

Carl Schmitt and the Risk of the Political

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Many norms of contemporary parliamentary law...function as a result like a superfluous decoration, useless and even embarrassing, as though someone has painted the radiator of a modern central heating system with red flames in order to give the appearance of a blazing fire.¹

The trope of risk holds enormous potential for the development of the social sciences, the humanities, and, especially, the emergent supra-disciplinary field in-between.² Without claiming to compile a representative sample, it is enough to cast a glance at a few of the disciplines to detect the unifying, but still invisible thread it supplies. From the work of Ulrich Beck in sociology, to Susan Strange's ground-breaking book in heterodox economics, to "the fourth dimension" of the "desire of philosophy" formalized by Alain Badiou, "risk" comes to the forefront of research and of human life in late modernity.³ Yet, despite the forays of these and other authors into the themes that touch upon public policy and political philosophy, a distinctly political theory of risk that breaks free from "zero-sum game" mentality is lacking. This gap is neither accidental, nor surprising, given the unique character of the political, which should not go unremarked. Therefore, what is required to bridge the gap is a self-reflective

1. Carl Schmitt, *The Crisis of Parliamentary Democracy*, tr. by Ellen Kennedy (Cambridge and London: MIT Press, 1986).

2. For a rather dense summary of the emergent "supra-disciplinary" field, see Gayatri C. Spivak, *Death of a Discipline* (New York: Columbia University Press, 2003).

3. Ulrich Beck, *Risikogesellschaft: Auf dem Weg in eine andere Moderne* (Frankfurt am Main: Suhrkamp Verlag, 1986); Susan Strange, *Casino Capitalism* (New York: St. Martin's Press, 1997); Alain Badiou, *Infinite Thought: Truth and the Return to Philosophy*, tr. by Oliver Feltham and Justin Clemens (London and New York: Continuum, 2003).

political theory, such as the one we find in the writings of Carl Schmitt.

Before extracting the hidden, yet highly promising references to risk in Schmitt's writings, I wish to adumbrate, more or less precisely, the scope of such a task. Minimally, it could be argued that this trope restores certain "spiciness" to Schmitt's theory of the political by way of bringing into a greater relief its distinguishing existential and experiential components.⁴ Maximally, one might conclude that risk acts as one of the organizing concepts for the category of the political.⁵ I propose to carve out an approach that does not coincide with either of these extremes, but navigates between them, considering some of the Schmittian contributions to political theory with reference to the notion of risk. After specifying the meaning Schmitt attributes to risk and to its political "incarnation," I shall discuss the role it plays in political recognition and decision-making. At each stage of the argument, I shall return to and re-assess the limits of the political and its transmutations in Schmitt's texts.

The Specificity of Risk

Schmitt constructs his taxonomy of risk in "Theory of the Partisan." Resisting the dissolution of the concept into an all-purpose, emptied out construct "that blurs all borders," he differentiates between two usages of risk that he calls "general" and "pregnant."⁶ The former sense refers to the "insecurity and danger" that permeate the zone of a military conflict, when "the area's entire population turns out to be involved in a risky situation."⁷ Conversely, following the more pregnant meaning of the term, the partisan who entertains "the risk of a hopeless fight" knows himself to be "that cannon fodder used by great world powers for their armed conflicts."⁸ The pregnant sense of risk in particular is not to be conflated with the pessimist or fatalist attitudes toward politics and praxis. Paradoxically enough, what instigates partisan activity is the total renunciation of rights

4. Leo Strauss is the most prominent proponent of such an approach. In his commentary on *The Concept of the Political*, Strauss ["Notes on Carl Schmitt, *The Concept of the Political*" in *The Concept of the Political*, tr. by George Schwab (Chicago: University of Chicago Press, 1996)] affirms Schmitt's "thesis of the dangerousness of man as the ultimate presupposition of the position of the political" and implies that the illumination of this presupposition restores "the seriousness of human life," pp. 96, 101.

5. Although I am not aware of any actual approach to Schmitt that espouses this maximalist position, it is not outside the realm of possibility.

6. Carl Schmitt, "Theory of the Partisan: Intermediate Commentary on the Concept of the Political," in *Telos* 127 (Spring 2004), p. 30.

7. *Ibid.*, p. 28.

8. *Ibid.*, p. 14.

in the mode of juridical passivity. At the same time that the partisan “acts in a risky way [and] exposes himself personally to the danger and also takes into account the eventual negative consequences of his actions,” he explicitly becomes the uninsurable par excellence and cannot appeal to the principles of justice (“so that he cannot consider it an injustice when these consequences hit him”).⁹ In the general sense, risk is quantitatively incalculable because of the massive toll it takes on the life of a totally politicized population. Furthermore, in the pregnant sense, risk is qualitatively incalculable due to its absolute divergence from the juridico-economic domain, where injustices and negative consequences are balanced out by compensations. It is this renunciation of Right and of rights — the apparent passivity, which the partisan subjects attain via the exercise of their political will in a self-conscious fashion — that renders their actions so potent and dangerous.

But the differences between the two usages of “risk” run much deeper still. We will be able to measure some these differences, if we pay attention to the formal structure, or the bare outline of the concept to which they belong. Formulaically, X risks Y for the sake of Z.¹⁰ In addition to substantiating the intentional and exchange-like specificity of risk, as opposed to the more diffuse associations of “threat” and “dangerousness,” the formula before us draws a sharp division between the two senses of the term. Where X (the partisan) and Z (telluric, defensive goals) remain constant across the dividing line, Y varies so that, in the first case, it stands for the population at large, and, in the second, it designates the partisan. Consequently, in the figure of the partisan, in the figure of someone who puts herself on the line both qua a living being and qua a legal, honorable subject,¹¹ the risking and the risked coalesce. The doubling of the risking and of the risked in the same figure and the sort of active passivity whereby one identifies at once with the subject and the object of risk determine the pregnant sense of the term. Stated succinctly, the difference between the two meanings of risk amounts to the grammatical distinction between “risk” as a noun and as a verb.

There is also the unnamed third category of risk lurking in the same

9. *Ibid.*, p. 29.

10. Were we to follow a phenomenological mode of thought, we could point out something like the intentional structure of risk (which makes sense only in the pregnant sense of the term) involving “the risking of the risked,” just like vision comprises “the seeing of the seen,” etc.

11. Schmitt, “Theory of the Partisan,” *op. cit.*, p. 31.

text. With prognostic accuracy, Schmitt pinpoints the dangers that a “police functionary” in the occupied territory faces, insofar as “the occupying power expects him to maintain security and tranquility, which is what the partisans violate, while his nation-state expects his loyalty and, after the war, will hold him responsible for his actions.”¹² It is quite incontrovertible that the newly forming Iraqi army and police forces find themselves in this very predicament 40 years after the first formulation of “Theory of the Partisan.” From a more abstract theoretical point of view, however, local police functionaries find themselves right on the cusp of two overtly mentioned classes of risk. On one hand, they form the most insecure part of the general population, offered as a convenient target for various factions and for the opposing parties to the conflict. On the other hand, regardless of operating on the opposite sides of the barricades, police functionaries share the partisan experiences of risk in the more “pregnant” sense marked by hopelessness, personal exposure to danger, and inescapable responsibility. A scrupulous deconstructive study could readily utilize such theoretical semi-obscurity and pull on the loose third strand in the taxonomy until it disclosed the disavowed conditions of possibility for the relative clarity of the other two strands.

Another implication of Schmittian taxonomy has to do with the age-old discussion of means and ends. In “Critique of Violence,” Benjamin inscribes the means-ends relationship in the structures of natural and positive law, recommending, concomitantly, an analysis “which would discriminate within the sphere of means themselves, without regard for the ends they serve.”¹³ Although the extra-legal — neither legal, nor illegal¹⁴ — status functioning as a tool or as the means at the partisan’s disposal renders all references to law obsolete, Schmitt’s theory takes the emphasis on pure means to heart. At first sight, it might appear that risk understood in the general sense is the end of partisan activity that aims to disseminate insecurity and terror within the population and amongst the occupiers. Yet, it turns out that general risk and its effects are but the intermediate means Y, externally postulated by X, for the achievement of goal Z. Likewise, the partisan X who consciously and deliberately risks herself (X as Y) transforms herself into the pure means in the struggle. Thus, the three-

12. *Ibid.*, p. 29.

13. Walter Benjamin, “Critique of Violence” in *Reflections*, tr. by Edmund Jephcott (New York: Schocken Books, 1978), p. 277.

14. Schmitt, “Theory of the Partisan”, *op. cit.*, p. 21. Only someone who is a subject of law may commit an act that will have been called “illegal.”

fold analysis of risk represents a gradation of means without a necessary reference to the ends.

The reflection on the ends gains significance and becomes necessary only when “risk” describes the odds of the action’s non-realization in the overall political means-ends schema. If, along the lines of Badiou’s philosophy of the event, the linkage of means and ends is accomplished by way of the undecidable wager, “a supplement committed to chance,”¹⁵ then risk is tantamount to the casino experience, where one hopes for the best but expects the worst. How does this stand with the partisans? The partisan wager is, precisely, decidable in terms of its telluric attachment and in terms of the haunting “hopelessness” of the actively passive fighters who have denounced their rights not for a particular end, but because there is no end in sight. But this wager is also undecidable in a surprising way, namely, in the un-bracketing of traditional warfare by the seemingly omnipresent and irregular partisan force, the total involvement of the civilian population, and the escalation of hostilities to the level of “absolute enmity.”¹⁶ The surprise awaiting the reader in the end of Schmitt’s “intermediate commentary” is the planetary amplification of partisan hopelessness now armed with the weapons of “total annihilation”¹⁷ and hammering the last nail into the coffin of the means-ends logic.

What kinds of lessons regarding the nature of the political can we extract from the preliminary analyses of risk? For the sake of convenience, I group these lessons into two broad categories: political subjectivity and temporality. First, I note that the infusion of the political realm with risk is one of the symptoms accompanying the transition from the institutional to the existential conception of the political. Not coincidentally, the most clear-cut formulation of risk is featured in the “Theory of the Partisan” that proclaims the end of traditional state politics and places its bets on new, non-state actors. The totally politicized population subjected to general risk is now forced to choose sides, to determine who is the friend and who is the enemy, in the absence of an acknowledged and “legitimate” sovereign power that, otherwise, would have been responsible for the political choice. But the most interesting twist in this transition is the denial of political status to the partisans — the properly political subjects — by their enemies. From the standpoint of their enemies, the partisans are criminalized and depicted as vandals.¹⁸ The kernel of political

15. Badiou, *Infinite Thought*, *op. cit.*, p. 62.

16. Schmitt, “Theory of the Partisan,” *op. cit.*, p. 74.

17. *Ibid.*, p. 77.

18. *Ibid.*, p. 31.

risk, thus, lies in not being recognized as a political subject, in being banished even from the margins of the political. Such non-recognition is, probably, more lethal for the partisan than engagement in active combat, for the simple reason that they have (riskily) renounced in advance the demand for just treatment, legality, etc. and, through this renunciation, have commenced a mode of being focused solely on the political. For them, there is, literally, no other sphere to retreat to, adding to the sentiment of hopelessness.

Second, the temporality of risk is profoundly marked by the orientation to the future, be it the "accounting" of the eventual negative consequences of the partisan's actions, the advance renunciation of rights, or running the risk of a hopeless fight. The futurity of risk fits very well into the general pattern of Schmitt's notion of the political, in which possibility functions as one of the guiding threads. So, for instance, to turn the constitutive enemy-friend distinction into a question, it is not enough to ask, "Who is our (public) enemy and who is a friend?" In the spirit of Schmitt, a more accurate question is, "Who will have been our (public) enemy and who will have been a friend in the eventuality of war?" The future perfect tense should not be overlooked because it constructs the unique combination of the future in the present, the future imagined, meaningful, and relevant for the present in its "real possibility."¹⁹ But neither should we overlook the peculiar futurity of the partisan who risks running a hopeless fight. It is the futurity of "no future" that looms on Schmitt's political horizon now in the guise of the partisan's motivating factors and now in the guise of the absolute enmity, bordering on nihilism and offering a glimpse of the possibility of total annihilation.

Whence Political Risk? The Anthropological Minus the Economic

In Schmitt, a condition of possibility for the insertion of "risk" into political discourse is wresting this category from the economic domain. What I mean by the economic entails both the broad connotations of exchange and calculation and the narrow, historically circumscribed periodicity of speculative capitalism. The process of exchange C-M-C in Marx's *Capital* is far from certain; in addition to the leap, the *salto mortale*, that value must perform in order to pass from the "body" of the commodity to the "body" of money in the first metamorphosis (C-M), there is a chance

19. "The friend, enemy, and combat concepts receive their real meaning precisely because they refer to the *real possibility* of physical killing". Schmitt, *The Concept of the Political*, *op. cit.*, p. 33 (emphasis added).

that the process will not resume anew in the aftermath of the last metamorphosis (M-C).²⁰ The unavoidable risk inherent in any exchange is the foundation of Marxian, admittedly underdeveloped, crisis theory. Economic precariousness is greatly increased in financial speculation, where the non-monetary commodity presumably disappears and where profits are made on ultra-short-term investments and on the minutest variations of stock prices.²¹ Hence, exchange and speculation are two risky and contingent but undoubtedly economic ways of relating to the future.

At times, Schmitt finds himself on the verge of conceding the risky core of the economic. It is conceivable, he writes, that “a consistent individualist is one who fights for himself, and if he is courageous, at his own risk. He then becomes his own partisan.”²² Immediately qualifying this observation with the caveat that it only makes sense in a deplorably “indefinite symbolization,” or the abstract generality, of the concept of the partisan, Schmitt enumerates the strict criteria that delimit its scope: irregularity, increased mobility, increased intensity of political engagement, and the telluric compartment.²³ While a “venture capitalist” may play the role of an economic guerilla fighter, rapidly entering and exiting the market in the pursuit of “hit-and-run” interest, he is hardly a defensive figure. (That said, the other three stipulations apply, *volens nolens*, to venture capitalists.) Situated on the fringe of the economic, the clandestine prototype of venture capitalists — the pirate described in *The Nomos of the Earth* — is someone who “proceeded at [his] own risk (in the most dangerous sense of the word) and did not feel bound to any state.”²⁴ Later on Schmitt will regret this careless use of “risk”: “If even once I characterized the pirates and the buccaneers of early capitalism as ‘partisans of the sea,’ today I would like to correct this terminological error.”²⁵

In light of his taxonomy of risk, Schmitt’s caution with regard to the economic is largely justified. A whole range of risks that fall under the heading of general risk may be taken on the economic arena, but what Schmitt calls “the pregnant sense of risk” is ineluctably excluded. First, capitalists do not risk themselves (at least not directly), but endanger their investments, stocks, and other assets offered from the “uncontrollably

20. Karl Marx, *Capital I*, tr. by Ben Fowkes (New York: Penguin, 1976), pp. 200, 208.

21. Strange, *Casino Capitalism*, *op. cit.*, p. 111.

22. Schmitt, “Theory of the Partisan,” *op. cit.*, p. 23.

23. *Ibid.*, pp. 22, 23.

24. Carl Schmitt, *The Nomos of the Earth in the International Law of Jus Publicum Europaeum*, tr. by G.L. Ulmen (New York: Telos Press, 2003), p. 174.

25. Schmitt, “Theory of the Partisan,” *op. cit.*, p. 30.

risky” position of selling.²⁶ Second, they abstain from the risk of a hopeless fight, let alone the refusal of legal rights. Indeed, the emergence of corporations with “limited responsibility” introduces the safeguards that are supposed to prevent any such personal risks. But consider the other part of the economic domain, comprised of wage-laborers who sell the only commodity in their possession — labor power. Here, the risking and the risked merge, by definition. Partaking in the risks of the position of selling (a part of themselves) under the ever-present shadow of being demoted to the industrial reserve army, wage-laborers come very close to the experience of risk in the pregnant sense of the term. The “other part of the economic” is a blind spot covered over by Schmitt’s anti-economism, and yet, hinting at the unexplored potentialities of implicit “risk theory” pertinent to understanding the concept of the political.

The crucial methodological twist — not be missed behind the torrent of details and nuances — is not Schmitt’s theoretically justified or unjustified caution, but the derivation of political risk thanks to the evacuation of risk from the economic domain and by way of anthropological mediations. The evidence in support of this claim is subtle. Few commentators have accentuated the Schmittian reading of Hegel in *The Concept of the Political*. Sifting through the list of Hegel’s innovations in political philosophy, Schmitt encounters “the first polemically political definition of the bourgeois”: “The bourgeois is an individual who does not want to leave the apolitical riskless private sphere. He rests in the possession of his private property. . . He is a man who finds his compensation for his political nullity in the fruits of freedom and enrichment and above all in the total security of its use.”²⁷

Heinrich Meier, one of the few commentators who has not glossed over this definition, thinks that the “bourgeois has already been ‘sentenced’ insofar as he wants to avoid decision and seeks salvation” in the riskless private sphere.²⁸ The point is well taken, but much more is at stake than decision-avoidance on the part of the bourgeois.

The first clue is concealed in Schmitt’s positive reference to Hegel’s definition as “polemically political.”²⁹ Curiously, the thrust of this “polemically political” definition is to deny the political traits of the

26. Kojin Karatani, *Architecture as Metaphor: Language, Number, Money*, tr. by Sabu Kohso (Cambridge: MIT Press, 1995), p. 117.

27. Schmitt, *The Concept of the Political*, *op. cit.*, pp. 62-3.

28. Heinrich Meier, *The Lesson of Carl Schmitt: Four Chapters on the Distinction between Political Theology and Political Philosophy* (Chicago: University of Chicago Press, 1998), p. 13.

29. Note that in the same text, Schmitt contends that “all political concepts, images, and terms have a polemical meaning.” Cf. *The Concept of the Political*, *op. cit.*, p. 30.

bourgeoisie by allocating it to the private, riskless, apolitical sphere, such that the three adjectives (taken to be synonymous and interchangeable) maintain the divide between the public enemy (*hostis*) and the private one (*inimicus*). The plausibility of such an assertion is questionable even in the Hegelian scheme of things, in which civil society, providing the “home” to bourgeois activity is neither truly political, nor fully private.³⁰ Further, it goes without saying that a member of the bourgeoisie cannot afford to rest “in the possession of his private property” in the way that the superseded landed aristocracy did. If anything, it is the restlessness of constant reinvestment and reproduction of capital on the expanded scale that keeps the bourgeois on the treadmill of a “free” market. Is the Schmittian reading of Hegel, then, nothing but a foil for coming to terms with the relation between the economic and the political?

The clues continue to abound when at the very outset of the critique of parliamentary democracy, equality, the most economic of political concepts, loses all ties to risk that are reserved only for its opposite: “Equality is only interesting and valuable politically so long as it has substance, and for that reason at least the possibility and the risk of inequality.”³¹ Even though the economic sphere may depend on major inequalities, these are, in principle, equalizable by monetary means. Alternatively, the substantiality of political inequality that, in turn, yields the substance of equality hinges on the qualitative, the uneconomic, the non-equalizable. Its possibility and its risk are dangerous because they do not respond to any palliative, corrective measures or, better still, the *pharmakoi* (the poisonous medicines or medicinal poisons) modeled on the unequal equality of the law of value.

The polemics aimed against the economic reach their crest as early as *Roman Catholicism and Political Form*. The outcome of the subsumption of the political under economic rationalism is “the administration of things” that replaces political *representation* with the authority of technical exactitude and with the actual *presence* of things.³² In other words, Schmitt accepts the thesis of reification; after all, in a pithy statement he

30. “The concrete person, who is himself the object of his particular aims, is . . . one principle of civil society. But the particular person is essentially so related to other particular persons that each establishes himself and finds satisfactions by means of the others.” G.W.F. Hegel, *Elements of the Philosophy of Right*, tr. by T.M. Knox (New York: Oxford University Press, 1967), pp. 122-3.

31. Schmitt, *The Crisis of Parliamentary Democracy*, *op. cit.*, p. 9.

32. Carl Schmitt, *Roman Catholicism and Political Form*, tr. by G. L. Ulmen (London: Greenwood Press, 1996), p. 20. For more extended polemics against economism, see also pp. 14-18.

accuses liberalism of attempting "to tie the political to the ethical and to subjugate it to the economic."³³ But this acceptance does not imply that, by default, Schmitt gains a foothold in the socialist camp, since the critique of reification is supplemented with the contention that the response of actually existing socialism reproduces the conditions it purportedly overturns through its ideology of immanent materialism that leaves no space for transcendence and the "immateriality" of the political.³⁴ Strictly speaking, the administration of things is detrimental to human life (and its seriousness, as Strauss will observe), but not risky, or rather, it is detrimental because it is not risky, because it reduces risk to the likelihood of failure in the nuts and bolts of the state-economic machinery.³⁵

The act of counter-balancing the risklessness of the economic with the riskiness of the anthropological constitutes the next stage in the argument. For Schmitt, "the problematic or unproblematic conception of man is decisive for the presupposition of every further political consideration, the answer to the question whether man is a dangerous being or not, a risky or a harmless creature."³⁶ This question does not announce itself in the context of economic reflection concerned with utility and profitability, that is to say, with the interest of the human creature, as opposed to "the conception of man" as such. But would the criticism still be valid if economic theory were to challenge its traditional confines, examining its subjects closer and in more detail than utility maximizers? Be this as it may, the anthropological choice consists of two alternatives: the human is either risky, or harmless. (It is worth registering the fact that, here, the other of "risky" is not "non-risky", but "harmless." The latter word bears on the effects of risk, or the absence thereof, on others and, thus, foregrounds the general sense of the term.)

Taking the side of the risky conception of the human, Schmitt approvingly cites Plessner: "Man, for Plessner, is 'primarily a being capable of creating distance' who in his essence is undetermined, unfathomable, and remains an 'open question.'"³⁷ In stark contrast to administration, resulting in the shrinkage of time to the pure present dominated by the presence of things, the indeterminacy of the human unfolds the dimension of futurity with risky possibilities far in excess of those accidental failures that the

33. Schmitt, *The Concept of the Political*, *op. cit.*, p. 61

34. Schmitt, *Roman Catholicism and Political Form*, *op. cit.*, p. 27.

35. Carl Schmitt, *The Leviathan in the State Theory of Thomas Hobbes*, tr. by George Schwab and Erna Hilfstein (London: Greenwood Press, 1996), p. 45.

36. Schmitt, *The Concept of the Political*, *op. cit.*, p. 58.

37. *Ibid.*, p. 60.

apparatuses of economic and social reproduction may undergo. Above all, the essence of the human persists in the form of a question, refusing to congeal itself into a predetermined answer, or else to turn the subject of the political into an object: a thing among things.

The ontological facet of the “problematic conception of man” that poses the question without answer of riskiness and opens up to the future simultaneously necessitates the epistemological facet of a fluid, polemical, non-dogmatic, and ultimately self-reflective theorization that refuses to rest on the laurels of unexamined and examined presuppositions alike. That the onto-epistemological openness may welcome the futurity of the “no future,” as it happens in the case of the partisan; that a risk taken once may spell out the end of subsequent risk-taking; that a political decision may imperceptibly pass into economic administration — none of this invalidates or contradicts the methodological radicality of affirming the abyssal anthropological grounding of the political. Despite the key role Lenin has played in the institutionalization of economic rationalism in Soviet Russia, Schmitt does not lose his esteem for the partisan Lenin, the deeply political inheritor of Hegel³⁸ who paved the way for this transformation. The radical openness of risk retains its radicality only if it remains open even to the possibility of its own closure.

Recall, however, that Schmitt not only allows for the possibility of a counter-transformation, for instance, from the economic into the political, but also defines the latter in terms of such a possibility. “The political is the most intense and extreme antagonism, and every concrete antagonism becomes that much more political the closer it approaches the most extreme point, that of the friend-enemy grouping.”³⁹ Neither a purely quantitative, nor a purely qualitative shift, the essential movement of the political signifies the moment of *Aufhebung* that befalls a quantitative change in the force of antagonism and raises it into a qualitatively different antagonistic realm. To extend the scope of Schmitt’s “risk theory” is to argue that what indicates the completion or non-completion of this transition is the type of risk saturating each concrete antagonism. The vital sign of the political would, then, be the presence of risk in the pregnant sense, while the mix of two types of risk (which was discovered in the figure of the police functionary collaborating with the occupying power) would signal that the transformation is well on its way.

Given that any opposition can become political if it reaches the maximal

38. *Ibid.*, p. 63.

39. *Ibid.*, p. 29.

intensity of friend-enemy groupings, the political “principle” assumes the place of potentiality inherent in various other spheres. In Jacques Rancière’s highly original writings, politics occurs when the unaccounted part, the “part that has no part” demands to be counted, disrupting the routines of policing.⁴⁰ A juxtaposition of the two theories shows the “unique character” of the political, in Schmitt’s understanding, denotes something akin to Rancière’s “part that has no part” to the extent that it refers to a place of that which has no (delimited, circumscribed, present) place of its own. And the disturbance provoked by the onto-epistemological effects of risk is, precisely, the factor that does not permit the political to shrivel to a sphere antithetical to the economic, social, cultural, and other domains.⁴¹

Risky Recognitions

Any basic dictionary of Hegelian thought is bound to include “recognition” among its entries. Although this notion does not enjoy the same privileged status in Schmitt’s political theory, it nonetheless performs a great deal of conceptual work behind the scenes. If the concept of the political depends on the articulation of friend-enemy distinctions, then it must involve the mechanisms of identifying friends and enemies. But, with this requirement, certain seemingly insurmountable difficulties arise. Keeping in mind the future orientation of the concept of the political, how is it possible to recognize in the present someone who will have been an enemy or a friend? More concretely, what are the criteria guiding political recognition? In a highly critical style, Ulrich Beck hints, somewhat ironically, at the problematic at hand and, especially, at the prefabricated binary code into which it is *a priori* forced: “Do these [friend-enemy groupings] represent differences of temperament or differences in political and theoretical ideology? Why one, why the other, and on what basis is that measured and decided?”⁴² Does Beck, thereby, open Pandora’s box whose content threatens to derail the future-oriented openness of the political and expose the stricture that undercuts it?

Before passing judgment too rashly, someone even modestly preoccupied with the standards of rigorous scholarship ought to give Schmitt the benefit of a doubt and examine his texts more closely. From two perspectives

40. See Jacques Rancière, *Dis-Agreement: Politics and Philosophy*, tr. by Julie Rose (Minneapolis: University of Minnesota Press, 1999).

41. Schmitt denounces “the nineteenth-century antitheses” that place the political on the hither side of every other sphere of human activity as evidence of “liberal depoliticalization.” See *The Concept of the Political*, *op. cit.*, p. 23.

42. Ulrich Beck, *The Reinvention of Politics: Rethinking Modernity in the Global Social Order*, tr. by Mark Ritter (Cambridge: Polity Press, 1997), p. 27.

that have hardly anything in common, with the exception of the textual materials on which they elaborate, Strauss and Derrida lay the groundwork for the discussion of recognition. The former thinker vividly pictures the Schmittian encounter: “‘Disdain’ is to be taken literally; they do not deign to notice the neutral; each looks intently at his enemy; in order to gain a free line of fire, with a sweep of the hand they wave aside — without looking at — the neutral who lingers in the middle, interrupting the view of the enemy.”⁴³ The latter thinker also inquires into the conditions of possibility of the encounter. Thanks to the desire for recognition, “the enemy would gain reassuring and ultimately appeasing contours, because they would be *identifiable*. The figure of the enemy would then be helpful — precisely as a figure — because of the features which allow it to be identified as such, still identical to what has always been determined under this name.”⁴⁴

In both interpretive cases, the enemy emerges as a perceptual *figure*. According to Strauss, the apparition of the enemy figure is indebted to the dissolution of neutrality,⁴⁵ the disappearance of everything that stands between enemies and could soften or absorb the risk. But the swipe of the hand that prepares the unobstructed field of vision is itself blind (“without looking at”) to that which “lingers in the middle,” to that which contains the prospects of reconciliation. Visual recognition of the enemy enabled both by the intensity of the look and by preparatory blindness produces, at the extreme, a figure without background. The long-term consequences of such blindness are risky in the pregnant sense wherein they negate a future reconciliation that may follow the standoff and imbue it with the spirit of active hopelessness.

Now, Derrida is perhaps more attentive to the impossible, yet indispensable figure without background. By virtue of remaining a figure, the

43. Strauss, “Notes on Carl Schmitt, *The Concept of the Political*”, *op. cit.*, p. 106.

44. Jacques Derrida, *Politics of Friendship*, tr. by George Collins (London and New York: Verso, 1997), p. 83. Both quotations and my discussion of recognition pertain to *hostis*, the “public enemy.”

45. As a rule, Schmitt treats neutralization and politicization as two diametrically opposed processes. In light of this treatment, E.-W. Böckenförde’s [“The Concept of the Political: A Key to Understanding Carl Schmitt’s Constitutional Theory, in *Law as Politics: Carl Schmitt’s Critique of Liberalism*, ed. by David Dyzenhaus (Durham, NC: Duke University Press, 1998), esp. pp. 48-9] deduction of “the necessity of a ‘*pouvoir neutre*’ within a state” unjustifiably postulates an abstraction based on the concrete Weimar context of *Verfassungslehre*. The “neutral power” which Schmitt found “in the public service and in Reich’s president” (p. 49) is, indeed, indispensable but only when the population fails to reduce the risk of internal strife and to become unified in the face of the external public enemy. Otherwise, “*pouvoir neutre*” is utterly useless and artificial.

enemy has not yet turned into the indeterminate prototype of absolute enmity, unlimited in time and in space. In other words, the recognition of that which fits into the determinate, figural contours already fine-tunes the risk unleashed in the Straussian interpretation. The contours of this figure are “reassuring” because they “nail down” and enclose the enemy in the perceptual field, and they are “ultimately appeasing” because they prevent absolute enmity and, by the same token, do not exclude the possibility of a future reconciliation. Therefore, where Derrida is closer to late Schmitt who is apprehensive about the possibility of total annihilation, Strauss approximates the early, uncompromising Schmitt of the *Concept of the Political*.

Nonetheless, the Straussian-Derridian solution does not address the quandary generated by the recognition of the enemy. It is true that, for Schmitt, the political begins with the cognitive-perceptual elimination of the neutral third (whose trace may still linger in the very contours that delimit the enemy) that, logically, precedes the possibility of the potential-existential elimination of the enemy. On one hand, the appellation “enemy” applies to “the other, the stranger; and it is sufficient for his nature that he is, in a specially intense way existentially something different and alien, so that in the extreme case conflicts with him are possible.”⁴⁶ On the other hand, after enumerating various political identities — of “the governed and the governing,” “the state and the people,” etc. — Schmitt intimates that “these identities are not palpable reality, but rest on a *recognition of the identity*.”⁴⁷ To put it briefly, the main question of recognition is: Can one recognize something other than identity, namely, otherness and difference ‘themselves’?

A superficial reading may seek the divergence of mediation from immediacy in the contraposition of the two quotations. It may show that, while the figure of the enemy triggers a present and immediate existential sensation of alterity, recognition of identity, politically translated into friendship, requires a number of mediations supporting ideational representation and subjective construction of something that will not be found in “palpable reality.” There is a grain of consistency and soundness in this argument, but the identification of the enemy figure in Schmitt does not entirely bypass the mediate route of representation. Quite the opposite, this figure is determined only after all mediate routes have been exhausted, i.e., after those who make the determining decision come to a

46. Schmitt, *The Concept of the Political*, *op. cit.*, p. 27.

47. Schmitt, *The Crisis of Parliamentary Democracy*, *op. cit.*, p. 26 (emphasis added).

conclusion that the figure is “alien to” — incongruent with — the preexisting cognitive and political categories.⁴⁸ Hence, the answer to the question posed above is not univocal. No, one cannot recognize something other than identity (of a friend); and, yes, one can recognize the absence of identity, the incongruence of the referent with the a priori comparative framework, and, finally, the negative outline of otherness.

Aside from the degrees of immediacy and mediation, a more relevant theoretical division drives the logic of identity and non-identity. The recognition of the former is the prerogative of the governed who, whether mimetically or not, identify themselves with the people, with the governing, and with the state by means of complex ideological apparatuses. The governing sovereign body, on the contrary, makes the decision on something that could endanger this identity, the processes of identification, and in the extreme, “the existence of the state.”⁴⁹ It claims the right to recognize the enemy, but recognition has nothing in the present to cling to, except the sense of future threat and the absence of congruence with the dominant structures. The only guarantees of enemy recognition are the “future returns” of preparedness for impending conflicts and the act of recognition itself. The last point is worth highlighting again. The enemies are constituted performatively, by the very self-grounding act of recognition aimed at them, and, therefore, are no more a part of “palpable reality” than politically constructed identities.

A self-grounding phenomenon is inevitably fraught with risk, to the degree that it arises from a pronounced blindness, indirectly diagnosed by Strauss, to everything that surrounds or falls outside of it. But the risks of recognition proliferate beyond its limits, spreading to the structurally necessary phenomena of misrecognition and non-recognition. Misrecognition need not be understood as the divergence between reality and its representation; rather, it is the upshot of the non-transparency and obliqueness of the political field. Already in *Roman Catholicism and Political Form* Schmitt expressed his commitment to *arcana* in politics and their manifestations, for example, in secret diplomacy.⁵⁰ Secret diplomacy complicates

48. The goal of political recognition is neither truth (understood non-polemically), nor cognitive consonance. In Strauss' view, it has to do with the formal “orientation to ‘dire emergency,’” and not so much with the content of what is recognized as a threat. “He who affirms the political as such comports himself *neutrally* toward all groupings into friends and enemies” regardless of the concrete principles that bring these groupings into existence (*op. cit.*, p. 105).

49. Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, tr. by George Schwab (Cambridge: MIT Press, 1985), p. 6.

50. Schmitt, *Roman Catholicism and Political Form*, *op. cit.*, p. 34.

the recognition of friends and enemies, splitting political reality itself into the visible and the invisible. In colloquial terms, one's perceived and declared friend may furnish a presentable and reassuring façade of non-alterity and, at the same time, act maliciously "behind one's back," or be a friend in the name alone.

The same commitment surfaces in the critique of parliamentary democracy, where the "openness" ruling over the exchange of opinions appears to be a naive and unattainable ideal. Here, Schmitt reiterates the idea that "*Arcana* belong to every kind of politics" in the context of domestic, cabinet politics "conducted by a few people behind closed doors."⁵¹ In its presuppositions and in its mode, cabinet politics is structurally equivalent to secret diplomacy, with the proviso that the former affects the domestic, not the international, arena with the risk of misrecognition. This particular affectation is not likely to diminish in our post-Schmittian epoch. The relevance of the domestic veil of secrecy to the contemporary political processes will increase in the foreseeable future, as it is instigated by the legitimate and fictitious concerns with "national security." The aforementioned secrets and risks will, paradoxically, survive and flourish in the so-called information age, running parallel and sometimes intersecting with the commercial secrets that give their owners an economic edge in the ludicrously uneven "open markets" closed to everything but the transnational flows of capital.

The second structurally necessary negative corollary of recognition is non-recognition fuelled by the changing patterns of visibility in the political sphere. In fact, it is safe to say that non-recognition brings the dynamics of misrecognition to a logical conclusion. The actors who inherit the great political *arcana* are the partisans inhabiting the "essential space of irregularity" and using secrecy and darkness as their "strongest weapons."⁵² Greatly magnified, the unevenness of the political playing field turns into a full-blown asymmetry when the invisible partisan fights clearly identified "local police functionaries" or the occupying troops.⁵³ The risk that the latter face is more pregnant than the Schmittian "pregnant sense" of risk (if such a thing is possible), because its version of incalculability is tied to the dissolution of enemy figures in the absence of

51. Schmitt, *The Crisis of Parliamentary Democracy*, *op. cit.*, p. 37-8.

52. Schmitt, "Theory of the Partisan," *op. cit.*, p. 35.

53. Like complete visibility, complete invisibility is not conducive to the maintenance of the political. Administration of things compatible with visibility *and* abstract categories (humanity and the enemy of humanity) rendering visible representations impossible equally deny the political its viability (Schmitt, *Roman Catholicism and Political Form*, *op. cit.*, pp. 27, 35). Thus, Schmitt's intervention in *Roman Catholicism* is geared toward balancing the visibility and the invisibility of the political on the model of the Church that is "in", but not "of" this world (*op. cit.*, p.52).

appeasing, albeit negative, outlines. The invisible, non-recognizable enemy opens the door to absolute enmity accompanied by the premonition that if the enemies are nowhere, then they are everywhere. Today's "war on terror" fought predominantly against invisible enemies has already stepped over the threshold.⁵⁴

Risky Decisions

"Decisionism" has become something like a hallmark of various debates surrounding Schmittian political theory.⁵⁵ But what has gone relatively unnoticed is the fact that both the milieu in which political decisions are taken and their core are pervaded with risk. If the "decision on the exception is a decision in the true sense of the word,"⁵⁶ then it always stands in the shadow of crisis, danger, or the situation of "extreme peril" to which Schmitt refers on the same page. To decide on the exception is to take on, or to assume, the dangers one faces, without escaping from them, or submitting to them in a blind, fatalistic manner. Analogous to the conduct of partisans, the sovereign decision is a strangely telluric, actively passive phenomenon responding to what cannot be anticipated in advance and, much less, codified in legal statutes. Even so, it does not result in the outright renunciation of legality — the renunciation that provides the partisans with their most potent weapons — but relegates the sovereign to the outer limits of the legal system.⁵⁷

In addition to the amorphous milieu-oriented (i.e., general) elements of risk, the sundered configuration of decision calls for a more detailed "risk analysis." This configuration entails a profound disconnect between the process of coming to a decision and the momentary act of decision-making. The fissure between the process and the act replicates the divergence of means from ends in the gradation of partisan risk and performs Kierkegaard's "leap of faith," absolving itself from the discussion, deliberations, and calculations that prepare the ground for it. Inasmuch as it is absolved from these processes, the act of decision-making embodies the *arcanum* that veils the political with secrecy and non-transparency. The

54. See Slavoj Žižek, "Are We in a War? Do We Have an Enemy?" in *The London Review of Books*, Vol. 24, No. 10 (May 2002).

55. For a concise enunciation of this topic, see Paul Hirst, "Carl Schmitt's Decisionism," in *Telos* 72 (Summer 1987), pp. 15-26.

56. Schmitt, *Political Theology*, *op. cit.*, p. 6.

57. "Although he [the sovereign] stands outside the normally valid legal system, he nevertheless belongs to it, for it is he who must decide whether the constitution needs to be suspended in its entirety." (*Ibid.*, p. 7).

decision remains incalculable, personal, absolute, and, therefore, risky in the pregnant sense of the term regardless of the thoroughly calculated ground from which it takes off.⁵⁸ The either/or structure of decision-making drastically reduces the array of alternatives that may have been juggled in the process of coming to a decision. It is functionally comparable to the preparatory elimination of the neutral third serving as the condition of possibility for political recognition and rejecting Aristotelian moderation. Thus, Schmittian decision (and, by implication, his notion of the political) is ineluctably uncompromising and immoderate.

In the Sorelian vein, Schmitt's critique of parliamentary democracy turns on the impatience with the fruitless and ostensibly endless discussions that only infinitely delay decisive action. The will to intellectualization yields a watered down version of existential conflict sublimated into a more refined battle of ideas whose product is as ridiculous as "the radiator of a modern central heating system" painted "with red flames in order to give the appearance of a blazing fire."⁵⁹ The reluctance of politicians and of theorists to engage with the real and urgent political risk, their concentration on the risks of thinking and saying, does not mean that the risk of doing will disappear, as though it obeyed the disarming magic of their subjective intentions. Instead, the existential risk will grow exponentially due to the insidious ignorance that wishes to "neutralize" it by means of thought and speech alone. The bitter fruit of fruitless parliamentarism is what I call, in Schmitt's footsteps, "the indecisive deracination of the political" abetted by a botched "risk analysis."

The evasion of decision-making deferred by the interminable process of coming to a decision erases every clear line of demarcation between friend and enemy groupings. Yet Schmitt is loath to equate these deferrals with actual de-politicization. Summing up his position, he writes in *The Concept of the Political*: "Even less can a people hope to bring about a purely moral or purely economic condition of humanity by evading every political decision. If a people no longer possesses the energy or the will to maintain itself in the sphere of politics, the latter will not thereby vanish from the world. Only a weak people will disappear."⁶⁰

The last sentence may smack of social Darwinism and a sort of simple-minded application of "natural selection" and "self-preservation" to

58. *Ibid.*, p. 12.

59. Schmitt, *The Concept of the Political*, *op. cit.*, p. 71. Also, see the epigraph to this paper.

60. *Ibid.*, p. 53.

politics of which Schmitt has been accused all too often.⁶¹ But upon closer scrutiny, we see that there is nothing “natural” in political selection and, furthermore, that it is not self-preservation, but a decisive risk inimical to the nostalgia for the status quo that drives the political. In contrast, the indecisive deracination of the political — coextensive with parliamentary democracy and oscillating between the absolute visibility of the economic and the absolute invisibility of the moral — strives toward and, in the same gesture, blocks its own preservation. Decision-making is as irreducible as the sphere of politics *in toto*; behind a barrage of parliamentary articulations, hides the inarticulate, unarticulated, and already doomed decision not to decide. The “indecisive deracination of the political” consists in the lack of courage to face and to acknowledge the decision not to decide qua political decision and in the ensuing loss of the last vestiges of sovereignty.

Botched from the very beginning, political “risk analysis” weighs particular procedural risks, such as the risk of losing parliamentary majority, etc. but, in the same instant, it forgets the greatest substantial risk decided *a priori*, in excess of the particular scales: the risk of not taking risks. The choice with which Schmitt presents his reader is framed between, on one hand, the risk of terminating the existence of a political entity in the aftermath of its sovereign decision to go to war (that ends in defeat), and, on the other, the certainty of this entity’s dissolution in the atmosphere of indecisiveness that no longer holds in reserve the sovereign option to declare war.⁶² The latter option of risk-avoidance leads to the greatest risk bordering on the guarantee of failure and the unequivocal closure of futurity. Here, the price paid for selective blindness is the ability to exercise political vision beyond the mechanistic attunement to parliamentary procedures.

Risk-avoidance and the quest for neutrality are so far-reaching that they tacitly endow liberalism construed as a “metaphysical system” with unity and consistency. Whether it advocates the openness of the political field devoid of the secret, or a division of powers intended to “neutralize the concentration of power”⁶³; whether it promotes the value of social harmony conjoined with the need for “healthy” competition and debate⁶⁴ — liberalism dilutes political risk in the pools of moral speculation and economic

61. “despite the colorful existential rhetoric, there is no surmounting the fact that the fundamental political value we are left with is naked self-preservation.” Richard Wolin, “Carl Schmitt, Political Existentialism, and the Total State,” in *Theory and Society*, Vol. 19, No. 4 (August 1990), p. 406.

62. Schmitt, *The Concept of the Political*, *op. cit.*, p. 38.

63. Schmitt, *The Crisis of Parliamentary Democracy*, *op. cit.*, p. 37.

64. *Ibid.*, p. 35.

enterprise. Decision-making becomes difficult because it loses its institutional and material supports when sovereignty is viewed as a dangerous and obscure heritage of absolutist regimes that needs to be curbed. But in their excessive zeal, Schmitt's opponents deprive humans of more than perverse thrill and excitement ("spiciness") promised by political risk-taking. They come to negate praxis, eloquently portrayed by Schmitt in the form of "the possibility of a rebirth" based upon perspicacity and regenerative decision-making.⁶⁵

Conclusion: *The Risk of the Political*

Superseding land, sea, and even air, fire becomes "that new element of human activity"⁶⁶ that adequately describes late modernity in Schmitt's planetary scheme. The elemental fire and, perhaps, the absolute enmity it portends will devour its pale reflection — the "superfluous decoration" comprised of the "red flames" painted on top of radiator of parliamentary democracy. However meager, this image is not innocuous, for it transforms politics into an object of risk, endangering that which constitutes the political, including the distinction between and recognition of friends and enemies, as well as the act of sovereign decision-making. But the genitive form in "the risk of the political" is ambiguous. In addition to effecting a transformation of the political into an (grammatical, if not actual) object of risk, this expression affirms that risk, which belongs or is proper to the political. From active passivity and hopelessness of the partisan, to the structural possibilities of misrecognition and non-recognition, to the incalculable, non-economic consequence emanating from the actions of the "uninsurable" and the looming threat of absolute enmity, the risk of the political, derived from the second interpretation of the genitive, dictates the rules of its own temporality and spatiality. Fluctuating between the visible and the invisible, between the outlines of the enemy figure and their erasure, between the future and its closure, between pure presence and pure absence, the time-space of political risk offers a complementary methodological advantage of a non-dogmatic construction of political theory. Such a construction is the most crucial "challenge" of Carl Schmitt today.

65. Carl Schmitt, *Land and Sea*, tr. by Simona Draghici (Washington, D.C.: Plutarch Press, 1997), p. 5.

66. *Ibid.*, p. 58.

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