SCHMITT, Carl (11 July 1888 – 7 April 1985)

A conservative German jurist, political theorist, and Roman Catholic, Schmitt became the most significant legal mind of Weimar and then Nazi Germany. His first major work, *Dictatorship* (1921), distinguished between commissarial dictatorship, which is limited and directed toward restoring normalcy, and sovereign dictatorship, which is unlimited and establishes a new order. His most influential work, *Political Theology: Four Chapters on the Concept of Sovereignty* (1922), argues that “all significant concepts of the modern theory of the state are secularized theological concepts” for both historical and structural reasons. The modern state inherits earlier divine and monarchical ideas of sovereignty. But the modern state’s reliance purely on the rule of law cannot survive by mere self-authorization (as via a constitution), since crises will always demand extra-legal decisions to preserve the state. Hence, “sovereign is he who decides on the exception.” In *The Concept of the Political* (1927), Schmitt argues that “the specific distinction to which political actions and motives can be reduced is that between friend and enemy.” Schmitt’s pre-war work constitutes perhaps the most rigorous conservative critique of the liberal state in the modern era, though his post-war writings (such as *The* *Nomos of the Earth* [1950] and *Theory of the Partisan* [1963]) anticipated the coming of the European Union and the non-state violence of terrorism.

Bibliography: Jan-Werner Müller, *A Dangerous Mind: Carl Schmitt in Post-War European Thought* (New Haven: Yale UP, 2003).

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