Article

The Necessity of Impure Sovereignty

Mike Grimshaw

University of Canterbury

Abstract This essay arises from an engagement with the reflections and letters of Jacob Taubes to Carl Schmitt (Taubes 2013); central to these writings is the question of the sovereign. If the sovereign is the one who decides the exception, then sovereignty is focused on this decision of what is/is not the exception – and who gets to decide. An engagement with these writings of Taubes as a Jew and friend-enemy of the Nazi jurist offers a way toward what I term the necessity of impure sovereignty. For Taubes the central question is what does *pure* mean and thus, dialectically, what does *impure* mean? To engage with this question, I begin with a discussion of Weimar and the situation that gave rise to Schmitt's work on sovereignty. I make use of the diaries of Count Harry Kessler and also of an essay of Schmitt's from 1926. I then turn to the writings of Taubes to Schmitt. In my view, sovereignty as understood by both Schmitt and Taubes is problematic because of its central decision for homogeneity and dictatorial democracy. Therefore, I argue for three counter-decisions. Firstly, for the necessity of the impure sovereign-decision for heterogeneity. Secondly, against the Schmittian katechon, I argue for identification with the chaotic, impure Antichrist. Finally, against history, I argue for hope and so we must make the alternative sovereign-decision to remain *impure*.

Keywords Weimar, Schmitt, Taubes, sovereignty, sovereign-decision, impure, katechon, democracy, liberalism

A Prefatory Note on the Impurity that Follows

This is a deliberately discursive thought-piece that undertakes a series of digressions and conjectures *en route* in order to wrestle with the concept of sovereignty as is to be found in the writings of Jacob Taubes to Carl Schmitt (Taubes 2013). It deliberately leaves its wrestling with the questions evident on the page, not seeking to tidy them up or sweep them away, rather exposing the tensions that thinking seriously on sovereignty entails. For sovereignty is not an easy question to deal with, nor is it a singular issue. What is presented here could perhaps be best described as an annotative approach to the question of sovereignty, a type of thinking and writing that seeks to undo the singularity and surety that bedevil so much current academic thought and writing. If this essay is in the end an argument for the necessity of impurity, it is perhaps apposite that it occurs in an impure fashion.

Introduction

Our modern thinking about sovereignty has been profoundly influenced by Carl Schmitt. However, less often do we think of sovereignty as a concept developed in

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reference to Weimar, that ‘laboratory of modernity’ (Kaes, Jay and Dimendberg 1994, xvii) wherein occurred the tensions between ‘a nascent modernity and the remnants of a persistent past’ (Kaes, Jay and Dimendberg 1994, xviii). As Perry Anderson observed, ‘in the Weimar Republic, the Westphalian Schmitt began his career as the most original catholic adversary of socialism and of liberalism’, undertaking what Anderson succinctly describes as Schmitt’s ‘polemics of electric intensity’ (Anderson 2005, 4). Not only is Schmittian-derived sovereignty framed in reference to Weimar, but today we too easily forget that to be modern is still to live in (the wake of) Weimar; not least because the mass emigration of German culture and intellectual workers that occurred after 1933 made so much of modern culture exist in reference and in debt to an exiled Weimar.

To help us understand the context our engagement arises from, I wish to first engage with a record of the time drawn from two sources; the first is the diaries of the aesthete, intellectual and diplomat Count Harry Kessler (1868-1937). Kessler’s diaries of the years 1918-1937 provide a fascinating overview of the context that gave rise to Weimar – and to its decline (Kessler 1999). The second source I will selectively draw upon is *The Weimar Republic Sourcebook* (Kaes, Jay and Dimendberg 1994) which contains an essay by Schmitt that enables a further contextualization and discussion. Following this scene setting, I then engage with the question of impure sovereignty as can be read out of the letters and reflections of Jacob Taubes to Carl Schmitt (Taubes 2013).

Weimar...

The Weimar Republic (1919-1933), in the words of historian Eric Weitz ‘still speaks to us’ (Weitz 2007, 1); in particular in its cultural and artistic creations, in its philosophic debates and sociology, and yet perhaps most importantly, ‘as a warning sign’. This warning of the ever-possible collapse of democracy and the rise of the totalitarian option from within – yet against liberal modernity – is one disturbingly prescient today almost a century on from the establishment of Weimar. As Kniesche and Brockman noted, ‘Weimar presented the specifically German manifestation of a more general crisis of modernity’ (Kniesche and Brockman 1994, 12). Yet while Germans of that last century recognized ‘that they were living amid the throes of modernity’ (Kniesche and Brockman 1994, 3), today we seem more likely to fail to recognize just what we are living amid the throes of – and more so, just when precisely we are living. Are we living still within modernity? Within post-modernity? A neo-modernity? We perhaps find ourselves in a long interregnum that arose at the end of that short twentieth century defined by Eric Hobsbawm as running from 1914-1991, book-ended by World War One and the collapse of Soviet Communism and the Soviet Bloc (Hobsbawm 1994).

Yet, within our interregnum, do we not find ourselves within a series of decisions such as those in Weimar grappled with, seeking ‘to unravel the meaning of modernity and to push it in new directions, some emancipatory and joyous, others frightfully authoritarian, murderous and racist’ (Weitz 2007, 4)? This unravelling and pushing in new directions required decisions to be made and, most importantly for our discussion, decisions as to what would or could be *the exception*? It was in this context that Schmitt perceived that ‘the decisive question’ was ‘who decides?’ (Ulmen 2003, 15). Following on from this, is decision making, that is decision making that makes an exception to the

norm in not ratifying the expected decision, an act of sovereignty? Here we might raise our first query, which asks: to *what*, is the decision made in reference to? That is, the *why* of the decision cannot be separated from the *who* of the decision maker. And to understand this, we have to seek to understand the context of the sovereign decision-maker. Yet if we want to think seriously about making the decision of the exception in regard to Weimar we also need to continually remember Walter Benjamin's aphorism regarding modernity: 'That things go on "as usual" – that *is* the catastrophe' (Kniesche and Brockman 1994,12). In light of this, a question arises: if a sovereign decision *is not made*, is that actually the catastrophe? Does this mean that the sovereign decision – rightly or wrongly at both the time and in retrospect – is the decision to attempt to forestall the catastrophe of modernity? This is why Weimar remains central for our understanding of modernity, for if 'modernism is the sobering recognition of instability and the improvised management of uncertain circumstances, then it is Weimar that best describes the modern' (Fritzsche 1994, 30).

Kessler's Notes on Weimar (and that of Others, Including Schmitt)

Count Harry Kessler may seem a strange choice to draw upon for any discussion on sovereignty. Yet his diaries offer a unique perspective on Weimar from what could be termed an insider-outsider. Born to a German banker and an Anglo-Irish mother, educated in France, England and Germany, Kessler was an aesthete, a decorated soldier, a cultural and economic diplomat, a homosexual, founder and publisher of art books with the Cranach Press, a journalist, a supporter of Nietzsche, and member of the left-liberal German Democratic Party. In this brief context setting, I draw upon his interwar diaries, a fascinating, all-too distracting record of a world aware that decisions were and had to be made. As Ian Buruma observes:

What infuses Kessler's descriptions of 1920s Berlin, Weimar, Paris, and London with such melancholy beauty is the author's own awareness that, even as he was writing, his world was doomed to almost total destruction. It was decadent in the most literal sense (Buruma 1999, ix).

Here is Kessler writing of a Spartacist rally in 1919:

Fanaticism and power in the service of a nebulous fresh hope are faced, far and wide, by nothing more than the fragments of the old ideologies (Kessler 1999, 52).

In such a context, in this post-war political and social turmoil, the sovereign decision is, in fact, one demanded of each person: Do I make a decision that is an exception to the norm; or perhaps more politically, can I – or do I feel that I can – make a sovereign decision? The exception in this case is do I go with the new, the modern, in the form of Bolshevism 'surging in from the East [that] resembles somewhat the invasion by Islam in the 7th century' (Kessler 1999, 52) – or do I make a stand for a type of counter-modern revolution? In either case, at this time, *any* decision is a sovereign decision because it is made as exception to a failed *status quo*. Of course, the decision is itself neither a guarantee of success or of correct choice, as Kessler observes also in January 1919:

The problem is whether sentiments and ideas of sufficient power and profundity are on hand as to be capable, if allowed free reign, of transforming prevailing conditions; or whether, having failed to win the war and make a material profit on it, we are buoying ourselves up with mirages of a paradise (Kessler 1999, 57).

Yet the problem was – and is – one of truly understanding *who it is*, or rather, *what we are*, who are called upon to make the sovereign decision. Here Kessler's observation in 1919 of the artist George Grosz identifies the central tension of what I term the impure sovereign decision maker: 'He is reactionary and revolutionary in one, a symbol of the times' (Kessler 1999, 64). But perhaps it is better to have such a conflicted, impure decision maker, one always in tension in themselves because either a pure reactionary or a pure revolutionary both buoy themselves up on images of paradise, either a nostalgic paradise to return to, or a utopian dream of future change. In both cases, people become subject to ideologies and to politics. Only the impure – the impure person as impure sovereign-decision maker – can hold the forces of reaction and revolution in tension, wherein the exception can be to either reactionism or revolution. Of course, such an impure decision is bound to disappoint one or the other, or perhaps, more successfully, disappoint *both* the reactionary and the revolutionary. What this might mean in practice is again exemplified by Kessler's observation of Grosz, almost a decade later in 1928:

Grosz seems altogether to be experiencing a strong move away from realism. He complained that our time rationalizes everything and has absolutely no appreciation for man's irrational needs. What left-wing circles, the Social Democrats and the rest, strive for, improvement of living conditions among the broad masses, hygiene, and so forth, are simply matter course objectives for anyone who has a heart. They are, however, a mere beginning, not a goal, and that is what people do not understand (Kessler 1999, 354).

This may seem a strange quote to pick out to advance a claim of the need for the impure sovereign-decision; yet Grosz, as expressing the tension of the time, reminds us that *any* decision that claims an exception is in itself not the making of a decision that can express a central truth or purity. That is, the sovereign-decision that creates an exception in its decision actually institutes a new normality, a new status-quo, wherein things go on 'as usual' – even if just recently 'decided'. Yet if we wish to exercise sovereignty, then a decision as exception must *continue* to be made; that is sovereignty as decision making as exception is a *constant demand* as act of living, not an exception in and of itself. Our problem – and one we see in Weimar and inherit from Weimar – is actually that we politicize sovereignty to the political powers that be, rather than seeing that the sovereign-decision is an ongoing task and demand on all of us – and that sovereign-decision can be to reject the status-quo demand for change (the reactionary sovereign-decision) or to seek to challenge and change the status-quo (the revolutionary sovereign-decision). Whichever it is, if we really wish to be 'a symbol of the times' (that is, of Benjamin's catastrophic modernity) then a decision has to be made at every moment *against* (as either reactionary and/or revolutionary) things going on 'as usual'.

Yet Kessler was careful to note the issues involved in what we can retrospectively call the sovereign-decision. If that decision is a call to or act of revolution then how prepared

are we to make a sovereign-decision against ‘the blood-feud element which in all great revolutions becomes ultimately the driving-force and, when all others are extinguished or have been appeased is the last ember to remain burning’ (Kessler 1999, 83). For this sovereign-decision is not to be confused with the counter-revolutionary decision for the ‘blinkers of the revolutionary catchword narrow down vision no less than do those cramping the counter-revolutionary one. The result is parrot-like recitation of party-slogans’ (Kessler 1999, 128). So is proper sovereignty – (I hesitate to use the word ‘true’ for can the sovereign-decision ever actually be a truth or truth act?) – the decision made that is firstly never in line with party-slogans but secondly, neither revolutionary nor counter-revolutionary; for both revolution and counter-revolution tend to be made in the name of some imagined ideological and/or political purity. Yet what Kessler reported was that a form of sovereign-decision could be made whereby, as the Italian socialist Giuseppe Modigliani commented to Kessler in Rome in May 1922, with the rise of the Fascists, ‘Italy was experiencing *counter*-revolution before revolution’ (Kessler 1999, 181). Such a pre-emptive counter-revolution is the expression a sovereign-decision and in doing so not only challenges the status-quo, it also pre-empts any chance at revolution. It does so in the name of that deeply problematic ideological and/or political purity acting to negate the possibility of success of the revolutionary activity and in doing so instigating a politics whereby revolution becomes, if not impossible, then almost so. I suggest we need to retain this insight when we consider Schmitt, because is Schmitt actually the voice of *counter*-revolution? That is, is Schmittean sovereignty seeking to instigate a counter-revolution *before* any revolution as sovereign-decision can occur? And if so, what does the Schmittean turn we see today in political and social theory, and in political theology actually expose? Do we need to rescue sovereignty from a counter-revolutionary ethos? Can we do so? Yet in doing so do we need to argue for sovereign-decision that does not seek the expression or fulfilment of an imagined ideological and/or political purity? And if so, does the impure sovereign-decision actually have to negate both revolution and counter-revolution? For the threat of revolution instigates counter-revolution and, as Kessler observed, with the success of Italian fascism in 1922, the method of counter-revolution changed:

Until now, as in France for example, counter-revolutionary governments have still at least behaved as if they were democratic and peace-loving. Here a frankly anti-democratic and imperialist form of rule gains the upper hand again (Kessler 1999, 195).

While Kessler was writing of Italy, he was writing from Berlin and his concern was as much for the future of Weimar as it was for what had occurred in Italy. For is the sovereign-decision *against* things ‘going on as usual’ now far more easily the counter-revolutionary one because it is able to channel current dissatisfaction into anti-democratic and imperialist expressions? I would argue that it is able to do so because ‘things going on as usual’ are able to be dismissed as expressions of catastrophic impurity requiring a decision for a new purity to not only end things ‘going on as usual’ but just as importantly, to prevent any success of the counter-purity claim of revolution.

We now briefly turn from Kessler to a few selections from the monumental *Weimar Source Book* (Kaes, Jay and Dimendberg 1994) to gain another sense of what was and was not happening in Weimar that might be able to inform our thinking on sovereignty. Given

the above discussion it is useful to turn to Ernst Troeltsch's essay 'The German Democracy' from December, 1918 for in this he identifies what I term 'impure democracy' as the new spirit of the age:

...democracy is no longer a pure question of political and moral principle, nor is it any longer the weapon of the aspiring classes who employ the moral element of the democratic idea to the advantage of their claims on state and society. It has departed completely from the sphere of doctrine and the doctrinaire and become a practical necessity (Troeltsch 1994, 90).

Our question is whether impure democracy is a sovereign-decision itself that claimed an exception from the status quo of democracy as either 'pure question of political and moral principle' or an idea as weapon for the 'aspiring classes'? Yet, is that not the problem of and for democracy: it will always fail our desires for it to act as either of these options when democracy becomes a political reality. And so, the perceived failures of democracy when it becomes expressed and experienced as impure reality result in the sovereign-decisions for either revolution or counter-revolution?

But before I proceed with this, I want to signal another way to think of impure democracy – and it is as katechon (the restrainer) against the apocalypse represented by revolution and counter-revolution. It is impure democracy, because it is *impure*, that acts as obstacle to the chaos created and undertaken in the name of *purity* of both revolution and counterrevolution. Therefore, we find ourselves in a curious position whereby it is impure democracy that – via Benjamin's aphorism – symbolizes the catastrophe against which the sovereign-decision for either revolution or counter-revolution is made. Of course, the left-wing revolutionary sees themselves as katechon and sovereign-decision against both impure democracy and the threat of the fascist; but likewise, the right-wing counter-revolutionary sees themselves as just as equally katechon and sovereign-decision against impure democracy and the threat of the communist. What we need to note, for our discussion, is that both left and right, as revolutionary and counter-revolutionary, share a distaste for impure democracy. This, we argue, should raise concern regarding any claimed sovereign-decision made in the name of a pure political or moral principle, for there is a very distinct possibility that such a decision is made as exception against the 'as usual' catastrophe of impure democracy that characterises modernity. Such a problematic sovereign-decision is, as Ernst Bloch argued in 1924, made from both right and left:

Among the Communists as among the National Socialists an appeal is made to able-bodied youth: in both cases the capitalist, parliamentary state is negated, in both cases a dictatorship of obedience and command, the virtue of decision is demanded instead of the cowardly acts of the bourgeoisie, this eternally discussing class (Bloch 1994, 148).

It is of course easy to argue that impure democracy is both the expression of 'the capitalist parliamentary state' and the embodiment of that 'eternally discussing class, the bourgeoisie'. In fact, it may be hard, from the perspective of hard left or hard right, to argue otherwise. From such perspectives, the sovereign-decision *has* to be made in the name of some claimed pure politics and idea as katechon *against* impure modernity. Our

task is therefore a more difficult one; a task that Weimar itself tried and failed: to argue for impure modernity, for impure democracy. The question is whether impure democracy has to be the expression of the bourgeoisie and of the capitalist parliamentary state? While it is noted that this question seeks answers beyond the scope of this present essay, I wish to acknowledge the difficulties it raises. For in our current age, there seems little option, democratic or otherwise, outside of capitalism. Our sovereign-decisions seem increasingly to be ones, revolutionary or counter-revolutionary, *within* capitalism and for reduced forms of the parliamentary state; granted, being far more often counter-revolutionary than revolutionary. But where this essay seeks to end up is in perhaps offering an answer as to whether a decision can be made from within impure modernity that seeks another alternative that is not totalitarian in either ethos or outcome? (The non-capitalist option must await another, further, discussion...).

Here we now first turn to Schmitt because, writing from within Weimar, he states liberalism is opposed to democracy – but his democracy, built on a concept of the sovereign-decision, is actually, we argue, totalitarian in ethos:

The belief in parliamentarianism, in government by discussion, belongs to the intellectual world of liberalism. It does not belong to democracy... Every actual democracy rest on the principle, that not only are equals equals but unequals will not be treated equally. Democracy requires therefore first homogeneity and second – if the need arises – elimination or eradication of heterogeneity (Schmitt 1994, 335).

A concern thus arises: is sovereignty – even sovereignty in the name of democracy – opposed to impurity? And so, is a Schmittian democracy of the sovereign-decision always potentially totalitarian in both ethos and action? It would seem so if, as Schmitt continues, that a ‘democracy demonstrates its political power by knowing how to refuse and keep at bay something foreign and unequal that threatens its homogeneity’ (Schmitt 1994, 335). Impurity is therefore positioned as the constant threat to democracy and democracy is counter-positioned as the katechon of impurity – at least in a Schmittian frame of sovereign-decision. Our problem is that Schmitt argues that ‘because inequality always belongs to equality’ therefore a democracy ‘can exclude one part of those governed without ceasing to be a democracy’ (Schmitt 1994, 335) and this is an expression of the sovereign-decision: an exception made within democracy that does not negate democracy. To understand this, we need to recognize that for Schmitt it is liberalism that posits the equality of all persons as persons while democracy, which Schmitt argues for, is not to be confused with liberalism. Of course, equality can occur *within* a modern democratic state, but it is more likely that there exists exclusion and inequality and this is the state itself acting as sovereign-decision. That is, the sovereign-decision is concerned with the particular and not the abstract, with the categorical and not the universal. In such a case there is, we argue, the counter-sovereign-decision which argues precisely *for* the universal and the abstract and to do so we must argue with Schmitt. The problem of Weimar for Schmitt was that it sought liberalism against democracy, discussion against decision and in the state of emergency, sought to oppose ‘the sole criterion of the people’s will, however it is expressed’ (Schmitt 1994, 337). Given that Weimar is, as we note, often described as the laboratory of modernity, does this not mean that Schmittian democracy and the sovereign-decision is actually anti-

modern? Even more so, is a democracy – if it is ‘the expression of the people’s will’ for the particular – either a revolutionary or counter-modern expression of Schmittian sovereignty? It is, if the sovereign-decision, if ‘the people’s will’, is a decision against impurity. As Schmitt proclaims:

...in democracy there is only the equality of equals, and the will of those who belong to the equals... The crisis of the modern state arises from the fact that no state can realise a mass democracy, a democracy of all people not even a democratic state. Bolshevism and fascism by contrast are, like all dictatorships, certainly antiliberal but not necessarily antidemocratic (Schmitt 1994, 337).

Democracy, in Schmittian terms, acts first as katechon to liberalism, and then law acts as katechon to democracy. The sovereign-decision therefore acts, if necessary, against law *as it is* and against democracy *as currently expressed*: as katechon against the impurity that exists as central challenge and threat to both democracy and law.

Taubes and Schmitt – and the Necessity of Impurity

It is here that we turn to the letters and reflections of Jacob Taubes to Carl Schmitt (Taubes 2013), because Taubes writes as the one designated impure, as the one designated enemy, a designation undertaken by sovereign-decision. Was it the failure of Weimar as failure of liberal democracy, as failure of modernity that enabled such a sovereign-decision to not only be made, but also to be implemented with such horrific, tragic consequences?

As I have noted elsewhere, what drew Jacob Taubes – a Jew – and Carl Schmitt – a Nazi jurist – together, ‘was anti-liberalism, an anti-liberalism searching for expression in the face of failed apocalypse, an anti-liberalism that gains new urgency in a world where new forms of anti-human (that is anti-historical) apocalypse seem to be resurgent’ (Grimshaw 2013, xi). Here is how Jacob Taubes described his relationship with Carl Schmitt:

We knew that we were opponents to the death, but we got along splendidly. We knew one thing: that we were speaking on the same plane. And that was a very rare thing (Taubes 2004, 69).

That ‘very rare thing’ was the epistolary relationship between a Jewish intellectual and Philosopher of History and a one-time, and un-renounced, Nazi jurist, who is the major political theorist of the twentieth century. In the letters, both undertake a type of sovereign-act: the Jew to make the exception for the Nazi jurist, the Nazi jurist to make exception for the Jew. The one designated enemy is granted exception to be become ‘friend-enemy’ because *only the other* understands. This raises issues for our discussion of sovereignty, because what drew Taubes and Schmitt together, what united them in a type of sovereign-decision via Schmitt’s friend/enemy distinction, was they were indeed ‘opponents to the death’ and yet they also were speaking on the same plane, a plane of apocalypticism and counterrevolution.

It is chaos that demands, for Schmitt, the necessity of the sovereign-decision; and so it is the chaos of liberalism, the chaos of liberal modernity that claims to be democratic but is really only chaotic, that requires the necessity of the sovereign-decision. This means for Schmitt that the role of the sovereign is ultimately the one who, in the face of chaos, makes the decisive decision, the decision of the exception, the decision to keep order. If liberal modernity is chaos, if liberal democracy (an oxymoron in Schmitt's view of democracy) is chaos, then the only choice for the sovereign is counterrevolution; for revolution against liberal modernity can only be the chaos of communism.

We also need to remember that what brought Taubes into agreement with Schmitt was Schmitt's referencing of Hobbes' statement in *Leviathan* that 'the law is made by authority, not by truth' in *Political Theology* (Taubes 2013, 3). It was Taubes' concentration on history that turned him against liberalism because he could not agree with liberalism's belief in the progressive nature of a universal human subject. Rather, history is history of apocalypse, and the sovereign-decision is for counter-revolution that holds liberal chaos and belief at bay. As Taubes notes, 'It was clear to me right from the start that Carl Schmitt's slim but provocative treatise *Political Theology* was a general onslaught on liberal modernity – whether as a way of life or as a form of knowledge...' (Taubes 2013, 4), for common to both Taubes and Schmitt 'is the experience of time and history as a delimited respite, as a term or even a last respite' (Taubes 2013, 13). The sovereign-decision that arises, for both Taubes and Schmitt, is the necessity of the decision for the katechon; that is, the restrainer who holds back apocalypse. For Taubes and Schmitt, time and history are apocalyptic and it is the sovereign-decision for the katechon that is the counter-revolutionary necessity; a decision and view of time and history that both Taubes and Schmitt view as located in 'a Christian experience of history' (Taubes 2013, 13).

A Number of Questions Therefore Arise...

How then can we read the letters and reflections of Taubes to Schmitt in light of what we argue is the necessity of impure sovereignty? For, remember the katechon is to hold back the Antichrist – and for Taubes and Schmitt the Antichrist today is liberal modernity precisely because it is impure and chaotic. Is sovereignty – if it is to be *impure* – to be the decision *against* the sovereign who claims the exception in the name of the pure, in the name of the law, in the name of authority? Is not counter-revolution as dangerous a foe to liberal democracy as revolution? Is not liberal democracy itself the katechon against *both* counter-revolution and revolution? Because otherwise we abandon all hope and belief in even the possibility of the universal human subject and find ourselves left all too open to Schmitt's call for the people's will – as exercised by the sovereign-decision that is anti-liberal if not antidemocratic. Yet this Schmittian democracy is a democracy of the homogenous, a democracy of those seeking to reject the impure and so we must ask ourselves whether we wish to participate in such a democracy? Is not the sovereign-decision therefore firstly a decision as to what sort of democracy we may wish to be part of and participate within? Do I make a sovereign-decision for homogeneity or for heterogeneity? *Perhaps this is what sovereignty truly means today: a choice for or against that and those designated impure.* And more so, if as Taubes claimed in his letter to Armin Mohler in 1952 that 'if humanism has run dry' (Taubes 2013, 21-22) and so then we live theologically even if it is 'given that atheism is our fate' and that 'we very much have to *live* in a post-Christian manner' (Taubes 2013, 22), what now

is the sovereign-decision? For we make the sovereign-decision in the absence of that who was original sovereign; that is, temporal man is now sovereign *as if* he is God.

A series of implications follow: sovereignty has become secularized and temporalized; political theology has replaced theology and, perhaps not emphasized enough in our engagements with political theology, *liberalism has become the Antichrist*. If so, then I willingly associate myself with Antichrist alongside those who seek to represent and include those designated impure. Antichrist as those who bring chaos to those who desire homogeneity; Antichrist as the human who accepts sovereignty in the absence of God but expressed as a sovereign-decision against the *nomos* that excludes. For central to the necessity to remain impure is how to ensure political theology does not result in a totalitarianism of either the left or the right. Is the designation of friend-enemy, such as the Nazi extended to the Jew in the case of Schmitt and Taubes, actually a false offer because what united them was their opposition to liberalism and their agreed view of the necessity of the counter-revolution?

Here we get to the nub of the problem: is the sovereign-decision actually not one of deciding *because* there is no God, but rather deciding *as if* the one deciding *is* God? I suspect too often it is the latter and hence the designation of Antichrist – either stated or implied – for those that the sovereign-decision is made against. It is telling that Schmitt, writing to Armin Mohler in 1958, states: ‘Taubes is right: today everything is theology, with the exception of what the theologians talk about...’ (Taubes 2013, 26) – and so sovereignty remains a theological decision. But what does it mean for us humans to act, to decide, *as if* we are God when there is no God? As Taubes asks in his letter to Mohler in 1952, not only ‘What is there today that is not “theology” (apart from theological claptrap)?’, but therefore:

...of course the question of the law today must be posed ‘theologically’: i.e. it has to be asked, what does the law look like, given that atheism is our fate? Does the Occident have to suffocate in blood and madness in the absence of sacred law, or are we able, “on the basis of the worldly, mortal situation of man”, to tell right from wrong (*Recht und Unrecht scheiden?*)? (Taubes 2013, 22)

Furthermore, what does it mean to essentially retain the notion, the concept, the idea of Antichrist (as thing, as politics, as ideology, as people or person) that the sovereign-decision as *katechon* is made to oppose? That is, in the absence, the afterwards of God, we retain the concept of that opposed to God who we now continue to seek to oppose in the name and claimed *nomos* of the God no longer existent. This is nothing but the utter perversity of a political theology that first of all claims a type of exception for itself: in the world without God the decision is made for the exception *to act as God*. But as Taubes observes, central to the Occidental (and ‘an everlasting task of political theology’) is the constant drawing of ‘the boundary between the spiritual and the worldly’ (Taubes 2013, 30), a lineage he traces to Hobbes’ distinction between ecclesiastical and civil power. Yet what is political theology if not, after God, that of civil power acting as ecclesiastical power? However, as Taubes notes, in one crucial, central question of sovereign-decision, the Jews were spared, *because they had no choice to be made* as to whether join in the horror of National Socialism and its decisions (Taubes 2013, 34). Therefore, we need to remember this point: in the world of Schmittian sovereignty, those designated impure

are denied even the chance of a choice because they are not part of the homogenous demos who decide the nomos. This occurs because, as Taubes describes, Schmitt discovered ‘that democracy and Caesarism are not opposites’ (Taubes 2013, 35). Therefore, in Schmittian political theology, the Schmittian-derived and endorsed sovereign-decision is best made as the exception ‘in favour of dictatorship in the form of democracy’ (Taubes 2013, 35). In the dictatorship the central impurity is the one who refuses to be dictated, the one who refuses the exception by choice. This means that there is a distinction between the impure who refuse by their own choice to participate and those impure designated so by the sovereign-decision and who have no choice. These latter impure, the ones designated impure without making a choice themselves for such an identity, are within the sovereign-decision as Schmitt delineated ‘our own question given form’ (Taubes 2013, 37). It is this re-identification of these ‘impure’ as *the other* of the decision-maker that allows the type of Schmittian renaming as friend-enemy – as was extended to Taubes by Schmitt.

Our concern is that this possibility of friend-enemy fails to account for the more central issue of impurity: those who are the same as the decision-maker and make the choice to reject the decision, who make the choice to not recognize the sovereignty claimed by the decision. These impure can never be designated friend-enemy for they are never the question of the sovereign-decision given form, rather they simultaneously reject the sovereignty of those making the decision as well making and rejecting the question giving rise to the decision. These are not *the other* as impure by designation, but rather the same as other as impure by choice. In the Schmittian-Taubean frame, these who choose to reject the decision and the authority of the sovereign are atheist to the claimed ecclesiastical authority and decision of the supposed sovereign. This is why those who make the choice to reject sovereignty and the sovereign-decision are, in the world of the catechon, the Antichrist.

What we must remember, in a legacy that stretches back to Weimar, is that in the Schmittian-Taubean world the liberal stands for the Antichrist; it may not be clearly expressed but it is apparent throughout their thought because, as Taubes (apparently) laments ‘the world is not made that one can be liberal.’ Rather, because ‘brutal demands will be made’ (Taubes 2013, 38) decisions have to be made as to how to deal with them. In this the liberal is constantly disparaged as constantly disruptive, constantly digressive, constantly discursive and liberal parliamentary democracy – as was held to be exposed in Weimar – is dismissed as preferring laws to discuss rather than to decide.

I note that this whole essay could be held to express the failures of liberalism in its constant digressionary discursiveness and its failure to make a decision. But that is precisely my point, for sovereignty is far too often the sovereignty of the pure decision and the sovereignty of those who feel authorized (or ‘called upon’) to make the sovereign-decision. And the problem is that the decision is always far easier to make and seek approval for if those decided against can be characterized and categorized as impure, as chaotic, as those requiring restraint in the name of the nomos of the demos.

It will be noted that I have constantly invoked the terms ‘pure’ and ‘impure’ and the reason I have done so is that Taubes identifies *pure* as central to the problem of decision, asking thereafter ‘what does *pure* mean?’ (Taubes 2013, 40). What fascinates me is how

the Schmittian sovereign-decision is positioned against purity and yet so often is made in the name or claim of some purity. To understand how this is so, we need to hear Taubes' 'concrete' thinking on the *pure*:

'Pure' means free from all experience, free from language, free from history... Schmitt fought against one thing: a pure theory of law. A pure theory of law was a doctrine that took no account of history (Taubes 2013, 41).

One of the charges against liberalism is that it takes no account of history, rather it exists as type of idealism seeking to free humanity from history. Yet perhaps liberalism actually takes history very seriously, takes it so very seriously that it seeks a new beginning, a new possibility – and in this liberalism is perhaps apocalyptic thought, an attempt at the eschaton? The problem is perhaps that perverse situation whereby liberalism sees itself as the expression and identity of the new pure, as the ideology of a new purity (which makes it a type of sovereign-decision for homogeneity and therefore actually illiberal). We would argue that liberalism is by necessity impure; the decision of the impure by choice to include those deemed impure without choice as and within the attempt to break from history. And maybe that is the basis of impure sovereignty: the *attempt* to break from history on behalf of those deemed impure, recognizing that as an expression of modernity, the attempt is only ever an on-going project and never a fulfilled state. This means that liberalism is an impure identity that is always only in the process of becoming, in the process of being decided. Secondly liberalism is decision via discussion and digression, not decision as sovereign-decision. The decision of liberalism, the decision for liberalism is therefore the decision of impurity, the decision for impurity *against* history – and in doing so liberalism seeks to act as inverse katechon *against* history, *against* revolution and counter-revolution, as the katechon of impure chaos *against* nomos and demos as expressions of singular, homogenous decision and identity. So yes, I agree with Taubes when he states that the human situation is finite and so one has to decide, to make a separation (Taubes 2013, 45). But the question I want to keep constantly asking is, who do you make the decision for? Those claiming purity or those deemed impure; a decision made for history or a decision made for those history deems problematic and impure? A decision for homogeneity or a decision made for heterogeneity?

If the former are the expressions of counter-revolution or revolution then I decide always for impure liberalism. And I do so because I recognize, like Schmitt, that 'politics is not a domain, but rather a degree of intensity, for everything can become political' (Taubes 2013, 46). The question, the decision, is whether to continue the political as expression of history or to seek the political decision as the chance to attempt to free ourselves from history. That is, a decision for the pure, or a decision for the impure.

This is why we still live in the legacy of Weimar because a decision has to be made regarding the question of sovereignty. Do we decide against Weimar or do we make the impure decision for Weimar? In short, what type of modernity do we desire? A modernity of the democratic dictatorship and the sovereign-decision in favour of the homogenous; or the impure decision of heterogeneity? Or to put it more bluntly, do you

decide for katechon of history attempting to hold back those designated chaotic or for the Antichrist of the impure attempting a new beginning?

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Mike Grimshaw (PhD Otago) is Associate Professor in Sociology at University of Canterbury, New Zealand. He is a series editor for *Radical Theologies and Philosophies* (Palgrave Macmillan) and founding Co-editor of *Continental Thought & Theory*: (<http://ctt.canterbury.ac.nz/about-ctt/>). Working at the intersections of radical and political theology, continental thought and critical social and cultural theory, his research interests arise from a critical engagement with the intersection of religious and cultural theory as applied to both New Zealand and a global context. In this he makes use of Continental thought and theory, and in particular the ‘weak thought’ arising from the work of Gianni Vattimo. His longstanding focus is on radical theology and philosophy and in particular the social, cultural and philosophical impact of the death of God.