

Immortalising the Mortal God Hobbes, Schmitt, and the Ambivalent Foundations of the Modern State

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Abstract

In international discussions on the theory of state, the “Leviathan” functions as a symbol of the strong, autocratic, omnipotent State. This article will show how such an equivalence in fact negates the ambivalences seen in Thomas Hobbes’ book “Leviathan”, implicitly pointing instead to Carl Schmitt’s proposed interpretation: whereas Hobbes frames the mythological figures of the Leviathan and the Behemoth as symbols of ambivalence, Schmitt reframes them as symbols of identity. Following the hereby proposed thesis, it would be highly productive for broader political theoretical discussions to take the symbols of the Leviathan and the Behemoth as seen in state theory and reconstruct them within the framework of a critical text analysis applied to Hobbes and Schmitt, thereby reinvigorating their interpretative power in current debates on the State’s role and function.

Without a doubt, the lasting currency of the Old Testament myth of Leviathan and Behemoth is due, in large part, to its appearance in the state theory of Thomas Hobbes. In Jewish eschatology, the two monsters are conceived of as radically antagonistic: Behemoth, a male, controls the land, while the female Leviathan rules over the sea. Both monsters, intending to establish a reign of terror, struggle for dominance. They are then slain by God or – according to differing versions of the myth – kill each other. All accounts agree, however, that the monsters’ deaths will bring about the Day of Justice. Their story was popularised through Hobbes’s treatises *Leviathan or The Matter, Forme, and Power of a Commonwealth Ecclesiasticall and Civil* (1651), and *Behemoth or The long Parliament* (1682). In his 1651 *magnum opus*, Hobbes describes an oppressive political system with only remnants of individual rights; the less well-known *Behemoth*, dating from the time of the English Civil War, deals with a chaotic non-state marked by utter anarchy. The absolute rule of Leviathan, in which traces of the rule of law and vestiges of individual rights are preserved, is distinct from that of Behemoth, which is marked by lawlessness and disorder (cf. Perels 2000: 361). In older depictions, Behemoth often resembles an elephant, a hippopotamus or a water buffalo, while Leviathan is rendered as a serpent, a dragon or a crocodile (cf. Hirsch et al. 1904). Other scholars, thinking of the two imaginary creatures’ legendary size and power, have interpreted them as dinosaurs (cf. Lyons 2001: 1ff.). In Hobbes’s *Leviathan*, these iconic traditions have been transmuted to form the famous “mortal god” depicted in the frontispiece: a giant human form made up of innumerable minuscule bodies, wielding sword and crosier as symbols of worldly and spiritual power (cf. Bittner/Thon 2006: 37ff.; Brandt 1982: 203ff.; Bredekamp 2006; Kersting 1992: 28ff.). By way of the biblical quotation placed above the princely figure (“Non est potestas Super Terram quae Compareturi. Iob.41.24.”), Hobbes refers explicitly to the Old Testament source of his *Leviathan*: the Book of Job, in which the power of the Leviathan is said to be unmatched by any other power on earth. Hobbes was writing at a time in which Jewish reception of the story of Job was on the wane due to rabbinic criticism, while Christendom, on the other hand, had discovered Job as a patron saint (cf. Oberhänsli-Widmer 2003).

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This is the context in which Hobbes uses a piece of Old Testament symbolism in order to posit a religious myth at the very centre of his theory of government; his *Behemoth* serves to complement this process of political mythification. As the reception history of Hobbes's *Leviathan* demonstrates, Ernst Cassirer was right in claiming that political myths could never really be vanquished, but rather were bound always to take on new forms (cf. Cassirer 1946). After all, and apart even from the theoretical content of the treatise, the symbolic substance of the *Leviathan* (and with it a politicised version of the entire Old Testament myth of Leviathan and Behemoth) persists right up to the present day – and this is particularly salient in those cases in which it appears severed from its original theoretical context. In the following, I will try to outline the ways in which this symbolic value is constituted in Hobbes, and then show how Carl Schmitt modified it in his reading of Hobbes. At the centre of my analysis will be the functional dimensions of this myth, and their metaphorical elaboration in the political-theoretical symbols of Leviathan and Behemoth.

State and Myth

The ulterior purpose of nearly all political myths is a reconciliation of opposites and the constitution of a system of conciliatory options. According to Claude Lévi-Strauss, the social function of myth consists in its capacity to resolve, on a symbolic level, the contradictions and inconsistencies of quotidian life (cf. Lévi-Strauss 1958: 227ff.). These forms of symbolic conflict management are apt to replace political action – but they might also mobilise it or even generate it in the first place. What is crucial in this respect is the structural dimension of symbolisation, which translates an incomprehensible, abstract reality into a seemingly univocal and clear representation, and resolves the ambivalences of abstract socialisation, albeit in a rather one-sided manner, into enchantment and fascination. At the same time myths, operating as it were on a highly densified and complex level of language, possess an intrinsic potential for concentrated expression; they compress past, present and future into a single symbolic entity. The political potency of myth consists in this antagonistic unity of form and content: myth, historically speaking, compresses and abstracts, and yet, on a formal level, “it exhibits a ‘concrete’ character, by communicating abstract ideas through ‘images’” (Lipowatz 1998: 181).

The political efficacy of political myths and symbols depends decisively upon whether they are accepted on a conscious level only or rather manage to influence the unconscious. Not until their mythic potential is actualised both on the cognitive and the emotional level can this potential be channelled towards processes that are relevant on a political and supra-individual level. What is remarkable here is that the ambivalence of the political and social opposites contained within the mythic image correlates with a psychodynamic ambivalence, and that the potency of any given myth increases all the more as an appeal to this primary psychic structure turns into a mythic imitation of the structure itself: whenever the social and political opposites consciously perceived in the guise of a historically compressive myth are in accord with the psychodynamic structures on which they are based – and which in turn reproduce them –, the symbolic denouement of a political conflict will appear, subjectively, as an act of conflict management regarding the individual's own psychic structures, which results in an impression of a sound psychic balance and an accomplished “hygiènepersonelle” (Grunberger/Dessuant 1997: 299).

After all, Sigmund Freud was perfectly right in stressing that the historical core of any myth was “a defeat of instinctual life” and “a renunciation of instinct which has become indispensable” (Freud 1932: 7), in other words an acceptance of a socially imposed restriction on the unrestricted, individual (and thus narcissistic) will, aimed at an egotistical maximisation of benefit – even though this means a smartly felt (but nonetheless insisted-on) renunciation of drive. It is precisely these considerations which are suggestive already of some of the key tenets of modern social contract theories as they have been brought forward by seminal thinkers such as Thomas Hobbes, John Locke or Jean-Jacques Rousseau. Horst Althaus gets to the heart of the matter from a social contract point of view, writing that “[o]ut of this general feeling of insecurity, from which no one is exempt, grows a natural desire for security. Both notions, that of ‘civil society’ and that of ‘the state’, present us with potential sources for this security. The origins of these ideas lie, on the one hand, in everybody's fear of everyone else. On the other hand, they spring from a selfish desire to protect one self from the dangers at hand, and to accept the final peace terms in the ‘war of everyone against everyone else’ (namely, a contractual constraint of one's own will).” (Althaus 2007: 9f.) If we try to reconcile political psychology and theories of the state, we might break down the allure political myths hold to an integral conjunction of two distinct dimensions: On the one hand, we are dealing with a feeling of omnipotence, the kind of narcissistic megalomania abstract concepts of the state cater to in so many ways.

As Mario Erdheim has shown, this outlook is apt to include, at once, both a symbolical identification with the rulers (and their own respective megalomaniacal fantasies), and an identification with those ruled over (and hence with their history of insult and humiliation) (cf. Erdheim 1984: 374). On the other hand, the belief in a political myth is always transfused with the ambivalent nature of modern statehood, which is perpetually caught in the middle between order and arbitrariness, and between right and might. This ambivalence on the level of governance corresponds, in turn, to an ambivalence of chaos and order which can be located in the individual citizens' respective psyches. In psychoanalytical terms, the phenomenon could be described as an antagonism of drive and drive renunciation, of id and superego. What is central here from the point of view of the political theorist is that the reconciliatory impetus Lévi-Strauss ascribes to political myth can have either constructive or destructive repercussions. In other words, it can take the form either of an integrative development, maybe even solving the existing contradictions (typically, this kind would be associated with democratic forms of government); or it could find expression in an avoidance or excision of one of the two antagonistic factors (this being typical of totalitarian states). This structural consideration has to be seen in the context of an ambivalence of sovereignty and freedom – of right and might –, as it has found its historically distinct expression in the modern state. After all, the dialectic of the modern state consists in its twofold nature: On the one hand, it restricts all particular powers by virtue of its monopolising sovereignty, thereby utilising this monopoly on physical force (Max Weber's *Monopollegitimer physischer Gewalt*, cf. Weber 1980: 29, 516) to protect its citizens from third-party violence; this is generally accepted as legitimate. At the same time, however, this claim to totality secures individual economic interests, and serves to reproduce real economic inequality in the medium of an abstract political equality. As a result, the existing power structures become institutionalised (cf. Galtung 1975). Both antinomies may either be integrated without compromising their ambivalence (as has been done, for instance, in the liberal state), or they may be subject to a partial, one-sided erasure of their dialectical nature (as was attempted during the Third Reich, under whose political system of National Socialism liberty and legality were negated, while sovereignty and force were the only elements of statehood to be put into effect).

Hobbes's Leviathan has long become the most influential symbol of civic statehood and modern theories of the state. In fact it would be no exaggeration to say that it is more popular even than the actual content of Hobbes's treatise, which in itself is reasonably famous (cf. Voigt 2000a: 16f.). Today the Leviathan is almost universally conceived of as a symbol of the authoritarian or strong state, which is a result of this particular view of its symbolic dimension taking on a life of its own, and completely dissociating itself from any diverging interpretations. Surely, starting points for such heterodox interpretations can be found in Hobbes's work; their later obliteration has been due, in a substantial degree, to the reading of Hobbes put forward by Carl Schmitt. If, after all, we set Hobbes's two treatises, *Leviathan* and *Behemoth*, side by side, and consider their shared context of religious, biblical mythology, some rather ambivalent aspects in Hobbes's theory of the state will emerge – aspects, at that, which testify greatly to the continuing relevance of his work. In contrast, an analysis of Schmitt's reading of Hobbes suggests an undue, one-sided curtailment of the symbolic content of Leviathan and Behemoth, which subsequently developed into a complete ideological disunion of the two political symbols. There can be no doubt, then, that Schmitt's interpretation was, as Rüdiger Voigt has stressed, "instrumental in shaping the image of the *Leviathan* in Germany, if not the whole of Europe" (Voigt 2000a: 18).

Leviathan and Behemoth in Hobbes: Symbols of Ambivalence

Wolfgang Kersting is absolutely right in discerning in Hobbes's theory a "complete disjunction" between "quasi-belligerent anarchy and absolute rule", in which absolute rule is "a necessary prerequisite to the termination of a perpetual war, and essential for the subsequent creation of a framework for peaceful coexistence" (Kersting 2000: 91). This normative distinction made with respect to Hobbes's theory of the state has its basis in the differentiation, in terms of a theory of society, between Hobbes's natural-law doctrine and his theory of sovereignty. This in turn is instructive of Hobbes's view of human nature, which Herfried Münkler has described as an abstract and "equalising model" in which everybody has equal rights to goods and services (cf. Münkler 1993: 108). Since the ideas of 'making equal' and 'leveling' comprise disparate directions of effect, Münkler's notion of an "equalising model" is also apt to illustrate the ambivalent structure of the socio-theoretical basis underlying Hobbes's theory of the state: it encompasses the competitive situation of a *bellum omnium contra omnes* (cf. Hobbes 1962b: 110ff.) as well as the act of relinquishing this precarious freedom for the establishment of a monopoly on violence, and an overall improved level of personal security (cf. MacPherson 1962). Kersting puts it as follows

"According to both Hobbes's theory of personhood, and his theory of representation, the citizens *are* the state; they are under an obligation to accept the decisions and actions of the ruler as their own. Having said that, they are able to live [...] an unaffected life courtesy of the leviathanic state's successful pacification of society." (Kersting 1992: 36, emphasis in original). Thus the social contract becomes at once a basis for the individual liberty granted to all citizens, and the foundation of an absolute authoritarian state to which its citizens surrender as willingly as they do it unconditionally. As becomes evident, then, Hobbes's ambivalent conception of statehood is caught in between "despotism and a truly peaceful statehood" (Voigt 2000b: 41). In a symbolic way, this finds expression in the frontispiece to Hobbes's *De Cive* (1642), the third volume – but the first to be published – of his multipart "Elements of Philosophy". In the engraving, the gateway to civil society is guarded by a personification of "Imperium" on the one side, and "Libertas" on the other. Mindful of this duality inherent to Hobbes's theory of society, which allows his commentators to stress either side of the matter and depreciate or even disregard the respective other, Carl Schmitt has spoken of "the Hobbes crystal". As we shall see, however, one of Schmitt's objectives was to crush that crystal by supplanting it with a new theory of his own. Hobbes is leagues away from any moral categories of thought, and not very surprisingly, his view of human nature precludes any trace of an ontological notion of ethics. Rather, in an approach devoid of any transcendence, he is pleading for a concentration on the subject in the utilitarian vein (cf. Hobbes 1962a: 7ff.). In this way, man himself is responsible, according to Hobbes's conception of the state of nature,

"to use his own power, as he will himself, for the preservation of his own nature; that is to say, of his own life; and consequently, [to do] any thing, which in his own judgment, and reason, he shall conceive to be the aptest means thereunto." (Hobbes 1962b: 116) *De facto*, this brings about a state of inequality, caused by differing physical strength, or by disparate skill and potential regarding the use of tools in the fight against all other human beings. As "the strong are feeling the lack of an ultimate security as keenly as the weak," however, this at the same time includes a moment of natural equality (Althaus 2007: 9). According to Hobbes, it is this natural state of abstract, but complete equality, and the ever-threatening possibility of its sudden relapse into violent chaos, which induces in man a readiness to relinquish his liberty, and positively abolish the state of nature by means of political compact: "The passions that incline men to peace, are fear of death; desire of such things as are necessary to commodious living; and a hope by their industry to obtain them." (Hobbes 1962b: 116) If we consider the fact that Hobbes does *not* conceive of this universal covenant as a logical consequence of the state of nature, but rather as its utter disruption, the remoteness of his theory from earlier, premodern ethical beliefs becomes strikingly clear (cf. Münkler 1993: 122). For Hobbes, it bears repeating, all human concord is artificial and "by way of covenant" (Hobbes 1889b: 103). This means that individuals, fearing an arbitrary incursion on their total freedom, renounce all of their liberties – only to regain them (or rather, some of them) at the hands of the sovereign. The sovereign, after all, will inevitably curtail those encompassing liberties, but at the same time is in a position to guarantee those that are left by virtue of the state's monopoly on violence:

"The only way to erect such a common power, as may be able to defend them from the invasion of foreigners, and the injuries of one another, and thereby to secure them in such sort, as that by their own industry, and by the fruits of the earth, they may nourish themselves and live contentedly; is, to confer all their power and strength upon one man, or upon one assembly of men, that may reduce all their wills, by plurality of voices, unto one will [...] This is [...] a real unity of them all, in one and the same person, made by covenant of every man with every man..." (Hobbes 1962b: 157f.). Hobbes's contractual view is based in a hypothetical scenario, and consequently, his idea of the relationship between sovereign and subject is not to be understood as reciprocal in any real sense. A more fitting designation might be, in Kurt Lenk's phrase, that of a "preferential contract" (Lenk 1998: 72) between the two major parties, in which the absolute sovereign is given a palpable advantage. After all, as this contract constitutes the sovereign to begin with, he cannot properly be a party to it in the sense in which every individual citizen is. In consequence, the sovereign "is not legally bound vis-à-vis the contracting parties", which is why Herfried Münkler, in his discussion of Hobbes's theory, speaks of a "social contract of submission" (Münkler 1991: 220). However, this does not necessarily make Hobbes's contractual model of sovereignty and participation a unilateral affair – even though the citizens abandon any right to revision immediately on conclusion of the contract. Instead, Hobbes does not only conceptualise the exchange of absolute (yet uncertain) freedom for a set of circumscribed (yet guaranteed) liberties: by clearly stating his political and philosophical dissociation from Catholicism and thus breaking away from the scholastic horizon of meaning, he opens those new avenues of thought through which the social implications of the ambivalent relationship between freedom and sovereignty become apprehensible in the first place. As Anton Pelika puts it.

“The sovereign’s entitlement to rule is founded neither on the divine right of kings nor on his own best interest; his rule, absolute and permanent, relies on a contract which is irrevocable and merely notional. And yet, it is only a small step from this concept to the idea of a revocable contract between a ruler and his subjects, and the notion of a sovereign who is accountable towards his people is not far off.” (Pelinka 2004: 187). The constitution of the absolute sovereign is, in Hobbes’s words, “the generation of the great LEVIATHAN[...], of that *mortal god*, to which we owe under the *immortal God*, our peace and defence” (Hobbes 1962b: 158). Here and elsewhere in Hobbes, the Christian reference is obvious. All the same, his *Leviathan*, right down to capitalisation, implements a clear political separation of ‘mortal god’ and ‘immortal God’. This is visualised, on a symbolic level, in the frontispieces of both the *Leviathan* (with its explicit differentiation of sacred and secular insignia) and the earlier *De Cive* (with its horizontal division between the temporal and divine spheres). This illustrates, too, that Hobbes’s avowals of Christian belief (and again, those turn up in many places in his writings) have to be considered as philosophically distinct from his theory of the state: “immortal God” may prevail over Hobbes’s “mortal god” on a moral scale, but He does not exert any direct influence upon the constitution of the sovereign. This, again, is alluded to in the frontispiece to the *Leviathan*, in which the figure of the sovereign is holding the crosier in its left hand – instead of the right, as would have been proper according to medieval iconographic conventions. Seen from this angle also, Hobbes renounces the scholastic tradition, drafting a secular epistemology in which, while the existence of God may not be questioned in strictly atheist terms, the Deity is excluded from the political reference system all the same:

“The dominion of the Leviathan is delineated by precisely two factors: mortality (on a physical level) and representation (on a political level). Politically speaking, the God of Hobbes’s *Leviathan* is dead. He may live on in the hearts of innumerable individuals; in fact his cult may even be the state religion: he will never be more than just a name for a vacancy in the political system. Only to the extent to which this vacancy is actually kept clear of intrusion can the omnipotence of the sovereign be conceptualised. The political death of the immortal God is the necessary precondition of sovereignty.” (Adam 2000: 186). In his *Leviathan*, then, Hobbes drafts an ideal example of a socio-political system built on the ambivalence of sovereignty and freedom, in which “an ideal contract of sovereignty and submission [...] is meant to illustrate the constant possibility of a relapse into a pre-contractual, anarchic state of nature” (Lenk 1998: 73). In his analysis of the history and causes of the English Civil War period (1640–1660), included in his treatise *Behemoth*, Hobbes sketches the Leviathan’s function as an agent of change: the great Leviathan is constituted as absolute sovereign in order to defeat Behemoth (who is representing anarchic civil war). He then goes on to substantiate the theoretical claims laid out in his *Leviathan* with empirical evidence of “those things that Weaken, or tend to the Dissolution of a Common-wealth” (Hobbes 1962b: 308), as one of the chapters of the *Leviathan* is headed. In Hobbes’s view, the political crisis unleashed by an outbreak of civil war can only be overcome through absolute sovereignty. This implies the abrogation of a circulation of power among different agents, none of which, usually, is capable of centralising power in a monopoly of legitimate violence:

“The *Behemoth* expounds the lessons to be learned [sc. from the Civil War] – namely, that one ought at all times to obey to the laws issued by the sovereign, and that even the minutest signs of a renewed curtailment of the sovereign’s power would, by necessity, trigger another civil war.” (Münkler 1991: 236). An absolute sovereign, Hobbes is convinced, is the only authority able to guarantee a peaceful and just political order – if, that is, his subjects agree to total submission: “The virtue of a subject is comprehended wholly in obedience to the laws of the commonwealth. To obey the laws, is justice and equity, which is the law of nature [sic!], and, consequently, is civil law in all nations of the world; and nothing is injustice or iniquity, otherwise, than is against the law. Likewise, to obey the laws, is the prudence of a subject; for without such obedience the commonwealth (which is every subject’s safety and protection) cannot subsist.” (Hobbes 1889a: 44). Hobbes thus provides his revolutionary *Leviathan*, which represents a real innovation in political philosophy, with a counterrevolutionary crutch, as it were, in the form of the *Behemoth*: while the concept of the “great Leviathan” brings to the political sphere fundamental changes in both theory and practice, the *Behemoth* recasts these changes as a new, robust *status quo*. By safeguarding secularised absolutism in this way, Hobbes replaces the belief system of scholasticism with a new, secular one: “In one crucial respect, Hobbes’s concept of sovereignty closely resembles that of the omnipotence of God: both are raised into existence by belief” (Scheit 2004: 174). Inasmuch as it sternly rejects any prospective revolutionary changes – which might, after all, in the course of political progress establish a sovereign yet non-absolutist type of government –, Hobbes’s theory relies heavily on a notion of supratemporal validity.

Hobbes's theory of the state unfolds a system of political ambivalence, a system in which freedom and sovereignty are intimately linked, and to represent this idea on a symbolic level, Hobbes draws on the Old Testament myth of Leviathan and Behemoth. As he understands them, civil liberties can only be guaranteed by a sovereign endowed with absolute power. In order to attain to them, man is obliged to break from the state of nature and the absolute equality it implies; this, again, is only possible through submission to the almighty sovereign. It is true that the great Leviathan is bound by positive law no less than the subjects who serve to constitute him. However, as the Leviathan holds the prerogative of establishing the absolute state by means of a contract of submission, he is also in a position to establish the rules, or laws, which govern it. Hobbes condemns arbitrary rule and anarchy (*Behemoth*) in favour of a sovereign and omnipotent but just and lawful state (*Leviathan*). By seizing on the myth from the Book of Job in its integrity, and entitling both of his treatises in accordance with it, he stresses the comprehensiveness of his theory: Hobbes describes, through the opposition of the two mythical, overwhelmingly powerful creatures, the two poles of social reality. Behemoth and Leviathan form a complementary, dialectic whole; thus, they symbolise the ambivalent nature inherent to any conceivable system of government. This concept is deeply rooted in the history of ideas: Hobbes borrows it from the "potentia absoluta underlying the late-medieval notion of God as an arbitrary ruler, and it has also left its traces in Hobbes's concept of the absolute sovereignty of God" (Taubes 1983: 11).

There is a peculiar "fascination of ambivalence" surrounding this politicised myth which is dominated, chiefly, by the figure of the Leviathan, "part artificial man, part machine, part monster, part mortal god" (Voigt 2000b: 55). Hobbes may be an emphatic defender of the absolute state, but he is also an outspoken champion of two other things: the secular constitution of the "mortal god"; and a legal provision binding the absolute state to guarantee the civil liberties of its citizens. Hence, we are able to discern in Hobbes's writings on the theory of the state a concept of symbolic reconciliation. To be more specific, the reconciliatory process he envisions aims to blend the dialectical opposites of freedom and sovereignty. Although there admittedly is a certain degree of absolutist bias, Hobbes's approach is concerned with the establishment of a just political order based on the rule of law – an ultimately ideal state of affairs, which in Jewish eschatology is represented by the death of both Leviathan and Behemoth. It is obvious that Hobbes's contractual grounding of the fundamental principles of government and his theory of absolute sovereignty are at variance with any democratic and participatory notions of how a society should function. Moreover, they can be used as an argumentative basis for the perpetuation of a bourgeois system of ownership. Despite all this, Hobbes's philosophy was instrumental in rendering the notions of liberty and constitutionality conceivable in the modern state, at the same time shedding light on the ambivalent roots of modern socialisation. After all, it is just as essential to view Hobbes's doctrine of natural law in light of his concept of sovereignty as vice versa. The attempt to integrate – in a symbolic manner – seemingly irreconcilable opposites is at the very core of Hobbes's political mythology; its emblematic ambivalence is integral to it.

Leviathan and Behemoth in Schmitt: Symbols of Identity

Carl Schmitt understood that this ambivalent structure, which found its symbolic expression in a politicised version of the Old Testament myth of Leviathan and Behemoth, was pivotal to Hobbes's theory of the state (cf. Schmitt 1937: 622ff.; Schmitt 2008: 65ff.; Rumpf 1972: 64f.). Through a process of projective identification, Schmitt then tried to eliminate the dichotomy, thus making himself, curiously enough, exactly that which he accuses the members of the "Jewish front" of being (cf. Schmitt 2008: 70): a "neutraliser" (cf. Gross 2005: 267ff.). His goal was the invalidation, in terms of the history of political thought, of the ambivalent structure of the modern state, and a negation of the integrative moment inherent in Hobbes's political mythology with its implied conjunction of sovereignty and liberty. However, Schmitt's decisionist reading of the Old Testament myth was not only aimed at an abrogation of its symbolic ambivalence: it also made provision for a re-essentialisation of the "mortal god" and, thus, a reinjection of Catholic theology into political theory (cf. Schmitt 2005). In an act of projection, Schmitt accuses the Jews of having destroyed the Leviathan, having rendered it "dead from within" (Schmitt 2008: 61) or "soulless" (*entseelt* in Schmitt's original German). In reality, it is Schmitt himself who destroys the integrative essence of the *Leviathan* through his theologically charged idolisation of a fantasy of omnipotence. To call Schmitt, as Helmut Schelsky has done, "a twentieth-century German Hobbes" (Schelsky 1981: 5; cf. Rottleuthner 1983: 264f.) is not only wide off the mark; it is also turning Hobbes on his head. Schmitt wants to purge Hobbes's theory of the state of the liberal element it doubtless contains; in its stead, he reads into Hobbes's writings his own brand of political theology. According to Schmitt, Hobbes had "failed in his endeavour to restore the natural unity" (Schmitt 2008: 85). Schmitt is not thinking, however, of a mere symbolic unity of political antagonisms: his goal is an internal and external unity of theology and the state. For Schmitt, this constitutes the theological basis for any kind of statehood.

Hobbes had successfully dissolved this theological core, both symbolically and theoretically; Schmitt tries to re-insert it into Hobbes's work. Schmitt's smoke-screen tactics consists in a constant mingling – as far as Hobbes's theory is concerned – of criticism and affirmation, and the persistent confusion of the levels of political and constitutional theory on the one hand, and mythology and symbolism on the other. He accuses the Jews of having destroyed the Leviathan – which is quite beside the point, as the alleged destruction is really of something not present in Hobbes in the first place. It is only in Schmitt's own projective imagination that Hobbes's theory of the state is built around a "sovereign power that brings about the unity of religion and politics" (Schmitt 2008: 55). To Schmitt, the emphasis allegedly laid by the Jews on the distinction between the public and the private caused, before long, the dissolution (or rather, 'dissolution' – Schmitt's *Entseelung*) of the Leviathan, while in fact it is Schmitt's own theologico-decisionist reading which destroys it. To this end, Schmitt even employs an antisemitic conspiracy theory (cf. Bookbinder 1991: 101), speaking of the Old Testament Leviathan as a "mythical symbol fraught with inscrutable meaning" which provided the Jews with a "secular image of a battle" (Schmitt 2008: 5f.). According to Schmitt, "the unique, totally abnormal condition and attitude of the Jewish people toward all other peoples" was intimately connected with the role of Leviathan and Behemoth as "Jewish battle myths of the greatest style"; "[l]ooked at from the perspective of the Jews, each is an image of heathenish vitality and fertility". Although serpent or dragon "are viewed in Near Eastern and Jewish mythology as hostile and evil", Schmitt observes, they have been seen as "symbol[s] of protective and benevolent deities" by a wide variety of other, especially Germanic peoples (Schmitt 2008: 8ff.). In Jewish tradition as presented by Schmitt, the struggle between Leviathan and Behemoth signifies the universal struggle between "heathen peoples":

"But the Jews stand by and watch how the people of the world kill one another. This mutual 'ritual slaughter and massacre' is for them lawful and 'kosher', and they therefore eat the flesh of the slaughtered peoples and are sustained by it." (Schmitt 2008: 9). In *Land and Sea*, Schmitt further elaborates on the conspiracy theory already sketched in his *The Leviathan in the State Theory of Thomas Hobbes*: "They eat the flesh of the animals which have killed each other, skin them, build nice huts from their hides, then celebrate a solemn, thousand-year feast. This is the Jewish interpretation of universal history." (Schmitt 1942: 10). This antisemitic conspiracy fantasy, while already offering a glimpse at the "Thousand-Year Reich" aspired to by the Nazis, is allegedly based on Jewish sources – or so Schmitt claims. In fact, research carried out by Raphael Gross has shown that there is no trace of any such ideas in the cabbalistic sources only vaguely identified by Schmitt (Cf. Gross 2005: 275f.). In light of this, the mythological grounding underlying Schmitt's critique of Hobbes turns out to be a mere phantasm introduced, intentionally or unintentionally, to provide an anti-Jewish argument in political theory with a solid antisemitic underpinning.

In his analysis of the *Leviathan*, Schmitt points out that in the book, "the sea animal of the Hebrew Bible and the Platonic conception of the huge man" appear side by side, and argues that Hobbes's notion of the Leviathan in fact constitutes a "mythical blending of god and animal, animal and man, man and machine" (Schmidt 2008: 19f.). In discussing Hobbes's model, Schmitt is torn between consent and condemnation, tormented, in a way, by an inability to cope with the ambivalences at the core of Hobbes's political philosophy. Although he is fascinated by the concept of total sovereignty as embodied by the "huge man", Schmitt finds great fault with the fact that Hobbes, in an act of theological negation, has based this sovereignty on the notion of liberty. Schmitt's main point of criticism is this: "The sovereign is not the *Defensor Pacis* of a peace traceable to God; he is the creator of none other than an earthly peace. He is a *Creator Pacis*. The justification provided, on the contrary, proceeds the other way around, as in the thought processes of "divine" right: Because state power is supreme, it possesses divine character. But its omnipotence is not at all divinely derived: It is a product of human work and comes about because of a "covenant" entered into by man. The decisive element of the intellectual construction resides in the fact that this covenant does not accord with medieval conceptions of an existing commonwealth forged by God and of a pre-existent natural order. The state as order and commonwealth is the product of human reason and human inventiveness and comes about by virtue of the covenant. This covenant is conceived in an entirely individualistic manner. All ties and groupings have been dissolved. Fear brings atomized individuals together. A spark of reason flashes, and a consensus emerges about the necessity to submit to the strongest power." (Schmitt 2008: 32f.)

The passage quoted is the only place in *The Leviathan in the State Theory of Thomas Hobbes* in which Schmitt unambiguously points to the fact that Hobbes's ideal state performs a positively categorical disengagement from the theological paradigm; it is also in this passage that Schmitt phrases his own theoretical agenda at its most lucid: he wants to incorporate a divine element into the Leviathan, deify the man-made state and grant it omnipotence – all on the basis of a narcissistic megalomania which lets the state fantasise about being identical with God. After all, Hobbes's theory of the state is modern not only in the sense that it is founded on secular principles: it is also progressive insofar as it denies man the Christian fantasy of being able to become as God (cf. Grunberger/Dessuant 1997: 262, 300). Schmitt's political theology is in consonance with Hobbes's theory only where the absolute origin of the (decisionist) state is concerned, and this is where Schmitt sees a possibility for human megalomania to be instantiated in accord with God. The obvious objection would be that in the dominant Jewish interpretation of the myth it is God who kills Leviathan and Behemoth, and is thus portrayed as all-powerful and without any doubt superior to man. Schmitt downplays this as mere symbolism and tries to work it into his theory by denying man's narcissistic slight of not being able to become as God with reference to man's supposedly actual omnipotence.

Schmitt conceives of the "rebellious individualism" which is a typical aspect of man-made states as a defining challenge of human state building (as opposed to the "states of ants, termites and bees [sic!]", in which the sexuality of the individual is erased); after all, Schmitt writes, human socialisation takes place "without the organic sacrifice of individuality" (Schmitt 2008: 36f.). From a politico-psychological point of view, one could interpret this to mean that in human society, the sex drive is not eliminated through castration. This would imply that the fear of castration experienced by those in power persists, denying their omnipotent fantasies the transcendent, asexual space which alone is fit to contain their boundless power and protect it from challengers both human and divine. Schmitt accuses Hobbes of propagating a state in which the established social order is dissolved (cf. Schmitt 2008: 46), a state which – from the point of view of an organic theory of government – could only be called a machine, not a body (cf. Schmitt 2008: 34f.) – which would mean the forced substitution of political equality for an implied natural difference; the reduction of an ideal, organic unity to the aspect of mere functionality; and the negation of individuality by means of an all-encompassing utilitarianism. For these reasons, Schmitt is moved to voice his contempt of Hobbes as the despised creator of a failed symbol of "consummate impartiality" (Schmitt 2008: 50), while at the same time saluting him as "Hobbes, the great decisionist" (Schmitt 2008: 55): "Hobbes used this image because he considered it to be an impressive symbol. He failed to realize, however, that in using this symbol he was conjuring up the invisible forces of an old, ambiguous myth. His work was overshadowed by the leviathan, and all his clear intellectual constructions and arguments were overcome in the vortex created by the symbol he conjured up. No clear chain of thought can stand up against the force of genuine, mythical images. There is only one question that such myths elicit, and that is: Does its path in the overall march of political destiny develop into good or evil, right or wrong? Whoever utilizes such images easily glides into the role of a magician who summons forces that cannot be matched by his arm, his eye, or any other measure of his human ability. He runs the risk that instead of encountering an ally he will meet a heartless demon who will deliver him into the hands of his enemies.

Such was indeed the case with the leviathan conjured up by Hobbes. That image was inadequate to the system of thought to which it was applied in historical reality and it perished as a result of its encounter with the forces arrayed behind the traditional Jewish interpretation of the leviathan. All the indirect powers who are usually hostile to one another were suddenly in agreement and coalesced to 'catch the huge whale.' They have killed and eviscerated him ." (Schmitt 2008: 81f.) As Iring Fetscher has rightly remarked, one can only submit to Schmitt's view of a "failure" of the Leviathan symbol on the assumption that Hobbes was "the progenitor of twentieth-century authoritarian and totalitarian states" (Fetscher 1966: XLII). Hence it is only consistent of Schmitt to be fascinated by what Thomas Schneider has called "the dictatorial and decisionist element" in Hobbes (Schneider 1997: 122). This is obvious in Schmitt's discussion of a "sovereign state authority" which, "based on [its] sovereign power", single-handedly "determines [...] what is right and proper", an agency based on total command: "*Auctoritas, non Veritas*" (Schmitt 2008: 53ff.). Part and parcel of this all-embracing competence is an entitlement to control all subjects' religious beliefs, both positive and negative. Thus the "mortal god" has power over "miracles and confession", as Schmitt puts it (Schmitt 2008: 56f.). However, Hobbes's theory contains at this point of the argument a decisive liberal proviso: the very distinction between public and private reason which Schmitt so ardently rejects (ibid.). For Schmitt, Hobbes's enlightenment impetus – manifest in his advocacy for a privately enjoyed freedom of belief – was nothing less than a gateway for the first "liberal Jew" (that is, Spinoza) to go about "destroy[ing] [*entseelen*] the mighty leviathan from within" (Schmitt 2008: 57).

Spinoza, Schmitt writes, was the first to notice “the barely visible crack” running through Hobbes’s work in the form of the distinction between external and internal, public and private, which led him to develop this thought further in his *Tractatus Theologico-Politicus* (1670), eventually “push[ing] [it] to the limit of its development until the [...] leviathan’s vitality was sapped from within [*entseelf*]” (Schmitt 1938: 86f.; 2008: 57): “Hobbes focused on public peace and the right of sovereign power, individual freedom of thought was an implicit right open only as long as it remained private. Now it is the inverse: Individual freedom of thought is the form-giving principle, the necessities of public peace as well as the right of the sovereign power having been transformed into mere provisos. A small intellectual switch emanating from the nature of Jewish life accomplished, with the most simple logic and in the span of a few years, the decisive turn in the fate of the leviathan.” (Schmitt 2008: 58). As has already become clear in my own discussion of the *Leviathan*, Schmitt is mistaken in his disproportionate assessment of the respective importance of sovereignty and liberty in Hobbes’s theory of the state. If, moreover, Hobbes’s own remarks on Spinoza as related by Ferdinand Tönnies are anything to go by, Hobbes had found in Spinoza’s treatise “maybe not exactly a restatement of his own published teachings, but, without a doubt, thoughts very much in consonance with his private beliefs”; according to Tönnies, the only difference between them was that Hobbes never dared write as audaciously as Spinoza (Tönnies 1925: 286 n. 60). Apart from the antisemitic element, Schmitt weaves into his particular brand of anti-liberalism a *völkisch* strand. For instance, he stresses that the mere acknowledgement of a difference between the internal (or private) and external (or public) spheres renders the hegemony of the internal and private over the “public power” an accomplished fact (Schmitt 2008: 61). As a consequence, Schmitt holds, “the soul of a people betakes itself on the ‘secret road’ that leads inward” (*ibid.*).

This is not only a rather cryptic way of saying that a given nation shares a collective emotional bond; it also implies the synonymy of ‘nation’ and ‘people’: If the “soul of a people” is forced inward, into the private sphere, it is only consistent to conclude that before this displacement, it used to reside in the public sphere. If, in addition, the notions of ‘people’ and ‘nation’ are one and the same (as the concept of identity underlying Schmitt’s metaphor suggests), there can be no privacy, as any individual liberties are precluded *a priori*. After having made concessions to individualism and privacy, Schmitt argues, the public power would have to face “death from within”: “Such an earthly god has only the appearance and the *simulacra* of divinity on his side” (*ibid.*). Over the course of this process, the Leviathan takes on “an inhuman or a subhuman appearance” (Schmitt 2008: 63): “For centuries the Jew was fortified in his feeling of superiority vis-à-vis the heathens and the bestial idolizing of their will to power by the interpretation of the image of the leviathan that had been made by rabbis and cabbalists.” (Schmitt 2008: 62)

What Schmitt fails to mention in his many antisemitic harangues is that in the *Leviathan*, Hobbes himself speaks favourably of Judaism. With regard to their respective historical and theological contexts, Hobbes even points out – with remarkable sagacity – the parallel nature of Jewish monotheism and the modern theory of sovereignty. After all, his own line of argument is given biblical authority through reference to the Mosaic Covenant which, as described in the Book of Exodus, established God within Judaism – by means of a contract. This “Covenant” between God and the Jewish people makes the latter his “chosen people” and denies the rest of the world – those nations not party to the contract – His favour (cf. Hobbes 1962b: 396ff., 605ff.). The fact that Hobbes chose to draw on this tradition clearly attests to the resistive quality of his work, and highlights its capacity to defy one-sided interpretations like the one brought forward by Carl Schmitt. It is significant that in the wake of the Covenant concluded at Mt Sinai, the narcissistic dream of becoming as God has been dismissed from the Jewish tradition. This puts Hobbes’s contractual theory of sovereignty in a specific lineage within the history of ideas, in which it brings about, as it were, a symbolic reconciliation with the strict, paternal Law. Schmitt’s Christian approach, by contrast, is a revolt directed at the narcissistic slight of not being able to become as God. The God of the Hebrew Scriptures defeats the monsters Leviathan and Behemoth just as the state, in Hobbes’s theory of the state, symbolically defeats what Franz Neumann has termed the *Unstaat*, a mere deformed and chaotic caricature of statehood. From the point of view of narcissistic megalomania however, might, not right, will prevail in the struggle of superior powers – which reveals such positions to be, mythologically and psychologically speaking, expressions of man’s infantile hope of immortality, expressions of the megalomaniacal fantasy that man might after all transcend his humanity and attain godlike status.

In appropriating Old Testament mythology, Hobbes suggests a symbolic conciliation of the secular and spiritual realms, a unity of opposites (cf. Hofmann 2005: 283ff. for a discussion of the ambivalences in Hobbes's political theology). Schmitt's reading of the myth, on the other hand, aims at the destruction of its inherent ambivalence, and constitutes an attempt to annihilate the opposites into *Machtpolitik* and decisionist despotism. It is for no other reason that scholars have time and again discussed the "true intent" of Schmitt's *The Leviathan in the State Theory of Thomas Hobbes*. Was it a book in support of the National Socialist state? Or was it rather, as Schmitt himself tried to make plausible after the war, a printed testimony to his aloofness from Nazi ideology?ⁱⁱ Both claims are true – and false at the same time. They are true, because in this and other writings, Schmitt followed the anti-Jewish decision of National Socialism; his position was true to the ideological core of the Nazi regime. The claims are false, because Schmitt criticised the Nazis' regulatory policies from the point of view of political Catholicism – without, to be sure, any kind of fundamental dissociation from the regime whose juridical legitimation had been one of his principal occupations in the years leading up to his book on Hobbes. One can only agree with Günter Meuter in stressing that Schmitt's main focus was on the "total state" of Roman Catholic provenance (Cf. Meuter 1995: 101).

Leviathan, Behemoth and New Perspectives in the Theory of State

On a political level, Hobbes's theory of the state is vitally concerned with what – on a religious level – are central tenets of Judaism also: man's submission to a strict law – the Law; the renunciation of any and all human claims to divinity and, following from this, an acceptance of human limitation. In both systems, submission leads to freedom – with the qualification that Hobbes makes a philosophical and systematic distinction between the divine and secular spheres. As Hobbes's absolute sovereign has not come into power through arbitrary legitimation, be it autocratic or divine, but instead was enthroned by virtue of his subjects' contractual agreement (and thus an – albeit imagined – process of consensus-building), Hobbes can, ideally, presume the positive formulation of the Law to be consensual in nature as well. Of course, the circumstance that this contract is both merely notional and irrevocable means that Hobbes's position is far removed from any properly democratic conceptions of legitimacy. Franz L. Neumann takes up the thread of Hobbes's political symbolism, and connects with Hobbes's concern for ambiguity. In his *Behemoth. The Structure and Practice of National Socialism*, Neumann tries to reintegrate the moment of ambivalence into a theory which, at the same time, is a critical analysis of the ideas of Carl Schmitt. Neumann's main concern is with the bourgeois-liberal constitutional state, whose very authority is based on the pervasive dualism of political power: on the antagonism of right and might, both being as essential to the state as they are conflicting with one another. What the modern state relies on are the forceful – and indeed, sometimes, the violent – enforcement of its sovereignty vis-à-vis the local and particular powers, and the establishment of a uniform administration and jurisdiction. At the same time, it pretends to institute a system based on universal and equal (that is, impartial) laws; a system which establishes political liberty in order to preserve economic freedom (cf. Salzborn 2009).

Neumann argues that, depending on which pole is currently being favoured in civil government practice or modern theories of the state – right or might, law or authority, liberty or sovereignty –, its respective opposite (i.e. whichever is at greater risk, empirically speaking) ought to be strengthened and defended. This takes place on "unsteady ground" (Söllner 1982: 285), and the ever-changing priorities in this process must be adjusted "according to the demands of the day" (Neumann 1937: 33). As Neumann sees it, Hobbes's notion of the state is, at its core, aimed at the "preservation and defence of human life"; it comes with a "right to insubordination which is, admittedly, only granted to individuals" and is secondary to a more fundamental duty to obey: "This is where Hobbes's ambivalent stance becomes apparent. His emphasis is on sovereignty, according to the demands of his day; he stresses the dangers of a power unrestrained by law, advocating a state authority independent of the brawling factions [of the Civil War]. However, there is a secondary emphasis on liberty, be it ever so slight." (Neumann 1937: 33) Neumann's own emphasis is directly opposed to Hobbes in that he prefers liberty over sovereignty – thus developing the very aspect of the myth of Leviathan and Behemoth which Carl Schmitt had so vehemently opposed. Just like Hobbes, however, Neumann is acutely aware that in the modern state, the two cannot be separated. This means that the modern state will always be ambivalent – or it will not be at all, as the Nazi attempt to eliminate modern statehood on *völkisch* grounds has shown: "Since the National Socialist regime is, as we believe, just the perverse travesty of a state [*ein Unstaat*] (or is, at the very least, on its way there); since it holds a chaotic reign of lawlessness and anarchy, devouring, so to speak, the rights and dignity of man; since this 'non-state' is on its way to global domination, already conquering vast stretches of land, and is on the brink of hurling the whole planet into chaos, it appears to us there is only one designation fit for the National Socialist system: The Behemoth." (Neumann 1977: 16)

By drawing on the Old Testament myth of Leviathan and Behemoth with its implicit promise of an end to the reign of terror, Neumann demonstrated, as it were, his own hope of a removal of Nazi tyranny. However, this hope had to retain the form of a negative dialectic embodied in the state: owing to historical context, its conceptualisation could not possibly be concrete or positive. An attempt to reintegrate the mythological and political dimensions of Leviathan and Behemoth opens the prospect, on a symbolic level, of a further strengthening of the liberal element in modern statehood – which, still, cannot be conceived of except as in direct correlation with sovereignty. Schmitt's interpretation of Leviathan and Behemoth has laid the ground for a state theory advocating the negation of liberty by and an expansion of sovereignty within the state. Taking into account the currently ongoing disintegration of state sovereignty, this implies the very real threat of an *actual* 'dissolution' of the Leviathan: the gradual diminution and eventual abrogation of any liberty whatsoever. To grasp this as the core idea of modern concepts of statehood, and to follow Hobbes's lead in rejustifying – for the sake of liberty – sovereignty against non-statist and anti-statist attacks, opens up a new perspective in the theory of the state: a perspective in which Leviathan and Behemoth may once more be conceived of as the dialectical unity Carl Schmitt's decisionism tried to shatter.

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ⁱ In the original, this sentence reads "Die Begründung verläuft also umgekehrt wie in den Gedankengängen 'göttlichen' Rechts" (Schmitt 1938: 50f.), and contains a non-standard construction which could perhaps be more aptly rendered as "The justification provided, however, proceeds conversely to the thought processes of 'divine' right" (emphases added, T.G.).

ⁱⁱ On p. 21 of his 1950 collection of essays, *Ex Captivitate Salus*, Schmitt quotes a passage from p. 94 of his own *The Leviathan in the State Theory of Thomas Hobbes*, first published in 1938, without disclosing the identity of the author cited (in the English edition of 2008 it is p. 61). In addition, he falsifies the quotation as regards both content and context: Whereas in *Ex Captivitate Salus* the passage about the "secret road that leads inward" reads like a document of inner, silent resistance against a "public sphere organised by state power", the quite contrastive treatment of the same subject in his *The Leviathan in the State Theory of Thomas Hobbes* had amounted to a fierce attack on anything liberal, with Schmitt claiming that a "public power" was compromised the very moment it recognised "the distinction between inner and outer".