BOOK REVIEW

The problem of political foundations in Carl Schmitt and Emmanuel Levinas, by Gavin Rae, London, Palgrave Macmillan, 2016, 270 pp, £63 (hbk), ISBN 978-1-13759-167-8

Schmitt and Levinas as a unity of opposites

In present times characterised by the fake news phenomenon and by debates, such as those on the so-called post-truth politics, the question concerning the foundation(s) – if any – of the political appears as much present as urgent. Although it may sometimes be tempting to leave it suspended, or even eluded – probably by virtue of its longstanding and unavoidable complexity – such a question is instead meritoriously addressed and re-launched by Gavin Rae in his book entitled The Problem of Political Foundations in Carl Schmitt and Emmanuel Levinas (the PPF). The book contributes to this stake from its very first lines, where the author raises the question about the possible foundation of the political in relation to the theme of the justification and thus, in nuce, of the justness and/or justice of whatsoever political actions. The PPF engages in a deep investigation of the foundational validity and legitimacy of political action(s) through a radical approach that does not neglect any detail, not even that of questioning the possible foundation of such an investigation (xiv).

Interestingly, the book finds a threefold origin that gathers the author’s interest for the philosophical question of foundations on the one hand, and, on the other hand, the author’s cultural and personal experience of Egypt’s recent history – in particular of the 2013 coup d’état – which contributed to unveiling to the author of the book the empirical incidence of the questions he addresses. Indeed, these ‘fascinating and frightening’ political events ‘were particularly important to the genesis of this book because they brought to the fore the question of what legitimizes political sovereignty’ (xiv). Hence the reason why the book proposes to match and compare the respective contribution that Carl Schmitt and Emmanuel Levinas provide to the question of political foundations. Indeed, this does not simply add a valuable piece to Rae’s fortunate choice of elaborating on the question of political foundations through the lenses of pairs of authors compared to each other (first Hegel and Sartre, then Heidegger and Deleuze), but it also makes it possible to fully grasp the importance of political theology within the debate on political foundations.

Accordingly, the book sets two main objectives: first to investigate what Schmitt and Levinas have to say about the question of political foundations; second, on the basis of and during that search, the aim is to investigate the nature of the political and the theological as well as their relationship. The book therefore responds to this pressing need for the investigation of such relationship between the political and the theological in the light of the contemporary ‘return of the theological’, which finds ample space in political and contemporary philosophy. The PPF collocates such a return of the theological in a historical phase – or the present one – that would follow previous phases in which, first ‘the certainties that legitimized the notion of the political historically have been questioned’ (1) and that resulted, second, in the problem as to ‘how can we act if there is no foundation to legitimize a particular truth as the truth?’ (2). Therefore, the book immediately signals a paradoxical tension in the debate about political foundations. The latter must certainly be subjected to a due questioning on the logical plane, yet this process is not very reassuring and functional as regards the possible legitimacy of political actions (and relative legal systems), nor does it succeed in getting rid of it. In other words, Rae explains how, in the effort to escape the very logic of foundations, one
risks falling back into them. Faced with this aporia – particularly evident in the context of the many distinguished attempts to overcome and root out onto-theology, such as for instance Heidegger’s among others (5) – Rae explains:

It is time to re-examine the theological in light of past approaches to recognize the continuing relevance of theological motifs and concepts for thought without “falling” into an explicit or implicit affirmation of the foundational logic constitutive of onto-theology. (5–6)

What PPF proposes thus really stands out for its originality. Indeed, Rae stipulates that ‘[i]f the onto-theology of the past cannot be returned to and the turn away from theology returned us to theology, we need a subtler, more nuanced understanding of the theological’ (7). In other words, the book affirms that, through an increased awareness and investigation of the connection between politics and theology, new opportunities appear. The latter are the basis to favour the theological return to which the book adheres since it helps to ‘bring to the fore the theological nature of the structures and conceptual apparatus that inform our thinking on the political, as a precursor to providing “new” ways through which to think about the problems thrown up by this revealing’ (8). This approach, according to which the encounter with the theological foundations of the political opens up new opportunities, not only echoes Gaius Julius Caesar’s astute words *Si non potes inimicum tuum vincere*, *habeas eum amicum*, but is also prodromal of the pertinence and possible relevance of a comparison between, and merge of, Schmitt’s and Levinas’ political thoughts. Indeed, even before this being made very clear throughout the book, the display of their respective political theologies is evocative of how a responsible encounter with the theological can make this a friend and/or ally of the political rather than an absolute enemy to annihilate.

The structure of the book effectively contributes to that endeavour. Indeed, with a logical succession of arguments of mathematical linearity and geometrical precision, the PPF adds to the first introductory chapter among eight other chapters equally divided into two groups of four chapters respectively dedicated to Schmitt first and then to Levinas. This symmetrical repartition of Schmitt’s and Levinas’ contributions to the question of political foundations makes them comparable since it puts these two heavyweights of political philosophy on the two scales of balance portrayed on the cover of the book.

The choice to jointly approach and compare Schmitt and Levinas – as well as the relative choice of structuring the book so that this juxtaposition becomes possible – is not prosy at all and constitutes a preliminary element of originality, as explained by the author who, moreover, undertakes to demonstrate the pertinence thereof. Indeed, Rae clarifies that the readership of Schmitt and Levinas, and the secondary literature in general, may tend to see their respective political and legal theories at the antipodes. In principle, Schmitt’s privileging of the political is seen as essentially opposed to Levinas’ emphasis on the ethical. To this end, the PPF quotes a short passage from Derrida’s epigraphic text *Adieu to Emmanuel Levinas* where Schmitt ‘is situated at the opposite extreme from Levinas’ (9). Derrida’s text more extensively affirms that Levinas not only never spoke of Schmitt, but also that Levinas’ thought on hospitality is diametrically opposed to that hostility associated with Schmitt’s political thought.1 Given these premises that Rea closely considers and in respect of which the book regularly measures in due course, the PPF appears to be as audacious as it is potentially relevant. Tracing the existence of a connection between two authors considered so distant becomes indeed a challenge in

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1Schmitt is not only a thinker of hostility (and not of hospitality); he not only situates the enemy at the center of a “politics” that is irreducible to the ethical, if not to the juridical. He is also, by his own admission, a sort of Catholic neo-Hegelian who has an essential need to adhere to a thought of totality. This discourse of the enemy as the discourse of totality, so to speak, would thus embody for Levinas the absolute adversary. More so than Heidegger, it seems: Jacques Derrida, *Adieu to Emmanuel Levinas* (Stanford University Press 1999) 147.
the challenge. In fact, in the context of the comparison between these two authors, the preliminary issue arises as to what pertains to pertinence. That is to say, even before addressing the aforementioned purposes set by the book, the author objectively considers the worthiness of putting these two authors on the scales of a balance and, in so doing, establishing the presence of something common to them. Are they not entirely dissociated like the devil and the holy water? In this regard, the book states at the outset the presence of both 'conceptual and historical reasons as to why Schmitt and Levinas should be brought together’ (8). Specifically, the PPF indicates that ‘Schmitt and Levinas may come to very different conclusions, but they do so by engaging with the “same” questions and issues …’ (11). In consequence, ‘[r]ather than examine their relationship through the friend/enemy and same/other dichotomies, the over-arching theme that joins them and makes a comparative discussion worthwhile is the relationship between theology and the political’ (11). The detection of such an over-arching and common theme between Schmitt and Levinas originates in and is made possible through a subtle distinction that Rea proposes between faith and religion (13). Simply put, both Schmitt and Levinas would develop a common notion of the political anchored in the theological. However, the related political theologies that would derive from this would be epistemologically different. Schmitt’s one would be theological since rooted in the notion of faith: id est faith in the human ability to determine and choose for itself the appropriate political actions and rules of juridical conduct. Hence, the famous Schmittian constitutional theory coagulated around the idea of a normless norm sovereignly determined and applied by the in-so-doing legitimate state. To it, Levinas contrasts a political theory anchored in a prior and precise idea of justice, not at all detached and independent from ethical considerations and moral arguments. Conversely, the political and legal decisions of the sovereign authority are strictly subject to the constraint of rightness, of justness, with respect to that prior idea of justice. Therefore, Levinas’ approach appears theological in a more religious sense than Schmitt’s, since it seems addressed towards the affirmation of the superiority (or supremacy) of the moral and ethical principles that derive from a religion, namely from Judaism, rather than from the epistemic faith in humans’ ability to take whatever right decision at the right moment. Notwithstanding, ‘[a]s such, Schmitt and Levinas agree that the political is intimately related to the theological, but differ in terms of what this relationship entails’ (23). Having thus built this bridge between Schmitt and Levinas, the PPF lays the groundwork for trimming down and evading any doubt about their comparability. Moreover, throughout the articulation of the following chapters this latent problematic is constantly addressed and convincingly resolved. Yet, while proceeding in this already aspiring sense, the author pushes the analysis further and innovatively adds a personal argument to not only detect but also assess the relation between the two philosophers:

By arguing that Levinas’ religiously derived political theology is dependent upon Schmitt’s faith-based political theology, I show that political theology is rooted in the limits of human cognition with the consequence that political action must be orientated from faith in human commitment, rather than divine revelation. This, however, means that humans are wholly responsible for the ethical-political decisions they make, but yet have to make these decisions within the boundaries of their ontological limitations. (23–24)

It is very interesting to dwell on how Rae comes to formulate this statement. After explaining that the display of Schmitt’s and Levinas’ thoughts adopts a “dialectical” or “interactive” (24) approach – also to the benefit of their comparison – the PPF follows the aforementioned linearity that succeeds very well in the endeavour of pedagogically introducing the reader to their thoughts, thus effectively dispelling possible doubts and lacunae. Without taking anything for granted, the first aspect that Rae approaches is thus the one about the theological character of Schmitt’s political theology. To this end, Rae both analyses the primary
literature and rigorously considers the pre-existing secondary literature in order to position his work in this regard. Accordingly, the PPF emphasises and enhances the heuristic relevance of Schmitt’s notion of *complexio oppositorum*. The centrality of this notion deriving from logic and referring to a sort of ‘merge’, ‘combination’, or ‘confusion’ between logical opposites – a unity of opposites – starts to appear by virtue of the thorny debate\(^2\) on whether Schmitt may be listed among Catholic thinkers. The answer the book provides in this regard resounds strongly:

the classic understating of Schmitt that sees him as being a Roman Catholic thinker who accepts and even necessitates belief in God to affirm dictatorial government, meaning that his political theology is one that sees the political as being subservient to the dictates of Roman Catholicism which, in turn, is rooted in subservience to God, this understanding not only is based on a significant misunderstanding of Schmitt’s thinking but, as I will argue, is also one that is specifically rejected by Schmitt. \(^29\)

This statement is rooted in Rae’s reading of Schmitt’s political theology as post-foundational. In alternative to the opposition between foundationalism and anti-foundationalism, Schmitt would indeed be a post-foundational thinker as he ‘affirms that there is a ground to thinking, but that this ground is contingent and changing. [...] Post-foundationalism accepts the need for a ground, but rejects the idea that this ground is an *ultimate* one’ \(^29\). Now, since this post-foundational foundation would characterise Schmitt’s theology, the latter should be read and understood in a Schmittian sense specifically, and as such be seen as different from the one commonly conceived. Rae explains that ‘we need a more nuanced understating of what the “theology” of political theology entails that does not reduce it to faith in (a) religion, but which recognizes a more fundamental sense of political theology rooted in epistemic faith alone’ \(^33\). It is therefore not a question of a theology anchored in some religion and in the fixed and immutable presence of the divinity – with perhaps its correlative revelation – but of a theology rooted in faith as an epistemic fact. This appears particularly innovative because it offers an original reading to Schmitt’s thought, which involves and affects all the main elements of his reflection, among which the sovereign decision, the normless norm, the notion and definition of enmity as well as Schmitt’s constitutional theory. By carefully focusing on Schmitt’s text *Roman Catholicism and Political Form*, Rae affirms the centrality of the *complexio oppositorum* as a heuristic element to understand Schmitt’s idea of the theological, his political theology and, ultimately, his idea of the political *tout court*. The *complexio oppositorum* represents indeed that

ability to withstand the tensions that result from contrary positions. This is not because the *complexio oppositorum* entails an over-arching form of forms that envelops and maintains order out of competing interests, nor is it because it entails a dialectical synthesis whereby the two opposites are reconciled in a higher third [...] The *complexio oppositorum* leaves intact the opposition between the positions. \(^52\)

This *elasticity* \(^53\) that keeps two opposites in balance without this creating a collapse of a given system, would be the prerogative of the Roman Catholic Church and the reason for its institutional resilience. Resultantly, Schmitt would not look at Catholic theology in terms of religious doctrine, but rather in terms of an example of how *complexio oppositorum* works and ‘is rooted in the elasticity of epistemological faith’ \(^53\).

In other words, Schmitt moves from a *metaphysical* notion of political theology, rooted in a particular religion, to an *epistemological* notion of political theology that takes seriously the

\(^2\)See note 1 above.
As mentioned, the *complexio oppositorum* underlies and thus helps to grasp Schmitt’s whole thought. Consider for example how Schmitt’s sovereign decision on the normless norm is somehow expected to simultaneously affirm the values of a community as well as the exact definition of the enemy thus apparently making these two priorities one. The logical conciliation of these priorities is precisely difficult to explain without resorting to the *complexio oppositorum*, or to the epistemological faith in a certain course of events of which the sovereign becomes a convinced believer and, apparently (my emphasis) a credible promoter of that belief. Rae explains how from this derives Agamben’s reading of the paradoxical position of Schmitt’s sovereign, who is inside and outside the law and whose power ‘is not a determinate thing existing on its own. [It …] only exists because it is a *complexio oppositorum*’ (131). In other words, that sovereign has and epitomises a genuine faith concerning the possibility and ability to decide for the good. Yet, this decision does not respond to some pre-existing or universal idea of good, but affirmatively embodies the popular will (234) and produces a normless norm, always revisable and replaceable according to the contingent necessity of which the sovereign would be wise knower and indistinguishable expression.

The constituting power is the ineffable will of the populace that never coagulates into a definitive object. Because of this, the constitutional sovereign does not represent the will of the people; he expresses it by actively taking decisions. (125)

Rae thus elucidates how Schmitt’s constitutional theory does not prefer particular institutional models but more fundamentally aims at recognising and defending the foundational possibility and dignity of the political. At this stage, the transition to Levinas’ thought – in turn meticulously presented and discussed – appears very stimulating. How to pass exactly from Schmitt’s privileging of the political to Levinas’ privileging of the ethical? As Rae explains, Levinas’ ‘turn away from the political is accompanied by a return’ (139). It is on Levinas’ double movement – of initial departure and then return – with respect to the political that the delineation of a possible comparability with Schmitt appears. And it is precisely the *complexio oppositorum* to play a fundamental role and to act as a bridgehead in this sense. The PPF goes indeed through Levinas’ thinking in a mirroring manner compared to Schmitt, but already taking into account the heuristic tools hitherto obtained. The PPF’s presentation of Levinas indeed results enriched by what was previously learned, namely by the availability and applicability of the logic expressed by Schmitt’s *complexio oppositorum*. This is why the reading of Levinas’ ethical foundation of the political – aimed at overcoming the logic and conceptual tradition of western philosophy that would generate ontological violence – brings to the fore the logical challenge posed by the face-to-face encounter, or by Levinas’ notion of the Face. ‘The Levinasian face is complex; indeed, in many respects, it seems to be a manifestation of Schmitt’s conception of a *complexio oppositorum* meaning that it is able to combine, without collapsing, contradictory aspects’ (180). Here the originality of the PPF is evident: ‘Levinas never makes this connection, nor does he mention the Schmittian concept, but his description of the face seems to depend on it’ (180). Despite the evident differences between the two authors – also regarding this concept – ‘Schmitt and Levinas agree that the fundamental aspect of human existence is manifested as a complex of opposites and that this fundamental aspect is linked to theology’ (181). Notwithstanding, the rest of the book highlights two diverging elements: first, Levinas’ emphasis on religious revelation rather than on the epistemic faith as the origin of his privileging of the ethical over the political. For Levinas, the face-to-face encounter ineffably echoes the mysterious relationship with, and the always-beyond nature of, the divine; as such the encounter is rooted and regulated...
by an unsurpassable ethical norm: the seminal ‘you will not kill’ that derives from the religious revelation historically brought about by Judaism. ‘Levinas links the ethical face-to-face relation to the Judaic claim that, through responsibility for the other, God is experienced’ (247). At this point, Rae’s perplexity is not about Levinas’ return to the political per se, from which he had moved away to avoid ontological violence – but that is finally accepted to its minimum extent as a minor or necessary evil – but rather about the whole thinking that it underpins. ‘Levinas’ political theology is not, therefore, rooted in faith; it is rooted in prophecy [...] prophecy is rooted in the idea that, through recognition of a divine message, the human can transcend its limitations and so know the truth’ (240). This alleged access to a given truth collides with the Schmittian reading without however escaping the criticism of not being able to justify itself without a Schmittian decision about the ultimate value of this truth. Although Levinas aims to ground his ‘prophetic politics’ by transcending the limits of human cognition and thus avoiding a normless decision, his use of, and reference to, religious revelation brings him back to Schmitt’s decision: ‘Grounding the political in religious revelation, whether Jewish or otherwise, cannot simply be given, but is precisely what must be decided by the political community’ (251).

As a whole, the book is therefore not only able to reach its goals and keep expectations brilliantly, but also proposes a sensible lesson from this comparison.

Schmitt’s and Levinas’ political theologies teach us that the source of human political action is rooted in our ontological limitations, but that these limitations are, somewhat paradoxically, empowering. What we do with this political empowerment is an open question, but it is one that falls on us to make and take responsibility for. (253)

Although embedded into an ontological reality – the human condition – better theorised and analysed by Schmitt’s political theology privileging the political, Levinas’ more ethical intent is favourably seen and, once aware about the conditions in which political action may occur, Levinas’ ethical call for responsibility towards the other should ideally inspire political decisions.

The PPF therefore has among its many merits, at least partly mentioned along the way, that of creating a convincing dialogue between two distant authors, who, at the end of the path skillfully traced by Rae, no longer appear so irreconcilable but rather embody a complexio oppositorum. At the same time, a possible doubt persists as to whether their respective thoughts are fundamentally reconcilable or complementary part of an overarching theorisation that combines a frank analysis of political reality on the one hand and an admirable ethical/normative proposal on the other. Certainly, the book is very convincing as to the presence of reflective and logical elements common to the authors (154) but reflected into different interpretations, mainly divided along the distinction between a political theology based on the epistemic faith (Schmitt) rather than on religious revelation (Levinas). To this end, the very question arises about the distinction between faith and religion. Whether such a clear distinction, ‘crucial to the argument developed throughout this book’ (34) is possible, it would consistently follow that ‘the Schmitt-Levinas relationship not only brings to the fore the important role that political theology plays in their thinking but also offers us two different ways of understanding political theology’ (34). Paradoxically, their similarity could even increase with reference to their common ground on political theology so far as one should also consider the common use of perhaps not that sharply distinguishable notions of faith and religion. Religion is indeed (not only) a corpus of liturgical and disciplinary norms justified through revelation, but is also and foremost a narration, believable or not, about what ‘ties’ (from the Latin verb ‘religo’) the earth and the sky, the immanent and the transcendent. That link is supposed to provide epistemological insights, or meaning to the (otherwise incomprehensible?) immanent
reality. For its part, the epistemic faith in a given course of events not only presents similar narratives, even if straightforwardly framed by an immanent origin and field of application, but is above all subject to an inevitable corpus of normative and legal liturgy. The political decision that produces the normless norm is indeed preceded by an ‘ontological’ law that imposes deciding. Politics would derive from the ontological condition of decision-making that cannot be dismissed whether you actually decide or abstain since both are decisions. In times of post truth politics and provided proposals of post-juridical political theories, such as Agamben’s, the comparison between Schmitt and Levinas seems to suggest the alternative of not escaping political theology and the importance of determining what theological aspects are compatible with true and just politics.

Elia R. G. Pusterla

London School of Economics, London, UK

elias.pusterla@icloud.com

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