, “[a]ll decisive concepts of the modern state theory are secularized theological concepts. Not only because of their historical development, but also because they are transferred unto the theory of state from theology. Thus, for example, “the almighty God,” Schmitt claims, “becomes the omnipotent lawgiver. But also in their systematic structure, their knowledge is necessary for the sociological consideration of these concepts” (Schmitt, 1922a: 43). Rationalized and secularized political and state theory, if traced back to its roots, originates in theology and a metaphysical representation of the world that corresponds to a given theological outlook. Schmitt is also careful not to attribute to Descartes, a Renaissance thinker, a fully mechanistic outlook.

Specifically, comparing Descartes and Hobbes, Schmitt claims that Descartes’ model of state construction and of the architect as the sovereign “corresponds to the Renaissance artwork and it is not yet the techno-mechanicalized imagination of the rationalistic-revolutionary state theory for which the state is a clockwork, machine, automat, or apparatus ... as Hobbes says” (Schmitt, 1936/37: 622). The power and control that Des-

Schmitt’s critics, including Karl Löwith’s objection to the friend-enemy distinction and also Löwith’s “decisive critique of Schmitt’s ‘occasionalistic decisionism’” (Mehring, 2014: 307).

3. On Schmitt’s interest in and commitment to the questions of revelation and theology — throughout his career — see H. Meier, 1998.

4. Find Schmitt’s critiques of liberalism, in P. Hirst, 2016: 128–37; C. Larmore, 1997: 175–88; M. Lilla, 1997: 38–44; A. Carty, 2002: 53–68; David Dyzenhaus, 1998. See Schmitt’s critique of constitutional democracy in C. 1928, 2008. See further R. Cristi, 1993: 281–300.

5. Throughout this paper, I refer to different editions of Schmitt’s works. I aim to offer optimal translations of Schmitt’s works. I offer my own translations of Schmitt’s text and I consult and cite existing English language translations. Where the English differs from extant translations, the translation is by the author. Likewise, where the English of Freud’s and Schelling’s texts differs from the extant translations, it is by the author.

cartes' state-architect exercises in the political arena, on Schmitt's interpretation, can be understood by analogy with the work and efficacy of an all-powerful God. Schmitt upholds political theology as it supports his view of sovereignty and justifies the admittance of the sovereign's right to exercise the power of exception⁶. Schmitt's comments on Descartes indicate that he sees in Descartes' privileging of reason an opening unto an understanding of the world — its theological foundation and political arrangement — that Schmitt himself finds crucially important. Namely, what Schmitt thinks emerges in the light of reason is that there is a correspondence or an analogy between God and the statesman. Both constitute the world in the best way possible — God as a singular, omnipotent creator and the statesman as an architect or a master craftsman (a *demiurge* to borrow an idea from Plato's *Timaeus*). Both God's and the state-architect's power is sovereign power — the power to constitute or bring forth foundational and self-grounding arrangements that are, for all intents and purposes, representative of the best constituted order that there can be. Schmitt writes that

[a] continuous thread runs through the metaphysical, political, and sociological conceptions that postulate the sovereign as a personal unit and primeval creator. The ... *Discours de la méthode* ... is a document of the new rationalist spirit. ... 'One sole architect' must construct a house and a town; the best constitutions are those that are the work of a sole wise legislator [*die besten Verfassungen sind das Werk eines einzigen klugen legislatureur*], ... and finally, a sole God governs the world [*ein einziger Gott regiert die Welt*]" (Schmitt, 1922, 1985: 47; Schmitt, 1922a : 51).

Implicit in this take on Descartes is Schmitt's preference of a single and unified source of power over the deliberative process of the many. Especially where it comes to the many members of the parliament, Schmitt puts no trust in its capacity for expedient deliberation and the kind of political action that would reflect the interests of the people that the parliament members are supposed to represent. According to Schmitt, parliamentarism deviated from "its intellectual foundation and ... the whole system of freedom of speech, assembly, and the press, of public meetings, parliamentary immunities and privileges ... [lost] its rationale" (Schmitt, 1923, 2000: 49). Thus, the power of political constitutive action and determining decision must lie within a unity that is a sovereign — monarch-like — unity. Effective and properly representative political action does not come out of the boudoirs of parliamentary politicking, or at least, it can't be adequately expressed by "[s]mall and exclusive committees of parties or of party coalitions [that] make their decisions behind closed doors" (Schmitt, 1923, 2000: 50). Although for Schmitt the issue of formation and expression of the will in democracy is a problematic one, nonetheless, "democracy can exist without what one today calls parliamentarism and parliamentarism without democracy; and dictatorship is just as little the definitive antithesis

6. Despite Schmitt's preference of Hobbes' political theory, Schmitt actually misses the fact that, followed to its logical conclusion, it offers precisely the sort of political arrangement that Schmitt himself eschews. For details and analysis, see H. Meier, 1995: 34, 119. However, see Mehring who shows that Schmitt arrived at a realization that Hobbesian political philosophy led to and supported liberalism (2014: 350).

of democracy as democracy is of dictatorship” (Schmitt, 1923, 2000). Schmitt draws a difference between parliamentarism, which he disavows, and democracy, which he sees as possibly suitable for dictatorial power.

The metaphysical underpinning of the political concept of sovereign power has deep theological roots for Schmitt. It is, emphatically, not a pantheistic divinity, but a “sole God” who best governs the world he created and, by analogy with this monotheistic power, it is a “sole wise legislator” who proffers “the best constitutions.” Although Schmitt’s assessment of Descartes is not off base, it is not entirely holistic. The lines that Schmitt takes from the *Discourse* are indeed set in a political context, but the final end of Descartes’ examples is to persuade the reader of the importance of being the architect of one’s own house, which is Descartes’ metaphor for the make-up of opinions, beliefs, habits, ideas, etc., that go into and influence the workings of one’s mind. The examples of legislature and architecture dovetail in Descartes’ conviction “as regards all the opinions that [he] ... had hitherto accepted as credible” (Descartes, 1637, 2007: 22). These had to be rejected or accepted but only after examination and upon having been “adjusted ... to the standard of reason” (Descartes, 1637, 2007: 22). Thus, it is one’s reason that ends up exercising sovereign power *over oneself* on Descartes’ schema, and not the other way around as Schmitt would have it, i.e., that a sovereign’s power finds a metaphysical basis in God for the legitimation of its political efficacy in society.

However, Schmitt is clear that we cannot take one thinker’s idea of divinity and use it as a basis for socio-political reality. In other words, Descartes did not single-handedly come up with the image of divinity that then became the underlying ground on which the actual sovereign power of his time was built. Or as Schmitt put it, “[i]t is ... not a sociology of the concept of sovereignty [*nicht Soziologie des Souveränitätsbegriffes*] when, for example, the monarchy of the seventeenth century is characterized as the real that is ‘mirrored’ in the Cartesian concept of God” (Schmitt, 1922, 1985: 45, 1922a: 50). Instead, Schmitt wants to say that if metaphysical concepts coincide with and underlie the *already* legally constituted elements of a given political time-period and its spirit or “consciousness,” then we are dealing with sociology. For him, sociological investigation entails pointing out how political reality becomes a reflection of the self-understanding of a given era. Moreover, sociology is also concerned with establishing how it is the case that “the juristic construction of the historical-political reality [*die juristische Gestaltung der historisch-politischen Wirklichkeit*] can find a concept whose structure is in accord with the structure of metaphysical concepts [*einen Begriff finden konnte, dessen Struktur mit der Struktur metaphysischer Begriffe übereinstimmte*]” (Schmitt, 1922, 1985: 45-46, 1922a: 50). Thus, on Schmitt’s own terms, his theorizing about and his view of the practical application of the sovereign power in the state of exception, must be traceable to the political spirit of the epoch. Furthermore, the reality of the socio-political consciousness (at least as Schmitt perceives this reality) must have a metaphysical ground. His own articulation of this schema is that “[t]he metaphysical image that a definite epoch forges of the world has the same structure as what the world immediately understands to be appropriate as a form of its political organization. The determination of such an identity

is the sociology of the concept of sovereignty” (Schmitt, 1922, 1985: 46)⁷. Thus, Schmitt’s concept of sovereignty is a tightly wound kernel or a spring that unfolds into, what in his view, represents the two-pronged articulation of reality, i.e., its metaphysical foundation and its political organization. Schmitt establishes a hard identity between these latter two conceptual arrangements.

III. Political Reality and the Concept of Sovereignty

In this section, I explain the difference that Schmitt establishes between constitutive and constituent power and identify five elements that make up Schmitt’s understanding of political power. Relying on my discussion in Section II, I point to the problematic nature of the alignment between sovereign dictatorial power exercised in the state of emergency and its metaphysical foundation, i.e., the omnipotence of divine power. This alignment is especially pernicious with an eye on Schmitt’s insistence on the friend-enemy distinction and considering his analyses of the way in which the “enemy” is determined in politically precarious, exceptional circumstances of danger to the state.

The power of the sovereign most shows itself in extraordinary circumstances. As Schmitt defines it, “[s]ouverän ist, wer über den Ausnahmezustand entscheidet” (Schmitt, 1922a : 13) or the sovereign decides on the state of exception (or the state of emergency). This is an indication of the way in which Schmitt thinks about sovereign power, which for him, is defined by its right to suspend the normal operation of politics, law, etc., if the extraordinary circumstances call for such a suspension. Thus, power is not to prolong or sustain public discourse or uphold individual rights. “Constitutive power” (*pouvoir constituant*) as Schmitt refers to it in *Dictatorship*, where he is addressing the question of emergency powers of the president under Article No. 48 of the Weimar constitution, is the sovereign’s power to override constitutional rule on the grounds that exceptional circumstances call for such a decision and action⁸. “Sovereign dictatorship appeals to the *pouvoir constituant*, which cannot be eliminated by any opposing constitution” (Schmitt, 1921: 121). The meaning of constitutive power is that “without being itself constitutionally established, [it] nevertheless is associated with any existing constitution in such a way that it appears to be foundational to it — even if it is never itself subsumed by the constitution, so that it can never be negated either (insofar as the existing constitution negates it).” Constitutive power is the basis of that which is constituted. Constitutive power is foundational, originary, or grounding for any possible constitution and as such it is not subject, strictly speaking, to any already existing constitution. On the contrary, the ex-

7. Das metaphysische Bild, das sich ein bestimmtes Zeitalter von der Welt macht, hat dieselbe Struktur wie das, was ihr als Form ihrer politischen Organisation ohne weiteres einleuchtet. Die Feststellung einer solchen Identität ist die Soziologie des Souveränitätsbegriffes” (Schmitt, 1922a : 50-51). This passage can also be rendered as follows: “[t]he metaphysical picture of the world that a given era makes for itself has the same structure as that which presents itself as a readily apparent political order. The determination of such an identity is the sociology of the concept of sovereignty.”

8. On Weimar constitution and sovereignty, see P. C. Caldwell, 1997.

ercise of constitutive power by a sovereign who assumes a dictatorial role ends up in a suspension of an existing constitution for the sake of the decision and action requisite in emergency or otherwise unprecedented circumstances. As John P. McCormick observes, for Schmitt, “[t]he material specificities of a crisis—an immediate or initial end—generate the specific ‘means’ to be employed by the dictator, which cannot be determined a priori” (McCormick, 1997: 165).

There are then five main elements of Schmitt’s understanding of political power: 1) the role of the sovereign; 2) the conjunction between sovereign act and dictatorship; 3) the state of exception that calls for the sovereign’s 4) exercise of constitutive power. The other critically important moment that is central to Schmitt’s thinking about the political is 5) the opposition between friends and enemies or “them” and “us,” which he develops in the *Concept of the Political*. For Schmitt, without this distinction and the imminent threat of facing a deadly enemy, our life loses its political nature, and remains, at best, interesting, but utterly devoid of political significance (1932: 35-36). Schmitt holds that this life-threatening conflict where one’s life can be taken by an enemy or where one has to take the enemy’s life — must be at the basis of the possibility of politics. The analysis which Schmitt offers of the human predicament and our perennial propensity to wage wars and find or face enemies is sound (Marren, 2020: 157). However, this alignment between the ever-looming threat of finding oneself faced with a mortal foe and the need of such a threat for the very existence and continuation of our political lives and commitments takes on a rather precarious if not sinister connotation when we put this element together, as Schmitt himself does, with the other four elements that go into his understanding of the political.

Again, in the *Dictatorship*, where the sovereign is meant as the sovereign dictator, Schmitt further draws together the elements of the state of exception and constitutive power. Effectively, he claims that under sovereign dictatorship, what normally would be unconstitutional, readily holds as valid and necessary, including that “without ceasing to be citizens [some], would be treated as ‘enemies’ or ‘rebels’ without rights” (Schmitt, 1921, 2014: 119). We have here an emergency of an internal enemy — of an enemy of the state — and despite it being unconstitutional, Schmitt holds that it is “precisely such exceptions that are intrinsic to the nature of dictatorship” (Schmitt, 1921, 2014: 119). As to the constitutive power, the reason why Schmitt finds it (and other exceptions that the situation may call for) necessary is that “[d]ictatorship does not *suspend* an existing constitution through a law based on the constitution — a constitutional law; rather it seeks to *create* [my emphasis] conditions in which a constitution — a constitution that it regards as the true one — is made possible” (Schmitt, 1921, 2014: 119). What justifies the exception (including the exceptional treatment of citizens as enemies) is the state of exception or the unprecedented situation of harm to the state (the existence of which the sovereign ultimately determines) (Schmitt, 1922, 1985: 35). Another thing that justifies the exception is the post-factum legalization and legitimation of the exceptional action by the constitutive power of the sovereign dictator or what Schmitt also refers to as a “true” constitution or “a constitution...that is still to come” (Schmitt, 1921, 2014:

119). Richard A. Cohen puts this process of after the fact legitimation in stark terms when he writes about fascism that “the fascist Dictator creates a need for fascism, the conditions of his own necessity and the theatre for his own alleged greatness” (Cohen, 2018).⁹ Despite the obvious illegitimacy of such a move (history is rife with examples of such illegitimacy) and despite the rather problematic power of the sovereign dictatorship in Schmitt’s theory, in *Dictatorship*, it is not yet seen by Schmitt as something that is altogether preferable to the normal order of things. McCormick observes that in *Dictatorship*, Schmitt claims that “the political technology of emergency authority is consigned only to the temporary exceptional moment, and in this scheme the normal and rulebound regular order is presented as substantively correct by Schmitt and worthy of restoration.” However, according to McCormick, in “*Political Theology*, the exceptional situation is that which calls for the emergence of a potentially all-powerful sovereign who not only must rescue a constitutional order from a particular political crisis but also must charismatically deliver it from its own constitutional procedures—procedures that Schmitt pejoratively deems technical and mechanical” (McCormick, 1997: 163). There is, then, in the movement from *Dictatorship* to *Political Theology* not only a distrust and a critique of liberalism, but also a preference of the immediacy, incontrovertible character, and decisiveness that sovereign dictatorial constitutive power presupposes. This preference is solidified by 1932 when *Legality and Legitimacy* comes out. About the latter, McCormick writes that it

cannot be understood as a neutral, purely analytical diagnosis of the Weimar Republic that lacks a substantive agenda of its own. This would put the work in a bizarrely awkward position, given its author’s criticisms of value-neutrality as one of the main problems plaguing the Republic. ... [T]he substantive-value agenda of the work does not conform with a temporary suspension of the liberal-legal parliamentary components of the constitution so that the democratic-plebiscitary presidential components might reinstitute them once the crisis had passed. On the contrary, *Legality and Legitimacy* is a blueprint for the permanent supersession of the former by the latter, a work whose intention may not be “Nazi” in 1932, but certainly is fascist¹⁰.

There is, then, a quickening in Schmitt’s thought about the place of the dictatorial power of the sovereign. This place is initially temporary and is meant to counterbalance the parliamentary liberal dissipation of the proper political deliberative process. However, fairly quickly, Schmitt settles on the power of the sovereign dictatorship as the preferred and best means of governing the state.

In terms of the difference between *Dictatorship* and *Political Theology* on the question of sovereign power, while in the former, sovereign dictatorship is not yet the form of political power that is preferred over and above all others, in the latter, it acquires a sense

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10. John P. McCormick, “An Introduction to Carl Schmitt’s *Legality and Legitimacy*” in *Legality and Legitimacy*. Jeffrey Seitzer, trans. (Durham and London: Duke University Press, 1932, 2004), xlii.

of permanence and decisiveness which render it as the best. On Schmitt's arrangement, there really is no power higher than the power of the sovereign in their role as a dictator. Since it is the sovereign dictator who ultimately decides to call for the state of exception and to name or determine the situation that calls for it, not even the circumstances or the situation can be seen as a higher end and authority. In this capacity to reveal (the nature of the situation) and create (the future constitution), the sovereign power is analogical to the power of God.

The move from *Dictatorship* (1921), where the role of the dictator is temporary, to *Political Theology* (1922), where it becomes permanent, happens in a very short period of time. Schmitt's definition of the "sociology of the concept of sovereignty" entails determining reality both in terms of its metaphysical and political form. For Schmitt (albeit not necessarily for all of those sharing with him a historical epoch), the form of political order that is adequate to reality is sovereign dictatorship (Schmitt, 1922, 1985: 46). The question whether Schmitt accurately espied and articulated the underlying structure and spirit of his times can be decided. To arrive at an answer, we need to determine whether National Socialism and the politics leading up to and superseding the Russian revolution of 1917, for example, indeed encapsulate the political reality that preceded WWII or whether they happen to be exemplar instances of Schmitt's thinking put to work in life, but not, in fact, true reflections of the political self-understanding of the epoch. The definitive answer to this issue is outside of the scope of this paper. I will only allow myself to say here that, given Schmitt's proximity to and influence on the Third Reich (and despite his own intention and understanding of his work), a number of his theoretical expositions took on a prescriptive character, not the least of which is the power to suspend the constitution in the state of emergency granted to the dictator acting as the head of the German state¹¹.

11. On the way in which Schmitt's theorizing played into the legal action and party ideology of the Nazis, see for example, W. E. Scheuerman, 1996: 571-590.

On Schmitt's attitude toward the Jews as enemies in the early 1930-ies, see R. Gross who writes that during this period, "consistently, the Jews and everything 'Jewish' are treated as Schmitt's main enemy, privately, emotionally, politically, collegially and professionally, and not least, nationally" (Gross, 2016: 105). See the rest of Raphael's chapter for a nuanced treatment of Schmitt's attitude toward and relationships with the Jews.

On the interest in Schmitt in the USSR, see M. Kiselev, 2020: 276-309. See also E. Bolsinger, 2001. However, see J. P. McCormick according to whom "[f]or Schmitt, the Soviet Union is the seat of a formal economic-technical rationality in communism, as well as an irrational substance-intoxicated counterforce to order of any kind in anarchism, the latter which is the logical outgrowth of radical Eastern Christianity" (McCormick, 1998: 832).

On Schmitt's work for and commitment to the Third Reich, see J. W. Bendersky, 1983. See also Mehring where he quotes from Schmitt's address at the 1933 *Deutscher Juristentag* convention: "Adolf Hitler [is] the leader of the German people, whose will today is the *nomos* [law] of the German people" (Mehring, 2014: 305). On Schmitt's role as a jurist in spearheading the goals of National Socialism, see Mehring, 2014: 311. Mehring is also helpful on Schmitt's complicated relationship with the Jews, i.e., on his anti-Semitism and also Schmitt's friendships with the Jews. Regarding Schmitt's support of violence, see R. Bernasconi, 2015: 214-236. Also, Marren in the final analysis indicts Schmitt (Marren, 2000: 157).

IV. Metaphysical Foundation of Political Reality

In this section, I rely on Schelling's elucidation of divinity in order to offer several criticisms of Schmitt's alignment between sovereign power and divine omnipotence. Effectively, Schmitt invests the sovereign dictator under the state of exception with the kind of close-minded and self-reliant authority that Schelling finds reprehensible and utterly hubristic in a human being. I admit that Schmitt would disagree with an interpretation of his view of the sovereign dictator as someone who utterly disregards the public good. Nonetheless, I argue that although Schmitt correctly identifies the metaphysical basis of sovereign dictatorship, he is incorrect to recommend such a form of political power — even, or perhaps especially, in extraordinary circumstances when the fate of the state is at stake.

To situate his thinking about the state of exception and sovereign decision in terms of their metaphysical underpinning, Schmitt presents his case against “[t]he idea of the modern constitutional state” (Schmitt, 1922, 1985: 36). The latter “triumphed together with deism, a theology and metaphysics that banished the miracle from the world” (Schmitt, 1922, 1985: 36). Schmitt does not hold that the political arrangements of his time lack a theological and metaphysical foundation altogether. On the contrary, he identifies the modern era with deism. However, he needs a different theological paradigm and a metaphysics that would support his preference for sovereign power. He argues that the “theology and metaphysics [of deism] rejected not only the transgression of the laws of nature through an exception brought about by direct intervention, as is found in the idea of a miracle, but also the sovereign's direct intervention in a valid legal order [*geltende Rechtsordnung*]” (Schmitt, 1922, 1985: 36-37; 1922a: 43). Schmitt offers here a direct identification between nature and state as well as between the power of God to perform miracles and the power of the sovereign to break free from the established laws in pursuing an action needful in extraordinary times. For Schmitt, “the state of exception [or emergency] has the same meaning in jurisprudence as miracle has for theology” (Schmitt, 1922a: 43). Schmitt here is not directly identifying the sovereign with God, but by attributing an utterly miraculous character to the state of exception, he allows for an utterly awesome (in an ancient Greek sense of *deinos*, which is associated with divine power that is both wondrous and terrifying) power and action on behalf of the sovereign, who in the final analysis, is the sovereign dictator. To oppose this awesome power — rooted in a metaphysical vision of the world where one force and will dictate to and constitute the world order for all — means to face awful punishment. In fact, to oppose such a power is to become damned; to become forever an enemy of the righteous.

Heinrich Meier elucidates this thrust of Schmitt's metaphysical commitments and their alignment with the view of politics that Schmitt proffers. Meier explains that, as far as Schmitt is concerned, it is not the differences among the various theological and metaphysical views that guarantee the oppositions and enmities necessary for politics (Meier, 1998, 2011). What is needed is “a theology [that] claims to be blessed with the revelation of a sovereign authority that demands obedience. ... It does not regard itself as being

faced with any inadequate or untenable metaphysics. It need not assert its insight against errors” (1998, 2011: 73). The demand of the sovereign power for obedience presupposes punishment for the non-compliant because to disobey the miraculous revelation of such power is to sin. It is also, presumably, sinful to question such power because it does not admit of a possibility of being in error or doing wrong. Schmitt’s metaphysics of power presupposes the danger of transgressing against the sovereign will. This transgression is a sin. Furthermore, there is the alignment (which I have indicated in Section III) between the elements of friend and enemy and the dictatorial nature of the sovereign’s constitutive power because all those daring to oppose it, sin and become enemies of those who uphold it. An especially problematic aspect of the structure of Schmitt’s metaphysics and politics is the fact that the singular will, which at the level of metaphysics is all-powerful, miraculous, and inscrutable, translates at the level of politics into the sovereign decision-making and action that does not admit of being questioned, but must be obeyed. Mehring, in commenting on the “many people [who] broke with Schmitt for political, religious or moral reasons” notes that both “Wilhelm Neuß and Erik Peterson ... saw him as an advocate of the totalitarian Leviathan and as someone who had done away with the distinction between Church and state” (Mehring, 2014: 286). On my presentation, what Schmitt does away with is the difference between the power wielded by the super-human divinity and the power that a human political leader may assume.

This congealment of the self-assured power in a human being — power that refuses to be questioned and that abhors being opposed — is what Schelling calls “overweening pride [*Übermut*]” and which he equates with “evil” (Schelling, 1809, 1998: 62). It is, indeed, a divine principle which, if it becomes predominant in a human being, propels that person to evil, which Schelling sees as operative in the case of hubris (Schelling, 1809, 2007: 39)¹². Thus, Schmitt’s political theology and metaphysics of social life correctly identify the metaphysical root of sovereign dictatorship. However, the power that Schmitt wishes to legitimize in a human being is thoroughly reprehensible, if we analyze it through Schelling’s concept of the relationship between God and the human world.

In the *Philosophische Untersuchungen über das Wesen der menschlichen Freiheit* (1809) or the *Freiheitsschrift*, Schelling derives the possibility of evil in the human world from a certain non-coincidence of the divine principles of 1) revealing light and 2) dark, withdrawing ground. These principles can become destabilized when they are raised from potentiality into actuality in a human being. In God, the two principles are not only forever harmonious and generative, but also necessary for the self-grounding and self-revelation of God as well as for the unfolding of the world of nature (Schelling, 1809, 2007: 32-33). However, in a human being, the dominance of the principle of the dark ground over the principle of light “accounts for the possibility of good and evil” (Schelling, 1809, 2007: 32). In God, the dark, withdrawing principle is divine longing that seeks and grounds

12. Schelling does not directly or simplistically align human evil with the principle of the dark, withdrawing ground, which is one of principles operative in God, the other one being the principle of light or understanding in its universalizing and disclosing power.

itself. However, in a human being, this self-centered attitude, which prefers the egotistic self-assurance over the light of the universal understanding and which prefers the self over all others, manifests as the force for evil.

It can be argued that Schmitt would never agree that his view of sovereign power dismisses otherness and the public good in favor of itself. On the contrary and at first blush, it is precisely the good of the state that the sovereign dictator pursues in exercising constitutive power. For Schmitt, the sovereign “decides in a situation of conflict what constitutes the public interest or the interest of the state, public safety and order, *le salut public*, and so on” (Schmitt, 1922, 1985: 6). The trouble here is that instead of being subjected to the public discourse (which Schmitt opposes as a quagmire of bureaucratic ineffectiveness, which cannot be afforded in the state of emergency) and presented in the light of communal understanding, the decision regarding the fate of the state and the public lies solely with the sovereign dictator. The latter, on Schmitt’s schema, could easily be embodied in a single human being or rather a single man. He will decide on “[t]he exception, which is not codified in the existing legal order [and which] ... can at best be characterized as a case of extreme peril, a danger to the existence of the state, or the like. But it cannot be circumscribed factually and made to conform to a preformed law” (Schmitt, 1922, 1985: 6). Laws are deliberated upon, ratified, and promulgated. However, the decision and action of the sovereign dictator, who as I showed in Section III, post-factum legitimizes their choices, are completely hidden from the public realm until they are carried out. As such, the sovereign will is imposed upon the state and its denizens as an effect of an all-powerful and insurmountable — divine — will. This, on Schelling’s schema, is precisely the kind of hubris that feigns but always fails not only to stand in for the power of God on earth, but also to live up to the name of a good human being. Another thing that is crucial here is that, for Schelling, there is no hard necessity for the dark principle to manifest as evil in a human being. Thus, it is the sovereign dictator’s choice that leads to the unconstitutional (but post-factum legitimized and even legalized) denigration of the humanity of some citizens under the state of exception (Marren, 2021: 105). To restate Schmitt’s own formulation, “without ceasing to be citizens [some], would be treated as ‘enemies’ or ‘rebels’ without rights” (Schmitt, 1921, 2014: 119). In my analysis, this would constitute the work of an evil will. In Schmitt’s own time (and whatever his intentions for the friend-enemy distinction may have been), the concrete historical example of such a treatment of a select group of citizens of the German state materialized as nothing short of unadulterated evil¹³.

On my view and as I have indicated, although there is a degree of accuracy in the analyses and theories that Schmitt puts forth, to follow such incendiary notions as the friends and enemies distinction or the sovereign dictatorial constitutive power prescriptively, is to be utterly remiss. I would like to approach this question through a psycho-

13. In his engagement with Schelling in *Political Romanticism*, Schmitt identifies Schelling’s philosophy and his view of God as “emanationist” (Schmitt, 1919/1925, 1986: 55). He further presents Schelling’s God and the basis that unites the two divine principles (or the *Ungrund*) as a less implausible version of the occasionalistic and romantic theology and metaphysics (Schmitt, 1919/1925, 1986: 87-88).

analytic lens, accounting for the surprisingly widespread uptake of monstrous political directives by identifying the psychological roots of mass-scale abominable cruelty.

V. Psychoanalytic Evaluation of Schmitt's Theory and its Practical Applications

In this section, I rely on Freud's articulation of the need for religion in society in order to conclude that Schmitt's theorizing about sovereign dictatorship and its metaphysical foundation ends up providing a sham substitute for a genuine restoration of the role of divine power in a state. This phantasm, with which Schmitt's thinking presents us, serves to enable, foment, and justify the unleashing of certain cruel and negative impulses of the masses onto a group of people labeled as "enemies".

Although Schmitt himself criticized Freud's psychoanalytic theory, he nonetheless read Freud's work. It is unlikely that Schmitt read such books as *Civilization and Its Discontents* (*Unbehagen in der Kultur* 1929), which contains Freud's political thought. It is in this text that we not only have Freud's reflections on the origins of religion and religious feeling, but also his application of his view of *eros* and *thanatos* to the socio-political dynamics¹⁴.

At the very outset of the work, Freud presents Romain Rolland's view regarding the religious feeling and the origin of religion, which he then overturns, in chapter 2, in favor of his own insight into the reasons why human beings gravitate toward sharing a religion. The "oceanic feeling" or "ozeanische Gefühl" (Freud, 1930: 2) — the feeling of oneness and unity with all Being and eternity — gets replaced with Freud's rather caustic estimation of the need for religion as a coping mechanism, protection from suffering, and as a "*wahnhafte Umbildung der Wirklichkeit*" (Freud, 1930: 11) or the "delusional transformation of reality." Significantly, there is no denominational differentiation with the first model (the model, which Freud rejects), as it is the religious authorities that usurp the powerful feeling of oneness and belonging, splintering it into special cases of belonging to one church or another and longing to be one with this or that particular religious creed. The model that Freud proposes is effectively founded on his view of human weakness and our inability to process or deal with the harsh realities of life. We need to believe in a better world — whether as an eschaton or an afterlife — in order to accept that we must live in and somehow cope with this one. Another caveat is that the need for religion is the greatest, according to Freud, in the "ordinary man," who is neither an artist nor a man of science (Freud, 1930: 7). In the 3rd chapter, Freud contends that the modern developments in science and technology have turned "man, so to speak [into a] ... prosthetic God" (Freud, 1930: 15). The power that was God's now extends to the technological prowess and seeming near-omnipotence of ordinary human beings. Things that were forbidden or out of reach are readily available. However, a human being

14. See Schmitt's critiques of Freud in C. Schmitt, 2003: 36, 57–58, 246; C. Schmitt, 2007: 29. On Schmitt's encounters with Freud's works, see J. W. Bendersky, 2012: 143–154, esp. 144, fn. 3.

There is also continuity between Freud and Schelling. See G. Whiteley, 2018: 289–302, esp. 295. Whiteley shows that Freud read and drew on Schelling's ideas, despite the fact that he also criticized Schelling's work.

remains not only a “prosthetic” but also an unhappy, halfling divinity or pseudo-God. As Michael Staudigl puts it, commenting on Freud, “the lasting unhappiness of modern humankind ... seems to date back to the enforced renouncement of instinctual desires, even in the obsessive pursuit to become God-like we remain bored and unfulfilled” (Staudigl, 2019, 384). Freud’s point is that the satisfaction of renounced drives brings extraordinary pleasure because of the unprecedented degree of energy release involved in finally resolving the dissatisfaction accumulated during the repression of a powerful drive. However, Staudigl (and he is hardly the only one) further recommends that the return of religion, the demotion of a human being from God-like status, and the restoration to deity of its rightful place serves as another avenue out of the state of perpetual discontents. Interestingly, Schmitt’s sovereign dictatorial power, which is conceptualized by an analogy with God, presents a shortcut, which is not a genuine restoration of God or religion, but a substitution of both with phantasms of divine power. As far as history goes, we can here recall the cultish, mystical displays of the ceremonial power of the Nazi and the Übermensch-like figure of the Führer.

What maintains real control and power over individual lives, rendering them largely discontent and unhappy, is the omnipotence of the state and orderliness of civilized society (Freud, 1930: 15-17). In the coincidence of the politically managed, rule-governed social life (which calls for multitudinous renunciations and limitations upon the individual) and the demands of civilization, Freud sees the “most important” aspect of his analysis (Freud, 1930: 19). Namely, it is “the extent to which civilization is built on the renunciation of instincts [and] how much exactly it has, as a requirement, the non-satisfaction (oppression, repression or something else?) of powerful drives” (Freud, 1930: 19). Civilization, then, sets itself up against such human instincts that always seek to dissolve the monotonous churning of the wheels of social apparatuses. Thus, the civil state is in constant need of protection against the unleashing of these drives because, as Freud indicates, it is precisely their unbridled satisfaction that brings us the greatest pleasure. But it is their repression or oppression, which leaves us despondent in the civilized society. Among these drives are *eros* and *thanatos* — the creative sex-, comradeship-, care-, love- unity- and even indolence-seeking drive, on the one hand, and the destructive, violence-seeking death-drive, on the other.

Commenting on Freud’s *Group Psychology and the Analysis of the Ego*, Bendersky observes that “the ‘mutual hostility of human beings’ threatens social cohesion so significantly that civilization has to expend enormous efforts to prevent domestic conflict and even societal disintegration. Since this inherent ‘readiness for hatred and aggressiveness,’ continues to exist within groups, ‘We are no longer astonished that greater differences should lead to an almost insuperable repugnance, such as the Gallic people feel for the German, the Aryan for the Semite, and the white races for the coloured’” (Bendersky, 2012: 147). Although Bendersky himself denies the viability of the thesis that Schmitt’s friends and enemies distinction contributed to the extermination of the Jews under the Nazis, he nonetheless and in the very next paragraph, analyzes precisely the friends/enemies distinction in both Freud and Schmitt.

Bendersky concludes that in Schmitt “[t]he enemy need not be considered morally evil or an object of hatred; neither is he the private competitor, but always only the public enemy of the group not the individual” (Bendersky, 2012: 184). However, even if Schmitt himself did not theorize the enemy as such, on Freud’s psychoanalytic model, it simply is the case that the release of the aggressive *thanatos* drive against the group designated as the “other” or the “enemy” entails not only the elimination of an existential threat, as Schmitt would have it (Schmitt, 1932: 27). It would also presuppose the release of such psychic energies as are required for the demonization of the select group of opponents and a wholesale destruction thereof — all based on attributing to them the label of an “enemy”.

Again in Bendersky, we find the claim that in order to prevent the dissolution of the civilized state by means of providing an outlet for the repressed destructive drives, “one method” can be employed, i.e., that “of binding a group together in love, [as] Freud argued, ... by providing an outlet for their hostility in the form of ‘the other people... [who are targeted] to receive the manifestations of their aggressiveness” (Bendersky, 2012: 147). Schmitt may not have argued for an impassioned treatment of the enemy, but he passionately called for a concept of politics that is founded on one’s readiness to face a mortal enemy and take their life as well as lay down one’s own life. Although Schmitt’s concept stresses that the opponents must be equally capable of destroying each other, the uptake of the friend-enemy distinction need not follow the noble imperative of matched powers. The factual denouement of this theorizing is what Freud espied in the aggressive tendencies of the masses, which unleash as a blind rage against the people declared “enemy” who are stripped of their rights, demonized, and dehumanized as the repulsive, existentially dangerous, and unwanted “other.” United in their need for a release of pent-up hatred and aggression, the many Germans who believed in the decrees and promises of the Third Reich, found in the sovereign dictator’s call for an elimination of the common enemy the needful outlet for their discontent with life in post-World War I Germany. Although, admittedly, the identification of the group demonized as “enemy” hardly followed the demarcations of Schmittian noblesse (Schmitt, 1932: 26-27).

VI. Conclusion

Contrary to Schmitt’s intent, the sovereign dictatorial power fails at being a salutary and beneficial force of proper decision-making that is supposed to eventuate in choices and actions, which constitute the good of the state. As my analysis shows, because of the way in which Schmitt aligns the key elements of political power (Section III) and because he fails to put the dictatorial power in check (on the contrary, he gives it free and self-legitimizing reign in the state of exception), we would be utterly remiss if we took his political theorizing prescriptively. Schmitt is right in his identification of the metaphysical foundation of the power of sovereign dictatorship (Sections II and IV), but he is wrong (and we would be too) to recommend such a political leadership for any, let alone a precari-

ously positioned, state. The theologization of the sovereign, as exemplified in the state of exception, becomes a coping mechanism (Section V). As in Freud's treatment of religion, whereby religion becomes the veil or delusion fit to hide or at least ameliorate the harsh realities of life, so the God-like power of the sovereign dictator becomes a force that promises a different and better world — a world in which one attains salvation. Moreover, this power also offers a clear target for one's ire and aggression and a license to expend these violently upon the enemy or the unwanted "other." Schmitt's schemas are not historically invalid. Political power in its reliance on the tools of psychological and ideological formation (religion and moral categories of "good" and "bad" or "dejected" being some such tools) has real effects on social arrangements. The demonization of the "other" or of the enemy lends extraordinary power to the political decision-makers. It also sets the state on a deterministic path that precludes or severely limits freedom (i.e., freedom for thoughtful participation in the political process, for responsible decision-making, for dignified choices and good actions).

Although Schelling's account of good and evil gives credence to Schmitt's views regarding the metaphysical origin of sovereign power, it sheds a critical light on the effects of this power in the human world. Whereas Schmitt sees it as a necessary force of good, in fact, this power turns out to will and do evil. One reason for this is written into the very schema that Schmitt constructs for the sovereign dictatorial power in the state of exception, i.e., the alleged needfulness to forgo the open deliberative process that would involve other voices and views, and instead, leave the decision and choice of the appropriate action entirely with the sovereign. A paradox ensues whereby the deepest belief in and desire to identify with the "good" end up extinguishing political freedom because they deny any existentially meaningful (i.e., examined as opposed to ideologically conditioned) understanding of the good and of one's role in the political process.

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«Власть» в политической теологии: анализ суверенной диктатуры и различения друга и врага у Карла Шмитта сквозь призму концепций Фридриха Й. Шеллинга и Зигмунда Фрейда

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В предлагаемой статье делается попытка соединить взгляд Карла Шмитта на суверенную власть, диктатуру и чрезвычайное положение с его политической теологией и подчеркиваемой им важностью проведения различия между другом и врагом. Чтобы объяснить, почему было бы неверно воспринимать идеи Шмитта в области политической теологии в качестве обязательных, я обращаюсь к книге Ф. В. Й. Шеллинга «Философские исследования о сущности человеческой свободы». Затем, я обращаюсь к книге Зигмунда Фрейда «Недовольство культурой», позволяющей пролить свет на психологическую подоплеку различия «друг-враг», как оно проявляется в повседневной жизни. Я объясняю аналогию Шмитта между божественной и суверенной властью в разделе II. В разделе III я утверждаю, что роль суверенного диктатора в условиях чрезвычайного положения имеет особое значение, учитывая настойчивость Шмитта в проведении различия между другом и врагом. В разделе IV я обращаюсь к взгляду Шеллинга на Бога и на проявление божественных принципов в человеческом мире и утверждаю, что теологизированный суверенный диктатор Шмитта представляет собой «силу зла». В разделе V я рассматриваю понимание Фрейдом роли религии и его взгляд на последствия подавления базовых влечений (*эроса* и *танатоса*) в человеческом обществе. Затем я утверждаю, что, с точки зрения психоанализа, конечный практический результат политической теологии Шмитта и его понятия политического заключается в том, что они в конечном итоге демонизируют тех, кого считают «врагами».

Ключевые слова: диктатура, цивилизация, *эрос*, зло, бог, суверенная власть, чрезвычайное положение, *танатос*