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CARL SCHMITT: *POSITIONEN* AND *BEGRIFFE*. THE DIFFERENCE BETWEEN POLITICS AND THE POLITICAL¹

Abstract

The subject of consideration is the relationship between politics and the political, as it is presented in two dissertations by Carl Schmitt from the 1920s: the famous *Der Begriff des Politischen* and the most extensive work from this period – *Verfassungslehre*. The thesis of the article is that, contrary to the fairly widespread interpretation of both these phenomena, that is, politics in the common sense and its special form to which Carl Schmitt referred as the political, should not be treated as explanandum and explanans, but as separate, co-occurring and somewhat complementary phenomena. While politics involves state actions for the public interest, ideologically defined according to classic political categories, the political is a sphere of specific actions in the special space of relations sometimes formed between collective entities, defined by the terms enemy-friend, a space cognitively diagnosed by Carl Schmitt. The political is not a real form of politics, but a form of action in the sphere of collective life other than politics, which is essentially important for building the structure of the state. The disclosure of the political in the activities of individual countries is an important element of analysis in foreign policy, an element of analysis of a situation within international relations. Revealing the political as a kind of *arcana imperi* of state actions, Carl Schmitt appears not only and not primarily as a neutral theoretician of politics, but as a German national political thinker, analysing primarily the situation of Germany in relation to the Entente countries at a very special moment in the history of twentieth-century Europe.

Keywords: politics, the political, enemy-friend, state, constitution, political ideas, democracy, liberalism, public interest, war, peace.

¹ Ff. O. Marchart, *Die Politische Differenz*, Frankfurt am Main 2016.

Re intellecta in verbis simus faciles – Otto von Bismarck
 Ne simus faciles in verbis – Carl Schmitt²

1.

In his famous article entitled *Der Begriff des Politischen als Schlüssel zum staatsrechtlichen Werk Carl Schmitts*, Ernst Wolfgang Böckenförde tries to show that the famous dissertation by Carl Schmitt on the concept of the political is a theoretical basis or rather, in a broader sense, a conceptual basis for his other works. Its understanding allows a full and accurate reading of Schmitt's most comprehensive work from the interwar period entitled *Verfassungslehre*. This thesis – without going into details and without considering its validity – is based on a firm assumption that the texts by the “Crown Jurist,” at least those from the Weimar Republic, form a compact whole, a system, and that they are coherent and match themselves like parts of one mental composition, one treatise broken down into parts. Perhaps this is the case, perhaps this kind of assumption should always be made when one gets to know someone's work. Perhaps this is the nature of a systematic, consistently conducted research work, a positive feature of an intellectual achievement crowned by the creation of a substantial theory. However, is this always the most important sign of the greatness of thoughts? Is this coherence, systemism, a positive feature emphasising the quality and depth of inquiry in the work of a thinker and an analyst, a scholar – “the civil servant of humanity” (Husserl) and a diagnostician of historical events determining the fate of a selected community? Perhaps the difference between these positions should not be marked and outlined too sharply so that it does not become too far-reaching and trite. However, it reflects something important in the difference in the research profiles and research methods used by this uninvolved researcher of the eternal essence and this engaged observer of changing phenomena and processes of the present day.

However, Böckenförde's thesis also gives rise to other questions. The two aforementioned Schmitt's texts differ considerably in type, meaning, and content. *Verfassungslehre* is a very extensive commentary on a specific legal document – the Weimar Constitution in

² H. Quaritsch, *Positionen und Begriffe Carl Schmitts*, Berlin 1989, p. 19–20.

force since August 1919. The German Constitution enters deeply into the systemic matter and a specifically interpreted theory of systems, reaching far into the past of European constitutionalism. In turn, *Der Begriff des Politischen* contains an original analytical concept regarding the meanders of the phenomenon of politics. It is quasi-philosophical and its tone suggests that it is written with the intention of reaching what is essential and hidden, somehow a non-phenomenal matter of things (beyond that which is *prima facie*, beyond that which is in the foreground), a specific matter, the indication of which is an important theoretical and cognitive discovery. On the one hand, we have a text in which its author uses categories, concepts, views and assertions functioning in a public, political and legal document. He takes from these – with the benefit of an inventory – meanings that function in public opinion, public debate and social communication. There are the basic notions of democracy, republic, individual rights, freedom, equality, constitution, law and so on. They have – and this is the crux of the matter – ideological, ethical, axiological meanings that are used on a daily basis and carry content which, in general, is rooted in the political philosophy and political theology of modern times and the political debates held for at least two centuries. These notions thus derive directly from the general concepts of the ethical state (Böckenförde), the republican state (Buchheim) and the state in the ideological continental tradition (Grimm). It should be added that totalitarian regimes definitely appear as anti-states in the view of these concepts. On the other hand, there are cognitive results of research, which can be called a vivisection of political reality, the results – made by a quasi-pathologist – of the analysis of the political facts of life. This gives rise to a linguistic neoplasm: *das Politische*, the political, a new concept designed to refer to what is newly discovered and existing under the surface of everyday politics, politics in the usual meaning of the word, the one that every newspaper reader indirectly deals with. However, it is not only the political but also new research concepts, such as a political entity, a political unity, an enemy and a friend, that are new. This entire conceptual constellation provides new content and explains anew concepts long known, such as constitution, law, sovereign, state-society division and so on.

To put it clearly, the key question is how these two different planes suspended at different levels of reality relate to one another: how does the ideological, ethical, explicit and public plane relate to the other, newly discovered plane of the political, say *realpolitik*? How do these

two planes relate to one another: the rational and the irrational, the essential and the existential, the holistic, objective plane and the plane of conflict relations between collective entities, each of which sees the entire environment from a different, individual perspective?

The answer that Schmitt himself might have given seems quite evident and clear: the dissertation on the political reveals the essence of things, ruthlessly unveils all the painful truth about politics, shows the reverse of what appears directly and has a positive value, which shimmers with rainbow colours and is characteristic of general and reliable views of things shared by citizens, voters who trust in words, declarations and slogans publicly spoken. They believe that politics is about ideals, noble goals of collective life, justice, prosperity and sustainable development. This is how scholars such as Georg Jellinek, Richard Thoma, and Hugo Preuss and how journalists described it. Meanwhile, Schmitt reveals the truth, reveals a secret game hidden in the background – the game of this world: *gioco del mondo*. He shows the dark powers of hostility, conflict and war, which are the real foundation of what happens in front of the public and is called a dialogue, seeking a consensus, meeting the public interest and caring for the common good. On the one hand, there is the logic of the day; on the other hand, there is the logic of the night revealing the truth. On the one hand, there is superego; on the other hand, there are complexes and antagonisms hidden in the subconscious.

This approach, this perception – let us call it the Unmasking Thesis – of Carl Schmitt – the debunker – seems to be frequent and perhaps somewhat instinctive. After all, an author and a theory are expected to reveal a hidden truth. This is the task of a researcher, an analyst who is not content with the external appearance of what is known to everyone, who does not let him- or herself be fooled and goes deeper to reach the point. Schmitt himself may also suggest this kind of interpretation. Is this not suggested by the nature of his arguments, their eloquence, style, tone and the tone of the author practising – regardless of methodological meticulousness – the “phenomenology of politics” and analysing the underlying reality of *res politica*?

Yet it may be wondered whether this interpretation is not too simple, even superficial, trite, banal and, finally, uninteresting because there have already been so many disclosures of the actual truth, exposures, myths debunked and deconstructions ... Moreover, before this interpretation could be assumed, two obstacles would have to be overcome first: it would be necessary to indicate the evidence (in

addition to the tone itself and the author's stance and suggestions) supporting the thesis that Carl Schmitt's theory of politics and system reveals the essence. Besides, it would be necessary unmask the lies of all politicians, not only those whose lies are evident, but also those whose lies are less easy to prove. This applies to statesmen and politicians, such as Wilson, Clemenceau, Atta Turk, Piłsudski, Masaryk, Mannerheim, Churchill, Adenauer, de Gaulle and so on.³

According to the author, there is one answer to the question of whether there is direct evidence – evidence in the text, *expressis verbis* formulated by the author of *Der Begriff des Politischen*, or evidence in the form of a tangible, evident logic of reasoning – that the Unmasking Thesis is correct: there is no such evidence. Of course, Schmitt's considerations can be interpreted, read and arranged so as to confirm this and constitute such evidence. This may be a more or less successful interpretation,⁴ but the text itself contains no ready evidence to confirm the said thesis.

What is the conclusion? The basic question arises about the meaning of Carl Schmitt's views showing the phenomenon of the political. It cannot be denied that this is a real phenomenon. However, since it is impossible (because there is no direct, clear and explicit evidence for this) to reduce politics to ... the political, how can the meaning of Schmitt's discovery be understood and assessed and what is the scope, nature and significance of this phenomenon? Going further this direction, how can one understand the relationship between the dissertation on the political and *Verfassungslehre*? This is, however, a more academic issue to be resolved by interpreters and commentators.

Let us focus instead on the first question about the political and how it relates to politics. Who does Schmitt want to enlighten by revealing this sphere? Who does he want to warn? Who and why does he want to realise it?

A full, accurate and comprehensive answer to this question will not be provided but, after introducing a certain thematic sequence in Schmitt's works, an original hypothesis will be formulated. This hypothesis could be the answer to this question if it is finally confirmed. However, the very presentation of the hypothesis also has – as one may immodestly think – a certain value.

³ See also for example M. Król, *Wielcy władcy*, Kraków 2014.

⁴ See: works by M. Cichoński or J. Bartyzel or P. Kaczorowski, *My i Oni. Państwo jako jedność polityczna. Filozofia polityczna Carla Schmitta w okresie republiki weimarskiej*, Warszawa 1999.

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How does Schmitt's theory approach the relationship between politics, which – as is usually considered and as can be assumed – has a significant ideological and ethical dimension, and the political, which is a special dimension of politics reached and revealed by the inquisitive jurist from Plettenberg? This issue can be explored using two examples in particular: liberalism, which gradually disassembled the structures of the state in the nineteenth century and later, and political theology, or more broadly – political religiosity – which – still counteracting the liberal tendencies of the era – clearly had two aspects at that time: religious-axiological and the one connected with the political. Let us briefly introduce these two issues so that the hypothesis presented later does not appear against a completely empty background. However, these political forms can only be properly explained against the historical background of the long nineteenth century (1789–1918).

2.

The nineteenth century in Western Europe was – as is known – the age of more and more popular liberalism. Liberalism is, in fact, a fairly simple view because it refers to the natural (although not always expressed) beliefs of an individual that he or she is free, equal to others, independent and remains autonomous in every relationship. However, this view is reinforced by the concept of human nature, consolidated by the philosophy of the seventeenth and eighteenth centuries, which is common to all people and equates people of all estates. In this enriched form, liberalism gained more and more importance and recognition. It was also used as a doctrinal weapon, such as in the Declaration of Human and Citizen Rights, in the fight against absolutism, the hegemony of the Church, as well as the traditions and principles of the feudal, estates-based society. This was a fairly simple view which proclaimed common-sense truths and yet so unique in the context of the history of Europe that its universal acceptance turned – as Hegel says – the social world upside down. Despite the Restoration, efforts of popes, monarchs, aristocracy and writers of the counterrevolution, this rationalist, secular image of the world became stronger and stronger. As liberalism became obligatory, the power of the social substrate that experienced it during the

revolution increased. The political entity that supported the liberal worldview was the richest, most influential and dynamic part of the Third Estate – the bourgeoisie, the middle class.

These issues are known so let us only add that the focus of social life also shifted significantly during this post-revolutionary period, which moved from the general and public sphere owned, until then by the state, to the private and individual sphere. Moreover, the private sphere gradually became the more important main sphere. That which was general and owned by the state became subordinated to the private sphere because it was conditioned and constituted its outline, contour and infrastructure. This was another fundamental turn, a fundamental change. After the revolution, the state was no longer a whole containing social life over which it exercised guardianship. In the nineteenth century, there was a two-component system: society (which came to the fore and liberated itself from the state's guardianship) and the state (or what remained of it – a prerogative state). This two-component relationship was fastened primarily by a constitutional clamp and also framed by the notions of the nation and the republic.⁵

Thus, the movement pushing towards more and more complete freedom, an individual's freedom – as Benjamin Constant emphasises – changed a lot in a short time, including the relationship between the basic spheres of social life, the form of political order, that is, the state and its system, the law and the model of human life and an individual's life. However, was the idea of freedom so strong or did liberalism only win (!) as truth, as a new worldview, in the sphere of the spirit? The fundamental questions must be asked: why did this happen and why did it happen so suddenly? The former social life underwent transformation and the state became part of the past. It did not happen immediately. In the nineteenth century, the process of the state's deconstruction and dismantling was gradual and consistent. These questions must be answered because, according to Schmitt, this process defines modern history in a fundamental way, constitutes its basic feature and produces effects determining the specificity and nature of modern times. Moreover, if the state is such an important and special human creation, why did this historical power disappear and slowly undergo annihilation? By what forces or forces of what ideals was it annihilated? This question is so compelling

⁵ See: E.W. Böckenförde, *Staat Gesellschaft Kirche*, Freiburg 1996, pp. 131, 132; D. Grimm, *Staat in der kontinental europäischen Tradition*, in: *idem, Recht und Staat der bürgerlichen Gesellschaft*, Berlin 1987, pp. 53–84.

and intriguing at the same time as it concerns ... the state and thus the system's structure which was built in such a way as to prevent and protect it from collapsing, consolidate the resulting order and thus the dominant position of the victorious political group. The state was constructed in such a way as to ensure that a sovereign authority could constantly control the internal situation, the political would not spill again in society, chaos would not return, and the dominant entity would not be endangered again. Why did what they tried by all means to prevent from happening happen?

The answer could be simple: the revolution broke out, and a new social group came to power and established the system that was right and just according to its ideas. In short, this question is usually answered in this way. However, this is not a satisfactory answer. It is necessary to explain this historical event in a more fundamental and profound manner, as Schelling, Hegel and Marx did. The simple fact that the new order was established and the description of how this happened did not explain much, including particularly the basic matter of whether it was a permanent, ultimate change. It was undoubtedly an unexpected change on a large scale, a thorough change in life. The world – let us repeat – turned upside down, as Hegel said. Therefore, the question arises whether the change was permanent, or whether what happened will change again or go back? It must be determined whether it was an important change, a change of historical significance or just an ephemeral, temporary shift. Only then can one wonder what the consequences were. That is why the mentioned authors, philosophers of history and also outstanding historians, such as Ranke, Droysen and Burckhardt, conducted an in-depth, extensive study of all history to show the place of this moment ... of the revolution and its meaning against the background of the entire history which constitutes a whole.

Similarly, Carl Schmitt also wants to outline the principle according to which the revolutionary change took place – the collapse of the absolute state, constitution as status. He wants to provide the principle by referring to three categories which he considers central to and define the internal movement, the subcutaneous current of modern history: the political, the state, and political theology.

First of all, as far as the political is concerned, the dissolution of the state – says Schmitt – is somewhat due to ... the state itself. It carries the seed of its negation. The possibilities for controlling public life are not limitless or, in other words, what should be controlled can

unexpectedly change. That which should be controlled is not always controlled because it is impossible to predict where, when and in what new sphere of social life an explosion of political will occur. Moreover, such a new sphere may be special and uncontrollable due to these currently state-owned instruments.

A specific dialectic is inscribed in the state's existence. Becoming a guardian of order, security and peace, the state focuses on the specific dimension of the collective life that it establishes – public life. This sphere is constituted by the state itself, is a special novelty and the main area of the state's activity, presence and existence. The existence of this overall space of social life in the broadest sense, however, has unforeseen effects because, at this point, the status quo is no longer intact. The use of a countermeasure changes the situation which it is supposed to improve and causes side effects.

The mechanism of change is as follows: the articulated, separated and legalistically established sphere of collective life, namely the public, state life, gives birth in a sort of “automatic” way to its opposite – the sphere of private life. The latter, however, remains outside the area of state control, in the shadows. It thus gains power as that which is implicit but present, hidden but constantly accompanying it. This leads to what Schmitt generally claims: in a politically ordered world, a new political is born, new political potencies arise deriving power – paradoxically – from the sphere the emergence of which is the unintended effect of what the state has done.

New political powers are now developed ... by an individual and the sphere of his or her life, an individual left to his or her privacy outside the state and its law, important in his or her subjectivity, in his or her inner life. This gap in the facade of the state order is used by ... liberalism, or perhaps liberalism comes out of this gap, not only as an idea but also as a form of the political. It proclaims the importance of this dimension of human life and, at the same time, uses the significance that the absolute state has involuntarily given this life. It has given it significance, pushing it back into the shadows, involuntarily making it the opposite of the state, assigning it the role of a counterforce to the extensive sphere of public life, a place of refuge against the omnipotence and ubiquity of the state. Most importantly, this has given rise to a sphere which cannot be controlled morally, technically and politically.

Not only did liberalism gain significance due to the ideas that it proclaimed, their truth, internal strength and the social class

which it brought to the surface of history (and vice versa). It also gained importance – or perhaps above all – due to the political that it expressed and brought about; the political of a collective entity, also existing in liberalism, or actually a multitude of entities; the political which emanated from the sphere which the absolute state wanted to push into non-existence and refused the right to exist. The political with which, as can be seen, the state could not cope.

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Let us now turn to political religiosity as it manifested itself in the countries of continental Western Europe in the nineteenth century, that is, the Church and political theology. So far, it was the basis of the state and social life. Is it still so, even in the era of liberalism? It is known that Marx announced that religion lost its power over society. Goethe was the first among the people of culture to declare that he was not a member of any religious community. It can probably be said that the number of believers, practitioners, participating in Sunday masses decreased and the number of groups manifesting their indifferentism increased.⁶

However, the progress of the secularisation process is not as obvious as it is often depicted. Thomas Nipperdey outlines a more diverse picture of the overall situation. He writes:

Natürlich, die Kirche predigte Loyalität und Gehorsam gegenüber Ordnung und Obrigkeit, sanktionierte die Autorität weil sie naturrechtlich von Gott legitiemiert war. Sie war keine revolutionäre Macht und kaum eine Macht der Veränderung. Sie war zunächst die Macht der status quo. Und bei allen prinzipiellen Neutralität gegenüber Staatsformen stand sie unter den europaisch – deutschen Bedingungen der Zeit doch in einem Nahverhältniss zur Monarchie, das war die Gemeinsamkeit der traditionellen Autoritäten.⁷

The triumphs of rationalism, positivism and, primarily, liberalism in the nineteenth century did not yet involve a complete ousting of religion and political religiosity from social and political life, or its negation as the foundation of a political system. The nineteenth-century state that existed in this specific relationship, connecting it – on the plane defined by the constitution – with society (its narrow

⁶ Cf. J. Osterhammel, *Die Verwandlung der Welt. Eine Geschichte des XIX Jahrhunderts*, Munich 2008, pp. 1249–1250.

⁷ T. Nipperdey, *Religion in Umbruch*, München 1988, s. 42.

layers), still had some theological foundations in its deep conceptual structure and in society itself, among the faithful. Formally and officially, however, these theological foundations were not very explicit.

It must be said, however, that political theology was also present in a different way at that time, subjected to criticism and burdened with the past and the memory of the alliance between the throne and the altar, religion and the Church in the new situation became even more politically active, defined their political existence and positioned themselves explicitly as both a religious and political group.

The general framework of the new situation has been described by Jacek Bartyzel in one of his articles. Although quite long, his argument is worth quoting extensively as relevant and accurate. This framework is defined – writes Bartyzel – by two phenomena:

The first (...) of them is basically the end of the process of de-Christianisation (or more precisely de-Catholicisation) of the political community – the State initiated by the French Revolution. With the dismantling of the authoritarian regimes in Spain and Portugal in the mid-1970s and with changes in the constitutions of the democratic republics of Italy, Ireland and Colombia, the Catholic State ceased to exist in the world of Western civilisation. (...) Secular liberalism, which also relentlessly transformed into radical democracy, triumphed everywhere; except for Austria-Hungary where it lasted only until 1918, there was not and has not been a single Catholic monarchy in Europe ... The second circumstance, which is the reverse of the described phenomenon, is the final formulation, at the same time, of the normative interpretation of the principles of Catholic political theology in pontifical documents; the interpretation constituted a positive development and clarification of the indications of the Holy Bible and made use of the theological and philosophical-political traditions, (...) Nineteenth-century popes contributed to the identification and stigmatisation of the sources of evil (revolutionism, rationalism, naturalism, secularism, ideology, the way Freemasonry works and so on) (...) However, complete and positive interpretation of Catholic political theology was only included in the four encyclicals of Leo XIII.⁸

⁸ J. Bartyzel, *Katolicka teologia polityczna w XX wieku*, <http://www.legitymizm.org/katolicka-teologia-polityczna> [access: October 24, 2019]. Of course, it is impossible to comprehensively outline this interpretation here, but its most cardinal points can be described as follows: 1) political power (*civilis principatus*) in society, which involves exercising supremacy over it, is natural and necessary to preserve the social being and achieve its proper purpose, which is to reach the common good (*bonum commune*); 2) the phenomenon of power is inseparable from a hierarchy of community members meaning that the division into those who command and those who obey is indispensable and necessary; 3) the former's right to exercise control (*ius imperandi*) is derived from God as a natural and necessary source of power; the democratic theory that power originates from the "people" or, in other words, turns man (regardless of whether it is an individual, the sum of individuals, a "majority" or a "community" which is an incarnation of the "universal will") into an absolute sovereign, equipped with self-bestowed authority, is therefore harmful fiction and an error – and consequently a heresy of "political atheism;" 4) the superior

The phenomenon that Schmitt refers to as political theology involves a kind of analogy between religious and political – state concepts. This analogy is – in other words – the structural and content-related adherence of two spheres: the collective life of a religious group and its identity, and the basic conceptual structure of the state as a political unity. This also means, among many other things, that once these spheres are combined, they become immobilised and dependent on each other, leading to a kind of dualism. This dualism has its causes and its rationality, but it can also be burdensome. Political theology, this dualism and analogy, makes one and the same collective entity both religious and political (in Schmitt’s sense of the political). These two dimensions, however, are not simply adjacent to each other, like obverse and reverse, they connect deeper, penetrate and refer to one another, and constitute a pair only in this combination. They are not like two mirrors put together but like two mirrors, each of which reflects the other, and these reflections are important each to them.

principle that power originates from God should indicate that the Creator has equipped man in social drive (the order of natural law), which commands him or her to live in society, and this again reveals the absurdity of the belief that a community of people could be a contractual free act of individuals’ will; 5) although the State and the Church, the political and the clerical authorities, have been called to implement other (but not contradictory) tasks and have different areas of competence, the element of power and authority (*imperii et auctoritatis*) has the same origin; (anyway, this applies to any authority, wherever it exists: that of parents, teachers, patrons and so on, according to the scope of their competence); any authority which acquires its dignity as an emanation of divine authority should therefore be honoured and respected as chosen by God; therefore, whoever resists the state authority, resists God’s will, and to deny respect to the ruler is to deny it to God; lieges can only refuse obedience to the authority that demands from them something contrary to natural or to God’s law; 6) followers of the democratic error, who excite the passion of people with the fantasy of power flowing from the people’s will (*multitudinis*), and the doctrine of the supreme power of the people are guilty of exposing the state to this false philosophy of upset and decline and also prepare the ground for the worst of plagues, such as communism, socialism and nihilism, the monsters that threaten human society with death; 7) it is truth and equity and not the whims and passions of the people, not the caprice and misconceptions of the crowd, that can be the basis of the legislative and thus the basic function of the state; state law should, therefore, bear the characteristics of Christian public law, meanwhile the rule of the self-reigning people, whom the once Christian state perceives as only a crowd, but is a master in itself, involves constant secularisation and so the state feels no responsibility towards God and does not profess any religion in public; 8) religious indifferentism of the state, which takes the form – differing only in the scale of one and the same evil – of either complete state atheism, or the separation of the State from the Church, or the idea that all denominations are “equal” or, finally, attempts to subordinate it to the State, is a special case – and an inevitable consequence – of the ousting of God’s law from statehood, spreading the opinion that destroys the authority of those in power that rulers are only tools to fulfil the will of the people, and even introducing the “right” to rebel against legitimate authority into constitutional laws, and the pernicious and immoral complete freedom of thought and freedom of the press; 9) the obvious conclusion and the “fundamental norm” of Catholic political theology is to impose on the State the absolute order to worship God in accordance with the Revelation and teaching of the Church, not in an arbitrary manner, by professing any religion.

On the one hand, a religious community, such as Catholics in sixteenth-century France, war-torn England or Germany during the so-called Kulturkampf, is a group of people faithful to their principles: love of neighbour, love of enemies, sacrifice, generosity, mercy and charity – their God died on the cross for the sake of all good and bad people. On the other hand, however, as a group, as a community, they are one of many, very different collective entities, entities tied by political relations (*das Politische*) and thus affected by antagonisms, opposites, conflicts, hostility and so on. This second plane is a fact rather than the result of free choice. People are “thrown” into this situation. A collective entity exists in the public space, in the space of history and is defined by it. The entity is not only what it defines it to be and its identity is not only what the entity defines it to be, for example, according to the aforementioned principles. It is also an element of ... the game of the world, has its past and an idea of the future, its intentions and goals. It wants to take advantage of chances and opportunities, notices the determinants of circumstances and situations, acts in a specific place and time, in relation to specific “others” whom it positions in a certain way and is positioned by them. Defence, pre-emptive attack, action to strengthen one’s position and weaken opponents – all these are possible options, possible tactical actions that cannot be excluded. Naturally, finding oneself in a political situation (*das Politische*) does not mean that one has to yield to it and take action according to its logic. It certainly means, however, that it is necessary to be aware of the risk of its abandonment, to properly assess its extent and to take account of the consequences of choosing an apolitical attitude.

Attention should also be paid to another matter of cardinal importance: there is a fundamental difference in the content, manner and direction of action between politics and the political pursued by a collective entity. As a result, the entity is burdened with a particular... split, duality, reminiscent of the old division into *in foro interno* and *in foro externo*. This duality, which in general can be described as the opposite of politics based on ideas, values, ethos and the political, for which *élan vital*, the being of a collective entity and its consolidation are of fundamental importance, is most clearly visible in the case of a community with a religious identity. Since this topic is worthy of separate study, let us only say here that according to Schmitt, a religious entity is quite unique among the others. This uniqueness lies in the fact that for a religious group, the political

is not something completely strange, it is not a completely different world or a completely different dimension, whose existence is denied from consciousness and pushes into oblivion; it is a fragment of this group's image of reality, a fragment of the act of divine creation, which consists of evil, the fight against the evil and an enemy.

Although the aforementioned difference occurs, it is not contradictory to the aforementioned analogy of theological and state concepts, which distinguishes a religious group as the only one that builds the state. Namely, if one is aware of the existence of an enemy and therefore the necessity of a conflict and the need to take up the fight, one can fight, perceiving an enemy as an enemy, and finally build a structure that will consolidate victory over it and put an end to or at least significantly reduce the previously unbridled political. Thus, a religious entity becomes aware of the political prevailing in the social world, including its own, which may even be justified, but only when manifested in a limited range; thus, the political is not a silent sphere, an object of repression and so this entity is able to give the features of the state to the system it builds: sovereignty, power, authority, law as a conclusion and as *Ordnungsdenken* ... Carl Schmitt refers to this complicated, but also unique situation of the religious entity – the Church – by the term *complexio oppositorum*.

Ultimately, action in a social environment defined by the existence of political relations (*das Politische*) may end in: (A) the creation of a state whose formation puts an end to unbridled political, social conflict, as was the case in France in the late sixteenth century – then we deal directly with the aforementioned analogy of theological and state concepts; and (B) a threat of revolution or war, permanent instability and the risk of chaos caused by the continuing hostile, antagonistic and conflicting relations. This is the case when – like in nineteenth-century Europe – instead of a state, a political structure was created that allowed for such conflicting relations because it did not see them, the related danger and the scale of the threat they posed, was satisfied with the requirement of maintaining fair play principles in a political struggle, or ensured relative order by maintaining the instance of state power outside the conflict, outside the competition and outside the struggle of collective entities.

In the nineteenth century, both of these circumstances – A and B – occurred in Western European countries, defining one another, but none of them was dominant. The collapse of the traditional state was only partial at that time. The separation between the state (based

on monarchy, army and administration) and society continued to be strongly outlined.

3.

The two examples – (1) liberalism and the social groups that opt for it, put it into practice and integrate it into social structures, and (2) political religiosity and the faithful, as well as the Church and its hierarchy, operating in the situation of progressive secularisation – show the existence and activity of each of these entities in two dimensions: essential and existential, ideological-political and, say, actually political. In other words, their existence and activity are shown as affected by specific realities and selected imponderables.

Because they have been only briefly discussed and are only examples, it is difficult to say that they are evidence of Carl Schmitt's thesis about the relation between politics and the political. However, one can argue that, as presented, they at least lend credence to this thesis. It can be formulated as follows: to fully explain what politics is in all its manifestations, both of these phenomena, which here are called politics and the political, are significant as the explanans; they are complementary and not alternatives. The action of a political entity, including the state, is (not always and not of every identity, but often, depending on the time, place, situation, conditions of the social environment, as well as the international environment) complex, multidimensional, ideological, ethical and political (in Schmitt's sense of the word). The thing is that these two dimensions are closely connected, intertwined, influence one another and are usually difficult to separate.

In fact, Schmitt probably thought of the difference between politics and the political understood in this way when introducing the important distinction between *Positionen* and *Begriffe*. As he states:

All political concepts, ideas and words have a polemic sense. They can see a specific opposition, are associated with a specific situation, whose ultimate consequence in the form of revolution or war is the formation of groups of friends and enemies. Without this background, these concepts become empty and their meaning is apparent. Words such as the state, republic, society, class, and further: sovereignty, rule of law, absolutism, dictatorship, neutral or total state, are incomprehensible if it is not known against whom they are addressed, and who and whose action is to be specifically overcome, negated and repulsed with their help.⁹

⁹ C. Schmitt, *Der Begriff des Politischen*, Munich 1932, p. 18; see also: H. Quaritsch, *Positionen und Begriffe Carl Schmitts*, p. 17.

It should be remembered, however, that *Positionen und Begriffe* is also the title of a collection of works by Carl Schmitt, whose subtitle reads: *Im Kampf mit Weimar, Genf, Versailles*. It can thus be surmised (and the texts contained in this collection confirm this) that Schmitt not only describes this distinction but also shows its current occurrence in very many cases. Schmitt acts as a strong critic, polemicist and opponent of this comprehensive legal and political system, which was introduced after the war by the winners and clearly defined the location of Germany, the system, symbolised by the names of the places where it was agreed on. In other words, Schmitt indicates that the basic *Begriffe* of this order, functioning as objective and factual, hides the specific *Positionen* from which they originate. These *Positionen* must be identified to properly understand and adequately respond to these concepts and the system itself.

If it is right to claim that politics and the political are two aspects of collective action which coexist, although they are very different in their contents, are often somewhat parallel, not mutually exclusive, and somewhat interact, intertwine but remain separate, a series of questions arise. However, these questions can only be posed because an attempt to answer them would go beyond the scope of this discussion.

Firstly, one can ask whether the difference – its character and size – occurring between objective politics, which is to connect people ideologically, and the thoroughly subjective, antagonistic political limits the universality of ideas and truths proclaimed by some entities (such as liberalism), and strengthens or confirms ideas and truths proclaimed by others (such as nationalism)?

Secondly, is the knowledge of the political provided by Schmitt a kind of contemporary *arcana imperii*, a kind of knowledge about the political available to the chosen ones who are involved in and covered by the political, and not to the general public, to everyone?

Thirdly, should knowledge about the political be disclosed to the public and made known to the masses in the post-war era, when the masses have been involved in politics, to make them understand collective actions and participate in them, being aware of their character?

Fourthly, is Schmitt's theory of the political addressed particularly to the Germans who rejected the political, such as Thomas Mann, or identified it with the state, such as Max Weber (who, however, already saw that it could be a profession and also a vocation), and so were

unable to effectively oppose the countries that defeated them and also used a full range of means characteristic of the political, although they proclaimed that they brought peace, freedom and democracy? Is Schmitt a typically German thinker and not only a member of the cosmopolitan supranational republic of scholars?

The fifth question is: can we therefore think that Schmitt acts in four roles: 1) of a researcher – a discoverer of the political as a general phenomenon in social life; 2) of a theoretician showing the political as another dimension of collective action; 3) of an exposé of the political in the politics of the winning Entente states constructing the Versailles order, the order of post-war Europe, based on lofty ideals; and 4) of a German political thinker who recommends German public opinion acts without giving up the political, acts in the fight against ... Weimar, Genf and Versailles?

It is also necessary to consider whether or not Carl Schmitt was also called upon to assess – from the perspective of the political – the ongoing actions, decisions and events determining the social situation in matters of internal policy. Perhaps he was even – for a short time – the prince's adviser. The boundlessly unbridled political was everyday reality in the Weimar Republic in the second half of the 1920s. The weak German state was the battlefield of several major political parties which devastated the country. As the historian Hagen Schulze writes,¹⁰ many authors and politicians thought at that time that a strong total state (*Forsthoff*) should be quickly built, similar to the absolute state that was formed in the sixteenth and seventeenth centuries in France and Spain, which was opposite to the liberal state. Carl Schmitt shared this opinion and so, in his short article entitled *Politik* (1936), in which he strongly criticised the party state, he wrote:

A pluralist state of many parties is overcome in a national-socialist leadership state, in which the unity of the political will is rebuilt. The political movement organised by the Nazi Party is only the carrier of political leadership. (...) In view of the clarity and unity of the decision made, there can be no apolitical or supra-political neutrality. Certainly, however, one can speak of depoliticisation in the sense that the priority of political leadership and political monopoly held by this organised movement, when identified, ends any dispute about what is political or apolitical.¹¹

¹⁰ H. Schulze, *Phoenix Europa, Die Moderne*, Berlin 1998, p. 369.

¹¹ C. Schmitt, *Politik*, in: *idem, Staat, Grossraum, Nomos. Arbeiten aus den Jahren 1916–1969*, Berlin 1995, p. 136.

Also in 1936, Schmitt's party comrades of the highest rank spoke against him and he had to admit that he was very wrong in his assessment of the Nazi movement.¹² This movement did not intend to solidify in the formula of the state; it fed itself on the political, or rather the hyper-political, which was artificially and constantly fuelled, and adopted the hybrid political shape of a totalitarian regime. Therefore, the distinction between *Positionen* and *Begriffe* did not help. It did not help to make an accurate assessment. Once again, political action proved to be a multi-layered, intricate and difficult-to-identify matter.

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Finally, regarding the statements cited as the motto. Otto von Bismarck, who had provoked two wars before he led the unification of Germany, certainly had political instinct and knew about the political and what it was. However, he did not state it publicly, nor did he admit it officially as he probably believed that this knowledge was part of *arcana imperii* in the traditional sense. He could therefore say that political issues, if they are *res intellecta*, can be precisely described and expressed. Namely, he only referred to the issues of politics, not of the political, in his public statements. On the other hand, Carl Schmitt, who did not want to remain silent about the ubiquitous political, and even considered it his duty to make its existence known to the German nation involved in the vortex of war and politics, saw clearly how large the area of ambiguity, a kind of grey area, was and how many layers of collective action there were. Knowing how intertwined *Positionen* and *Begriffe* could be, he unhesitatingly stood in opposition to a confident Bismarck quoting Cicero's words.

It may be considered that individual periods in modern times also differ in how easily and quickly the phenomenon of the political, previously concealed and increasingly widespread over the years, becomes publicly known, described, confirmed, perceived as "normal" and accepted by us. It is so because we want to be authentic, possess the full truth about ourselves, avoid hypocrisy and appearances, and also because ... *as we know, everyone does it*. Perhaps, however, these otherwise legitimate reasons for the public revealing of social phenomena, which in this case were probably misunderstood and misapplied, make us feel stripped of illusions, resigned, filled with

¹² H. Quaritsch, *Positionen und Begriffe Carl Schmitts*, pp. 14–16.

bitterness and overwhelmed by the realism of our view of the social world in the face of the increasingly widespread and increasingly overt political. This realism tells us not to oppose it too vigorously, not to protest against it and not to demand or expect anything from the actors of the political scene.

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