

Carl Schmitt. *The Tyranny of Values and Other Texts.* Russell A. Berman & Samuel Garrett Zeitlin, eds. Trans. Samuel Garrett Zeitlin. Telos Press 2018. 230 pp. \$29.95 USD (Paperback ISBN 9780914386735).

The works of Carl Schmitt—a German jurist and political theorist infamous for his involvement with National Socialism—continue to have wide international appeal, influencing scholars in a number of fields from political science and jurisprudence to political-theology and existential philosophy. Nevertheless, much of his prolific oeuvre, written over the span of almost 70 years, remains untranslated into English. With *The Tyranny of Values and Other Texts*, Samuel Garrett Zeitlin takes a step in filling this gap with an edited collection of finely translated and helpfully annotated texts that appear in English for the first time. This collection of occasional pieces, spanning from the Weimar era to the Cold War, shows Schmitt responding to a diverse array of socio-political exigencies and world-historical developments, while also shedding light on many of the central themes of Schmitt’s work, such as the distinction between legality and legitimacy, land and sea, the *nomos* of the earth, and the figure of the partisan.

Among the shorter texts included in the volume are several pieces that offer the reader a window into Schmitt’s reflections on key historical figures—reflections that are made all the more intriguing by his tendency to draw parallels with his own persona and historical situation in a semi-autobiographical fashion. In an article on Machiavelli published in 1927, Schmitt writes of the ‘unerring interest’ with which Machiavelli ‘politically’ saw ‘political things, without moralistic but also without immoralistic pathos, in honest love of the fatherland (*Vaterlandsliebe*), with open joy in *virtú*, i.e., in civic force and political energy, and generally without any other affect than contempt for political bungling and half measures’ (49). Praising Machiavelli’s ‘human honesty’ in not confusing political considerations with idealistic pronouncements, Schmitt contrasts him with the contemporary “‘psycho-technical’ apparatus’ that renders ‘moral pathos serviceable to political aims’—namely, those of the then-triumphant powers of Versailles (50). In the same vein, an article from 1951 commemorating the three-hundredth anniversary of the publication of Hobbes’s *Leviathan* suggests that Hobbes, due to his theory of the state, became a ‘scapegoat’—a category under which the post-war Schmitt also viewed himself. ‘He [Hobbes] was himself made into the originator and discoverer of the monster that he so intelligently treated. Nothing is easier than to stir up the public at a health resort against a doctor who has diagnosed a case of the plague’ (95). Likewise, an article ‘To the True Johann Jakob Rousseau’ published in 1962 associates the figure of the partisan, the ‘last man’ in a thoroughly organized world, with the ‘true’ Rousseau, the persecuted and ‘despairing solitary walker in an over-civilized world’ who was opposed to the universalist pretensions of the Revolution, who saw progress in trade and industry but held it as a ‘great misfortune’—positions that resemble Schmitt’s own opposition to political liberalism (173).

While such occasional pieces are fascinating, the titular essay of the collection is especially philosophically complex and politically significant. As one of Schmitt’s few published reflections upon post-war jurisprudence in the Federal Republic, ‘The Tyranny of Values’ stands out in Schmitt’s oeuvre. Originally, a lecture delivered in 1959 and first printed privately in 1960, the essay is a response to the influence of value philosophy upon juridical practice (4). Schmitt begins by reflecting upon the lineage (*Herkunft*) and situation of value philosophy. Drawing upon Heidegger’s account of the history of metaphysics, Schmitt argues that value philosophy is a reaction to the nihilism crisis of the nineteenth century, wherein the freedom and ‘religious-ethical-juridical’

responsibility of the human were threatened by causal, value-free science. In response to the dissolution of theological-metaphysical foundations, 'value' emerged as a 'positivist ersatz for the metaphysical' (29). In Weber, Schmitt finds the 'clearest' and 'most honest' answers to the question of *who* sets values: 'the human individual' in 'full, pure subjective freedom'—the subjectivity of worldviews stands opposed to the ostensible objectivity of scientific positivism (29). However, the professed neutrality of free, subjective valuing leads to the 'nightmarish impression' left by Weber's depiction of an eternal battle of values and worldviews. Whereas Schmitt agrees with Weber's formal theory of value as purely descriptive, he finds the attempt to provide value with the appearance of an objective foundation deeply problematic.

In Hartmann's formulation of 'the tyranny of values,' Schmitt finds encapsulated the fount of violence that is inherent to the enforcement of value: grounded in the standpoint of the subject, value must be 'made valid' and actualized in order to ensure its objective validity. This leads to the subordination of lower values and the negation of the non-value, such that 'value theory only stokes and intensifies the old, enduring battle of convictions and interests' (37). Schmitt thus provides an apt characterization of the intensification of ideological conflicts and the oppressive potential of value – characteristics that derive from the metaphysical situation of value philosophy, viz., its lack of a metaphysical foundation. The attempt 'to overcome the mere legality of juristic positivism and to achieve the soil (*Boden*) of a recognized legitimacy' in value philosophy proves to be misguided, for 'values and value theories are not capable of founding any legitimacy; they can only ever value' (15-17). Against this tendency and the 'immediate,' unmediated enforcement of value, Schmitt concludes with a defense of clear legal norms. Value-enforcement requires legal mediation, and Schmitt sees such mediation as the task of the legislator (*Gesetzgeber*) and of statute laws (*Gesetze*), which are 'to define the mediation via calculable and enforceable rules and to hinder the terror of the immediate and automatic enforcement of value' (40).

In addition to 'The Tyranny of Values,' 'The Historical Structure of the Contemporary World-Opposition Between East and West' is an especially noteworthy essay, as it contains Schmitt's reflections upon his own approach to understanding history. Whereas in 'The Tyranny of Values' he argues as a jurist defending the enforcement of legal norms, in this essay he offers a broader philosophical-historical perspective on the forces and tensions that underlie the current technological-industrial epoch; and whereas he judges value philosophy as unable to achieve the soil (*Boden*) of recognized legitimacy and right, he thinks the 'call' of history may provide the requisite grounding. For Schmitt, the 'uniqueness' of every historical situation belies any understanding of history in terms of general laws, which would, as such, stand outside the temporality of historical events; universal laws obscure the irreducible particularity of the historical. History is a 'concrete dialectic' propelled by the tension of enmity, which is 'specific to the human' and raises the human above mere nature (118). Once again echoing Heidegger, Schmitt describes the historical 'call' that is given in the unique historical situation as a question or a challenge, to which the human attempts to respond not with theories but with deeds (118).

Schmitt offers few particulars as to how interpreters of history might orient themselves in responding to the unique 'call' of history, as it seems that every authentic answer is a daring attempt wherein the human enters 'into the great test of historical empowerment' and is thus 'formed through a court of judgment' (119). Nevertheless, Schmitt does offer an analysis of the contemporary world-dualism, 'the last, innermost opposition, which here becomes effective and which here comes to light in global tension,' as the 'historical-dialectical' opposition between land and sea (103, 133). This opposition is, for Schmitt, the deepest tension underlying the historical structure of the Cold War conflict—an opposition, however, that he insists must be understood as the culmination of a discrete

historical development. In Schmitt's elliptical presentation, the industrial-technological epoch is the inherent consequence of a transition to maritime existence first undertaken by England in the sixteenth century (126). This moment marked the first opening up of a global horizon. In displacing its existence into the space of the free sea, England becomes the bearer of maritime defined 'civilization' and, as a consequence, the birthplace of the industrial revolution, from which already 'the presupposition of unfettered technology was disclosed' (130). England's portentous transformation results in technology and industrialization as the fate of the entire earth (122). Schmitt's genealogical account of modern industry and technology thus purports to offer 'an illuminating complete image of our historical epoch defined via modern technology'—an epoch that culminates in a global opposition of land and sea and a new 'call' of history (123). For Schmitt, this contemporary 'call' cannot be addressed within the confines of the old *nomos*; although it is 'all-too-natural' for humans to answer the *new* call with the *old* answer, Schmitt underscores the 'danger' of holding on to what was once true and forgetting that 'a historical truth is only true once' (134).

This account of the human's historicity is further illuminated by other essays in the collection, such as 'The Forming of the French Spirit via the Legists,' which offers an account of the historical formation of the French spirit (*Geist*) via the role of the French legist in decisive political battles; and 'The Order of the World After the Second World War,' which addresses the question of the *nomos* of the earth in the wake of the collapse of the Eurocentric world order. Overall, the collection contributes to our understanding of Carl Schmitt not merely as a political theorist or legal scholar, but as a philosopher of history.

While Schmitt's reprehensible politics often lie just below the surface, his ideas nevertheless must be taken seriously if we wish to confront the socio-economic and political-moral challenges facing our late modern, increasingly secular, post-industrial capitalist world. In an age of growing populism and restless discontent, nothing could be timelier. As David Pan rightfully argues in his preface to the collection, these texts are of more than merely historical-scholarly interest, as Schmitt's concepts help us to understand the structure and bearing of many key contemporary political conflicts. Samuel Zeitlin thus does us a great political service with these translations, as Schmitt's essays should be read not only by scholars but by all those concerned with the fate of liberal democracy.

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