

# ‘The Sovereign Disappears in the Voting Booth’: Carl Schmitt and Martin Heidegger on Sovereignty and (Perhaps) Governmentality

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## *I. Introduction*

There is no text that stands in greater contrast to the exalted and intoxicating declarations of support by German philosophers to the National Socialist revolution during the early 1930s than Bertolt Brecht’s play of 1941, *Der aufhaltsame Aufstieg des Arturo Ui* (*The Resistible Rise of Arturo Ui*). Still, Brecht’s blunt portrayal of the leading Nazi personalities as gangsters and ‘super-clowns’ makes it possible to point out a distinctive loophole in the philosophers’ eulogies. It concerns their use of the concept of sovereignty, exemplified by the Führer and the unified will of the German people. When the ghost of Ernesto Roma (Ernst Röhm) appears to his murderer, Arturo Ui (Adolf Hitler), he tells him that, while he may ‘trample the city with a hundred feet’, he should be careful to ‘trample not the feet’ (Brecht, 2002: 92 [scene 14]). As it had become clear after the ‘Night of the Long Knives’, or so-called Röhm Putsch (30 June to 2 July 1934), the National Socialist regime conceived of itself as fully self-sufficient, able to deploy its supporters at will but also to withdraw and even exterminate them. Absolute sovereignty is not a giant with feet of clay, but a giant that claims to stand without feet.

The aim of this paper is to show how sovereignty and its self-referential paradox are at work not only in National Socialist politics, but also in the philosophizing of some of its major proponents. The concept of sovereignty is strongly embedded in the early modern context that gives rise to it (e.g. in Machiavelli, Jean Bodin, or Thomas Hobbes). During this period, according to Quentin Skinner, the modern idea of the state emerges. It is an abstract form of public power, ‘separate from both the ruler and the ruled’ (1978: II/353). However, the great increase in centralized power could still be perceived as flowing towards a single personified instance of rulership, the monarch. Christopher Pye and Louis Montrose have therefore drawn attention to the peculiarity of sovereignty to the early modern epoch: ‘At this historical juncture, the body politic inhered in the body of the prince’ (Montrose, 1986: 307; Pye, 1990: 3). Later thinkers such as Jean-Jacques Rousseau or John Austin had great difficulties changing the concept into the (inherently problematic) notion of ‘popular sovereignty’. It is striking that, faced with the development of Fascism, a number of philosophers tried to retrieve the early

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modern notion of sovereignty. Although this paper will chiefly deal with German philosophers supporting the National Socialist government, or at least feeling strongly related to the Nazi revolution of 1933, it should be pointed out that Georges Bataille, for example, first developed his notions of sovereignty and sovereign man in the 1933 essay *La structure psychologique du fascisme* (*The Psychological Structure of Fascism*).

In order to reveal and analyze sovereignty, Michel Foucault's distinction between the logic of sovereignty and the logic of governmentality will be used. His definition of sovereignty is strongly present in Carl Schmitt's writings, but also makes a surprising apparition in Martin Heidegger's texts of the early 1930s, where we may distinguish three figures of sovereignty. They will serve as evidence when checking if Slavoj Žižek's notion of ultra-politics, which is so relevant to Schmitt's conception of sovereignty and 'politics' in general, also applies to Heidegger's perspective. Once it is established that the radicalization of the logic of sovereignty is typical for Schmitt, Heidegger, and other philosophers and ideologues of the same epoch, it will be suggested that this radicalization might stem from a failure to recognize the workings of governmentality.

## *II. The logic of sovereignty under National Socialism*

In his speech to the Reichstag on 13 July 1934, Hitler himself elaborately illustrated how the self-referential paradox of sovereignty suffused the mechanics of the National Socialist revolution. The murderous campaign against the alleged Röhm Putsch is defended on the grounds of a budding conspiracy by the SA's top echelon, supported by two generals of the Reichswehr, that was to result in a new coup d'état. Hitler carefully has to distinguish these renegade 'revolutionaries', his former brothers in arms, from the true National Socialist 'revolutionaries' who have seized power just one and a half years before. His rhetorical strategy is based on the Fallen Angel narrative. Ernst Röhm and his co-conspirators 'have become Revolutionaries who worship Revolution as Revolution and wish to see in it a permanent condition'. They are restless, violent fanatics who do not understand that the revolutionary state of emergency is valid no longer, and hence 'have lost all inner relation to the human order of society' (in Fest, 1970: ch. 2.6).

By turning Röhm into some kind of Lucifer, the Chancellor implicitly paints a picture of himself as a divine angel of retribution. As was already clear to his contemporaries, this meant a radical departure from modern political thought, since the executive power was made to coincide seamlessly with the judicial power: 'In this hour, I was responsible for the fate of the German nation,

and therefore I became the supreme judge of the German people!’ (in Fest, 1970: ch. 2.6)<sup>2</sup>. What was left unsaid, however, is that this concept of leadership unifying all state powers implied a reactivation of the feudal notion of sovereignty, which was not to be fully developed until the early modern period, with Jean Bodin’s *Les six livres de la République* (*Six Books of the Commonwealth*) in 1576 and Thomas Hobbes *Leviathan* in 1651. Michel Foucault, in his 1976 lectures at the Collège de France entitled *Il faut défendre la société* (*Society Must Be Defended*), defined sovereignty as relating to territory (2003). Its chief objective, as elaborated in 1978 in *La ‘Governmentalité’*, is how to maintain and expand this territory, in relation to which it occupies a position that may be marked as singular, external and transcendent (1994: III/638-639). It is a power that is not primarily interested in the land itself or the people inhabiting it. This other kind of power, which Foucault terms ‘governmental’, develops only during the early modern period. The logic of governmentality is concerned with the governance of the bodies of those who inhabit the territory. Foucault identified this as the rise of biopolitics.

To clarify the difference between the workings of sovereignty and governmentality, consider the case of an epidemic<sup>3</sup>. The appropriate reaction for a ruler under the logic of sovereignty (for example, the medieval remedy against the plague) is to determine which individuals are diseased and which ones are healthy, and then to expel the diseased. Under the logic of governmentality, on the other hand, the diseased are not excluded by the governing instance, but included. During the modern period, the medieval remedy was gradually abandoned. An afflicted city was instead partitioned into districts that were placed under the authority of certain supervisors, who became responsible for the control of every person living in a district. Disease was no longer expelled, but controlled and contained. At first, governmentality takes on the form of disciplinary logic (surveillance and control), but later on its scope vastly widened. During the eighteenth and nineteenth centuries, it is no longer just particular bodies that are checked, but a series of statistic variables describing all bodies and what they produce: mortality and natality, disease rates, fertility, productivity, etc. If bodies may be said to be disciplined during the first stage of governmentality’s development, it is the aim of its second stage to regulate the variables defining a population (Foucault, 2003: 246-247). Both stages together produce a thorough normalization of the social body.

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<sup>2</sup> ‘In dieser Stunde war ich verantwortlich für das Schicksal der deutschen Nation und damit des deutschen Volkes oberster Gerichtsherr!’ (Domarus, 1973: I/421)

<sup>3</sup> Foucault gave this example in his lectures entitled *Les anormaux* (1999: 41ff), and subsequently in *Surveiller et punir: naissance de la prison* (1975: ch. 3).

During the last lecture of the 1976 course, Foucault gave a rough sketch of how totalitarian regimes could be described in terms of sovereignty and governmentality. Nazi society ‘has generalized biopower in an absolute sense, but [it] has also generalized the sovereign right to kill’. Nazism makes the logics of both sovereignty and governmentality coincide. However, Foucault only focused on the ‘thanatopolitics’ of both the Final Solution and Hitler’s last order for the destruction of the German people’s living conditions. He described the appearance of ‘an absolutely racist State, an absolutely murderous State, and an absolutely suicidal State’ (2003: 260). He does not apply his distinction to the genesis of the Nazi state from the 1933 revolution onwards, nor to its peculiar organizational structure, its definition of leadership, or its ideology.

Is it possible to describe Hitler as a sovereign agent? Although from 1933 onwards, he is consequently referred to as the German people’s supreme and most able leader, this does not make him a particular ‘sovereign’ figure. As has been argued by thinkers such as Claude Lefort and Alvin Gouldner, the typically monarchic notion of rulership disappeared gradually from the democratic revolutions of the 18th century onwards (Lefort, 1988; Gouldner, 1950)<sup>4</sup>. It was not replaced. Democracy indeed led to the emergence of leadership, but this was a wholly new and different concept. Hitler, as a modern leader, is not at all like the external and transcendent monarchs. On the contrary, he embodies the German nation. He lived their experiences (the trench warfare of 1914-18, the uncertainties of the post-war crisis), he shares their hopes and desires, and he is the upholder of their culture. He is certainly not an absolutely heterogeneous figure vis-à-vis the German nation, but, on the contrary, its ideal citizen, a *primus inter pares*.

Although sovereignty is definitely not reanimated by Hitler’s Chancellorship, it is impossible to ignore how the concept is partially reactivated. Some important aspects of Nazi Germany’s organization and propaganda may only be properly understood within the framework of sovereignty made absolute. When Hitler declares judiciary power to coincide with executive power, he is providing a textbook example of what Foucault designated as the circularity of sovereignty (Foucault, 1994: III/645-646). In the 16th century, jurists and philosophers had argued that the sovereign aimed for the common good. Therefore, the common good is equated with obedience to his laws. The philosophical elaboration of sovereignty boils down to a hidden tautology. The very word ‘sovereignty’ expresses being superior to others (from Middle French *suverain*, deriving from Latin *super*). There is little intellectual achievement in defining the superiority of one as the inferiority of the others. The only gain

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<sup>4</sup> For an overview of leadership studies, see Matthew Trachman, *Rethinking Leadership: Presidential Leadership and the ‘Spirit of the Game’ of Democracy*, unpublished PhD thesis (York University, Canada, 2000).

is that one has identified the particular form that domination by a sovereign instance takes. Sovereignty conceives governance as giving law, from an external position, to the inhabitants of its territory. Governmentality, on the other hand, governs by means of (mainly internalized) norms. In the conventional doctrines, the circularity of sovereignty may be said to appear under the form of its logical illimitability. Both Jean Bodin and Thomas Hobbes had insisted that the sovereign's power be absolute and indivisible, because otherwise his decisions could always be contested. Hence, the sovereign power would not be sovereign at all. By declaring sovereignty to be absolute, however, Bodin and Hobbes had constructed a form of power that could no longer be legitimized, since in that case, it would again depend on something external to itself. Both did try to find a remedy to sovereignty's illimitability, as will be discussed in the third part of this essay.

Applying Foucault's distinction between governmentality and sovereignty to the Nazi state, we may provisionally conclude that it intensified both political technologies and their rhetorical registers, at the same time. The regime recognized normalization as a central tool and goal of governance. It pursued the governmental aim of population control up to the extremes of eugenetics and murderous thanatopolitics. It redefined the democratic leader as being totally immanent to the people he commanded, and merely bringing to perfection its innate abilities. Simultaneously, however, it appealed strongly to the logic of sovereignty. Nazi propaganda stressed the German territory or soil, and the restoration of the Reich to its 'original' size. The 'governmental Führer', or the first among equals of the German people, coexisted with a 'sovereign Führer' who called upon his singular nature to attribute all legislative, executive and judiciary power to himself.

What expression do the paradigms of sovereignty and governmentality find in the philosophical writing that emanated from, or was at least strongly related to, the National Socialist revolution? Although the field of philosophy and, wider still, the social sciences under Nazism is large and differentiated, just two of its major players will be studied here, in order to gauge what results may be expected from an exhaustive assessment.

### *III. Carl Schmitt*

The crucial paradox of Schmitt's work is the attempt to legitimize an authority that is defined as illegitimizable. He clearly seems to have been aware of this paradox and to have cultivated it, by means of a lucid style that relentlessly repeats and mutually redefines the same terms (state of emergency, sovereignty, decision, and the primacy of the 'political', i.e. of existential conflict based on a true distinction between friend and foe). In order to construct this paradox, we should follow

Schmitt's train of thought, starting from his critique on liberalism and parliamentary democracy.

Schmitt criticized the liberal postulate of law as a deducible system of norms that spans the totality of human experience. In liberalism, according to Schmitt, the law has no final ground, except for the state and the constitution, which are themselves part of the law. The universality of law is a false presumption, because the idea of law is in need of an authority to implement it. The alleged 'groundlessness' of the liberal tradition was a central argument to many conservative intellectuals of the 1920s and 30s. Schmitt's problem was one of authorization. He believed to have found the false circularity in legal positivism, by pointing out that law cannot be its own authority. We should not heed the call of legal positivists such as Hans Kelsen when they demand an impersonal and checkable instance of sovereignty (such as the state, or the League of Nations on an even higher level). On the contrary, it must be fully acknowledged that the sovereign instance enforcing the law must have a face.

Sovereignty was defined as a function of the state of emergency in *Politische Theologie* (*Political Theology*), 1922. The emergency is totally heterogeneous as compared to the normal situation. The 'homogeneous medium' that all norms require in order to be applicable, can only be installed by a fully self-sufficient, sovereign agent (Schmitt, 1934b: 19-20). In Schmitt's definition of the modern state, the executive power comes first. It guarantees a zone of 'peace, security and order' that is the very condition for the legislative and judicial powers to come into existence at all (28-29; see also 1940: 148). According to Foucault, this would be a typically sovereignist definition. It is based on the notion of legitimacy, or a 'law of laws' that makes law possible<sup>5</sup>.

Schmitt, in order to escape the self-referential paradox he discerned in liberalism, namely the groundlessness of law, conceived an authority that implied an even more naïve version of the self-referential paradox. In his 1934 essay *Der Führer schützt das Recht* (*The Führer Protects the Law*), Schmitt endeavoured to legitimize the repression of the Röhm Putsch. No civil court of law can react quickly enough to grave political danger. Only the Party or the SA is up to this task and in such matters 'totally stands alone'. In the German original, the self-referential nature of this claim is fully acknowledged and even intensified: 'Hier steht sie ganz auf sich selbst' (1940: 202). It is only when his own authority as a National Socialist intellectual was undermined by *Das Schwarze Korps*, a periodical related to the SS, that he must have realized how the entirely 'free-standing' instance of sovereignty that he had erected did not have any need for his legitimations, either. By 1937, he would be stripped of all of his offices, except for his chair at the University of Berlin.

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<sup>5</sup> '[T]he theory of sovereignty (...) attempts to show, how a power can be constituted, not exactly in accordance with the law, but in accordance with a certain basic legitimacy that is more basic than any law and that allows laws to function as such' (Foucault, 2003: 44).

Sovereignty functions in a circular way. The legitimacy that it may endow its laws with ultimately flows from no other source than itself. This legitimacy is theoretically non-existent, because if it existed theoretically, this would imply sovereignty to be in need of theory. The perfectly self-referential nature of sovereignty is best illustrated by another attempt of Schmitt to describe the sovereign political unity: ‘a community that struggles and maintains itself’ (‘eine kämpfende und sich durchsetzende Gesamtheit von Menschen’). Any true ‘political’ community succeeds in ‘preserving its own being’ or ‘persisting in its own being’ (‘das eigene Sein zu wahren, *in suo esse perseverare*’: 1934a: 8-10)<sup>6</sup>. In the end, all of his attempts at defining sovereignty boil down to obvious and rudimentary self-assertion. Schmitt criticizes liberalism for doing away with the sovereign, i.e. the ‘unitary people’, in favour of formal democracy’s ‘addition sum of secret and private individual wills, meaning in truth the uncontrollable desires and resentments of the masses’. As a result, ‘the sovereign disappears in the voting booth’ (‘der Souverän verschwindet in der Wahlzelle’). But the bottom line of his sovereignism cannot be anything else than nationalism pure and simple. Schmitt must stake all he has left on ‘the heroic attempt to persist in and maintain the dignity of the state and the national unity against the plurality of economic interests’ (see 1940: 110-111). There is little difference between this position and the way in which Hitler employs the term ‘national self-assertion’ (‘nationale Selbstbehauptung’) in *Mein Kampf* (1925-26: I/pars. 233, 358; II/par. 714). As Hans Sluga has shown, the ‘discourse of nationhood’ in general, and of German primordialness in particular, was widespread during the First World War and the Weimar Republic, and found numerous expressions in philosophical writing, too. Mainstream philosophical conservatives, such as Felix Krueger, revealed just like Schmitt in tautological definitions: ‘This nation (...) wants to find itself, so that it becomes what it has always been in essence’ (in Sluga, 1993: 121-122, 157).

The illusion of the homogeneous medium wherein norms can take effect, and which is guaranteed by the heterogeneous sovereign agency, is then dispelled as a properly ‘ultra-political’ illusion (Žižek, 1999: 241). Schmitt, focusing on the distinction between (internal) friend and (external) foe, deliberately smoothed out all conflicts traversing the ‘friendly’ social body. His disdain for the liberal ‘primacy of internal politics’ amounts to a disavowal of these politics as not being political at all, because they cannot be motivated by an ‘existential conflict’ grounded in a true distinction between friend and foe. The ‘truth’ of this distinction is, again in an insubstantial manner, inferred to be a function of the sheer intensity of the conflict to which it leads, or, alternatively, a function of the force with which a people asserts ‘the essence of its political existence’ (‘das Wesen

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<sup>6</sup> If not indicated otherwise, English translations of Schmitt and Heidegger are by myself.

seiner politischen Existenz': 1934a: 14, 21, 32). At the end of Schmitt's writings of the 1920s and 30s, one is left with an empty battlefield full of national 'essences', struggling against each other in order to--assert their national essences.

On a last note, however, it should be indicated that Schmitt, in spite of his strong sovereignist tendency, did have an intuition that sovereignty was no longer the only paradigm needed for social and political theory. In his report of January 1933 on the *Weiterentwicklung des totalen Staats in Deutschland (Further Development of the Total State in Germany)*, there is an incisive sketch to be found of the 'liberal total state'. The Weimar Republic has become a complex welfare state that must provide for all of the diverse and contradictory desires of its many citizens. It is a total state, but merely in a weak and quantitative sense. The unity of the people's will is fragmented and can only be restored through a state that is total in a strong and qualitative sense, as it is developing at this very moment in Germany. Schmitt's piece succeeds simultaneously in acknowledging the modern state's intricate (governmental) grip on human life, blaming the liberal tradition for its contradictions, and projecting into the future an image of a 'true' total or governmental state resolving those problems.

[T]oday we have in Germany (...) merely a plurality of total parties (...) that look after people from the cradle to the grave, from the nursery class through the gymnastic club and the bowling club, up to the interment and cremation society. They provide their followers on behalf of the party with the right world view, the right state form, the right economic system, and the right kind of sociability. They totally politicize the entire life of the people and they parcel out the political unity of the German people (see Schmitt, 1940: 187).

The critical flaw of this article is that earlier, when the National Socialist revolution was acclaimed for the strong total state it was going to establish, the very same expression of a 'politicization of the entire life of the people' was used, not in a derogatory, but in a laudatory sense.

On yet another occasion there is evidence of Schmitt's insight into governmental realities, that is once more drowned out by his fundamentally sovereignist outlook. In *Der Begriff des Politischen (The Concept of the Political)*, 1927, he shows a great concern for normalcy, which is quite exceptional within a traditional sovereignist discourse. However, normalcy is only understood as the empty space wherein norms may function, a space the integrity of which is guaranteed by the heterogeneous, sovereign guardian. 'Normalcy' is merely another link in Schmitt's tautological chain. He does not get much further in elucidating the nature of modern normalcy than the quite pointless deduction that 'the achievement of a normal state consists chiefly in (...) establishing the normal situation (...) because every norm presupposes a *normal* situation, and no norm can apply to a situation that is wholly abnormal in relation to it' (see 1934a: 28-29). Despite Schmitt's flashes of insight into the workings of governmentality, it is the ultra-political logic of radicalized sovereignism that shapes his work. Surely,

governmentality and sovereignty rub against each other at times, but it is the peculiarly archaic notions of the latter paradigm that prevail. In *Der Begriff des Politischen*, Schmitt still conceives modern states in a territorial sense. Furthermore, they are sovereign states because in some way they succeed in installing an (impersonal or personified) instance of sovereignty that is heterogeneously guaranteeing the homogeneous medium of law. Last but not least, a sovereign state may only be called sovereign when it has the power of life and death over its subjects (*jus vitae ac necis*; 28). On this decisive point, an unflawed awareness of governmentality would have acknowledged the shift, in modern political history, from the sovereign power ‘to take life or to let live’ towards the governmental power ‘to “make” live and “let” die’ (Foucault, 2003: 241). (Only at the end of the Second World War would it become clear to what extent the Nazi state had been evolving into an extremely potent ‘sovereignist-governmental’ conglomerate that exercised the double power to take life and make live.)

#### *IV. Martin Heidegger*

Schmitt had been working on the concept of absolute sovereignty for years before he applied it to the National Socialist party and its leader. Martin Heidegger’s publications and lectures, on the contrary, had mainly dealt with phenomenology, metaphysics, and the history of philosophy, in particular the Presocratics and Plato. Before his treatment of sovereignty (‘Herrschaft’) in the section ‘The Leap’ of his *Beiträge zur Philosophie (Contributions to Philosophy)*, written during the late 1930s when he had already resigned from the rectorship at the University of Freiburg), the concept is seldom encountered in his writings (Brogan, 2002: 245-246). However, sovereignty and its self-referential paradox, which is so conspicuous in Schmitt, do appear in Heidegger’s work from the early 30s, albeit under three different guises.

Before we overview these three figures of sovereignty, it must be remarked that this is not an attempt to ‘reveal’ the ‘proto-fascist’ or ‘crypto-fascist’ tendencies of Heidegger’s thought during the interbellum period. The most recent and thorough, but unfortunately also quite tasteless exercise in this domain is Emmanuel Faye’s *Heidegger: L’introduction du nazisme dans la philosophie* (2005; *Heidegger: The Introduction of Nazism into Philosophy*). Its weighty 567 pages confirm Sluga’s assessment that ‘moral judgment on historical facts and persons is an exceedingly cheap commodity’ (1993: 5; see also Žižek, 2003). Heidegger’s post-war justifications (or the lack thereof) may very well be criticized, but still it should be granted that his engagement in Nazi ‘politics’ was a contingent event in the history of philosophy.

1. Heidegger's support for National Socialism was always overarched by a broader concern for western civilization, and for a renewal of the ontological questioning that began the history of philosophy and science. This did not prevent him from voicing his support for Hitler in a fashion directly reminiscent of Schmitt's panegyric definitions. The appeal to German students of 3 November 1933, for example, concluded that '[t]he Führer himself and alone *is* the present and future German reality and its law' (in Safranski, 1998: 232; 'Der Führer selbst und allein *ist* die heutige und künftige deutsche Wirklichkeit und ihr Gesetz': Heidegger, 1975-: XVI/184). This conflation of reality and law (Sein and Sollen) into a single incarnation was nothing less than a leap ahead into the entanglements of the ontic dimension.

Heidegger's 'political' and philosophical enthusiasm seems to have carried him back to a point where his interrogation of the openness of being had not yet begun. Being as such, more particularly the being of a whole people, was read as coinciding with one leader and his policy. As Claude Lefort has demonstrated, this is the pre-eminent totalitarian illusion. A seamless union of state (or Party) and civil society is believed to be possible, smoothing out all internal conflicts (1986: 273-291). This insight is repeated by Žižek through his notion of ultra-politics. Heidegger hazily recognized the Nazi regime to be simultaneously governmental ('the Führer (...) *is* the present and future German reality') and sovereignist ('and its law'). However, his attempt to legitimize it gave precedence to the framework of sovereignty, making all of 'German reality' converge in one sovereign figure. The discourse of law and its singular, external source, be it an embodied sovereign or popular sovereignty, constitutes the conventional logic of political philosophy. As such, it must have come quite natural to him, even taking into account that he had not paid much attention to political theory during his philosophical career. The result, however, was an obvious paradox. The law given by the Führer is always-already fully realized by himself. The governmental Führer, namely, the ideal citizen who embodies normalcy, always-already knows what law his counterpart, the sovereignist Führer, is going to declare in order to establish that normalcy. Heidegger, in his turn, got caught up in the circularity of sovereignty.

2. Not only the Führer, but the German people too is a figure of sovereignty. That became particularly clear in Heidegger's rectoral address of 27 May 1933, on *Die Selbstbehauptung der deutschen Universität* (*The Self-Assertion of the German University*). This figure of thought already stood in a much closer and more subtle relationship to his reflections and lectures from 1930 onwards. But the vocabulary of the speech was in tune with contemporary National Socialist rhetoric, straining the central issue of ontological questioning up to a degree that paradox was unavoidable. When Heidegger concluded with a call to self-assertion, not only of the university, but of the people as such--

‘We do will ourselves’ (1985: 480; ‘Wir willen uns selbst’: 1975-: XVI/117)--, the paradoxical conflation of reality and law rose again.

The specific ambition of the rectoral address was to reinterpret the established concept of ‘self-assertion’. The first familiar meaning, that of national self-assertion, was only treated within the scope of the university’s self-assertion. But this second and, in academic circles, much debated understanding of self-assertion, namely, if and how the university should defend itself against National Socialist ‘politicization’, was also ingeniously sidestepped by Heidegger. Already in the fifth paragraph, the ‘self-governance’ of the German university (‘Selbstverwaltung’) was boldly redefined as ‘self-examination’ (1985: 471; ‘Selbstbesinnung’: 1975-: XVI/108). This is a prime example of what has been termed Heidegger’s attempt to ‘steal the language’ of the National Socialist revolution, in an effort to revolutionize the revolution from the inside. Karl Jaspers is reputed to have said that Heidegger’s thoughts of a philosophical coup d’état went so far as to dream of ‘leading the Führer’ (‘den Führer zu führen’; see Edler, 1990; Allemann, 1969; Minder, 1966; Nicholson, 1987: 174, 185; Pöggeler, 1985). The philosophical coup backfired. Not the Nazi revolution was made philosophical, but Heidegger’s revolution nazified<sup>7</sup>.

Self-examination seemed to be the best way to reorientate the university’s self-assertion, and that of the German people, towards the process of ontological questioning that Heidegger saw as the ‘mass philosophical’ mission of the highest importance. His appeal was primarily addressed to the university teachers and students, but its purport clearly ranged beyond the auditorium. He demanded that German teachers and students should be the first to place themselves again ‘under the power of the *beginning* of our spiritual-historical being’ (‘unter die Macht des *Anfangs* unseres geistig-geschichtlichen Daseins’). This beginning is the ‘setting out’ (‘Aufbruch’) of Greek philosophy, where man for the first time engaged in the ontological difference. He ‘stands up to the *totality of what is*, which he questions and conceives as the being that it is’ (1985: 471; ‘steht [...] auf gegen das *Seiende im Ganzen* und befragt und begreift es als das Seiende, das es ist’: 1975-: XVI/108-109). At this particular moment, the Greeks became aware that it is possible for ‘that which is’ (‘das Seiende’) to be only within the openness of Being.

Again, the commitment to the ontological question was conceived, just as in the inaugural

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<sup>7</sup> His rectoral address tried to recycle a number of terms that had become part and parcel of Nazi language: ‘Gefolgschaft’ (a following, but also the specific Nazi designation for personnel), ‘deutsche Studentenschaft’ (a seemingly abstract label for all German students, that had become the name for the Nazi students’ association), ‘Aufbruch’ (setting out, start, but more specifically the 1933 revolution), ‘Kampf’, ‘Entscheidung’, etc. He did not succeed in re-signifying Nazi discourse, but instead his discourse blended in with the rhetorical and performative context of his utterances. On ‘Studentenschaft’, see Faye (2005: 92-96); on ‘Aufbruch’, see Edler (1990); on the rhetorical and performative context, see Sluga (1993: 8).

lecture on *Was ist Metaphysik?* (*What is Metaphysics?*), 1929, and in other texts, as an experience that is not without its dangers, and subsequently not without heroism. It implies the ‘completely unguarded exposure to the hidden and uncertain, i.e. the questionable’ (1985: 474; ‘völlig unbedeckten Ausgesetztsein in das Verborgene und Ungewisse, d. i. Fragwürdige’: 1975-: XIV/111). The crucial fault of Heidegger’s lecture was that it made a direct connection from this self-examination to the dynamics of the human will. When the university examines itself, this was taken to imply that it delimits its essence, and subsequently wills its essence, in this way asserting itself. Heidegger quickly achieved success when he personally tried to ‘bring his philosophy into line’ with the National Socialist revolution. It merely required a reinterpretation, albeit forced, of the ontological questioning process of western civilization within the rhetorical framework of national strength, self-assertion, will, people, and state. ‘The will to the essence of the German university is the will to science as will to the historical mission of the German people as a people that knows itself in its state’ (1985: 471; ‘Der Wille zum Wesen der deutschen Universität ist der Wille zur Wissenschaft als Wille zum geschichtlichen geistigen Auftrag des deutschen Volkes als eines in seinem Staat sich selbst wissenden Volkes’: 1975-: XVI/108). Just as in the case of Schmitt, it should be noted how thoroughly unoriginal Heidegger’s philosophical effort was in a country rife with talk of nationhood.

Knowledge of the German university’s essence is construed as the will to its essence. During his rectorate, at the Demonstration of German Science for Adolf Hitler on 11 November 1933 in Leipzig, Heidegger expounded on his dynamics of the (human) will applied to institutions and nations. Just as all being must answer to the ‘primal demand (...) that it should sustain and save its own essence’ (‘jener Urforderung alles Daseins, daß es sein eigenes Wesen erhalte und rette’: XVI/188), so too the German nation must ‘retain and save its own essence’ (in Safranski, 1998: 265-266). Even in the summer of 1934, when he had already resigned from the rectorship because of the increasingly precise Nazi demands, he answered the question ‘who “we” are’ during his lectures on *Logik als die Frage nach dem Wesen der Sprache* (*Logic as the Questioning of the Essence of Language*) by way of a hardline decisionist approach. ‘We’ are the people solely by our being here, at this very moment in history, in this very classroom attending Heidegger’s lecture. This is no accidental fact. It is only so because of our conscious decisions: ‘Thus, we exist through a series of decisions’ (‘Wir sind also durch eine Folge von Entscheidungen’: 1975-: XXXVIII/57). Transferred from ‘the small and narrow we of the moment of the lecture’ to the people, our existence as a people is just as little accidental. We may *fail* at being a people. As a result, ‘decision belongs to the people’s nature’ (‘Das Volk hat Entscheidungscharakter’: XXXVIII/70). Heidegger, in his turn, lost himself in the electrifying twists of tautology: ‘we do will the will of a state that does not will itself to be anything else but a people’s will

to rule over itself and the form such rule takes' ('wollen wir den Willen eines Staates, der selbst nichts anderes sein will als der Herrschaftswille und die Herrschaftsform eines Volkes über sich selbst': XXXVIII: 57).

The escape into decisionism<sup>8</sup> and the adoration of the will did not make the fundamental problem of Heidegger's attempt at 'Gleichschaltung', or 'bringing himself into line', disappear. As was well known from both *Sein und Zeit (Being and Time)*, 1927, and *Was ist Metaphysik?*, the experience of the ontological difference was only to be reached through certain 'moods' that, as Heidegger described them, were highly individual in nature. They found expression in such terms as angst, boredom, 'completely unguarded exposure', 'forsakenness' ('Verlassenheit': XVI/111), and 'self-oblivion' ('Selbstverlorenheit und Selbstvergessenheit': XXXVIII/49). How was this register of experiences to be merged with the language of people and state? In order to overcome this difficulty, Heidegger introduced a highly dissonant connection. It was at this precise point that his reinterpretation of self-assertion backfired.

While he was talking about self-examination and ontological questioning, every listener could relate to Heidegger's discourse as an individual. At specific points during the speech, however, this individual understanding was jerked into the sphere of a collective understanding. The process of 'questioning' was then suddenly turned from a personal experience into a national dynamic. This happened most explicitly when Heidegger described how 'science's' questioning would expose it, once again, 'to the fertility and the blessing bestowed by all the world-shaping powers of human-historical being, such as: nature, history, language; people, custom, state; poetry, thought, faith; disease, madness, death; law, economy, technology' (1985: 474; 'der Fruchtbarkeit und dem Segen aller weltbildenden Mächte des menschlich-geschichtlichen Daseins, als da sind: Natur, Geschichte, Sprache; Volk, Sitte, Staat; Dichten, Denken, Glauben; Krankheit, Wahnsinn, Tod; Recht, Wirtschaft, Technik': 1975-: XVI/111).

Heidegger's appeal to 'higher powers' distorted his existentialist perspective. It also realigned him with a specific aspect of the traditional sovereignist discourse. In the foundation texts of sovereignty, both Bodin and Hobbes thought it necessary simultaneously to declare that the sovereign's power be absolute and indivisible and to install a kind of emergency brake into their theories. In Bodin, it is the 'laws of God, and nature, and the human laws common to all nations' that curb the sovereign's power (which does not, however, detract from its absoluteness: 1577: 95; see also Ford, 1998). Sovereignty, it seems, may only be conceived as absolute as long as it remains within the

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<sup>8</sup> On the origins of 'decisionism' in Schmitt, see Schmitt (1912; 1934b) and Hirst (1987).

horizon of certain ‘higher powers’ that are presumed to supersede even absoluteness. However, the theorists of sovereignty find it impossible, or unnecessary, to describe how exactly these ‘powers’ govern human reality and its sovereign agent(s). They are merely stationed at the limits of sovereignist theory as its transcendent guarantors.

By placing the German people’s will-to-itself under the patronage of the ‘world-shaping powers of human-historical being’, Heidegger underlined its sovereign nature. The will of such a sovereign people coincides exactly with the law it gives to itself. After all, who may speak up to the workings of ‘world-shaping powers’? In *Die Selbstbehauptung der deutschen Universität*, too, Heidegger gets entangled in the circularity of sovereignty. He would continue to do so for a long time. Even in his work of the late 1930s on Nietzsche, which he later presented as a tacit criticism of National Socialism’s unbridled will to power, we can find a sovereignist statement such as: ‘the community as an order of being is grounded in itself and does not receive its standards from another order’ (in Sluga, 1993: 172).

3. A third sovereign figure of thought is fully native to Heidegger’s reading of the allegory of the cave in Plato’s *Republic*. From the 1930 essay *Vom Wesen der Wahrheit (On the Essence of Truth)* onward, he conceived a ‘truth happening’ (‘Wahrheitsgeschehen’), developed throughout his lectures of the early 1930s and culminating in the publication of *Platons Lehre von der Wahrheit (Plato’s Doctrine of Truth)* in 1942 (Safranski, 1998: 214-224). This figure was not directly linked to contemporary political vocabulary, ‘brought into line’ with his own philosophy. Still, it was structurally in tune with the Nazi revolution, since it provided the outline of a philosopher-leader who was, in radical sovereignist fashion, incommensurable with those he led.

In a letter to Karl Jaspers of 20 December 1931, Heidegger described the task of the philosopher as being a ‘knowing leader and guardian’ in the ‘true public dimension’ (in Safranski, 1998: 216; translation modified). In the lectures on Plato, held during the winter of 1931-32, the expression was elaborated:

[T]he actual guardians of the being-together of people in the unity of the *polis* must be philosophizing people. It is not as if professors of philosophy should become Chancellors of the Reich, but philosophers should be *phulakes*, guardians. The rule and the order of governance of the state must be permeated by philosophizing people, who, out of the deepest and widest knowing that questions freely, determine measures and rules, and open up paths of decision<sup>9</sup>.

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<sup>9</sup> ‘[D]ie eigentlichen Wächter des Miteinanderseins der Menschen in der Einheit der *polis* müssen philosophierende Menschen sein. Nicht sollen Philosophieprofessoren Reichskanzler werden, sondern Philosophen *phulakes*, Wächter. Die Herrschaft und Herrschaftsordnung des Staates soll durchwaltet sein von philosophierenden Menschen, die aus dem tiefsten und weitesten, frei fragenden Wissen Maß und Regel setzen, Bahnen der Entscheidung erschließen’ (Heidegger, 1975-: XXXIV/100).

The philosopher-leader was based on the liberated prisoner from what Heidegger distinguished as the fourth and last stadium of Plato's allegory. For the sake of brevity, we will not examine the totality of the 'truth happening' as it is explained through the allegory of the cave. According to Rüdiger Safranski, Heidegger was not primarily interested in the real high point of the simile, when the liberated prisoner beholds the ideas (1998: 221). Most of his attention was focused on the process of liberation leading up to it, and on the experiences of the liberated prisoner once he returns to the cave to become a liberator himself. He faces a dangerous mission. Accustomed to the visions on the walls of the cave, those who are still imprisoned will probably not believe his story and might even try to attack and kill him. Heidegger stressed Plato's characterization of the event as violent. Just as being liberated was a long and painful process, the liberator will have to 'violently grab' the imprisoned and 'tear them loose' (1975-: XXXIV/85).

Heidegger had isolated the philosopher-leader from the context of the allegory and its interpretation by Plato. It was no longer the privileged relationship of the philosopher to the highest idea, namely the Good (*agathon*), that constituted the premise of his activities (governing the city-state, or else retreating into contemplation). Any such notion of absolute truth, disconnected from time, had been rejected. The idea of a 'truth happening' had introduced history as the starting point of any subsequent philosophical ethics. Hence, 'being free, being a liberator means participating in history' (in Safranski, 1998: 221; 'Freisein, Befreier-sein ist Mithandeln in der Geschichte': Heidegger, 1975-: XXXIV/85). Then his violence, too, had to be reconsidered. Not brutal force, but rather an enlightened form of 'tactfulness' is necessary to withstand the ridicule his attempt at liberation will provoke, and to select the one or two people that may be led out of the cave. Moreover, the liberator's violence is not arbitrary, but rather 'tactfulness of the highest, namely spiritual rigour, to which, before, the liberator has committed himself' ('der Takt der höchsten, nämlich geistigen Strenge, der er, der Befreier, sich selbst zuvor verpflichtet hat': XXXIV/81-82, 85).

It is the light of the ideas, more specifically the 'illuminated vision' ('Lichtblick') he has now acquired, that the liberator has committed himself to. He is on 'a sure footing on the ground of human-historical existence' ('einen sicheren Stand im Grund des menschlich-geschichtlichen Daseins': XXXIV/82). At this point it becomes clear how the rectoral address was firmly grounded in the whole of Heidegger's work during the 1930s. Man must be on sure footing not only to liberate others, but first and foremost to 'question himself', which is also a violent act. Just as in his rectoral address, 'self-questioning' is taken to mean decisionist self-assertion.

The question is only posed, when man is positioned to decide on himself, i.e. under the powers that support and determine him, and deciding on his relationship to these powers. (...) We take

the question ‘what is man?’ to mean, *who* we are, insofar as we *are*. We are only that, which we have the strength to expect of ourselves<sup>10</sup>.

Again we have reached the sovereignist province of the ‘higher powers’ that take man, defined as a self-asserting being, under their wing. It is a matter of discussion how much protection Heidegger accorded them to provide. After all, the unconcealedness (truth, *aletheia*) of being, to which the liberated prisoner is exposed, constituted ‘the danger zone of philosophy’ (‘die Gefahrenzone der Philosophie’), an expression that rejoined the vocabulary of exposure and forsakenness (XXXIV/77). The crux of the matter, however, is that a mechanism resurfaced that was characteristic for the logic of sovereignty.

In the same way as the monarch’s laws are strictly speaking incomprehensible to his subjects, because he transcends them, the philosopher-leader is incommensurable to those he is committed to liberate. ‘Philosophy has its own law; its assessments are different’ (‘Die Philosophie hat ihr eigenes Gesetz; ihre Schätzungen sind andere’: XXXIV/15). The ‘higher powers’ that the philosopher has obliged himself to no longer constitute an imperishable outer reality such as in Plato, but still he relates to history in a fundamentally different way than his contemporaries, grasping it as ‘truth happening’. To the normal situation of the prisoners in the cave, his ‘violence’ must seem unreasonable and heterogeneous. To legitimize himself would be inappropriate and impossible, except by forcefully leading them up to the light.

## V. Conclusion

Overviewing the three figures of sovereignty that run through Heidegger’s thinking of the 1930s, we may conclude that he echoes the strong nationalism, decisionism, and sovereignism of Schmitt. Although Schmitt may have been aware of the workings of governmentality, his doctrine was strictly sovereignist. Equating legitimacy with force, he got caught up in what he himself had dubbed, as early as 1919, *Politische Romantik* (*Political Romanticism*: 1986). Paul Tillich described it as the adoration of sovereignty wanting to deduce ‘political’ legitimacy from nothing but intensity or will, that is to say, ‘to create the mother from the son and to summon the father from nothingness’ (in Safranski, 1998: 175). The self-referential paradox of absolute sovereignty ensnares Heidegger, too. In constrained accordance with his philosophy of authenticity, his writings of the 1930s developed a nationalist

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<sup>10</sup> ‘Die Frage ist nur dort gestellt, wo der Mensch zur Entscheidung über sich selbst, d.h. unter die ihn tragenden und bestimmenden Mächte und in die Entscheidung über den Bezug zu diesen gestellt wird (...). Die Frage ‘was ist der Mensch?’ verstehen wir als die, *wer* wir sind, sofern wir *sind*. Wir sind nur das, was wir uns zuzumuten die Kraft haben’ (Heidegger, 1975-: XXXIV/76).

decisionism that could be grounded in nothing but its own self-assertion.

The main difference between the accounts of Schmitt and Heidegger, is that the latter's writings show only the faintest awareness of governmentality. There is an intriguing report on 'machination' ('Machenschaft') to be found in the *Beiträge zur Philosophie* (1975-: LXV: part 2, §61). By the same token, both his inaugural lecture of 1929 and the rectoral address contained a stringent critique of science's specialization and its orientation toward professional training, which may well be read as symptoms of the normalizing power that pervades modern science according to Foucault (Heidegger, 1975-:XVI: 108, 113-115, 372-373; see Foucault, 2003: 24-25).

As in Schmitt's case, we may conclude that Heidegger's work is ultra-political because of its exclusively nationalist decisionism. In his justifications of 1945 and later, he would point explicitly to his critique of modern science in order to indicate how he had vainly tried to combat the intensifying 'politicization' of the university (1975-: XVI/16, 373-378; 1985: 483-488). He failed to realize that Nazism only asserted the 'political' nature of the 1933 revolution and the future Reich in order to obscure its increasingly strong disavowal of the true political moment. In National Socialist discourse, 'political' was the prime signifier not of a power structure that could be situated in, and legitimized by, modern politics and political philosophy. Nazism merely took the shape of some institutions and adopted some titles during the early stages of its development, such as Hitler's 'Chancellorship'. The 'total state' or the total 'politicization' that it prided itself on was nothing but a folkloristic usage of the word 'political'. The very obsession with the political denoted the appearance of an ultra-political and extremely potent 'sovereignist-governmental' conglomerate. Consequently, the 'political science' ('politische Wissenschaft') that Heidegger feared was not political at all.

Hannah Arendt has argued that Adolf Eichmann was wrongly considered as 'normal' and therefore accountable at his trial in 1961, on the grounds that 'under the conditions of the Third Reich only "exceptions" could be expected to react "normally"' (Arendt, 1994: 26-27). In the same way, 'science' or 'philosophy' could not be made 'political' under Nazism, precisely because its aberrant homogeneity had already flawlessly brought them all 'into line', and thus weathered the very sense of those words. German philosophers blindly strove to legitimize as 'political' a revolution that was actually playing on a much more abstract level, maybe to be termed organizational. One part of the National Socialist revolution was governmental in the extreme and aimed at excessive normalization. Schmitt, Heidegger and others lacked the philosophical acumen to perceive this fundamental shift in social dynamics. Looking down to the 'homogeneous medium' that the new 'sovereign' regime was supposed to bring about, as Schmitt did, or looking up to the 'higher powers' that were guiding it, as Heidegger did, both resulted in the installation of illegitimizable instances of sovereignty. The

sovereign had reappeared from the voting booth.

### *References*

- Allemann, B. (1969), 'Martin Heidegger und die Politik', in Heidegger, ed. O. Pöggeler (Köln: Kiepenheuer & Witsch).
- Arendt, H. (1994), *Eichmann in Jerusalem* (London: Penguin).
- Bodin, J. (1577), *Les six livres de la République* (Paris: Jacques du Puys).
- Brecht, B. (2002), *The resistible rise of Arturo Ui*, trans. R. Manheim (London: Methuen).
- Brogan, W. (2002), 'The community of those who are going to die', in *Heidegger and practical philosophy*, eds. F. Raffoul and D. Pettigrew (New York: SUNY Press).
- Crombez, T. (2006), "'The sovereign disappears in the election box": Carl Schmitt and Martin Heidegger on sovereignty and (perhaps) governmentality', *Pli: The Warwick Journal of Philosophy*, 17: 61-83.
- Domarus, M. (1973), *Hitler: Reden und Proklamationen 1932-1945* (4 vols.; Wiesbaden: Löwit).
- Edler, F. H. W. (1990), 'Philosophy, language, and politics: Heidegger's attempt to steal the language of the revolution in 1933-34', *Social Research*, 57 (1): 197-238.
- Faye, E. (2005), *Heidegger: L'introduction du nazisme dans la philosophie: autour des séminaires inédits de 1933-1935* (Paris: Albin Michel).
- Fest, J. (1970), *The face of the Third Reich*, trans. M. Bullock (London: Weidenfels & Nicholson).
- Ford, J. D. (1998), 'Sovereignty', in *Routledge encyclopedia of philosophy*, ed. E. Craig (10 vols.; London: Routledge).
- Foucault, M. (1975), *Surveiller et punir: naissance de la prison* (Paris: Gallimard).
- Foucault, M. (1994), *Dits et écrits 1954-1988*, eds. D. Defert, F. Ewald and J. Lagrange (4 vols.; Paris: Gallimard).
- Foucault, M. (1999), *Les anormaux: cours au Collège de France 1974-1975*, eds. V. Marchetti and A. Salomani (Paris: Gallimard and Seuil).
- Foucault, M. (2003), 'Society must be defended': lectures at the Collège de France, 1975-1976, eds. M. Bertani and A. Fontana/trans. D. Macey (London : Allen Lane).
- Gouldner, A. W. (1950), *Studies in leadership* (New York: Harper & Brothers).
- Heidegger, M. (1975-), *Gesamtausgabe*, various eds. (102 vols.; Frankfurt a. M.: Klostermann).
- Heidegger, M. (1985), 'The self-assertion of the German university', trans. K. Harries, *Review of Metaphysics*, 38 (3), 467-502.

- Hirst, P. (1987), 'Carl Schmitt's decisionism', *Telos*, 72: 15-26.
- Hitler, A. (1925-26), *Mein Kampf* (2 vols.; München: Franz Eher Nachfolger).
- Lefort, C. (1986), 'The logic of totalitarianism', in *The political forms of modern society: bureaucracy, democracy, totalitarianism*, ed. J. B. Thompson (Cambridge: Polity).
- Lefort, C. (1988), *Democracy and political theory*, trans. D. Macey (Minneapolis: University of Minneapolis Press, and Cambridge: Polity Press).
- Minder, R. (1966), 'Heidegger, Hebel und die Sprache von Messkirch', *Der Monat*, 114: 13.
- Monroe, L. (1986), 'The Elizabethan subject and the Spenserian text', in *Literary theory/renaissance texts*, eds. P. Parker and D. Quint (Baltimore: Johns Hopkins University Press).
- Nicholson, G. (1987), 'The politics of Heidegger's rectorial address', *Man and World*, 20 (2): 171-187.
- Pöggeler, O. (1985), 'Den Führer führen? Heidegger und kein Ende', *Philosophische Rundschau*, 32 (1-2): 26-67.
- Pye, C. (1990), *The regal phantasm: Shakespeare and the politics of spectacle* (London: Routledge).
- Safranski, R. (1998), *Martin Heidegger: between good and evil*, trans. E. Osers (Cambridge, MA: Harvard University Press).
- Schmitt, C. (1912), *Gesetz und Urteil: Eine Untersuchung zum Problem der Rechtspraxis* (Berlin: Verlag Otto Liebmann.).
- Schmitt, C. (1934a), *Der Begriff des Politischen* (2nd ed.; Hamburg: Hanseatische Verlagsanstalt).
- Schmitt, C. (1934b), *Politische Theologie: Vier Kapital zur Lehre von der Souveränität* (2nd ed.; München: Duncker & Humblot).
- Schmitt, C. (1940), *Positionen und Begriffe im Kampf mit Weimar-Genf-Versailles, 1923-1939* (Hamburg: Hanseatische Verlagsanstalt).
- Schmitt, C. (1986), *Political romanticism*, trans. G. Oakes (Cambridge, MA: MIT Press).
- Skinner, Q. (1978), *The foundations of modern political thought* (2 vols.; Cambridge: Cambridge University Press).
- Sluga, H. (1993), *Heidegger's crisis: philosophy and politics in Nazi Germany* (Cambridge, MA: Harvard University Press).
- Žižek, S. (1999), *The ticklish subject: the absent centre of political ontology* (London: Verso).
- Žižek, S. (2003), 'Learning to love Leni Riefenstahl', In *These Times*, 10 September (retrieved 11 August 2005 from [http://www.inthesetimes.com/site/main/article/learning\\_to\\_love\\_leni\\_riefenstahl/](http://www.inthesetimes.com/site/main/article/learning_to_love_leni_riefenstahl/))