

# STRONG STATE, SOUND ECONOMY: CARL SCHMITT AND THE TOTAL STATE

*Estado fuerte, economía saludable: Carl Schmitt y el Estado total*

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## ABSTRACT

Carl Schmitt's concept of "total state" was formulated to describe the liberal state of the Weimar Republic that intervenes in all spheres of human life, overcoming the division between state and society. It is a total state by weakness since it is unable to curb social demands and to face the pluralism of interests of the political parties, which is followed by the subsequent bet on a real total state, called qualitative, thinking along the lines of the Italian fascist state: only a qualitative total state would be able to depoliticize society, overriding the interests of groups that seek to control the state, as a result, with non-intervention in the economy. Marcuse's use of the term total-authoritarian state, in reference to the qualitative total state, and Heller's concept of authoritarian liberalism helps us to understand the correlation between a strong state and a free economy.

*Keywords:* State, society, intervention.

## RESUMEN

El concepto de "Estado total" ha sido formulado por Carl Schmitt para describir el Estado liberal de la República de Weimar que interviene en todas las esferas de la vida humana, superando la división entre Estado y sociedad. Se trata de un Estado total por debilidad, incapaz de frenar las demandas sociales y de enfrentarse al pluralismo de intereses de los partidos políticos, a lo que sigue la posterior apuesta por un verdadero Estado total, denominado cualitativo, elaborado a partir del Estado fascista italiano: sólo un Estado total cualitativo sería capaz de despolitizar la sociedad, anulando los intereses de los grupos que pretenden mantener el poder estatal, en consecuencia, con la no intervención en la economía. El uso que hace Marcuse del término Estado total-autoritario, para referirse al Estado total cualitativo, y el concepto de liberalismo autoritario de Heller nos

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ayuda a comprender la relación íntima entre un estado fuerte y una economía libre.

*Palabras clave:* Estado, sociedad, intervención.

“The turn from the liberalist to the total-authoritarian state occurs within the framework of a single social order. With regard to the unity of this economic base, we can say it is liberalism that ‘produces’ the total-authoritarian state out of itself, as its own consummation at a more advanced stage of development” (Marcuse, 2009: 13).

“Gentlemen! I shall deal with the issue ‘Strong State and Sound Economy’ from the *point of view of the state*” (Schmitt, 1998: 212). That’s how Schmitt begins his address to business leaders at the *Langnamverein*, held in Düsseldorf on 23 November 1932. In this conference, Schmitt presents his particular view when he asserts that only a strong state can distinguish itself from non-state things, from non-governmental things, that is, state and society stay apart. The economic sphere is one of those that should remain separated from state affairs. Schmitt considers the political aspects of this. According to Marcuse, there is a connection between liberalism and totalitarianism, a relation of internal kinship between liberal social theory and the “apparently so anti-liberal” totalitarian theory of the state (as presented to a certain extent in the theory of authors such as Carl Schmitt). In his 1934’s text, *The struggle against liberalism in the totalitarian view of the state* quoted above, Marcuse refers to the “turn” towards the total-authoritarian state from within the liberal state. This notion was first formulated by Carl Schmitt. In a certain way, Schmitt’s concept of “total state” can help us to have at least a bit of clarity concerning this possible coexistence between liberalism and fascism because it comes from Schmitt the notion that parliamentary democracy with its systems of negotiations tended to develop into a quantitative total state.

Having to account for the multiple demands coming from various organized social sectors, parliamentary democracy would end up allowing the state to intervene in all areas of social life, regulating all dimensions of social conflict. Hence, the society organized itself in the image of the state, the social and economic problems become automatically state problems. It is no longer possible to distinguish between the state (political) and the societal (unpolitical) spheres. No sector can be neutral

towards the state because the state became the auto-organization of society: there is nothing left that is not at least potentially state-related. Against this, Carl Schmitt calls for another form of the total state – a qualitative form –, necessary to diminish state’s intervention on the economic, confessional, and cultural spheres. In this case, “a state capable of depoliticizing society, having sufficient strength to intervene politically in the class struggle, to eliminate the forces of sedition to allow the liberation of the economy from its alleged social impediments” (Safatle, 2019: 28).

## 1 QUANTITATIVE TOTAL STATE, QUALITATIVE TOTAL STATE

In a 1931 essay, *Die Wendung zum totalen Staat*<sup>1</sup>, following Ernst Jünger’s notion of “total mobilization”, Carl Schmitt introduces the concept of “total state” (*totalen Staat*). It is used in the description of the political situation of a multi-party constitutional state, the culmination of the neutral liberal state of the nineteenth century, as if it contained in it the potential development of a total state. This concept appears as the unfolding of a historical process that would pass through three fundamental milestones: from the absolute state of the 17th and 18th centuries, through the neutral state of the liberal 19th century, to the total state of identity between state and society. The total state would be the 20th-century political form of total political integration of the people. There would be no social relation outside political relations: behind all economic, social, religious, and cultural relations would be total politicization. For Schmitt, the outlines of the emerging interventionist German welfare state of the Weimar period introduced indications of a total state, abandoning the traditional division between state and society, with direct state intervention in all spheres of human existence to deal with a dramatic increase in political and social demands.

The neutralization of politics in the 19th century is eclipsed as the state assumes the self-organization of society. Politics intervenes in all spheres of life, there is no neutral sphere, there is simply nothing that is not at least potentially related to the state and the political. Schmitt suggests that in Germany the liberal state carries the potential development of a total state. Schmitt was attracted by the Jüngerian notion

<sup>1</sup> Published in the *Europäische Revue*, but first incorporated in *Der Hüter der Verfassung* from the same year. This concept also appears in writings of the period such as *Der Begriff des Politischen* (1932), *Legalität und Legitimität* (1932) and in essays like *Starker Staat und gesunde Wirtschaft* (1932) and *Weiterentwicklung des totalen Staats in Deutschland* (1933).

of totalitarian technology in the modern age. At a conference in Barcelona, Schmitt described European history as a process of neutralization, a transition from theology to technology. The sixteenth century, says Schmitt, was a century of theology in which there were wars fought in the name of religion; the seventeenth century was a century of metaphysics, science, and rationalism; in the eighteenth century, the emphasis was on morality; the nineteenth century was the century of economy, production, and consumption; and the twentieth century would be particularly marked by technology, unlike the previous century, no longer tied to economic progress; technology and economy would now be linked to industrialization. The center of gravity, in passing from Catholic theology to a neutral form of theology, neutralized the king and then the state. Liberalism achieved its goals when a neutral state was established and political discourse became economic discourse.

As in its initial formulation, the total state appears as the culmination of a historical process characterized by Schmitt as dialectic, going through three fundamental milestones: from the absolute state of the 17th and 18th centuries, passing through the neutral state of the liberal 19th century, up to the total state of identity between state and society. The “total state” would be the 20th-century political form of total political integration of the people. Accordingly, all sectors would be included in this new state. For Schmitt, the outlines of the emerging interventionist welfare state in Germany introduced indications of a total state, abandoning what he considers to be the traditional division between state and society, with intervention in all spheres of human existence to cope with a dramatic increase in political and social demands. By illustrating this historical path to the turn to the total state as a *dialectical movement* (Schmitt, 1940a: 152), Schmitt means that this “development” would already be contained in the very origin of the movement. The cause of the quantitative total state is to be found in liberal-parliamentary democracy<sup>2</sup>, which results in the total

<sup>2</sup> We use the term “liberal-parliamentarian” because in the occasion of the second edition of his work *Die geistesgeschichtliche Lage des heutigen Parlamentarismus*, in 1926, Schmitt harshly criticizes what he considers the mistake of approaching democracy and liberalism. Once having clarity on this distinction, says Schmitt, it would be possible to realize that public discussion would be something proper of political liberalism, but not of democracy – which presupposes homogeneity –, and that it is possible the coexistence between fascism and democracy since the latter can be pacifist or militarist, etc. (Schmitt, 1985). By commenting on Schmitt’s attempt to disassociate the concepts of liberalism and democracy, Wolin criticizes how this was appropriated by the left, calling his criticism of liberalism and parliamentary democracy “wholesale cynicism”: “By maligning liberalism as a fraudulent realm of ‘interests,’ Schmitt misrepresents its all-important natural law pedigree. To be sure, historically liberalism has been a mechanism for safeguarding property rights. But it has also engendered crucial components of the discourse of modern political freedom: constitutionalism; separation of powers;

politicization of human existence: “If the state expands, it is because a democratic government is continually enjoined to ‘satisfy the demands of all concerned’” (Chamayou, 2020: 337). If the turn towards the *totalen Staat* occurs as the result of a dialectical development originating in the absolute state of the 17th and 18th century, mediated by the liberal and neutral state of the 19th century, then we can say that, on the one hand, it implies that in the absolute state of the 17th and 18th centuries is potentially contained all this historical development to result in the total state; and, on the other hand, it also implies affirming that the liberal state is constituted by the announcement of the total state. The neutralization of politics in the 19th century is eclipsed as the state takes on the self-organization of society. Politics intervenes in all spheres of life, there is no neutral sphere, “there is simply nothing that is not at least potentially related to the state and political. All sectors are included in this new state” (Schmitt, 1940a: 152).

“[...] society, self-organized in the state, is on its way to passing from the neutral state of the 19th century liberal to a potential total state. The tremendous turn may be understood as part of a dialectical development which passes through three phases: from the absolute state of the 17th and 18th centuries, over the neutral state of the liberal 19th century, to the total state of identity between state and society.” (Schmitt, 1940a: 152).

With the concept of total state Schmitt introduces a profound transformation taking place within the liberal state: the German welfare state of the Weimar period, intervening in the spheres of culture, religion, education and above all the economic sphere, is the realization of this development unfolding in the emergence of the total state. It is a quantitative total state in which traditional liberal notions like the division between state and society have been abandoned and the government intervenes in all spheres of human existence to deal with a dramatic increase in political and social demands: increased state spending, the need to inject public funds into the industry, burden on public finances, the necessary regulation of the production, state intervention in the supply of raw materials, i.e. all social and economic issues are subject to direct intervention. Schmitt cites the modern imperatives of political

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freedom of speech, the press, and assembly; and so forth. To dismiss these freedoms as purely ‘interest beholden’ is misleading and shortsighted. Their preservation remains the vital precondition for any meaningful concept of ‘positive freedom’ – the enthusiasms of civil disobedience and participatory democracy. They represent an indispensable bulwark against political despotism, including majority tyranny, as well as the necessary prerequisite for realizing the values of ‘strong democracy’” (Wolin, 2006: 251).

armament, which concern not only the military but also industrial and economic preparation for war, even the intellectual and moral training of citizens has been incorporated into this total aspect of the state. “It is not a participatory system, but [...] one of regulation and control. Concerning public industries, the state is a producer, educator, user, regulator, and entrepreneur. It determines the social economy. Its internal and external policy is [...] economic policy” (Villacañas, 2008: 195). Traditional liberal democratic institutions would be less and less in tune with the main political and social dictates of the historical moment, and a strengthening of executive power – its ability to decide for the exception and normality – would be the only way in which the modern state could dominate these forces.

“[...] this enlargement of the state’s sphere is by no means, paradoxically, a manifestation of strength: “A multi-party state becomes ‘total’ not through strength and vigour, but through weakness”. Weakness, first of all, because it grows passively, becoming the plaything of social interests that somehow take possession of it through the edges; weakness also because, the more its sphere is enlarged, the more its strength is attenuated. The more this state appears omnipotent, the more it becomes, in reality, impotent. The ancient fallen Leviathan, when it becomes a simple “self-organizing society”, loses all transcendence; it weakens and degenerates.” (Chamayou, 2020: 338).

The concept of the total state designates, then, a movement of politicization of society, a state endowed with a power unheard of in the historical period of the Weimar republic, which allows it to control not only the expression of ideas, but thought itself, and a state invaded by the claims and concerns of the social body. To the extent that the deliberative processes in the political community at large are deeply threatened by a police state of constant surveillance, ever-increasing private capital, and the adaptation of the state bureaucracy to corporate styles, they weaken the ideology of discussion proper to liberal democracy. Governmental action in the era of the total state proves ineffective: “In the era of the total state, far-reaching indeterminacy [...] is necessarily a central feature of legal experience. In this respect as well, liberalism is simply outdated: its preference for the rule of law and relatively formalistic modes of decision making is inconsistent with the structural imperatives of our times” (Scheuerman, 1999: 105). At once stronger, but yet weaker than the other previous forms, the total state maintains a new relationship with the political. When referring to this state whose size is immense – which is unable to remain neutral in the liberal sense of non-intervention – to describe the situation in

Germany in the early 1930s, in his 1933 essay *Weiterentwicklung des totalen Staats in Deutschland*, Schmitt says that it is a total state in the sense of quantity (*quantitativen Sinne*), it is total in the sense of mere volume since it “intervenes in all possible matters and all areas of human existence, not only in the economy [...]” (Schmitt, 1940b: 187). “There is no social relationship that does not in a crisis turn into a political relationship. Behind all economic, social, religious, and cultural relations stands total politicization. There is no sphere of private or public life, no legal or rational court of appeal that could oppose it.” (Marcuse, 2009: 25). As it is a state which cannot override social interests, no longer having the monopoly of the political (the decision about friends and enemies), Schmitt classifies it as a weak state because state’s authority is undermined in the face of party pluralism, in which groups with private interests fight for power: each party seeks to realize the “correct worldview”, they are total parties which accompany their members from cradle to grave. This will require the author to introduce from 1932 onwards another type of total state of political intensity and energy: the *qualitative* total state.

“The total state in this [qualitative] sense is at the same time especially strong. It is total in the sense of quality and power, just as the fascist state calls itself a “*stato totalitario*”, by which he first means that the new means of power [*Machtmittel*] belong exclusively to the state and serve to increase its power. Such a state does not let arise, within itself, any force inimical to the state, inhibiting the state or dividing the state. It thinks nothing of handing over the new means of power to its enemies and destroyers, and of allowing its power to be undermined under any buzzwords, liberalism, rule of law, or whatever one wants to call it. Such a state can distinguish friend from foe. In this sense [...] every true State is a total State; it is that as *societas perfecta* on this side of the world; state theorists have long known that the political is the total, and what is new are only the new technical means, whose political effects must be clarified.” (Schmitt, 1940b: 186).

Schmitt’s description of the state of affairs in 1932 Germany shows that the Weimar republic had grown weaker, the circumstances were chaotic and required “genuine courage to action”, but those interested in maintaining the *status quo* resist: “You should be sure, gentlemen, that when a necessarily strong state actually arises, the most heterogeneous federal friends join together to see that it does not become too strong” (Schmitt, 1998: 215). For Schmitt, it is a movement also against the political:

“For approximately ten years now, the whole of Germany and the whole planet has echoed the call: *Away with politics!* The solution to all problems was said to be the elimination of politics and the elimination of the state. All matters should be decided by technical and economic experts according to allegedly purely objective, technical and economic points of view. [...] After those approximately five years of radical demands for exhaustive non-politics, an idea has seeped through – all problems may be political problems after all. In Germany we experienced a *politicization* of all economic, cultural, religious and other dimensions of human existence.” (Schmitt, 1998: 215-216).

Although has been some attempting to reduce the state to economics, he argues, it appears that economics has been “entirely politicized”, and this is the moment in which Schmitt approximates the formula of the *total state* in this discussion at the *Langnamverein* conference. The concept of total state provides “the key to help clarify the issue of the relations between the economy and the state” and also “indicates the direction from where the solution may come” (Schmitt, 1998: 216). Schmitt continues: “A total state exists. One may angrily and indignantly reject the formula ‘total state’ as barbaric, Slavic, un-German or un-Christian, but that will not make it disappear from view. Every state is anxious to acquire the power needed to exercise its political domination” (Schmitt, 1998: 215-216). It is a description: the total state exists, and this cannot be denied. Every modern state has expanded its power, it has a tremendous technological instrument of power and it cannot remain neutral in this respect. Not only modern technical means give governments powers and effective possibilities to secure their authority – in a way that the traditional images of street marches, barricades are, as Schmitt put it, *child’s play* in light of the new coercive methods –, but also means that the traditional distinction between state and society no longer exists. The state becomes weak because it has to interfere in all spheres of human life, there is no separation between what is political and the autonomous spheres of social life. “How can we get out of this situation?”, Schmitt asks and soon answer: “Only a *very strong state* would be able to dissolve this dreadful coalescence with all kinds of non-state businesses and interests” (Schmitt, 1998: 221). It is possible to conceive a strong state in this sense because state bureaucracy and the armed forces remain undisturbed, but above all, it is possible for Schmitt because of article 48 of the Weimar constitution, a legal instrument of coercion. The possibility to decide on the state of exception, the capacity to act in cases of emergency is one of the most important roles to secure state’s authority and strongness

against a “plurality of total parties”, enemies of genuine power, which unites against “any attempt at securing a strong state and leads to a combination of impotence and the annihilation of power”. “To me”, he continues, “not to permit the emergence of a strong state explains the present battle against article 48 and the attempts to destroy this *last indispensable instrument of the state*” (Schmitt, 1998: 223).

If the quantitative total state is used in the description of the German situation of the period – of a development taking place within the liberal-parliamentary democracy –, the second type corresponds to Schmitt’s bet to re-establish state’s authority undermined in the interior of the liberal state, reinforcing the division between state and society and no longer intervening in the domains proper to the latter (no longer intervening in the economy, for instance). Because of its extension, the quantitative total state is weak. But an important point of the quotation is the paradigm used by Schmitt in the defense of this qualitative total state, that is, he uses the Italian fascist state as an example of a strong state which would be able to face the social demands and remain neutral in issues concerning society, among them the economic sphere. “The solution to solve the Gordian knot of the total state is the total state but taken in another sense. To the ‘quantitative total state’ he opposes the ‘qualitative total state’ – a state which is ‘total in the sense of quality and energy’”, Chamayou (2020: 339) reminds us, “a *strong state*, which concentrates in its hands all the power of modern technology, beginning with military means and the new instruments of mass communication; a military-media state, warlike and propagandist, endowed with the best of technology in the matter of repression of bodies and manipulation of minds”. If the qualitative total state is thought of along the lines of the Italian *stato totalitario*, it means that economic liberalism and fascism coexist. Following Vladimir Safatle (2019: 28), the warning that the Schmittian total state would be “compatible with the liberal idea of liberation of economic activity and strong intervention in the political spheres of the class struggle” was made by Marcuse. This is precisely in which Marcuse’s reading of Schmitt’s qualitative total state concept comes in, for which Marcuse uses the term “total-authoritarian state”.

## 2 TOTAL-AUTHORITARIAN STATE, AUTHORITARIAN LIBERALISM

In the text *The struggle against liberalism in the totalitarian view of the state*, Marcuse (2009: 5) argues that the foundation of liberalism can be understood as follows: “[...] the individual economic subject’s free ownership and control of private property

and the politically and legally guaranteed security of these rights". For him, the theory of the total-authoritarian state (and by this Marcuse means Carl Schmitt's theory of the early 1930s) agrees with the basic structure of liberalism. The private economic organization of society based on the recognition of private property and the private initiative of the entrepreneur had been referred to as the foundation of liberalism, and "this very organization remains fundamental to the total-authoritarian state" (Marcuse, 2009: 6). This Marcuse will consider an internal kinship, in his terms, "the inner relationship" between liberal theory and the "apparently so antiliberal" totalitarian state theory.

"[...] during the rule of liberalism, powerful intervention in economic life by state authority frequently occurred, whenever the threatened freedom and security of private property required it, especially if the threat came from the proletariat. The idea of dictatorship and of authoritarian direction of the state is [...] not at all foreign to liberalism. And, often enough, national wars were fought in the period of pacifistic-humanitarian liberalism." (Marcuse, 2009: 5).

According to Marcuse, the apparent anti-liberalism of the total state theory (total-authoritarian for Marcuse) coexists smoothly with economic liberalism, not conflicting with the economic and social structure of liberalism. The theory of the total-authoritarian state, converted into a worldview, has its political strength in confrontation: for it, Marxism itself appears as heir or partner in the wake of liberalism. This theory's attacks on liberalism involve confrontation with the "ideas of 1789": "wishy-washy humanism and pacifism, Western intellectualism, egotistical individualism, sacrifice of the nation and state to conflicts of interest between particular social groups, abstract, conformist egalitarianism, the party system, the hypertrophy of the economy, and destructive technicism and materialism" (Marcuse, 2009: 4). In Schmittian total state theory these are some of the points that weaken and undermine state authority, a weak state unable to maintain political unity. Yet, says Marcuse, in the "catalog of sins", these historically absent generalities draw attention: "Scarcely one of them is characteristic of historical Liberalism". The ideas of 1789 do not necessarily concern historical liberalism, on the contrary, it was strongly resisted by it, "even been sharply attacked by it". Says Marcuse (2009: 5): "Liberalism has been one of the strongest supports of the demand for a powerful nation. Pacifism and internationalism were not always causes it adopted, and it has often enough accepted considerable intervention of the state in the economy". As a worldview, one avoids dealing with the economic structure of liberalism.

As we have seen, Marcuse (2009: 5) defines liberalism as “the social and economic theory of European industrial capitalism in the period when the actual economic bearer of capitalism was the ‘individual capitalist’, the private entrepreneur in the literal sense”. Despite all the structural diversity of liberalism, Marcuse says, the foundation is the freedom of the individual economic subject to dispose of private property and the juridical-state guarantee of this freedom of disposal. In other words, the guarantee of individual freedom to enjoy the rights of private property without state interference. It is for this reason that Marcuse even recalls theoreticians such as Von Mises, quoting his portrayal of liberalism directly: “The program of liberalism ..., summed up in a single word, should read ‘Property’, that is, private property in the means of production. ... All other demands of liberalism derive from this basic demand” (Marcuse, 2009: 6). The violent interventions of the state power in economic life are something latent, whenever it was necessary to ensure individual freedom linked to private property, hence the statement that in no way the dictatorship and authoritarian conduct of the state would be alien to liberalism.

Following the way Schmitt formulates the theory of the total state, the turn to the total-authoritarian state takes place inside the liberal state, on top of the same social order. That’s the meaning of Marcuse’s affirmation: “it is liberalism that ‘produces’ the total-authoritarian state *out of itself*, as *its consummation* at a more advanced stage of development. The total-authoritarian state brings with it the organization and theory of society that correspond to the monopolistic stage of capitalism” (Marcuse, 2009: 13). The anti-liberal discourse turns against certain principles of liberalism (and Schmitt does so especially in his 1923 text on the historical-spiritual situation of the parliamentary system) such as freedom of press and opinion, full transparency of public life (demagogy for Schmitt, because important decisions would not be taken in public, but through backroom deals), representative system and parliamentary system, division and balance of powers (which undermines state unity and its strength), but the point is that none of these principles was fully realized, says Marcuse, on the contrary, depending on the situation they could be ignored or restricted. Schmitt’s antiliberal discourse has limits: he speaks against the neutrality that liberalism seeks to introduce, the destruction of the field of the political, but he does not elaborate a critique against the category that underlies it: private property. On the contrary, the defense of a total and authoritarian state which depoliticizes society, which stops mediating all social conflicts, is a state which still guarantees the healthy functioning of the economy. This is consistent with the

theory of the total state: already in 1932 Schmitt gives a lecture to German industrialists whose title was “Strong state and sound economy”, taking up again the discussions about the total state and asserting the defense of the qualitative model along the lines of Italian fascism.

“We can already discern the reason why the total authoritarian state diverts its struggle against liberalism into a struggle of ‘Weltanschauungen’, why it bypasses the social structure basic to liberalism: it is itself largely in accord with this basic structure. The latter was characterized as the organization of society through private enterprise on the basis of the recognition of private property and the private initiative of the entrepreneur. And this very organization remains fundamental to the total-authoritarian state; it is explicitly sanctioned in a multitude of programmatic declarations. The considerable modifications and restrictions of this organization that are put into effect everywhere correspond to the monopoly capitalist requirements of economic development itself. They leave untouched the principle of the organization of production relations.” (Marcuse, 2009: 6).

We have here a kind of “authoritarian liberalism”, a term first used by Hermann Heller about Schmitt, which reveals the excitement by the liberalization of the economy, “the ‘clean’ delineation of a state-free economic sphere”, that is, the coexistence between fascism and liberalism: “Up until now, one had heard from Schmitt that the state of our time was a weak state, owing to its being a ‘pluralist’ state, in which certain private interest groups struggle for power. As an intellectually played about solution, the appeared on the horizon the total and, therefore, strong state” (Heller, 2015: 299). Heller wrote this essay in 1933 after Schmitt presented the famous conference at the *Langnamverein* in 1932, *Strong state and sound economy*, which can be read as an endorsement, not of the Nazis, but of a commercial dictatorship under von Papen (then, the German ordoliberalists also supported). Heller argues: “[...] the qualitatively total state is supposedly the total state that draws a sharp line of separation vis-à-vis the economy, although ruling, on the other hand, with the strongest military means and the means of mass manipulation (Radio, Cinema)” (Heller, 2015: 300).

“[...] a rough estimate of the substance of authoritarian liberalism appears to have been more or less adequately characterised: retreat of the ‘authoritarian’ state from social policy, liberalisation (*Entstaatlichung*) of the economy and dictatorial control by the state of politico-intellectual functions. According to Schmitt’s quite credible reassurances, such a state has to be strong and ‘authoritarian’, for

only a state of this type is able to sever the 'excessive' connections between the state and the economy. Of course, the German people would not tolerate for long this neoliberal state if it ruled in democratic forms." (Heller, 2015: 300).

At this point, Heller (2015: 301) says that only an authoritarian and strong state could pave the way for separation from the economy, putting itself above social interests: "No state that is determined to secure 'the free labor power of those people active in the economy' will be allowed to retreat from it; rather, it will have to act in an authoritarian way, namely in the spirit of socialism, particularly in the economic sphere". For Cristi (1998: 27), Schmitt understood the meaning of totalitarianism, and "saw in it a menace *not only for a strong state but also for a free market economy*. A strong state and a free economy compromised the two main ingredients of Papen's business-oriented programme, *fully supported by Schmitt*". The point being, Schmitt uses the concept of "qualitative total state" not as an endorsement of the Nazis, but as a strong state under von Papen. The link between liberalism and fascism, that is, the fascists' elements of Schmitt's 1932 text appear towards the end, where he argues about the desirability of corporatist organization. Politically, Schmitt shows that there is no necessary relation between liberalism and democracy, but between economic liberalism and fascism, it is possible: liberalism can be fully realized in an authoritarian context (historically this can be verified, for example, in the case of Chile, laboratory of what today is understood as neoliberalism, idealized and applied at the height of the military dictatorship).<sup>3</sup>

Schmitt's 1932 text argues for the separation of state and society as the prerequisite to a free economy, which is the classical liberal argument; and he does do that by rejecting the tradition of political liberalism, given its danger for the free economy. It is in Italian fascism that Schmitt seeks the paradigm of the qualitative

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<sup>3</sup> Although the mobilization of society for war is a decisive element for historical fascism, its manifestation is shown differently in terms of a more generic concept, just as the notion of identity representation between ruler and ruled may change. To exemplify the "inner relationship" between liberal theory and the theory of the total state, Marcuse quotes a letter from Gentile to Mussolini on the occasion of his joining the Fascist party: "As a liberal by deepest conviction, I could not help being convinced, in the months in which I had the honor to collaborate in the work of your government and to observe at close quarters the development of the principles that determine your policies, that liberalism as I understand it, the liberalism of freedom through law and therefore through a strong state, through the state as ethical reality, is represented in Italy today not by the liberals, who are more or less openly your opponents, but to the contrary by you yourself. Hence, I have satisfied myself that in the choice between the liberalism of today and the Fascists, who understand the faith of your Fascism, a genuine liberal, who despises equivocation and wants to stand to his post, must enroll in the legions of your followers" (Marcuse, 2009: 6).

total state. His argument shows that the liberal-parliamentary democracy of the Weimar Republic was, in fact, a quantitative total state, multi-party, with various sectors in constant conflict of interests. The state mediated all conflicts of social life, being unable to transcend social conflicts. Against this total state of quantity, the alternative involves a total state in terms of quality and energy, that is, a strong state because it manages to curb the interests of the parties and does not interfere in areas of society, especially the economy. Werner Bonefeld argues that the founding ordoliberal thinkers were influenced by Schmitt's conception of a concentrated state as the basis of a strong state, which should be crucial to a free economy: "A functioning monetary order requires political authority to sustain it" (Bonefeld, 2017a: 274). For these thinkers, a free economy only could be built on the use of force, it presupposes a strong state authority that sustains it. According to Cristi, Hayek has a lot in common with Schmitt (although the first seeks to emphasize his distance), that's why he said that Schmitt was an extraordinary student of politics, someone that "understood the character of the developing form of government better than most people" (Hayek cited in Cristi, 1998: 146). In Cristi's view, Hayek accepted a series of key postulates of Schmittian thought, like the distinction between liberalism and democracy, his critics on political liberalism and parliamentarism, his critics to the liberal rule of law, and finally, Hayek acknowledged that Schmitt's notion of sovereignty – the famous definition at the beginning of his *Politische Theologie* that sovereign is that who decides about the state of exception (Schmitt, 1979: 11) – had some plausibility.

Cristi argues that during the Weimar period, Schmitt not necessarily was against liberalism in its initial form, the main problem was the correlation between democracy and liberalism and thus the positivity of liberalism. "Deprived of a *Weltanschauung*", says Cristi (1998: 149), "liberalism lost its capacity to make political decisions and succumbed to relativism and agnosticism. According to Schmitt, the political impotence of Weimar parliamentarism was a direct result of the extinction of early liberalism and the rise of *democratic liberalism*". Thus, Cristi can assert that Schmitt's objections were aimed at the latter, that is, at a form of liberalism that had proven itself unable to preserve the main body of state's authority. For Cristi, Schmitt and Hayek agreed on an important aspect: in assuming that the legal foundations of liberalism consisted in an encirclement of authority, thus Schmitt's attacks on democratic liberalism "matched Hayek's assault on the welfare state"

(Cristi, 1998: 153). As an alternative to the welfare state, and the consequent colonization of politics by society, emerges the qualitative total state, a strong state that could guarantee a sound economy, giving “capitalism managers freedom from state welfare regulation”. Only a very strong state could use all legal means to secure state’s autonomy towards society, and by that Schmitt refers to article 48 of the Weimar constitution – an “indispensable instrument of a strong government” (Schmitt, 1998: 213). Only a strong posture could provide the necessary disengagement, a clear distinction between state and state-free spheres. Schmitt seeks to treat the problem from a political perspective, but in his conference, he also mentioned the economic standpoint for the possibility of a strong state and a sound economy:

“What would be required, from the *side of the economy*, to allow for the possibility of a strong state and a sound economy? Here again some new distinctions should be drawn. The old nineteenth-century opposition, the opposition drawn by our liberal forebears between state and free individuals, is insufficient. There is still today a very significant domain of the singular individual which is in essence, I believe, economic activity. But today one can no longer oppose the state with the private individual, with the isolated private entrepreneur. Both would instantly fall to the ground. In opposition to the collective image of the modern state it is necessary to insert an intermediate domain between the state and the singular individual.” (Schmitt, 1998: 215-216).

Schmitt will replace what he calls the “two-fold antithesis” between state and free individual economy, state and private sphere, by inserting a “three-fold distinction”, which is composed: first, by an economic sphere of the state; second, a sphere of the free, individual entrepreneur, “the sphere of pure privacy”, and third, an intermediate non-state, but a public sphere. At this point, he inserts the notion of “autonomous economic administration”, not as a form of a mixture of economics and politics, on the contrary, it is something “that aims at a distinction and a separation” (Schmitt, 1998: 225). Without an autonomous economic administration as an intermediate sphere, it would be unthinkable to conceive a distinction between state and economy, something that only a very strong state can do:

“[...] one thing is evident: only a strong state can depoliticize, only a strong state can openly and effectively decree that certain activities, like public transit and radio, remain its privilege and as such ought to be administered by it, that other activities belong to the [...] sphere of self-management, and that all the rest be given to the domain of a free economy. *A state that is to bring about this new order*

ought to be, as was said, extraordinarily strong. Depoliticization is a political act in a particularly intense way. How can we achieve a strong state that may be capable of such *tour de force*? At present, it is evident that the state, today only intermittently and momentarily a state, *needs to gain particularly solid authoritarian foundations by means of new arrangements and institutions.*" (Schmitt, 1998: 226-227).

A strong state is capable of acting, it can decide on the exception and create "new arrangements", "new institutions" and "new constitutions". In order to create authority, Schmitt argues, the government should make use of all constitutional means "which stand at its disposal and that prove to be necessary in chaotic circumstances", establishing an immediate contact with "the real social forces of the people" (Schmitt, 1998: 231). From an economic standpoint, Bonefeld (2017a: 281) brings about the proximity between Schmitt's work and the founding ordoliberal thinkers like Alfred Müller-Armack, Wilhelm Röpke, Walter Eucken, Alexander Rüstow and Franz Böhm. "For the ordoliberals, 'civil society is the society of liberty'. [...] ORDO combines nature with power, order with happiness, freedom with politics. ORDO also combines the freedom to compete with surveillance, ostensibly to prevent misconduct". To a free economy to thrive, a strong state is needed. "For the ordoliberals, the relationship between economy and state is an innate one, and within their 'inner connection' or 'interdependence' [...] the state is fundamental" (Bonefeld, 2017b: 4). Ordoliberalism recognizes the importance of the state, that is, the importance of concentrated power to secure the necessary distance between state and society. For instance, like Schmitt, Rüstow argued that only a weak state "allows society to govern through the state, which makes the state to prey of the contradictory and antagonistic social interests that latch on to the state to advance their own 'private' interests, carving out privileges [...] for themselves" (Bonefeld, 2017b: 37). The ordoliberals defense of a strong state "took its vocabulary from Carl Schmitt", and like him, they "identified mass democracy as a danger to free economy because it emasculates the independence of the state and makes government accountable to the interests of the governed" (Bonefeld, 2017b: 47). Accordingly, this notion that the state has to be independent is, as he put it, "quintessential Schmittian".

Also, in the chapter of Cristi's book "Carl Schmitt and authoritarian liberalism" – in which he traces the relations between Schmitt and Hayek –, the author argues that although Hayek in a certain way treats Schmitt as an adversary, there are some contact points between the two of them. For instance, Cristi (1998: 166) argues that Hayek, like Schmitt, defended the view that democracy and liberalism were

unrelated answers to completely unrelated questions, and the strong state “advocated by Schmitt in the 1930s was supposed to respect the autonomy of civil society”.<sup>4</sup> But more than that, Hayek also defended that the power to declare a state of emergency belonged to the state, sharing Schmitt’s definition of sovereignty. Cristi points out that Hayek’s idea of a spontaneous order presupposed civil society’s capacity for self-regulation and autonomous administration. For Schmitt, an autonomous organization would prove itself successful, that’s why he calls for a distinction between state administration, autonomous economic administration, and the individual domain of freedom. “On the basis of such distinctions, the German people would, over and above party divisions and particularisms, gain its political unity and a strong state” (Schmitt, 1998: 231-232). According to Cristi, Hayek reiterated on several occasions his support for politically conservative liberalism, which includes a preference for a strong government while emphasizing the traditional liberal limitations on the state. Therefore, Hayek did not object to the formation of a strong state, on the contrary, he thought that “strong authoritarian governments could ensure the necessary depoliticization of civil society. His liberalism was thus politically conservative for it presupposed the possibility of postulating both a strong state and a liberal society” (Cristi, 1998: 167-168). In 1933, Heller (2015: 301) had argued that such a state “will have to act in an authoritarian way”, that is, such state could not be maintained in the same way that the Weimar Republic. During the 1930s, Schmitt’s decisionism was of use to the ordoliberal, order and freedom were not understood as opposites. “If [...] a decision needs to be made between freedom and order, freedom has to give way for the benefit of order” (Bonefeld, 2017a: 284). The defense of a qualitative total state also means the defense of the strengthening of the executive power, removing the slowness of the deliberations that take place in parliament. The call for a strong state against Weimar democracy would help recover the authority needed to guarantee a sound economy. The Schmittian bet on a qualitative total state allows him to defend a strong and authoritarian state, which Marcuse calls a “total-authoritarian state”. It is a state which counts on a space of minimal intervention, so to speak, in the economy, guaranteeing its good functioning, hence his proposal transits in the defense of the exercise of concentrated power to restore the

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<sup>4</sup> At this point, Cristi points to the following passage of Hayek: “Liberalism and democracy, although compatible, are not the same. The difference is best seen if we consider their opposites: the opposite of liberalism is totalitarianism, while the opposite of democracy is authoritarianism. In consequence, it is at least possible in principle that a democratic government may be totalitarian and that an authoritarian government may act on liberal principles” (Hayek cited in Cristi, 1998: 166).

capacity of the state to impose itself facing the interests of society. To reflect on this approach of the constant use of exceptional and authoritarian measures in liberal democracies means that by turning to the theory of the total state, which unfolds within liberal-parliamentary democracy, we can better understand that liberalism and a strong and centralized authoritarian state are not so far from each other. Let us conclude with Schmitt's last words of his conference to the business leaders:

“This is how I envisage the road ahead. The assumption is that work shall start immediately. Another assumption is that the vast and strong productivity of the German people, which in the course of centuries of German history has always stood out in the most astounding way, is rendered fruitful. Our own experience during the last decades still reminds us how the capacity for autonomous organization always proved successful: during the war and the post-war period, during mobilization and demobilization, in good and bad times. This capacity for word and for autonomous organization does not require today the party-political costume in which it is forced to perform in disfigured fashion. If a decisive and ready for action government were to retrieve this connection and immediately seize these forces, what is necessary would then also be possible. Extensive organizational plans for constitutional reform should not be given up. But today they should be deferred. *The forces are here. They are only awaiting a call.* Were they to be seized, rational distinctions would then again be possible, particularly the distinction between state administration, autonomous economic administration and the individual domain of freedom. On the basis of such distinctions, the German people would, over and above party divisions and particularisms, gain its political unity and a strong state.” (Schmitt, 1998: 232-233).

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