

CARL SCHMITT AND THE GROSSRAUM OF THE REICH. A REVIVAL OF THE IDEA OF EMPIRE

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SUMMARY: 1. Introduction. 2. The critique to liberalism in the ideological struggle against the revolutionary threat and the international order of the inter-war period. 3. The turn to the state of the Führer. 4. The Grossraum of the Reich.

1. Introduction

The title ‘The *Grossraum* of the *Reich*. A Revival of the Idea of Empire’ seeks to sum up the content of Carl Schmitt’s (1888-1985) international thought. The reflections on international Law and international relationships arise from a double motivation: on the one hand, to face up to the revolutionary threat and the risk of civil war (*Behemoth*) and on the other, to fight the international order of the Versailles Treaties.

For this purpose Schmitt will follow the script of criticizing the Weimar system as a by-product of the liberal spirit that led to the German defeat in the First World War and to the present crisis of the state. He will also attack the existing international order which only reveals the hypocrisy of the great powers to hold their supremacy on the defeated behind the flag of pacifism and humanism. The German people must take up again the control of their own destiny that has been ruined by the fake universalism of the victorious and that it is threatened with the internal disputes of a weak Republic. The German nation stands up again thanks to the National Socialist *Reich*. The Nazi regime has made possible getting rid of the inner enemy and giving *Deutschland* her sovereignty back. Germany is now able to fulfil her millennial fate: to preserve the *Grossraum* (‘large space’) of the West from the communist menace of the East.

2. The critique to liberalism in the ideological struggle against the revolutionary threat and the international order of the inter-war period

From the writings of the 1920s, Schmitt goes once and again against the bourgeois state of law and the international order of the inter-war period, as shows his most academic work, *Verfassungslehre* [1928] (Berlin: Duncker & Humblot, 1993).

The liberal state in the Weimar Republic is useless to cope with the class struggle and to restore the lost sovereignty after the war. In his place, Schmitt claims for an authoritarian and homogeneous state in which the German nation were aware of her own destiny and could decide an internal order of peaceful coexistence by eliminating her enemies. The government in charge of making that order real should be conferred to a

leader elected by acclamation, and the identity between governors and citizens would be enough guarantee for that leader to execute permanently people's will because the leader identifies him with them. If state, people and government are the same thing, there is no need to look for power limits. Democracy is not electing the government by free and universal suffrage and guaranteeing the individual a bill of rights, but the essential identity between governors and people and governors hailed in public as leaders. The authentic people's will is expressed in that very moment. Secret votes, parliaments and individual freedoms break up that unitarian will and set the citizen out of the public life making a mere private subject of him.

Besides, the liberal state of law and the parliamentary system are unable to face up to the revolutionary threat because they avoid deciding and pretend the norms to govern. The genuine sovereign is who decides the emergency state (*Ausnahmenszustand*), according to the first sentence of *Politische Theologie. Vier Kapitel zur Lehre von der Souveränität* [1922] (Berlin: Duncker & Humblot, 1993), and only him has the real power of decision. The monarchy has lost the traditional legitimacy to exercise the power as a result of the secularization process of the culture and the burst of the mass democracy. In view of this situation, the moment of the last battle has come: to exorcise the radical evil there is just the dictatorship.

The author is taking the words of the catholic and counter-revolutionary dictatorship theorist, Donoso Cortés, for whom he had a strong admiration because as it happened to Schmitt the Spanish had enlarged the 'glorious list of the lonely, forgotten and silenced of the 19th century'. The appeal for Donoso as a containing wall of the revolution returns after the Second World War, in *Donoso Cortés in gesamteuropäischer Interpretation. Vier Aufsätze* [1950] (Köln: Greven Verlag, 1950) where he comes back again against liberalism for its incapacity to face socialism, communism, anarchism, atheism and nihilism after the revolution of 1848. The pseudoreligion of the mankind that those movements involved was the beginning of the way that would lead to the inhuman terror. Donoso 'glimpsed the sea of blood in which all the revolutionary streams would end for a hundred years'.

According to Schmitt, Donoso's return to the Catholic Church in order to the salvation of Europe was right. He belongs to this 'cordon sanitaire' tradition of conservatism, and to the question of what should be the position of the Church, and analogous of the state, *complexio oppositorum*, before the 'doble barbarism that from the 19th century has hit the sea walls of the western European tradition and its culture: the proletariat of the big cities engaged to the class struggle and the Russians that separates from Europe (...)', he answered, in *Römischer Katholizismus und politische Form* [1923] (Hellerau: Jakob Hegner, 1923), that 'the Church must be objectively on one side, even though she is not for neither parties, like, for instance, she was on the side of the counter-revolutionaries in the first half of the 19th century'. And this was what Schmitt said: 'in those combats against Bakunin, the Catholic Church and catholic concept of humanity must be on the side of the western European civilization, closer to Mazzini than to the atheist socialism of the anarchist Russian'.

The Italian fascist state was seen by Schmitt as a practical example of his conclusions against the liberal state, as reflects his commentaries to the book of Erwin von Beckerath of 1927, in a review with the same title, 'Wesen und Werden des faschistischen Staates' [1929] (in: *Positionen und Begriffe in Kampf mit Weimar-Genf-Versailles, 1923-1939*. Berlin: Duncker & Humblot, 1994: 268-73). According to his particular conception of the democratic system, the fascist renounce to vote is not an antidemocratic attitude, but antiliberal, because the method of the secret and individual vote endangers the essence of the state and the politics through a total privatization, removing completely the people as a unity and degrading the forming of the state will that is changed into the addition of private and secret wills, that is to say, of the desires and the uncontrollable resentments of the masses. Fascism keeps and imposes the dignity of the state and the national unity facing up to the pluralism of the economical interests, either of the owners or the workers. The national myth created by fascism is stronger than the class struggle myth, as he maintains in 'Die politische Theorie des Mythos' [1923] (in: *Positionen und Begriffe...*, *op. cit.*: 11-21). In the capital-work conflict, the fascist state, true higher third, will finally treat favourably the interests of the workers because they are the people and the state represents the political unity of the people. Only a weak state is the capitalist slave of private property. Schmitt's reliance on the salutary possibilities of an unlimited power is amazing.

The struggle against the international order and his critique to the victorious of the Great War is usually made clear in the ending part of his writings, such as in the last part of *Verfassungslehre*, or in his well-known *Der Begriff des Politischen* [1927] (Berlin: Duncker & Humblot, 1991) or it can be checked in the essays gathered in the volume *Positionen und Begriffe in Kampf mit Weimar-Genf-Versailles, 1923-1939*.

The line of argument is monotonously repeated and international order is considered as an inter-state order, a 'political pluriverse' (*politisches Pluriversum*) of units closed and bunched together round the friend and enemy distinction, in which war is the last and decisive expression of that political group. In this international state of nature, in which the eventuality of war has not disappeared because a single political unit has not been established, the surviving of the state demands retaining the self-defence right. Because of the disarmament of Versailles, the German sovereignty has been endangered in the name of a non-existent international Community. In fact, the League of Nations that is created under pretext of acting in the name of humanity only serves to justify an economical imperialism.

3. The turn to the state of the *Führer*

The affirmation of the *Führerprinzip*, the evil of the Versailles *Diktat* and the ideological combat against the enemies of Germany and the communist threat of the East emphasize in the writings of the 1930s. Inner and foreign German policy have tight links, because Nazism has a strong component of expansionism as ideological element for the regime consolidation.

Schmitt makes a joined Germany –with no inner enemies and free from international restrictions– coming back as necessary bastion of the West against the Soviet Union. Taking back the German sovereignty and denouncing the *Diktat* are now not only justified on the right of self-determination but also because in another way the European space would succumb to the hands of Bolshevism. The confrontation against the Anglo-Saxon powers and the communism is understood in terms of universal history and the fight between the land and sea powers (Germany vs England and United States) is explained as necessary *Nomos* of the earth (*Land und Meer. Eine weltgeschichtliche Betrachtung* [1942]. Leipzig: Reclam, 1942; *Der Nomos der Erde im Völkerrecht des Jus Publicum Europaeum* [1950]. Berlin: Duncker & Humblot, 1988). The *Deutsches Reich*, heir of the Sacred Roman Empire, set in the large central European space, is the new *kat-echon* that will hold up (*Aufhalter*) the coming of the Antichrist that was born on Russia ('Beschleuniger wider Willen oder: Problematik der westlichen Hemisphäre' [1942], in: *Staat, Grossraum und Nomos. Arbeiten aus den Jahren 1916-1969*. Berlin: Duncker & Humblot, 1995: 431-40; *Ex captivitate salus. Erfahrungen der Zeit 1945-1947* [1950]. Köln: Greven Verlag, 1950; *Glossarium: Aufzeichnungen der Jahre 1947-1951*. Berlin: Duncker & Humblot, 1991).

The *Führerprinzip* is emphatically expressed in his polemical article 'Der Führer schützt das Recht' [1934] (in: *Positionen und Begriffe...*, *op. cit.*: 227-32). There Schmitt remembers Hitler's speech of 13th July 1934 and alerts the German about how Bismarck's *Reich* tumbled down during the Great War through the fault of the spirit of the liberal state of law that had not the courage to treat the rebels and the enemies of the state as they deserved. To our author, 'The Night of the long Knives' was an act of defence of law, it was itself the highest justice of a *Führer* that took seriously the warns of the German history, what gave him the required right and power to found a new state and a new order. In the same sense, the other unforgettable German nights would turn out to be another action of preventive and creative justice of the *Führer*, no needed of justification.

In the same year, *Nationalsozialismus und Völkerrecht* (Berlin: Junker & Dünhaupt, 1934) welcomes Nazism as a movement that has known how to give new strength to the German goals abroad. The new state has made the German people to be conscious of themselves and of their own kind. People with such conscientiousness have the perfect right to exist and this elemental right of survival means the right of self-determination and of self-defence.

The groundwork for denouncing the Versailles Treaty and the German rearmament is about to be done: the Versailles Treaty denies the German people their own existence as people; it is not a treaty, but a brutal dictate that has not any authentic idea of peace, and sows discord among the European with his lies about the war responsibility and the demilitarization of Germany. The rules of Versailles destroy the foundations of the European community and the *Jus Publicum Europaeum*. Germany belongs to the

juridical community of European people and that is a sphere which excludes the nihilist Bolshevism. 'So, who wants to get rid of the German people is eliminating him'.

The international situation of the inter-war period is not a peaceful one, according to Schmitt, due to the Versailles *Diktat* that wished to make the peace the continuation of the war by other means. The elimination of *Versailles* is *conditio sine qua non* to reach a genuine peaceful order ('Inter pacem et bellum nihil medium' [1939], in: *Zeitschrift der Akademie für Deutsches Recht*, VI, 1939).

He accuses the worldwide English propaganda of mobilizing huge psychic and moral powers against the German-Prussian militarism in the name of civilization, mankind, democracy and freedom. This propaganda also includes the philosophy of the human progress as an evolution from feudalism to trade and economy, from the political to the economical, from soldier to business man, from war to peace. In such a way, as his friend Ernst Jünger had already said in *Der Arbeiter* [1932] (Hamburg: Hanseatische Verlagsanstalt, 1932), the German-Prussian sense of soldier changes into something reactionary, into a medieval image that bothers peace and progress. The international system of law is the result of the English way of understanding war, which does not distinguish between combatant and non-combatant and takes the war to the population through blockades and embargos, making her total. To this it must be added the ideological principle of the English constitutional ideal of subordination of soldier to bourgeois. According to this ideal, civilization is the dominion of the bourgeois ideals, in essence non-military. The Prussian state of soldiers holds up an internal fight for a hundred years against these constitutional bourgeois ideals. It succumbed to them in autumn 1918. But nowadays, Germany has overcome the confrontation between the army and the parliament and develops its military forces bound by the same ideal. Of course, there will be very many attempts to present the new situation as militarism, as the old methods of propaganda did, in order to blame on Germany the turn to total war ('Totaler Feind, totaler Krieg, totaler Staat' [1937], in: *Positionen und Begriffe...*, *op. cit.*: 268-73).

Der Leviathan in der Staatlehre des Thomas Hobbes Sinn und Fehlschlag eines politischen Symbols [1938] (Hamburg: Hanseatische Verlagsanstalt, 1938) clearly summarizes the ideological, even mystical Schmitt's struggle against the inner and outer enemies of the German people.

The international situation after the war breaks the tradition of the *Jus Publicum Europaeum* that did not regard the enemy as a criminal. The end of this secular tradition that has started in the 16th century grounds on the performance of the victorious powers in the Great War and is the reflection of a universal history principle of opposition between the land (land powers), mother of law and justice, and the sea (sea powers), land of pirates and privateers, and not satisfied with the combat of the troops, exterminate completely the opponent, military or civilian, through bombing and blockades, determining a total war. England, as a sea power, did not become a state, necessarily anchored to land, so that a concept of total enemy and total war arose from this sea

supremacy has been developed, which in combine with ‘the worldwide Anglo-Saxon propaganda and American President Wilson have served to begin a modern crusade of democracy, inciting against Germany all the moral energies that can be mobilized in the name of the fight against Machiavellism’.

To this outer enemy, Schmitt adds the presence of an inner one: the indirect powers that the *Leviathan* achieved to submit and since 18th century has been acting again ‘bringing the mortal god to death’. These indirect powers are identified with the powers of the society (political parties, trade unions, associations) that make a hidden use of the state, with no risk and profit from the individual freedoms. But this distinction between state and liberty implies the failure of the former, because the state needs a Unitarian will and spirit. The restoration of the original political unity, that is to say, the union of the revolutionary distinction between religion and politics is the only resort to avoid the destruction of the state.

As he did in the writings of the 1920s, Schmitt keeps on understanding the state as a superior third, *complexio oppsitorum* of the social splits that drive irresistibly to civil war. Schmitt’s state is still a state without guarantees for the individual and this is it precisely because in that religious, homogeneous and national community the individual is forcibly compelled to find his freedom. Under these premises, the political power must only guarantee the security of the citizens through a leader able to pacify the internal order annihilating the enemies of the *Leviathan*, whose meat was being eaten by the Jewish elements of the German society, from Spinoza to Mendelssohn, the both young Rothschild, Marx, Bönne, Heine, Meyerbeer and above all Stahl-Jolson, whom he accuses of infiltrating into the sanctuary of the German state by using the christian sacrament of baptism as save-conduct so as to, from official and high position, ‘ideologically mess up and spiritually paralyse the spinal cord of the state, the royalty, the nobility and the Evangelic Church’.

The spiritual combat –far awar from the battlefields– is opportunely completed by a good proportion of irrational antisemitism. The Jewish seems now to be all what Schmitt’s ideological universe fights against: liberalism, marxism, positivism, democratization, economical thought, the antipolitical, the destruction of the order, the Versailles Treaty or the German expropriation.

The closing speech of the Conference of National Socialist Law Professors of 3rd and 4th October 1936, ‘Die deutsche Rechtswissenschaft im Kampf gegen den jüdischen Geist’ (*Deutsche Juristen-Zeitung*, 15.10.1936), points out that the juridical Jewish thoght has nothing to do with the juridical feeling of the German people. We keep our eyes open to anarchist nihilism, positivist normatism, sensual materialism and abstract moralism, but our scientific work has just begun. The Jewish elements nesting as parasites in the German spirit and science must be purged. One of the most urgent tasks of our bibliography will be to clarify who is a Jewish author and who is not. Jewish authors have no scientific authority. The smallest mistake in this matter would serve as generous help to the success of the National Socialist enemies in the struggle that he has

initiated against that world idea (*Weltanschauungskampf*). Schmitt will not hesitate to advise the imperative reading of each line of Adolf Hitler's *Mein Kampf* about the Jewish question (*Judenfrage*), particularly his instructions on the Jewish dialectic (*jüdische Dialektik*).

4. The *Grossraum* of the *Reich*

In 1939, the claims of the *Third Reich* went beyond the pure acknowledgement of the right of self-determination for the Germans. The imperial ambitions of Hitler were shown in March by the establishment of a Protectorate of Bohemia and Moravia, infringing the Munich Pact. In April, appeared the first edition of his 'Völkerrechtliche Grossraumordnung. Mit Interventionsverbot für Raumpfremde Mächte. Ein Beitrag zum Reichsbegriff in Völkerrecht' (in: *Staat, Grossraum und Nomos, op. cit.*: 269-371). The prime purpose was, in Schmitt's words, to introduce into the science of international law the concepts of *Grossraum* and *Reich*. He understood that it was the target of the German science to manage to find a concept of spatial order that were over the old inter-state idea and that eluded the dangers of a universal law that was supported by the western democracies, ignoring the state and the people.

The *Grossraum* is a new order of human activity that goes beyond the political state form and the universal aspirations of liberalism. But above all, it is the concept of the *Reich* the great conceptual breakthrough. The *Reich* takes a very vast national area as starting point for the spatial ordering. '*Reiche* are, in this sense, the leading powers, whose political idea radiates through a specific *Grossraum* and who fundamentally exclude the intervention of alien powers into this *Grossraum*. The *Grossraum* is naturally not identical with the *Reich* (...). But every *Reich* has a *Grossraum* whose political idea radiates and who exclude the intervention of alien powers into this *Grossraum*'.

To Schmitt's eyes, the National Socialist movement has allowed Germany heading for transcending victoriously the concept of state in the international law. The idea of a *Deutsches Reich* supporting and shaping the international law would have been before now a utopian dream. 'Today a weak and powerless central Europe has given way to another strong and unassailable, able to radiate her great political idea through central and eastern Europe (...), the due respect to every people as a living reality determined by his way of being and origin –*Blut und Boden*– and able to repelled the intervention of non-national and alien powers from her *Grossraum*. The *Führer* has given the idea of our *Reich* political reality, historical truth and an splendid future in international law'.

The manifest destiny of the German *Reich*, set in the middle of Europe, 'between the universalism of the liberal democratic powers of the West and the universalism of the Bolshevik East –of a worldwide revolutionary sign–, will be 'to defend in both fronts the inviolability of a non universal, national and respectful for the people life order'.

In the Preface to the fourth edition of 'Völkerrechtliche Grossraumordnung', dated 28th July 1941, events meant to Schmitt an important confirmation of his thesis. There was no doubt that the international law structure had changed. The earth was, in fact, bigger than the United States of America to host the German *Grossraum*, wherein freedom-loving men would be able to protect their own essence and their historical, economical and spiritual peculiarities, as he said in the conference and subsequent book, *Cambio de Estructura del Derecho Internacional* ('The International Law Structure Changes') [1943] (Madrid: Instituto de Estudios Políticos, 1943), that took place in the Instituto de Estudios Políticos (Institute for Political Studies), before a nation, the Spanish one, that, according to Schmitt, had been able to hold up since 1936 her position in the big fight of the world. In Schmitt's opinion, the *Wehrmacht* occupation of Europe and the beginning of the Russian campaign were evident examples of that new international order of *Grossräume* of freedom and respectful for the people.

The intellectual battle ends flowing into the particular Schmitt's crusade in which the *Reich* is conferred the title of new *kat-echon* of the Antichrist and his allies, who puts off the end of the times that the Bolshevik had started. Schmitt uses for the first time the image of the St. Paul *kat-echon* related to his *Grossraum* theory, in his essay 'Beschleuniger wider Willen oder: Problematik der westlichen Hemisphäre' [1942]. He argues that the main reason for the war is the rebellion against the Anglo-Saxon worldwide power and his pretending of being the protectors of freedom all around the world, when they are nothing but simple opportunist serving international capitalism. 'Against universalism of the Anglo-American world hegemony the idea of an earth parcelled up in *Grossräume* stands steady'. Relativism and hesitation of the North-American foreign policy, that waves between isolation and intervention, neutrality and world war, disqualify the United States for playing a commanding role in the western hemisphere. American intervention in the conflict, lacking that continent of any new and suitable to the present world situation organizational principle, far from deciding the war, 'can only increase the general state of confusion and, eventually, feed this world conflagration which suffering people seek desperately to run away from'.

The United States would not be able to take on the *kat-echon* role and they would only become accelerator of the final arrival of the chaos, against their will, as summarizes the title 'Beschleuniger wider Willen'. On the contrary, the German *Reich*, acting according to some political ideals of defence of a non universal, national and respectful for the people life order, radiating those principles over the European *Grossraum*, will indeed be able to take on the role of 'holder' (*Aufhalter*) of the catastrophe towards communism leads to. As we see, since the beginning of his writings communism is actually Carl Schmitt's real enemy.

Schmitt's confrontation against western democracies in comparison with the struggle against communism is purely anecdotal. The former is simply a distinguished form of the common fascist criticism against Anglo-Saxon imperialist capitalism and the inoperative of the parliamentary systems to solve the mass society conflicts (social, religious, territorial and so on). It is not that English or Americans embody the

Antichrist, no matter how much they charge the Germans with crimes to legitimize their economical imperialism. What really happens is that Germany is under the thumb of the victors of the Great War who do not realize that a weak central Europe endangers the western European tradition and opens the door to the Soviets. Luckily, the *Third Reich* has dotted the i's and crossed the t's and as heir of the Sacred Roman Empire has reactivated the *kat-echon* idea, as power *qui tenet* the Antichrist.

The *kat-echon* is used to re-establish the original political and religious unity in the *Grossraum* of the *Reich*. The loss of that unity in the times of the *Leviathans* was the reason of their fading away.

The postwar writings return to these images and combats, but adapted to the growing Europeism in the Cold War context. For example, in *Ex captivitate salus* [1950] he says that 'Europe is lost without the idea of *kat-echon*'. The Christian Empire as barrier against the Antichrist (*kat-echon*) in one of the 'fifth corollaries as an introduction' of *Der Nomos der Erde* [1950].

In the conference, 'La unidad del Mundo' ('The World's Unity') (in: Horacio Cagni, *Carl Schmitt. Escritos de política mundial*. Buenos Aires: Heracles, 1995: 135-46), held in 1951 in the Ateneo of Madrid, after stating that it did not matter how little the earth had become because she would always be bigger than the United States of America or the communist Orient, he pointed out that the possibility of a third power was still on, which did not numerically imply the limitation to three and he gave the examples of China, India, Europe, The British Commonwealth, the Hispanic world, the Arab bloc, and why not another unexpected formations that would set up a plurality of *Grossräume* and maybe a new balance. To Schmitt the 'one world' prognostications were too precipitate. Political reality looked like a worrying duality, but it would be transitional due to the general tendency towards the technical-industrial unity. The survivor of the present duality will be tomorrow the world's owner who will unify and plan it according to his political, economical and moral ideas.

Such a planning, however, is not desired and he plays off the Christian image of History, in St. Paul's doctrine of the power that represses the power of the evil, against the Marxist and progressive philosophy that is behind both superpowers, postponing the beginning of the final catastrophe. Because every world unity that did not follow this image could announce, either the transition to a new pregnant of catastrophes plurality, or the sign that the end of the times has come.

Schmitt did not change his leitmotiv and finally his thought turned into a kind of Catholic reactionary conservatism suspicious of the democratic systems, but on top of all that it anathematizes against communism. In the receiving speech as an honor member of the Instituto de Estudios Políticos of 21st March 1962, 'El orden del mundo después de la Segunda Guerra Mundial' ('The World Order after The Second World War') (in: Madrid: *Revista de Estudios Políticos*, n.º 122, Marzo-Abril, 1962), he was pleased with the fact that Spain had been the first nation to reaffirm herself by her own means in the

present worldwide struggle. General Franco Rising meant the beginning of the Spanish national liberation crusade from the communist barbarousness. 'Now all the non-communist nations must prove their own worth in this matter as Spain did'.

Schmitt's analysis belongs to the historiographic trend that considers the Spanish Civil War as an essay of the Second World War that only reveals the European Civil War against Marxism since 1848. Secularization and mechanization of modern democratic regimes threaten the political order which must be newly founded. The 'repoliticization' that Schmitt claims fills up with nationalism and religiosity and cope with the crisis of the modernity, first with an authoritarian national state and finally with a Christian *Reich* able to radiate his ideals and principles over the European *Grossraum*. Men would not accept so easily men's government, as Rousseau predicted.