Carl Schmitt, Saint Paul and Paradoxical Truth*

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ABSTRACT

Carl Schmitt's decisionism has long been faulted for its indifference to the decision's content. Some have portrayed the decision as an act taken for the sake of order rather than of anything inherent to what is decided; others have charged that Schmitt abandoned any external standpoint from which to privilege one political statement over another. This paper argues that these interpretations have missed the important role played by truth in Schmitt's framework. It does so by tracking the affinities between Schmitt's decisionism and Saint Paul's notion of paradoxical truth. In Paul's paradigm, something is true by virtue of its distance from all proof and codification, so that its validity stems solely from its proclamation. Reading Schmitt's Weimar writings as drawing on such a notion of truth recasts the decision as that which guarantees as true what cannot be proven or codified. For the decision to fulfill its political function, Schmitt needs what is decided to possess a paradoxical character, and he needs it to be taken seriously as a truth by those who decide and acclaim it.

Keywords: Schmitt, Paul, Decisionism, Truth

In a series of lectures about Saint Paul he delivered at the end of his life, the Jewish theologian Jacob Taubes told the tale of his meeting with Carl Schmitt in Plettenberg, during which the two men confronted their readings of Paul's Epistle to the Romans. Taubes claims that Schmitt found their discussion so important as to urge him to publicize his thoughts. What did Schmitt find so urgent about Paul in those late years during which he was revisiting his Weimar writings, and what does Taubes's interpretation of Schmitt help us see in the latter's thought?

Schmitt has been criticized for being indifferent towards the decision's content, so that what is decided lacks any status and function as truth. These attacks are particularly relevant to *The Concept of the Political*, in which Schmitt replaced his earlier juridical framework, which provided a transcendental

guarantee to the rightness of the decision, with an existential understanding of the political. But without the grounding supplied by the transcendental, what can substantiate the sovereign's claim? Given that Schmitt's objective is the maintenance of authority, is he not bound to collapse the decision into an act taken for the sake of order rather than of anything inherent to what is decided?

An answer can be provided by reading the Weimar writings as appealing to a Pauline notion of truth, whose complex structure can be fruitfully extracted from its religious context. Paul's is a paradoxical truth that lacks all proof and codification, so that its validity stems solely from its public profession. Read into *The Concept of the Political*, this notion recasts the decision as that which guarantees as true what cannot be proven or codified. Consequently, the decision is more than an empty shell for the affirmation of order or the maintenance of authority. For the decision to fulfill its political function, Schmitt needs what is decided to possess a paradoxical character, and he needs it to be taken seriously as a truth by those who decide and acclaim it.

I. The indifferent decision

1. Shedding transcendence

In *Political Theology*, Schmitt takes aim at legal positivists like Hens Kelsen who represent the societal order as resting on a unitary "system of norms."[1] Their portrayal of the law as a "rationalistic technical refinement"[2] oriented towards calculability makes the legal order appear self-sufficient. This has two consequences. First, it denies the need for personal authority to add anything that could not be derived from the norm *a priori*; the state is reduced "a system of ascriptions to a last point of ascription and to a last basic norm"[3] while judges are "demot[ed] to the status of mere vending machines that mechanically dispense the law."[4] Second, it dispenses with the category of the exception. Every aspect of social life is codified by legal norms, just as every aspect of the natural world is determined by scientific laws, a subsumption that affirms "the validity without exception of every kind of law."[5]The legal order is capable of addressing all situations;

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1   Carl Schmitt, *Political Theology* (Chicago: University of Chicago Press, 2006), 18.
2   Ibid., 28.
3   Ibid., 19.
4   John McCormick, *Carl Schmitt's Critique of Liberalism* (Cambridge: Cambridge University Press, 1999), 207.
5   Schmitt, *Political Theology*, 40.

everything is immanent to and contained by the totality of the system of norms.

Against the positivist view, Schmitt wants to restore a proper understanding of the juridical. By itself, the "system of norms" cannot address any concrete situation; it always needs a person to decide how the norm should be applied as events come along – a decision that is unavoidably independent from the predicates of the legal order. Each particular case is in some sense exceptional in that it does not allow itself to be fully subsumed under the empty formalism of law. As such, judges, far from being mere vending machines, face "the necessity of judging a concrete fact concretely even though what is given as a standard for the judgment is only a legal principle in its general universality."[6] And yet, it is important not to lose sight of the fact that a judge's decision is not arbitrary. Jurisprudence combines attention to each situation's concrete particularity with an appeal to the transcendence of an idea. This *complexio oppositorum* is what makes jurisprudence a form capable of "realiz[ing]" a legal idea by "translat[ing it] into reality."[7]

While this describes the normal situation, *Political Theology* is also concerned with the state of exception. When an emergency situation arises about which the law has nothing to say, the sovereign must step in with a decision that suspends all norms. While positivists would decry this as the destruction of order, Schmitt insists that since the ultimate decision aims to preserve the juridical order then "the exception is distinguishable from a juristic chaos, from any kind of anarchy." It "dissolves" the legal order into legality on the one hand and jurisprudence on the other.[8] The decision might emanate from nothingness when "looked at normatively,"[9] but it is part of the formal structure of jurisprudence that appeals to the transcendence of the legal idea. He thus talks of the "rightness that emanated from the commands of the personal sovereign."[10]

How can a legal idea be deemed to provide "rightness" to the juridical order and to the decision? Schmitt provides an answer to this question a year after publishing *Political Theology*. In *Roman Catholicism and Political Form*, Schmitt details the power of representation, through which a concrete personality can give an idea material existence. "Representation means making present something real or 'actual' but something that is only given material presence precisely through the representation process."[11] Representation is different from creation, in that it makes visible something that is already real. It is also different from reproduction, in that it does

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6   Ibid., 31.
7   Ibid., 28.
8   Ibid., 12 and 14.
9   Ibid., 32.
10 Ibid., 48.
11 McCormick, *Carl Schmitt's Critique of Liberalism*, 161.

not repeat material reality; Schmitt is dismayed that economic-technical thinking has given up on this distinction and purports to 'represent' through quantifying people's preferences and interests. By contrast, the power of representation imbues its yielder with the dignity of an idea, which "substantiates its claim to...authority."[12] Schmitt writes that, "So long as even the ghost of an idea exists, so also does the notion that something preceded the given reality of material things –that there is something transcendent– and this always means an authority from above."[13]

The paradigm of this power is the Catholic Church, which "represents in every moment the historical connection to the incarnation and crucifixion of Christ."[14] But Catholicism is only an example of representational power, and "jurisprudence can easily assume a posture similar to Catholicism." What "the person of Christ" is to the Church, "the idea of justice" is to jurisprudence.[15] This framework can thus easily be applied to *Political Theology*: The sovereign reveals himself as representing the idea of justice in his decisions –even in his ultimate decision of suspending the normal order, because this is also a juridical move. This connection to transcendence is what imbues the sovereign's commands with rightness and legitimates his claim to authority.

But Schmitt's paradigm has shifted by the time he publishes *The Concept of the Political* in 1927. While the sovereign's decisive role has not changed (he recognizes a threat), in transitioning from deciding on the exception to deciding on the friend-enemy distinction, he no longer aims to represent the idea of justice and preserve the juridical order. Rather, what he seeks to protect is the already concrete life of a people. "It is sufficient for [the enemy's] nature that he is, in a specially intense way, existentially something different and alien… The friend and enemy are to be understood in their concrete and existential sense."[16] The sovereign decision is no longer dignified by the idea; it no longer claims any transcendent guarantee as to the truth of what it affirms. After all, "only the actual participants can correctly recognize, understand and judge… whether the adversary intends to negate his opponent's way of life and therefore must be repulsed or fought in order to preserve one's own form of existence."[17] The decision's content is strictly existential, which cuts off the sovereign from what in *Political Theology* had been the source of his authority.

While Schmitt had been developing a theory of plebiscitary democracy meant to justify the sovereign's rule without an appeal to the divine, difficult

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12 Carl Schmitt, *Roman Catholicism and Political Form* (London: Greenwood Press, 1996), 30.
13 Ibid., 27.
14 Ibid., 19.
15 Ibid., 29-30.
16 Carl Schmitt, *The Concept of the Political* (Chicago: University of Chicago Press, 1996), 27.
17 Ibid.

questions remain since an existential decision appears to entail what Schmitt had denounced so vehemently just five years earlier: the reproduction of an exclusively material reality. Does the decision not suffer the fate of economic-technical thinking, whose purported rationalism is in fact so irrational as to be willing to serve "one or another demand, always with the same earnestness and precision, be it for a silk blouse or poison gas?"[18] Once it is deprived of its transcendent connection, how can authority be differentiated from those "naked techniques of holding power" that *Roman Catholicism*'s neutral state is reduced to using, having abandoned any claim to the "rationality of [its] purpose,"[19] to the "rightness" of its content, and to the truth of what it affirms? In short, Schmitt's effort to shed transcendence opened him to the charge that the decision is wholly indifferent to what it affirms. This charge has been pursued along two distinct tracks.

2. OCCASIONALIST DECISIONISM

Schmitt's Weimar writings read like a desperate effort to combat the neutralizing effects of liberalism, which he feared were succeeding in convincing those in power that they need to bow to the normative order. His decisionist model is a transparent attempt to restore personalist authority and restore the sovereign's power, which leads to the suspicion that the decision is an act taken solely for the sake of authority rather than for the sake of the truth of what is affirmed or the value of what is decided. This is all the more so the case once Schmitt abandons the claim that the decision's content is supplied by the realization of a transcendentally derived idea.

In "Carl Schmitt in the Age of Post-Politics," Slavoj *Žižek* argues that the decision "is not a decision for some concrete order but primarily the decision for the formal principle of order as such…The principle of order, the Dass-Sein of order, has priority over its concrete content."[20] *According to Žižek, the problem with Schmitt is* not the absence of an objective standard from which to assess the decision's content; rather, it is the sovereign's indifference towards the truth of what is affirmed. "What really matters is the act as such, independently of its content."[21] Žižek blames Schmitt for collapsing truth unto "positive Being,"[22] which is to say that only what is codifiable and ascertainable through independently valid yardsticks can be said to be true. Since the decision is that which cannot be codified, its

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18 Schmitt, *Roman Catholicism and Political Form*, 15.

19 Ibid.

20 Slavoj *Žižek*, "Carl Schmitt in the Age of Post-Politics," in *The Challenge of Carl Schmitt,* ed. Chantal Mouffe (London: Verso, 1999), 18.

21 Ibid., 20.

22 Ibid., 35.

decisive character does *n*ot stem from its content's truth, which is why Žižek describes the decision as a "purely formal, abyssal act."[23] Rather, it stems from its success at ordering.

The sovereign is then an opportunist, and the decision can accommodate whatever content serves authority. This is why Richard Wolin accuses Schmitt of "degenerating into an advocate of charismatic despotism;" and why he (citing Karl Löwith) characterizes Schmitt as promoting "occasionalism."[24] If the decision's aim is indeed only the "formal principle of order as such," it is irrelevant that its content be taken seriously as truth. For the decision to fulfill its ordering function, whether it is cynical or sincere makes no difference; and all that is asked of the people is that they order themselves accordingly, no matter their beliefs.

The corollary to this argument is that the decision can only affirm what already exists. If Schmitt indeed rejects the proposition that the truth of the decision's content determines its decisive character, then the content has no constitutive function. If the decision is to "break through the crust of a mechanism," it can only be through the violence of its abyssal irruption, not through the novel truth of what is affirmed. The sovereign is reduced to arbitrarily deciding on preexisting categories.

The consequence of *Žižek's charge that the decision is indifferent to its truth is the collapse of the* gap between what exists and what is affirmed. Sarah Pourciau describes this as the worry that the "concept of the political in its original existential sense [is tied] definitely to that which indisputably exists" and "offers up for affirmation nothing beyond an irrefutable reality."[25] The decision only serves to affirm the political character of a preexisting community that until then had held together through different criteria –for instance nationality or religion. Hence, Chantal Mouffe argues that,

> The unity of the state must, for him, be a concrete unity, already given and therefore stable. This is also true of the way he envisages the identity of the people: it also must exist as a given. Because of that, his distinction between 'us' and 'them' is not really politically constructed; it is merely a recognition of already-existing borders… The unity is presented as a factum whose obviousness could ignore the political conditions of its production.[26]

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23 Ibid., 20.

24 Richard Wolin, "Carl Schmitt, Political Existentialism and the Total State," *Theory and Society* 19.4 (August 1990), 399 and 407; Sarah Pourciau, "Bodily Negation," *MLN* 120.5 (December 2005), 1069.

25 Pourciau, "*Bodily Negation*," 1069.

26 Chantal Mouffe, "Carl Schmitt and the Challenge of Liberal Democracy," in *The Challenge of Carl Schmitt*, ed. Chantal Mouffe (London: Verso, 1999), 49-50.

For Mouffe, the decision is not tasked with substantive work; the act of ordering strengthens authority, but its indifference towards content leads what is affirmed to play no constitutive role.

3. *THE RENUNCIATION OF OBJECTIVE TRUTH*

Leo Strauss's commentary on *The Concept of the Political* is regarded as the paradigmatic attack on Schmitt's indifference towards the decision's content, but the criticism he voices diverges from the one we just outlined. Strauss's lament is not that belief in the decision's truth is irrelevant. (Quite the contrary, Strauss contends that Schmitt does valorize the decision insofar as it can provide moral content.) Rather, the problem stems from Schmitt's renunciation of *objective* truth: Since the sovereign can be neither a philosopher nor a prophet, Schmitt cannot distinguish truth from its simulacrum. The decision can accommodate any content.

First, then, Strauss grants that Schmitt retains an important role for the decision's content. He reads Schmitt to be seeing "in the threatened status of the political a threat to the seriousness of human life. The affirmation of the political is ultimately nothing more than the affirmation of the moral."[27] The recognition of the friend-enemy distinction is simultaneously the recognition of one's value-system and the intense attachment there to. What matters to Schmitt, Strauss contends, is that one affirms something seriously; namely, that one be so convinced of possessing the right answer to the fundamental question as to be willing to sacrifice one's life for that ideal. Hence, "if [man] seriously asks the question of what is right, the quarrel will be ignited, the life-and-death quarrel: the political –the grouping of humanity into friends and enemies– owes its legitimation to the seriousness of the question of what is right."[28]

And yet, Strauss faults Schmitt for having renounced the possibility of objective truth. Not only does Schmitt accept the pronouncement that rationality (and consequently philosophy) cannot make value judgments and thus cannot determine the decision's content, but he also forecloses the alternative path to absolute truth: the prophet, who proclaims the right end. Here, Schmitt's evolution between *Political Theology* and *Concept of the Political* proves decisive. In the former work, the decision "emanates rightness" because the sovereign possesses representative power. But Strauss is disappointed to find that the very possibility of an objective standpoint has disappeared in *Concept of the Political*. Political

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27 Leo Strauss, "Comments on Carl Schmitt's Concept of the Political," in *The Concept of the Political*, by Carl Schmitt, (Chicago: University Of Chicago Press, 1996), 101.
28 Ibid., 103.

statements can only be made from the perspective of actual participants, making truth inexorably subjective. Strauss describes this situation as a regrettable aporia: "The threatened status of the political makes necessary an evaluative statement on the political; yet, at the same time, insight into the essence of the political arouses doubt about all evaluative statements on the political."[29] The validity of any uttered claim is limited to that singular perspective. Thus, no external standpoint exists from which one can judge a decision's content. In a damning conclusion, Strauss contends that Schmitt's "critique of liberalism occurs in the horizon of liberalism."[30] Just like those liberals he so decries, he has deprived himself of any ability to differentiate between different groups' claim to the right life:

> Let us now make thoroughly clear what the affirmation of the political in disregard of the moral, the primacy of the political over the moral, would signify…. The affirmation of the political as such is the affirmation of fighting as such, wholly irrespective of *what* is being fought *for*. In other words: he who affirms the political as such comports himself neutrally toward all groupings into friend and enemies… He who affirms the political as such respects and tolerates all 'serious' convictions, that is, all decisions oriented to the real possibility of war.[31]

The decision is a box in which anything goes. Schmitt might need the decision's content to be held as true, but he cannot distinguish truth from its simulacrum.

It would come as no surprise to Schmitt to hear that *The Concept of the Political* lacks an external standard from which to determine what the decision's content should be; after all, this is an explicit part of his argument. Yet, Strauss's pronouncement that Schmitt has to with hold judgment on "all decisions oriented to the real possibility of war" leaves the latter in quite a bind, since he does want to retain the ability to judge against certain friend-and-enemy distinctions from a strictly political standpoint. What is to become, in particular, of Schmitt's vivid attack in *The Concept of the Political* on those who wage war in the name of humanity?

> When a state fights its political enemy in the name of humanity, it is… a war where in a particular state seeks to usurp a universal concept against its military opponent… Whoever invokes humanity wants to cheat. [This] has certain incalculable effects, such as denying the enemy the quality of being human and declaring him to be an outlaw of humanity, and

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29 Ibid., 104.
30 Ibid., 107.
31 Ibid., 105.

a war can thereby be driven to the most extreme inhumanity… Humanity is not a political concept.[32]

Since Schmitt admits that war *can* be fought in the name of humanity, what can ground his apparent condemnation of that concept's political use? The same problem emerges out of "The Age of Neutralizations and Depoliticizations," an essay Schmitt he wrote in 1928 and published in the 1932 edition of *The Concept of the Political*. After developing an ominous diagnosis regarding "our situation" and the threat represented by "the anti-religion of technicity [that] has been put into practice on Russian soil,"[33] Schmitt concludes his essay with this warning:

> It is wrong to solve a political problem with the antithesis of organic and mechanistic, life and death. A life which has only death as its antithesis is no longer life but powerlessness and helplessness. Whoever knows no other enemy than death and recognizes in his enemy nothing more than an empty mechanism is nearer to death than life.[34]

Schmitt here amends *The Concept of the Political*: Recognizing enemies and drawing antitheses intense enough to orient oneself towards war is not enough. Certain ways of distinguishing friend and enemy (i.e. certain decisional contents) are counter-productive because they induce "powerlessness" and are "wrong." Yet, how can Schmitt retain a standpoint from which to make such judgments? If "only the actual participants can correctly recognize, understand and judge," can there be an externally assessable "wrong" way to solve an existential problem?

II. The decision's truth

Schmitt's renunciation of religious and moral standpoints on which to ground evaluative statements puts him in a difficult position in *The Concept of the Political*. It opens him to the distinct charges that what is affirmed is arbitrary and irrelevant to the decision's function; and that no external standpoint exists from which to judge the adequacy of employing a particular content politically. Once he has left representation behind, can Schmitt push back against his critics?

The rest of this paper will argue the content of a decision is in fact substantively valuable because it guarantees as true what cannot be known

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32 Schmitt, *The Concept of the Political*, 54-5.
33 Carl Schmitt, "The Age of Neutralizations and Depoliticizations," in *The Concept of the Political* (Chicago: University of Chicago, 2007), 80-1.
34 Ibid., 95.

through proofs or signs. This is Paul's proposal in the Epistles to the Romans. For him, the proclamation of such a truth is capable of suspending the direct authority of Jewish and Roman law and overcoming its deadening effects. Reading Schmitt to be drawing on the Pauline paradigm of a paradoxical truth whose sole guarantee is its own proclamation into offers an answer to the critics outlined above. The decision that something is *already* true is paradoxically the sole standpoint from which it is true. This explains why the decision's uncodifiability does not mean that its content is irrelevant to its decisive character;[35] why the decision can constitute something that is not merely given;[36] and why it cannot accommodate any content if it is to fulfill its function.

While the connection between Paul and Schmitt has not yet been the object of an extensive literature, there have been prominent efforts to explore its ramifications. The most famous is undoubtedly *The Political Theology of St. Paul*, a series of lectures Jacob Taubes gave in Germany in 1987. When Taubes visited Plettenberg to meet Schmitt, the two discussed their interpretations of Paul's Epistle to the Romans, and Taubes claims Schmitt himself urged him to present his views on the matter to the public.[37] While Alain Badiou's *Saint Paul: The Foundation of Universalism* has contributed to a renewed interest in Paul in philosophical circles, Badiou does not mention

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35 Interestingly, such an account is what Mouffe argues Schmitt not only lacks but needs. She writes that if political unity "is to be a real political articulation not merely the acknowledgement of empirical differences, such an identity of the people must be seen as the result of the political process of hegemonic articulation." (Mouffe, *The Challenge of Carl Schmitt*, 50-51) As we have shown, *Žižek voices a similar charge in his own contribution to that book, but he frames his criticism in terms of Schmitt's view of truth. He charges that Schmitt did not realize something could be true even if it cannot be codified, and that he did not realize that the act of asserting something as true can have meaningful effects even if what is affirmed cannot be expressed "in the terms of the order of positive Being." In short, both argue that the sole* proclamation of an uncodifiable statement as true can have actualizing power, but they contend Schmitt lacked the tools for such a theory.

36 Such a case has certainly been made elsewhere, using different arguments than in this paper. A rich argument is offered by Sarah Pourciau, for instance, who argues that the acknowledgment of the enemy is an act of "radical self-constitution." (Pourciau, "Bodily Negation," 1071) The recognition of a concrete confrontation through a "rooted perspective" functions as a constitutive negation which produces "existential meaning." She writes, "What *must* be protected first gives birth to what *is*" (1071) which comes to say that Schmitt retains a distinction between existence and affirmation: "The sovereign self only transcends the liberal paradigm of form-giving agency when it manages to join a plurality of concrete, bodily selves in a relationship of non-arbitrary belonging." (1081) She calls this "the political worthy of affirmation (the political with *content*)." (1079) However, Pourciau concludes her paper by arguing for Schmitt's ultimate failure: While "friendship necessarily implies a plurality of possible friends with whom the friend under investigation could be 'friendly'," (1081) she notes Schmitt leaves no such possibility to the people, reducing "the members of a political unity [to] passive, bodily recipients of the decision that gives them form" and making it ultimately irrelevant whether they subscribe to the decision's meaning (1083).

37 More recently, Tracy Strong drew on Taubes to delve into Schmitt's relationship to Paul in his "The Sacred Quality of the Political." Tracy Strong, "The Sacred Quality of the Political: Reflections on Hobbes, Schmitt and Saint Paul." *Politisches Denken Jahrbuch* (2010).

Schmitt.[38] Yet, his effort to provide an immanent interpretation of Paul's notion of truth is an early suggestion that this notion can be extracted from its theological context, at least to the extent of informing the existential framework of *The Concept of the Political*.

1. Announcing a paradoxical truth

"Love is the fulfilling of the law:" Paul's puzzling statement in Romans 13:10 lays at the core of both Taubes and Badiou's exegesis. How is law deficient, what love is Paul referring to, and how does the latter address the former? In his epistles, Paul launches an assault against the notion of law – whether it is embodied by the Roman *imperator* or in Jewish Law. Law codifies what it demands that man not do, so that it is nothing but the other side of the coin of transgression. "I had not known sin, but by the law… sin, taking occasion by the commandment, wrought in me all manner of concupiscence. For without the law sin was dead" (Romans 7:7-8).[39] This is what Paul calls *flesh* – that world in which man is entangled in the Law and its transgression.

Paul's dichotomy –flesh versus spirit– breaks with the traditional dichotomy between sin and Law. Both of these categories are collapsed into flesh. They are both opposed to spirit, which frees us from flesh – from sin and from Law. "Now we are delivered from the law" (Romans 7:6). In a crucial move, Paul associates this new dichotomy to the opposition between life and death. This does not designate the body's biological condition but man's disposition: "For to be carnally minded is death; but to be spiritually minded is life and peace" (Romans 8:7). The result is Paul's striking claim that the Law deadens man:

> For I was alive without the law once: but when the commandment came, sin revived, and I died. And the commandment, which was ordained to life, I found to be unto death… Was then that which is good made death unto me? God forbid. But sin, that it might appear sin, working death in me by that which is good. (Romans 7:9-10 and 7:13).

Why does Paul associating Law with death? Since thought of transgressions is inherent to knowledge of laws, they introduce the possibility of a fissure between man's (good) actions and his (transgressive) thoughts.[40] Law makes

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38 Alain Badiou, *Saint Paul: The Foundation of Universalism* (Stanford: Stanford University Press, 2003). However, *Žižek draws on Badiou's interpretation of Paul in his* "Carl Schmitt in the Age of Post-Politics" and *The Ticklish Subject* to highlight what he believes Schmitt was ultimately unable to grasp, namely the Pauline idea that truth can exist independently of any codification.
39 All passages from the Bible are cited from the King James Version.
40 Taubes, *The Political Theology of Saint Paul*, 112 and Žižek, *The Ticklish Subject*, 149-150.

me feel that I am dead to the world because I experience myself negating the universality of the Law. The constant experience of my sinning in my thoughts –"sin which dwelleth in me"– corresponds to the attitude of death:

> I find then a law that, when I would do good, evil is present with me. I delight in the law of God after the inward man. But I see another law in my members, warring against the law of my mind, and bringing me into captivity to the law of sin which is in my members. Who shall deliver me from the body of this death?" (Romans 7:20-24).

Moving from flesh to spirit – from death to life – requires leaving behind the Law: living in spirit means "dying to the law" (Romans 7:4).

What is the spirit that returns man to life? It is grace, the call to profess one's faith. Let us be clear: Paul's replacement of Law (and its corollary, good works) by grace (and its corollary, faith) is not the Protestant move to interiorize belief. Faith demands to be professed. "The word is nigh thee, even in thy mouth, and in thy heart: that is, the word of faith, which we preach... For with the heart man believeth unto righteousness; and with the mouth confession is made unto salvation" (Romans 10:8-10:10). Being touched by grace means one is so compelled as to devote oneself to announcing the truth.

In summarizing Paul's project, Taubes says, "It is laws that you obey; and [Paul] says: no, you obey faith."[41] Obedience no longer requires passive good works but professions of faith. While Paul insists this does not terminate the Law but merely "fulfills" it, the Law has been effectively displaced from the position it had hitherto occupied since it cannot by itself suffice to assure one can "serve the law of God" (Romans 7:25). It needs something beyond itself to fulfill itself.

If what is professed is that which suspends the Law, then it must be uncodifiable. The proclaimed truth cannot be subsumed under logical predicates, and it cannot ground itself by reference to its source. Messianic truth requires a "faith that is paradoxical, that is contradicted by the evidence" a striking proposal that Taubes captures by writing of the "messianic concentration on the paradoxical." This, Taubes marvels, is "a total and monstrous inversion of the values of Roman and Jewish thought."[42] Badiou presents Pauline truth along similar lines when he contrasts it to Jewish discourse, in which the prophet "abides in the requisition of signs," and to Greek discourse, whose wisdom is the "appropriating of the fixed order of the world and the matching of the logos to being."[43]

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41 Taubes, *The Political Theology of Saint Paul*, 14.
42 Ibid., 10.
43 Badiou, *Saint Paul*, 41-2.

It is easy to see why Paul is not a wise philosopher. The Messiah's truth cannot be accounted for logically, and the resurrection defies all scientific norms and rules. Yet, understanding how Paul breaks from Jewish thought demands more attention. How is Paul not a prophet? After all, the Jewish sign is like Pauline truth in that it is exceptional. God interrupted routine history to covenant with a people; a miracle exceeds the cosmic order. But Paul's exception bears one crucial additional requirement: It can have no guarantee, and it is uncodifiable. This contrasts with the Jewish sign, which is compatible with codification, proof and witnessing: Revelation can be *known*. As Benny Levy remarks, in Jewish Law a statement [*parole*] "is true when it is confirmed in the mouth of two witnesses."[44] But Paul is no prophet. Whereas Moses comes down bearing tablets dictated by God, Paul makes no claim to such legitimation. By Jewish standards, he cannot claim to *know* anything.[45] Paul was not one of the original apostles, and it has often been remarked that his writings contain few stories of Jesus's life and teachings. Paul's essential lack of any proof of the truth he proclaims might appear to be a handicap, but by talking of a "messianic concentration on the paradoxical" suggests it is precisely this distance that allows him to fashion a notion of truth capable of suspending the law. Something is powerfully true by virtue of its unknowability; something is true by virtue of its paradoxical character.

The sole legitimation of Paul's truth, then, is being touched by grace, i.e. being compelled to declare a truth about which he had no evidence. The sole evidence he proposes for his truth is that he professes it. Of course, such a peculiar proposal is only worthwhile because the truth that is announced is not easy to proclaim. Its unbridgeable gap with the order of knowledge

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44 Benny Levy, *Le Meurtre du pasteur*, (Paris: Bernet Grasset, 2002), 101, my translation. This test even applies to the Sinai: "Maimonides says the two witnesses on the Sinai are each one (600 000) and Moses. One and One: Two, the Word [*parole*] is verified."

45 The difference between Paul's account of his conversion and the account provided in the Acts, which are believed to have been written by Luke, is crucial. The Acts provide a lengthy account, some of which is as follows: "As he journeyed, he came near Damascus: and suddenly there shined round about him a light from heaven. And he fell to the earth, and heard a voice saying unto him... I am Jesus whom thou persecutest... The men which journeyed with him stood speechless, hearing a voice, but seeing no man." (Acts 9:3-7) Luke emphasizes the gloriously theophanic nature of Paul's experience and insists his companions also heard a voice; they serve as a second witness that legitimate Paul's account. For Luke, truth retains a Jewish structure and Paul's conversion echoes Exodus, in which God legitimates Moses's truth by making himself heard by all: "The people may hear me speaking to thee, and may believe thee for ever." (Exodus 19:9) Luke conceives of the apostle as needing the same legitimation Moses received. But in his own account in 1 Corinthians and Galatians, Paul is uninterested in echoing Moses. While he does evoke a theophanic revelation, the account is extremely succinct and provides no specifics as to what his vision was. Very importantly, no companions are mentioned (hence there is no proof). Furthermore, this is not what he finds relevant. He writes he will "refrain" from "glorying" in visions "lest any man should think of me above that which he seeth me to be, or that he heareth from me." (2 Corinthians 12:6).

testifies to how difficult it is to profess it. After all, believing *this* man is the Messiah "is demanded at such a high price to the human soul that all works are nothing by comparison."[46]

2. The decision's paradoxical structure

At the end of his lectures on Paul, Taubes reflects that "we are always dealing with the same problem, whether we pursue it by way of Carl Schmitt or by way of Nietzsche. The question is whether you think the exception is possible."[47] Indeed, Schmitt saw it an urgent mission to dispel the positivistic theories that deny the exception, affirm laws' direct authority, and believe the enemy can be "decided by a previously determined general norm."[48]

Two challenges immediately arise to any effort to read Pauline truth in Schmitt. The first stems from *Political Theology*'s juridical structure, which comprises a transcendental guarantee. Can Schmitt's notion of the exception then be compatible with Pauline truth, or does it belong on the side of the Jewish miracle, which demands signs and witnesses? The second concerns *The Concept of the Political.* The content of Paul's announcement might suggest that only something divine can break with the deadening automatism of the Law,[49] so can it be compatible with the existential framework of that work? What happens when the content of the paradoxical proclamation is not a transcendent event but a this-worldly one?

Together, these challenges narrow the initial question –is decisionism relying on a Pauline notion of truth?– into the following: Can the decision as it is presented in *Political Theology* and *The Concept of the Political* be read as the affirmation of a truth that is uncodifiable and immanent, a truth about this world that has no yardstick but its own proclamation? Can the

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46 Taubes, *The Political Theology of Saint Paul*, 10.

47 Ibid., 85.

48 Schmitt, *Concept of the Political*, 27.

49 Note that Badiou's work on Paul is to a large extent devoted to disputing this idea that the truth Paul proclaims is of a transcendent nature. He argues that what he calls the Christ-Event is immanent because Christ's death "names a renunciation of transcendence" and "functions as a condition of immanence" (Badiou, *Saint Paul*, 69-70): "Certainly the construction of the evental site requires that the son who was sent to us, terminating the abyss of transcendence, be immanent to the path of the flesh." (74) He interprets the statement that the Son's death has reconciled us to God as an "immanentization of the spirit" and vividly concludes that "in no way does this entail that Christ is the incarnation of a God... Paul's thought dissolves incarnation in resurrection." (74) Badiou's larger point is that an event can happen in *this* world. He intends to "extract a formal, wholly secularized conception of grace from the mythological core" and to "tear the lexicon of grace and encounter away from its religious confinement" (Ibid., 66). As such, he concludes his work by proclaiming that "only what is an immanent exception is universal" (Ibid., 111).

decision be said to paradoxically *begin* a truth about something that is *already happening*?

While the decision in *Political Theology* concretizes a transcendent idea, its juridical form is valuable as a *complexio oppositorum* because it also allows to take into account what in every situation is concretely exceptional. For instance, the ultimate decision identifies the need to suspend the normal order to palliate a real emergency. The sovereign does not invent a threat; he "decides whether there is an extreme emergency,"[50] i.e. whether an unforeseen situation has factually arisen in the world for which no plan has been made. As Schmitt writes in the preface to the second edition, "the decisionist implements the good law of the *correctly recognized* political situation by means of a personal decision."[51]

On the other hand, the sovereign and only him can say that there is an extreme emergency. This is, of course, how *Political Theology* famously begins: "Sovereign is he who decides on the exception…Sovereignty resides in deciding this controversy… He has the monopoly over the last decision."[52] To say that an extreme case exists independently of the sovereign's decision is at best meaningless, at worst dangerously disruptive of the public order; for the extreme case to exist unproblematically independently of a decision that it does would deny the sovereign's "pivotal authority" and open the door to domestically warring factions. As such, by deciding that a situation *is* exceptional, the sovereign in an important sense *makes* it such. Whereas liberalism wants to reduce the decision into "a declaratory but by no means constitutive act of ascertaining," the sovereign cannot be "a mere proclaiming herald" and the decision is necessarily "constitutive."[53] A paradoxical structure arises: The sovereign is called to decide whether a situation is already extreme, but only through his decision can the situation be validly said to be extreme.

The juridical form mitigates this circularity. The authority of the idea allows the decision's otherwise paradoxical nature to be judged as "right;" ad the sovereign's representative power provides a guarantee to his intervention. But the basic structure of the Pauline paradox is present as one of the two components of the *complexio oppositorum*, in that the decision paradoxically affirms a truth that only its naming can ground. As such, Paul's argument that announcing the good news breaks the deadening of repetition can serve to provide an explanation for Schmitt's difficult contention that the decision is enlivening:

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50 Schmitt, *Political Theology*, 7.
51 Ibid., 3.
52 Ibid., 7-9.
53 Ibid., 23, 25 and 31.

> A philosophy of concrete life must not withdraw from the exception and the extreme case… The exception is more interesting than the rule. The rule proves nothing; the exception proves everything: it confirms not only the rule but also its existence... In the exception the power of real life breaks through the crust of a mechanism that has become torpid by repetition.[54]

This passage can be fruitfully read through the Pauline paradigm that the announcement of a truth whose sole yardstick is its announcement displaces man from death to life. What allows "the power of real life" to "break through [what is] torpid by repetition" is that a statement is said seriously as a truth despite its irreducibility to all codes capable of providing a guarantee.[55]

In *The Concept of the Political*, Schmitt once again employs a notion of paradoxical truth, and here the paradox is no longer mitigated by the juridical form. In this work, Schmitt retains the idea that the ultimate decision in fact consists in two decisions. First, whether an emergency situation exists; second, what must be done to address it, which in this work comes to mean against which enemy must the group orient itself. "This people must, even if only in the most extreme case – and whether this point has been reached has to be decided by it – determine by itself the distinction of friend and enemy."[56] Schmitt makes it clear the emergency and identified enemy are real. The existential threat predates its decision, which is why Schmitt speaks of recognition. The political consists in "distinguish[ing] *correctly* the *real* friend and the *real* enemy," in those "moments in which the enemy is, in concrete *clarity*, recognized as the enemy."[57]

Yet, while emphasizing the concrete situation's factuality, Schmitt heightens reality's puzzling dependence on its naming. The clause "whether this point has been reached has to be decided by it" is just one example. Furthermore, the enemy "can neither be decided by a previously determined general norm nor by the judgment of a… neutral third party."[58] The decision on the enemy acknowledges a concrete situation that is real but that is also irreducible to the order of knowledge that would allow its truth to take effect independently of its recognition. A threat really does

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54 Schmitt, *Political Theology*, 15.

55 This account can complement – without displacing – the more obvious explanation that "the power of real life" is provided by the sovereign's ability to re-present the "living idea" (*Roman Catholicism and Political Form*, 17). Read thus, life in *Political Theology* would stem both from the transcendentally vital and the concretely abnormal. As we shall see, this could explain why Schmitt still talks of decisions restoring life years after *Political Theology*, namely in the 1926 preface of *Crisis of Parliamentary Democracy* and in the 1928 "Age of Depoliticizations and Neutralizations," between which *Concept of the Political* is sandwiched.

56 Schmitt, *The Concept of the Political*, 49.

57 Ibid., 37 and 67, emphasis added.

58 Ibid., 27.

exist, but that reality needs to be recognized to take effect as a truth. After all, to say that it has validity outside of its recognition by the participants of a situation would make the enemy's reality accessible to "the judgment of a… neutral third party" after all.

If no group orients itself towards war, if no group is strong enough to assume the power to decide, then "the political entity is nonexistent."[59] "*Spectacle terrible et ridicule.*" Not only does the group condemn itself to annihilating defeat –since it really is threatened– but it has already caused its own effective disappearance by foreclosing its own political existence and the existence of enemies. After all, a group that forfeits its sovereignty by failing to distinguish its enemy is not capable of having enemies. "An enemy exists only when, at least potentially, one fighting collectivity of people confronts a similar collectivity."[60] No recognition, no (potentially) fighting collectivity; and, in an inescapably paradoxical sense, no fighting collectivity, no enemy.

Put as simply as possible, the enemy is real; but it can only be decided. Something has prior factuality but it cannot be predicated or derived from anything but its decision, which proclaims the truth of what it alone can recognize. Schmitt thus echoes the position of the apostle: The decision on the true enemy *begins* a procedure once it proclaims a *very-much existing* threat.

3. *The constitution of political unity and the domestic enemy*

The presence of paradoxical truth in Schmitt's decisionism can provide an answer to a key problem: Why, if recognition is constitutive, does the decision's truth matter? What would be different if a people cynically designated a fake enemy to gain a sense of its 'we' and hence order itself? Paul's argument for moving from law/flesh to faith/spirit is premised on the unbridgeable differences between the effects of public faithfulness to a demanding pronouncement and the effects of mere compliance with authority. Recognizing the uncodifiable is only the first step: It begins the procedure by which a community is formed. This same structure is found in Schmitt, whose decision launches a procedure by which political unity is constituted and the domestic enemy is identified, crucial functions that are fulfilled precisely because the paradoxical content of the decision compels some as truth.

Pauline truth is universal. It does not care about someone's relationship with the law and someone's standing vis-à-vis a system of norms, but it is

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59 Ibid., 39.
60 Ibid., 38.

addressed to all. Paul transforms the question of who *can* profess faith (which the other apostles were still holding unto by insisting on circumcision as a precondition for conversion) into one sole question: who *will*? Furthermore, professing a paradoxical truth is no one-time occurrence that one can forget as soon as one has made one's declaration. Those who live their faith find themselves overcoming whatever divisive logic had hither to characterize them to reconfigure themselves as the entity of those who are touched by grace, i.e. those called to declare the paradoxical messianic truth.

Yet, applying this theoretical structure to Schmitt poses difficulties. Pauline announcement is meant to be valuable insofar as it exceeds all communitarian divisions, and this indifference to borders means it cannot institute an hermetic identity closed to those outside it. Furthermore, since grace points past the authority of the law, Paul's writings are imbued with the revolutionary potential of delegitimizing all human authority. In Taubes's words, Paul founds "the people of God as a purely horizontal community, in a sense a community 'free of rule.'"[61] Needless to say, the Schmittian decision operates differently. For one, the recognition of an existential threat cannot be said to apply to everyone across divisions, nor across space and time; it can only be a decision as to whether the participants of a concrete situation are in danger at a given moment. Moreover, the decision does not delegitimize authority but affirms it.

Yet, these undoubtedly crucial differences have more to do with divergent views on how authority operates than to divergent views on truth. While they both thought the exception was possible, they drew drastically different conclusions for authority. In Taubes's view, the *imperator* cannot subscribe to the Pauline paradigm because authority is legitimated by law. Yet, for Schmitt sovereign authority consists precisely in the power to decide on something that cannot be subsumed by laws and norms; authority itself points past the law.

Political Theology thus both employs and twists the Pauline paradigm. While the exception is that which "defies general codification", the sovereign and the judges want to either restore or concretize legal ideas. We are back to Romans 13:10: That which fulfills the law is also what shows its gaps; the law's fulfillment underscores its insufficiency. And yet, by defining authority as he does Schmitt drastically transforms the consequences of Romans 13:10 since the "living logos" that points past the law is no longer necessarily a revolutionary voice (as Taubes describes the apostle); it can be the voice of authority. Paul might have meant to delegitimize political rule when he wrote that man is "delivered from the law," but Schmitt has redefined authority in such a way that the sovereign finds himself *strengthened* by the Pauline framework.

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61 Taubes, *The Political Theology of Saint Paul*, 141.

While the sovereign decision only concerns members of the decisively authoritative group, whereas the apostle speaks to everyone, at least *within* that group it has a universal reach. For instance, since distinguishing the enemy is never a private act but necessarily the recognition that the entire group faces a threat, the decision applies to everyone within the (admittedly shrunk) space. But that does not mean all who *could* be compelled by it *will* be. Thus, just as a community of Christians formed itself around Paul's announcement, so does a political unity constitute itself those who recognize themselves in the sovereign decision.

Let's be careful: The point certainly is not that the decision invents a group *ex nihilo*. In *Concept of the Political,* the decision is only relevant to those within the decisive group, i.e. the group with enough power to orient itself toward war. It is an already existing group that recognizes an enemy and constitutes its unity. So the question becomes whether a group's decision merely asserts what already exists (as Mouffe contends) or whether it constitutes that group as something irreducibly new. It would seem the answer has to be the latter, as is perhaps clearest in *Constitutional Theory*: "The idea of representation rests upon the fact that a people existing as a political unity has a higher and more intense way of being together than the natural being of a group of people who just happen to live together."[62]

Here, representation no longer designates the medieval power of representation but a notion of "re-presentation that must be technologically reproduced within a unitary presidential regime that manufactures a nation ready for confrontation with other similarly constructed nations."[63] What does it mean for a group to have its political existence "manufactured?" In the preface to the second edition of *The Crisis of Parliamentary Democracy* (published one year before The *Concept of the Political*), Schmitt gestures towards a theory of plebiscitary democracy. The state's members demonstrate political homogeneity by publically acclaiming the decisions of the sovereign, who is legitimated through the charismatic nature of his proclamations:

> The will of the people can be expressed just as well and perhaps better through acclamation, through something taken for granted and obvious and unchallenged presence, than through the statistical apparatus that has been constructed with such meticulousness in the last fifty years… Compared to a democracy that is direct, not only in the technical sense but also in a vital sense, parliament appears an artificial machinery… while dictatorial and Caesaristic methods not only

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62 As cited in Pourciau, "*Bodily Negation*," 1083.
63 McCormick, Carl *Schmitt's Critique of Liberalism*, 204.

can produce the acclamation of the people but can
also be a direct expression of democratic substance.[64]

While in earlier writings Schmitt appeals to a transcendentally-derived unity of form, here a people is only as One as it wills itself. Once a group orients itself towards the extreme case, each member must demonstrate intensity. The responsibility to make a decision rests on those who govern, but the responsibility to perpetuate its effects rests on those who are governed, who must demonstrate their attachment to its truth. It is up to the people to demonstrate that "a politically united people is prepared to fight for its existence,"[65] which is to say that a political unity constitutes itself around those who are compelled to acclaim the decision because of the sole fact of its pronouncement.[66]

Again, this framework would be unsatisfactory if the decision was so obvious as to compel everyone, for instance if it could point to a proof outside itself or looked to be translated normatively; in Taubes's terms, if it was not "demanded at such a high price to the human soul." Thus, it is because of the paradoxical character of truth that Schmitt is able to think the constitutive effects of the decision. Out of those who hear the sovereign's pronouncement, most but not all will be compelled to acclaim it, forming a political entity that is irreducible to the preexisting group. "Not all who descend from Israel *are* Israel."[67]

The obvious corollary is that some members of the preexisting group will *not be* compelled by the sovereign's truth and will thus be superfluous in the newly-constituted political unity: they are the *domestic* enemies. That is to say that the procedure launched by the sovereign's decision results in two distinct enemies. The first is the group recognized as the enemy by the decision; the second is the group of those who do not recognize the first group as the enemy. The existence of this domestic enemy is a structurally integral to Schmitt's framework precisely because the decision's content rests not on empirical criteria but only on the actualizing effects of its own acclamation.

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64 Schmitt, *The Crisis of Parliamentary Democracy*, 16. Note Schmitt's continued use of the opposition between the vital and machinery. While the juridical form is left behind, real life still breaks through thanks to the acclamation of a truth whose guarantee is its proclamation.

65 Schmitt, *The Concept of the Political*, 49.

66 This parallel between Paul's legitimating proclamation and Schmitt's acclamation is echoed 44 years later in Political Theology II. Schmitt refers to "Max Weber's sociology of 'charismatic legitimation' (because acclamation is characteristically associated with the charismatic leader). Ultimately, charismatic legitimacy is just an offspring of secularized Protestant theology… as a deformation of an originally theological notion. For the charismatic legitimation of the Apostle Paul in the New Testament remains the theological source for all that Max Weber has said in sociology about charisma: Apostle Paul – the triskaidekatos, the thirteenth over and above the twelve." [Carl Schmitt, *Political Theology II* (Cambridge: Polity, 2008), 66-7].

67 Taubes, *The Political Theology of Saint Paul*, 47.

The contrast between Taubes and Schmitt crystallized precisely on the status of the uncompelled. For Taubes, the division between those who are compelled and those who are not cannot lead to violence, since the good news continues to interpellate those who reject it and since truth can traverse even the most communitarian of customs – even circumcision, which other apostles regarded as incompatible with their preachings. But Schmitt takes a predictably different attitude: "Democracy requires… first homogeneity" and "second – if the need arises – elimination or eradication of heterogeneity."[68] What is striking is that Schmitt claimed to find justification for this attitude toward the uncompelled in Paul himself.

Indeed, during their meeting, Schmitt and Taubes addressed this disagreement by debating a Pauline verse that is concerned with the Jews: "As touching the gospel, they are enemies for your sake: but as touching the election, they are beloved for the fathers' sake" (Romans 11:28). According to Taubes, Schmitt dismissed the reading that those who do not follow Paul remain beloved and argued that in this verse "enemy is not a private concept; enemy is *hostis*, not *inimicus*." Hence, "we are not dealing with private feuds, but with salvation" and the "love your enemies" preaching does not apply.[69] Taubes rejects this interpretation. Paul did not mean that the covenant was broken or that God "repudiated his people,"[70] since Paul also wrote that "salvation is come unto the Gentiles, for to provoke [Israel] to jealousy" (Romans 11:2 and 11:11). Thus, the enmity evoked in this verse is not a public, hence political, one. Setting aside the interpretive question of what Paul meant, what is clear is that Schmitt understood the Jews as posing an obstacle to the constitutive process that the announcement of the good news is meant to launch. For him, unlike Taubes, the proclamation of a paradoxical truth reveals enemies whose very existence belies the sovereign's ability to constitute unity by rallying around his will.

This analysis resolves the following difficulty: In what sense is the politically constituted friend-group different from the preexisting group to whom the sovereign addressed his decision? In what sense is there a gap between existence and affirmation? The inner enemy provides an answer. The decision's unfolding identifies those within the preexisting group who are not compelled by its truth (perhaps they do not acclaim it in the plebiscitary moment, or perhaps they avoid fighting on its behalf) and "eliminates and eradicates" them. This makes for a stronger category of *Freund* than Schmitt is often interpreted as having since the friend group emerges out of the framework of the preexisting group but is radically alien to it. The decision's effects have purged the latter of heterogeneous

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68 Schmitt, *The Crisis of Parliamentary Democracy*. 9.
69 Taubes, *The Political Theology of Saint Paul*, 51.
70 **Ibid., 50.**

elements, transforming it into a political entity –cohesive under the sovereign authority, united around a truth.

III. A decisional grammar

We have shown the sovereign's existential decision not only can but also needs to be taken seriously as truth. Yet, this does not dispel Strauss's criticism that any decision has to be praised as long as it successfully orients towards war. It merely opens a further question: Does the decision's demanding function exert structural conditions on its content? The decision must initiate the enlivening effects of a group's political constitution by the fact –*and only by the fact*– of its affirmation, but can anything be affirmed to have such effects or can Schmitt hope to specify criteria without which a truth cannot serve as the content of a proper decision? Our challenge, in particular, is to address what Strauss's criticism had revealed to be apparent gaps in Schmitt's argument. What grounds his condemnation of the political use of humanity? How can he judge that it is "wrong to solve a political problem with the antithesis of life and death?"

To the distinction between types of truth corresponds two types of antitheses. The first is grounded in the order of knowledge; the antithesis can be *known* because it is a logical opposite. One such antithesis is that of law and its transgression. First, law provides the codes with which the latter can be objectively recognized. Second, it is a logical necessity that the legal system takes action against transgression, since it would lose validity if it remained indifferent towards criminals who put its universality in question. In *The Concept of the Political*, Schmitt provides two examples of this type of antithesis: the "ideological humanitarian conception of humanity," the "economic-technical system of production and traffic." These discourses transform "the self-understood will to repel the enemy in a given battle situation… into a rationally constructed social ideal or program, a tendency or an economic calculation."[71] For instance, "the ideological structure of the Peace of Versailles corresponds precisely to this polarity of ethical pathos and economic calculation" because its goal is to "establish a foundation for a juridic and moral value judgment."[72] Enmity understood thus is the result of concepts' *a priori* definition, of laws' necessary unfolding. It is derived logically. Schmitt expresses particular ire towards the concept of humanity as it is understood by liberals, who employ it as an "all-encompassing" concept.[73] Its pretention to universality rests on its claim to describe a "system of relations," which is to say that its normative truth predates any

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71 Schmitt, *The Concept of the Political,* 72.
72 Ibid., 73.
73 Ibid., 55.

concrete experience. Its very validity is undermined if something inhuman is present in the world. What contradicts the concept of humanity has to disappear not because it poses a threat, but because it "appears as a logical contradiction in terms."[74]

The second type of antithesis cannot be logically derived. Yes, "religious, moral and other antitheses [some of which are the type of opposition presented above] "can intensify to political ones", but for an antithesis to take on the political function of orienting towards war requires an existential recognition that is never contained in the underlying concepts. When they are not "focused on a specific conflict", these antitheses become "empty and ghost like abstractions" so that the friend-and-enemy distinction "cannot be derived from these specific antitheses of human endeavors."[75] It always requires naming a threat, something that cannot be derived logically. Put otherwise, the simultaneous existence of such antithetical elements is not a contradiction in term, so there is no *a priori* predetermination of enmity. For instance, the existence of France does not logically require the negation of every other state; quite the contrary, "the political world is a pluriverse, not a universe. In this every theory of the state is pluralistic."[76] Thus, for two states to become enemies requires the determination of a threat by the actual participants. A non-statist example is "the thousand-year struggle between Christianity and Moslems," which Schmitt does not frame in term of an absolute commandment to rid the world of non-believers but in the existential terms of self-defense: "Never… did it occur to a Christian to surrender rather than defend Europe out of love toward the Saracens or Turks."[77] While everybody ought to be a Christian, those who are not are not illogical. It is not knowledge they contradict, but faith. Similarly, Schmitt cites German barons: "Exterminate them [the French], the Last Judgment will not ask you for your reasons."[78] No law can legitimate the recognition of a political enemy; that orientation must be decided. On the other hand, the first type of antithesis we drew required no decision: the presence of an abnormality was normatively assessed, the presence of the immoral was derived from the law.

The initial problem can thus be reframed as such: Why is a logically derived enmity politically inadequate *if it does manage to orient a group towards war*? After all, while "there exists no rational purpose, no norm no matter how true … which could justify men in killing each other for this reason,"[79] if the orientation towards war has taken place, that means rational norms

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74 Pourciau, "*Bodily Negation*," 1077-8.
75 Schmitt, *Concept of the Political*, 30.
76 Ibid., 53.
77 Ibid., 31.
78 Ibid., 67.
79 Ibid., 49.

have effectively been supplemented by the existential intensity that defines the political.

The absence of public acknowledgment that a decision has been rendered (whether it is hypocritical or sincerely unaware) means that the enmity has asked nothing of those who follow it. When the enemy is defined in terms of logical necessity, recognizing him does not demand the taxing public profession of a paradoxical truth that Paul demands in Epistle to the Romans and that Schmitt demands in *The Concept of the Political* and *The Crisis of Parliamentary Democracy*. Take the ideological discourse of humanitarianism. It needs no public recognition, for what is the point of publicly professing that which seems rationally obvious? Thus, those who recognize the enemy do not constitute for themselves a higher existence as a political unity, and the political does not enliven the group. Let us return to the conclusion of "The Age of Neutralizations and Depoliticizations." Having urged Europeans to realize Russia does not just embody technicity but a "spirit," Schmitt adds:

> It is wrong to solve a political problem with the antithesis of organic and mechanistic, life and death. A life which has only death as its antithesis is no longer life but powerlessness and helplessness. Whoever knows no other enemy than death and recognizes in his enemy nothing more than an empty mechanism is nearer to death than life…. A group which sees on the one side only spirit and life and on the other only death and mechanism signifies nothing more than a renunciation of the struggle.[80]

This passage earlier encapsulated Schmitt's dilemma: how can a group that knows its enemy be said to have renounced the struggle? We can now provide an answer. What from the external standpoint can be judged politically inadequate is not what the group embodies nor whether it should go to war but rather how the group conceives antithesis and what type of discourse legitimates its orientation towards war.

A discourse that derives the enemy logically portrays him as dead to the world. For Law, sin is death –it should not exist. For humanity, the inhuman is death– it is abnormal, logically unthinkable. For the economy, extra-economic means are mere eruptions of "violence and crime"[81] – they cannot even be acknowledged as means to something. But Schmitt contends that discourses that oppose themselves to death are in fact dead themselves. As we saw earlier, this is exactly Paul's move in his Epistle to the Romans, which presents the law to be just as dead as sin since it is bound to constantly experience things that negate it (most notably the thought

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80 Schmitt, "The Age of Depoliticizations and Neutralizations," 94-5.
81 Ibid., 77.

of transgression). Schmitt similarly contends that "a life which has only death as its antithesis is no longer life but powerlessness and helplessness." Evading the acknowledgment of a decision by disguising it as a rational is more than hypocritical, it is also deadening. The discourse of humanity is driven "to the most extreme inhumanity"[82] not only because it is vicious, but because it itself is "nearer to death than life."

By contrast, a discourse that is true to the paradoxical character of the decision on the enemy provokes very different effects. This enemy is not an enemy *a priori*, but because it poses an existential threat. This enemy is not an enemy because it is dead, but because it is very much alive (in fact, threateningly alive). A group that acknowledges such a decision can enjoy the enlivening effects of taking seriously a truth that has no logical guarantee.

IV. Conclusion

The function the decision must fulfill does exert demands as to what can be affirmed. Certain contents are unable to meet the conditions of an enlivening decision. For instance, liberalism's humanitarian rhetoric cannot launch the type of truth-procedure needed to constitute a vital political community. Certainly, this does not answer the meat of Strauss's criticism since Schmitt retains neither a rational standard nor a transcendental guarantee from which to determine the decision's content. Yet, he does not collapse the decision into a box in which anything can be made to fit. At the very least, then, what Strauss presents as Schmitt's dreadful failure to overcome the "systematics of liberal thought" should be reframed.

Rather than betray his imprisonment in the horizon of liberalism, Schmitt's renunciation of objective truth presents affinities with Paul. In attacking the lack of moral content in Schmitt's decision, Strauss is not just battling the modernist renunciation of truth but also Paul's challenge to the Hellenist and Jewish model. Strauss is no Paul enthusiast and he would gladly retort that the Pauline break is the first step towards modernity. Yet, recasting the foil of his polemic against Schmitt does have the important consequence of saving Schmitt from himself. From the perspective of *The Concept of the Political*'s aims, reliance on a liberal framework would be far more damning than an appeal to a Pauline structure of truth, still fruitful even when voided of transcendence. As such, the contrast between Schmitt and Strauss is not that between a historicizing political thinker on the one

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82 Ibid., 54.

hand and a political philosopher on the other, as Strauss would have us believe. Rather, the two are litigating anew the long-since forgotten battle between Jerusalem and Athens on the one hand and Paul on the other.

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