

# Liberalism's War, Liberalism's Order: Rethinking the Global Liberal Order as a 'Global Civil War'

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## I. Examining the Global Liberal Order as ‘Global Civil War’

Since the presumed end of the Cold War (Habermas and Derrida 2003: 94) the economic, martial, biopolitical and cosmo-political characteristics of the global liberal order have received a great deal of attention (e.g. Saad-Filho and Johnston 2005; Reid 2006; Archibugi 2003). Of particular interest to this paper is the suggestion that a number of so-called ‘Westphalian’ binaries or distinctions no longer hold in the contemporary order. For example, characterising this era as a ‘second age of modernity’, Ulrich Beck suggested that a shift was in progress from a society of states to on ‘a legally binding world society of individuals’ (Beck 2000: 84) in which distinctions such as ‘war and peace, domestic (policy) and foreign (policy)’ no longer obtained (ibid.: 83; cf. Alliez and Negri 2003). Contemporary discourses on the role and characteristics of violence in the global order note, moreover, that notions of ‘violence’ and ‘war’ must be thought together because, the distinction between ‘war’ – a category engendering primarily reflections on an activity of sovereign states (e.g. Suganami 1996) – and ‘(political) violence’ – a category which excludes this in order to study violence by states against civilians (such as genocide, ethnic cleansing, persecution of minorities, etc.), violence between civilians (such as civil or intra-state wars, terrorist attacks) or even violence by civilians or armed groups against state and market institutions (such as revolutions, terrorist attacks, etc.) – can no longer hold. Indeed, one might capture the sea-change implied in the collapse of this distinction between war and violence by saying that contemporary violence is increasingly ‘civil’, though obviously this civil violence may no longer be encompassed solely in the *traditional* sense of ‘civil war’, where the term denotes a conflict within a state or society. Complicating things further, it is suggested that the distinction between public use of (legitimate) force and private exercise of (illegitimate) violence is also at best unstable. This is because violence is presently carried out by ‘private’, as well as state or ‘public’ actors and also due to the challenge presented to the state’s monopoly on the *legitimate* use of violence by partisans’ claims that their (private actor) violence against states can be legitimated by a higher moral cause (liberation against invasion and occupation, past grievances, etc.) (cf. de Benoist 2007).

While these reflections offer an interesting and necessary starting point for examining the global liberal order, this paper examines whether such reflections on order,

violence, war and, importantly, *enmity* may not be more productively located within a framework enabled by the notion of ‘global civil war’. The notion of ‘global civil war’ is not without difficulties: it is rather sensationalist, but this may well be the least of the problems associated with it, with more serious ones primarily arising from its provenance,<sup>1</sup> location in discourse<sup>2</sup> and theoretical specificity. Importantly for the present discussion, the term has been used recently to describe the vertiginous transformations of order, war, and violence in the current global order. Political philosophers such as Giorgio Agamben (2005), Michael Hardt and Antonio Negri (2004), and Jean-Luc Nancy (2003a, 2003b, 2004, and 2007) have all utilised the term in their recent work – though Nancy himself eschews the term for his preferred ‘war of monotheism’ (e.g. 2003b) – and these appropriations, while pursuing distinct trajectories, appear surprisingly complementary. Political commentators of post 9/11 policy developments have also pointed out the need to examine notions of a civil war at global level, noting that ‘the war on terrorism is analogous to civil war on a global scale, in that it is taking place in a world which globalisation has shrunk and interconnected’ (Dan Plesch cited in Beaumont 2002).

Yet this paper refutes a fixed meaning to the notion of ‘global civil war’ – this is not borne out by the extant explorations of it, in any event – and, for that matter, to the amalgam term ‘global liberal order’ (cf. Petito 2007)). It asks, rather, the following question: how can these recent conceptualisations of contemporary order, war and violence as ‘global civil war’ assist us, if at all, in thinking about the global liberal order? It suggests, by way of the analysis below, that these appropriations can provide core elements of a notion of ‘global civil war’ but that they need to be supplemented, and sometimes contested, by a historical and substantive perspective that situates our understanding of the term in the historical circumstances that have led to *the need to*

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<sup>1</sup> The provenance of the term ‘global civil war’ still remains unclear, though it is thought the jurist and political thinker Carl Schmitt began using the term ‘global civil war’ [*Weltbürgerkrieg*] after a meeting with the novelist and essayist Ernst Jünger in 1942. It has been sometimes argued that the term actually first appeared in Eugen Rosenstock-Huussy’s *Die Europäischen Revolutionen. Volkscharaktere und Staatenbildung* (1931), though Ernst Jünger claimed that he first used it his *Der Arbeiter. Herrschaft und Gestalt* (1932). It appears in writing in Schmitt’s ‘Die letzte globale Linie’ in 1943 (Schmitt 1995a).

<sup>2</sup> In part affected by the historical revisionism of Ernst Nolte who argued that WWII could be understood as a ‘European civil war’ (1987), raging from 1917 to 1945. His thesis on the clash of ideologies contributed to the *Historikerstreit*, and was controversially expanded as ‘global or international civil war’ to include the Cold War (1996). This paper offers an argument that seeks to delineate a different framework for thinking about ‘global civil war’ than that of Nolte.

*address war/violence/order as a 'global civil war'*. In other words, it is necessary to locate this term within a broader account of how we now find ourselves in an international-political epoch (or, better: in a new epoch of *the political*) identifiable in its incapacity to distinguish between war and civil violence, war and peace, but also tending towards conceptions of absolute enmity. For this purpose the paper also turns to, first, Schmitt's account of the bracketing of war and 'regulation' of enmity as central achievements of the 'Westphalian order' and their dissipation in the post-World War I era with the arrival of a liberal and abstract universalism, found in his *Der Nomos der Erde im Völkerrecht des Jus Publicum Europaeum* (1950/2003). Second, it explores jointly Schmitt's account of the decline of 'just (or real) enmity' and the emergence of 'absolute enmity' and 'global civil war' in *Theorie des Partisanen* (1963/2004/2007)<sup>3</sup> – which he traced to the arrival of revolutionary Marxist ideology – and the discussions of German post-World War II intellectuals who extended this insight by examining 'revolutionary humanism' and expanded conceptions of 'global civil war' as a product of a certain 'pathogenesis' of the Enlightenment (cf. Koselleck 1988; Schnur 1963). Schmitt is important, moreover, not only for his elegiac historical reflections on the emergence of a post-1914 era ('post-Westphalian' in IR terminology) as a global civil war, but because his reflections on the changing nature and context of political violence form, along with Walter Benjamin's work (1978, 1999), a major starting point, if one to be overcome, for Agamben and often an implicit reference point for Nancy and Hardt and Negri.

Central to the paper's attempt to 'formally indicate' the global liberal order as 'something like' global civil war has to be the 'post-Westphalian' evolution of the notion of enmity away from a context of 'pluriversalism' to a context of 'universalism', with a movement from (procedurally) just enmity to the re-emergence of (substantive) just cause (be this of liberal or other revolutionary convictions) which intensifies designations of absolute and unjust enmity. It is for grasping the political contours of this global liberal order that this preliminary examination of various understandings of 'global civil war' – and its attendant, historically specific, and 'world-ordering' practices of enmity (cf. Nancy 2007) – may be needed. The paper concludes with a reflection on how a mutual exploration of the global liberal order

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<sup>3</sup> The German 1963 edition and also both the 2004 Goodson and 2007 Ulmen English translations are cited here, as these render German terms in different ways used in the subsequent discussion. See under (1963) in the References section.

and ‘global civil war’ – of the global liberal order as ‘something like’<sup>4</sup> global civil war – can illuminate not only the contours and internal constitution of this contemporary order but also lead us to a preliminary rearticulation of the notion of ‘global civil war’ for political thought.

## II. Contemporary reflections on the ‘global civil war’

In this section, I examine three contemporary appropriations of the terms ‘global civil war’ – Giorgio Agamben’s in *State of Exception*, Michael Hardt and Antonio Negri’s in *Multitude*, and Jean-Luc Nancy’s, as offered in a number of essays and, more recently, in *The Creation of the World or Globalization*.

### *Exception and governmental violence in the global liberal order*

Giorgio Agamben begins his *State of Exception* with a reference to ‘global civil war’ (2005: 2), a starting point which ‘signals an immediate concern with the current transformations of world order’ (Nielson 2005). He acknowledges that this term can be traced to Hannah Arendt (1963) and Carl Schmitt (1963/2004/2007), who first used it to respectively address the effects of revolution after 1945 and the evolution of war and enmity in the era of the partisan. Agamben likens the creation or launching of global civil war to the ways in which modern totalitarianism created a ‘legal civil war’:

modern totalitarianism can be defined as the establishment, by means of the state of exception, of a legal civil war that allows for the physical elimination not only of political adversaries but of entire categories of citizens whom for some reason cannot be integrated into the political system (Agamben 2005: 2).

Today, Agamben asserts pessimistically, the state of exception should be seen as the dominant contemporary ‘paradigm of government’, as a result of which we are today ‘faced with the unstoppable progression of a “global civil war”’ (Agamben 2005: 2). One might superficially assume that the reference to 20<sup>th</sup> century totalitarianism can be taken to imply that by analogy, that is, *by means of* the state of exception (as a

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<sup>4</sup> ‘Something like’ in the sense of (Heidegger 1982: § 3 and 4). Also important is to regard this term as formally indicative of a phenomenon or set of phenomena; as a ‘formal indication’ it can be used to proceed with the discussion but may well be superseded or redefined in the process (Kisiel 1993: 48ff).

normalised mode of rule and government) a global civil war is created in which the elimination of ‘absolute’ enemies (cf. Schmitt 2004) becomes possible.

What is important for Agamben, however, is the rethinking of the state of exception, away from jurisprudential theories which link it to dictatorship, to the state’s self defense, or to a restoration of what Agamben calls a ‘pleromatic [full] state of the law’; but also away from Schmitt’s argument in *Political Theology* that,

All law is “situational law”. The sovereign produces and guarantees the situation in its totality. He has a monopoly over this last decision [of the exceptional case]. Therein resides the essence of the state’s sovereignty, which must be juristically defined correctly, not as the monopoly to coerce or to rule, but as the monopoly to decide. The exception reveals most clearly the essence of the state’s authority. The decision parts here parts from the legal norm, and (to formulate it paradoxically) authority proves that to produce law [to create a juridical order] it need not be based on law’. (Schmitt 2005: 13, brackets added)<sup>5</sup>

For Agamben, the state of exception does not refer to ‘a special kind of law’ responding to an actual emergency or a necessity, ‘like the law of war’ might respond to situations of war; ‘rather, insofar as it is a suspension of the juridical order itself, it defines law’s threshold or limit concept’ (Agamben 2005: 4). It is important to note that Agamben’s analysis rests on the negation of ‘necessity’, that is, on a refutation of a ‘real emergency’. Agamben denies that sovereign power – as ‘constituted power’ belonging and yet standing outside the law (cf. Nielson 2004: 64) – responds by suspending the law to an objectively determinable emergency, necessity or ‘exceptional case’ [*Ausnahmezustand*], to some threatening *thing*, and for the purpose of preserving law and juridical order. This refutation of the possibility of an objective assessment of exceptional circumstances is especially necessary if we are to understand the sovereign transformation of the state of exception into the dominant paradigm of government (Agamben 2005: 2).

To accept the existence of a really existing emergency or exceptional circumstance would fit closely with official, as well as most academic and policy discourses (cf. Ignatieff 2004), on the new normality employed in the ‘global war on terrorism’ to justify the suspension of law and civil liberties. This would require another layer of causation and explanation – what causes the emergency, such that the state of

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<sup>5</sup> See Tracy B. Strong’s ‘Foreword’ to the 2005 edition of *Political Theology* in which he modifies George Schwab’s rendering of *Recht zu schaffen* as ‘to create a juridical order’, p. xx.

exception is invoked and needs to become the rule? Is it the rise of global terrorism (ibid.; Dworkin 2002), of ‘netwars’ (Arquillar and Ronfeldt 2001)? Is it the ‘revolt against the West’ (Bull and Watson 1984; Dunne 2003), ultimately a civilisational discourse, traced to essentialist grounds, and ascribing an essence [religious, cultural, historical?] to the West and the agents of resistance to it? Is it insurgency? Yet, such causality would give credence to the notion that states of exception respond to some real threat or circumstances requiring the suspension of the law. And it is *this* which Agamben’s account refutes by way of exposition of the relation of the law to reality, which bears on the subjective nature of deciding the event/situation that necessitates the exception (Agamben 2005: 31).

In other words, Agamben re-inscribes the state of exception as a ‘space of devoid of law, a zone of anomie in which all legal determinations – and above all the very distinction between public and private – are deactivated’ (2005: 50). And indeed, the ‘global civil war’ resides in the disappearance of the ‘fiction between of a nexus between violence and law’, leaving nothing but ‘a zone of anomie, in which a violence without any juridical form acts’ (Agamben 2005: 59). By referring to Walter Benjamin’s distinction between mytho-juridical and pure violence (1978), the latter being the ‘possibility of violence that lies absolutely “outside” and “beyond” the law’, Agamben contests all attempts to enclose the exception within the law (2005: 53)<sup>6</sup>, having in mind, specifically, Schmitt’s contention that ‘the exception confirms not only the rule but also its existence, which derives only from the exception’ (Schmitt 2005: 15). Against Schmitt’s argument that the exception makes the normal sphere possible and that, in the state of exception, political order still prevails (because the exception is not chaos and anarchy, though, as Schmitt says, ‘not of the ordinary kind’) and juridical order is preserved through the very suspension of the norm, Agamben wants us to view the state of exception as fictitious, normalised, permanent and antithetical to the law.

What is at stake here is the operation of the state of exception *as normality and as a form of political rule* (here, in the sense of ‘paradigm of government’). Agamben,

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<sup>6</sup> Alexander Karschnia calls this into question, however, because he claims that Benjamin’s meaning of *reine Gewalt* should be best understood as ‘ambi-violence’ because, like many of those German ‘Ge-’ words it contains a fundamental ambivalence which disrupts Agamben’s forceful argument: ‘*Gewalt* means not only violence, brute force, in the sense of “violation”, but on the contrary, it also means the maintenance of rule, governance, power, control’ (Karschnia 2005: 58).

looking at the transformations of world order, contests that the state of exception aims to preserve the law – that the suspension of the norm occurs for the preservation of the juridical or political order (Schmitt 2005: 12) – and draws upon Walter Benjamin to call this into question. Writing in light of Fascism, Benjamin suggests in his ‘Theses on the Philosophy of History’ that ‘the state of emergency where we live is not the exception but the rule’ (1999: 248): that state of the exception, this zone of anomie which can no longer sustain the fiction of violence’s relation to law, is not temporary, it is not for the purpose of preserving the law and juridical order, but is the a new way of being ruled, of new form of government. ‘The attempt of state power to annex anomie through the state of exception is unmasked by Benjamin for what it is: a *fictio iuris* par excellence, which claims to maintain the law in its very suspension as force-of-law’ (Agamben 2005: 59).<sup>7</sup> It is this that Agamben calls, a ‘gigantomachia concerning a void’ (ibid.: 53-64).<sup>8</sup>

This echoes official voices of the ‘new normalcy’ or the ‘new normal’, pronounced by Vice President Cheney the day before the USA PATRIOT Act passed into law in October 2001: ‘Many of the steps we have now been forced to take will become permanent in American life. They represent an understanding of the world as it is, and dangers we must guard against perhaps for decades to come. I think of it as the new normalcy’ (Cheney 2001).<sup>9</sup> The new normalcy, encompassing as it does the ‘biopolitical operations’ of the state of exception, and which involves the defence of logistical societies (Reid 2006), points to a disruption of the relationship posited by Schmitt between the rule and the exception, allowing Agamben to speak of its becoming the ‘dominant paradigm of government in contemporary politics’ (Agamben 2005: 2). When the state of exception becomes the (political) rule, we discern it more clearly as ‘a space devoid of law’, in which the law is replaced by

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<sup>7</sup> To put it in its proper context, as Brett Nielson explains with respect to Agamben’s *Homo Sacer* project, of which *State of Exception* is a part, ‘If, for Schmitt, the sovereign maintains the possibility of deciding between the exception and the norm, Benjamin contends that these have become indistinguishable, establishing a link between the exercise of sovereign power and the production of bare life. This becomes the point of departure for Agamben’s analysis of sovereignty in *Homo Sacer*. With the concept of bare life, Agamben identifies a threshold at which life is placed both inside and outside the juridical order, and he equates this paradoxical situation with the structure of sovereignty itself’ (Nielsen 2004: 64; Agamben 1998).

<sup>8</sup> A gigantomachia, much unlike, but equally as important as, the *gigantomachia peri tes ousias*. In the *Sophist* (244a), this is what Plato calls the perennial argument between idealists and materialists concerning the shapes of being (or substance or reality), which Martin Heidegger recalls most famously in *Being and Time* (1962).

<sup>9</sup> This has inspired an exhibition, for example, by the iCI in New York, and other artistic explorations. URL: <http://www.ici-exhibitions.org/exhibitions/normal/normal.html> (accessed 28 Aug. 07)

‘civil war and revolutionary violence, that is human action that has shed [*deposto*] every relation to law’ (ibid.: 59).<sup>10</sup> Since the state of exception has ‘today reached its maximum worldwide deployment’, we are faced with the advent of a global civil war in which

the normative aspect of the law can thus be obliterated and contradicted with impunity by a governmental violence that – while ignoring international law externally and producing a permanent state of exception internally – nevertheless still claims to be applying the law (ibid.: 87)

The emphasis placed on the fictitious (or willed) state of exception and on the analogy to Nazism, alongside the exposition of Benjamin’s call to bring about a *real* state of exception with which to fight Fascism (1999: 248), might suggest that we are faced with a ‘post-modern’ totalitarianism, which normalises the state of exception and leads us to a ‘global civil war’. Yet this term refers, for Agamben, not so much to actual fighting or a specific instance of conflict but, importantly, to a form of world ordering, pursued by (or which is) the global liberal order. The global liberal order, then, maybe be preliminarily ‘formally indicated’ as a ‘war-order’. As he explains in an article in the *Frankfurter Allgemeine Zeitung*:

By the rapid reduction of global politics to the antitheses of “state/terrorism”, what once seemed a paradoxical and peripheral term has today become real and effective. By strategically linking the two paradigms of the state of emergency and the civil war, the new American world order defines itself as a situation in which the state of emergency [exception] can no longer be distinguished from the norm, and in which even differentiating between war and peace - and between external and civil war - is impossible (Agamben 2003; brackets added).

How are we to conceive of this ‘American’ world order, then, in which ‘governmental violence’ unfolds, attesting to no juridical form and obliterating ‘the normative aspect of law’ (Agamben 2005: 87)? Furthermore, how are we to understand ‘governmental violence’ and its relation to law and to world order? While the emphasis on ‘civil war and revolutionary violence’ adjoins Agamben’s argument to that of Benjamin (and to Arendt (1963:17) and Schmitt (2004: 34, 39 and 66-68)), I think that it is of little help in understanding the actual world order, and processes of world ordering, which he invokes. Rather, it may be advisable to understand the ‘governmental violence’ of this war-order and its relation to law as taking place in the internationalisation of the

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<sup>10</sup> The reference to civil war and revolution unwittingly returns Agamben to the dual origins he posits for the term: to Arendt and Schmitt. Hannah Arendt, speaking of the world in which war is replaced by revolution, suggests that ‘the end of war is revolution...a kind of civil war raging all over the earth...’ (Arendt 1963: 17).

transition from a 'territorial state' to a 'population state', that is, the governmentalisation of the state (Foucault 1997b: 67). 'Global civil war' can then be thought as the necessary context for achieving the ends of this order with the necessary means. Let us turn briefly to Foucault.<sup>11</sup>

When a world order takes as its object the 'population' understood 'as a set of elements that, first, is connected with the general system of living beings... and, second, may offer a purchase for concerted interventions (*through law*, but also through changes of attitude, of ways of acting and living that can be obtained through campaigns)' (ibid.: 70; emphasis added), then the law does not remain tied to the preservation of sovereignty, and its juridico-political order, in the circular and inseparable fashion which Foucault identified (2001: 210-211). In an era of governmentality, imposing but also, arguably, *suspending* the law is but one of the 'multiform tactics' of power for the aim of 'disposing things: that is, of employing tactics rather than laws, and even of using laws themselves to arrange things in such a way that, through a certain number of means, such and such ends may be achieved' (ibid.: 211). Foucault speaks obviously of using the law as a tactic of governmental power. Yet, in his analysis of neo-liberal governmentality (cf. Lemke 2001) Foucault clearly elucidates the neo-liberal withdrawal of the state, not as a lack, but as a distinct 'technique' of government.<sup>12</sup> The suspension of the law can, it is argued here, operate as a tactic of governmental power in much the same way. If we accept this, the question becomes, then, what are the ('such and such') ends of the global liberal order, if this order is indeed engaged, among other related ends, in the governmentalisation of the state, the transformation of territorial states into population states?

The sovereign's task, Foucault argued, was to remain sovereign, that is, in power; there was, in other words, a circularity to sovereignty, in that its end was 'internal to itself' (Foucault 2001: 211). Governmentality, on the contrary, is characterised by a

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<sup>11</sup> The influential *critical* reading that Agamben (and Hardt and Negri in the following subsection) offers of Foucault is not being ignored or denied here. It is necessary, however, to also point to its conflation of 'sovereign and biopolitical modes of power relations. Ultimately, biopower becomes little more than a new, fancier term for sovereign power or, alternatively, sovereignty becomes generalised to embrace additional objects of rule. Inevitably, such confusion also produces problems when one attempts to theorise resistance to contemporary biopolitical government, which remains conceived in traditional and decidedly un-Foucauldian transcendent terms of emancipation' (Prozorov 2007: 54).

<sup>12</sup> Contrary to most treatments of 'globalisation' and the state in IR.

finality, directed towards the things it manages (ibid.) If the global liberal order is an order for which the political concern is ‘population’, then its end is to manage that population ‘in pursuit of the perfection and intensification of the processes it directs’ (ibid.). Yet, one could argue, some remnant of circularity remains: to preserve the emphasis on life and population management is also an end of a governmental economy of power. It is this, possibly, that allows Foucault to note that, whereas sovereign power has historically created systems of exclusion by differentiating between those who submit to its power (perhaps, in a contractarian fashion), and those who violate it (such as ‘criminals’), governmental power differentiates between those who behave in accordance with the welfare of the population and ‘those who conduct themselves in relation to the management of the population...as if they were not part of the population...as if they put themselves out of it’ (Foucault 2007a: 43-44). ‘Governmental violence’, to use Agamben’s term, might indeed be necessary to ensure that a distinction is drawn between those ‘who resist the regulation of the population, who try to elude the apparatus by which the population exists, is preserved, subsists, and subsists at an optimal level’ and the population; as Foucault argues, this ‘opposition is very important’ (ibid.: 44).

What range of means or ‘tactics’ might be necessary for this? Any tactic, including the permanent suspension of the law, which allows this order to identify, criminalise, control, indeed, to ‘police’ those who stand outside the population and oppose the governmentalisation of the state. The tactic and operations of governmental power as police activity is pertinent to the workings of the global liberal order as ‘global civil war’, as discussed below, because it is exercised internally, i.e. within the population and reinforces the order and its governmental violence (cf. Agamben 2000: 103-7).

### ***Imperial civil war***

Michael Hardt and Antonio Negri also begin *Multitude*, their sequel to *Empire* (2000), with an analysis of the ‘permanent state of global conflict’ in which the attempt to think the ‘in common’ and the possibility of democracy have to be located (2004: xi). This permanent state does not mean that there are frequent outbreaks of conflict, but rather must be understood in the sense that ‘war is becoming a general phenomenon, global and interminable’ (2004: 3). For Hardt and Negri, war in the age of Empire can

no longer be conceived as inter-state limited war but requires an awareness of the emergence of the ‘new supranational form of sovereignty’, which they analysed in *Empire*, with its ‘new notion of right, or rather, a new inscription of authority and a new design of the production of norms and legal instruments of coercion’ (2000: 9; cf. 2004: 3). This form of sovereignty ‘supersedes colonialism and imperialism, is dissociated from national and supranational institutions, and emerges from the autonomous and immanent logic of capital expansion and management’ (Härting 2006: 2). The ground laid by Hardt and Negri’s *Empire* would seem to offer a proper setting for thinking about the ‘global civil war’ in that its articulation of a new form of sovereignty across global relations modifies that element of ‘internality’ that one traditionally associates with ‘civil war’.

The boundedness of sovereign political entities not being an assumption that holds in the present epoch, war can only be conceived as ‘civil war’, as ‘armed conflict between sovereign and/or nonsovereign combatants *within a single sovereign territory*’, yet a territory not confined to ‘national space’ but, rather, ‘across the global terrain’ (2004: 3; emphasis in original). Hardt and Negri state that all conflicts raging today, from Colombia to Aceh to Afghanistan to Iraq, ‘hot or cold’, have to be understood as ‘global civil wars’ or, better, ‘imperial civil wars’ because they take place across this global terrain (2004: 4).<sup>13</sup> Moreover, because they are meant to ‘repress movements of resistance and impose order on the multitude’ these current global civil wars also have to be read as ‘counterinsurgencies’ (2004: 37). As such, one should add, they must be explicitly regarded as racialised (cf. Carlton 2006).

Hardt and Negri, however, also speak of ‘war’ and ‘global war’ and it is not always clear whether this is to be understood as equivalent to or as a variation of or, even, in distinction to ‘global civil war’. Noting this fluidity in using these terms, Hardt and Negri’s understanding of the changing relationships between war, politics and global order, offers a number of interesting attributes, which are outlined here in brief. First, they suggest that war today is a ‘permanent social relation’ (2004: 12) which relates war to their earlier exposition of the biopolitical production of Empire (2000: 22-41).

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<sup>13</sup> Hardt and Negri briefly acknowledge that the term ‘*Weltbürgerkrieg*’ belongs simultaneously to Hannah Arendt and Carl Schmitt, but they dismiss their substantive insights because ‘these authors were thinking of a civil war between the capitalist world and the socialist world, which first took the form of the Soviet Union against the Western European countries... and later against the United States’ (2004: 359, n. 2).

If we are in this state of perpetual war (as a ‘permanent social relation’), war can no longer be thought of as a threat to the current structure of power but must be understood as productive of it: war should be understood as an ‘active mechanism that constantly creates and reinforces the present global order’ (2004: 21). In *Empire*, then, ‘war functions as an instrument of rule’ (ibid.: xiii), so that in their work, too, the global liberal order may be formally indicated as a ‘war-order’.

Similarly, Hardt and Negri argue that this new form of sovereign power cannot really ‘arrive at the pure production of death’; rather, it must safeguard and ‘preserve the life of its subjects’, otherwise it would be destroying itself. Thus, much like it produces and regulates order, global war must produce and regulate *life itself* (ibid.: 20). I understand this to mean that *Empire* is a new form of sovereignty but its sovereign power is exercised for biopolitical ends and through biopolitical or governmental means, most obviously witnessed in its life-producing capabilities. It is in this sense that Hardt and Negri can claim that ‘war has become a *regime of biopower*, that is, a form of rule aimed not only at controlling the population but producing and reproducing all aspects of social life’ (ibid.: 13).

Order and life, those two things that we used to associate with different spheres of politics, international and domestic, merge as the ends of *Empire*. When conceived of as distinct, order and life are maintained and regulated through a variety of social institutions but in the extreme case involving the need for war and the need for police action respectively. As they blur, so do war and police activity, suggest Hardt and Negri (cf. de Benoist 2007; Agamben 2000). In other words, a war which aims to produce and sustain a social order is not a limited war with specific tactical and strategic objectives that can be easily achieved: much like the crime fought by police activity, it must be fought and won ‘daily’. Also, like police activity, war in the age of *Empire* may have the best results when it is pre-emptive (2004: 20). It would appear that war is driven in two apparently diverging directions, ‘on the one hand, reduced to police action and, on the other, raised up to an absolute ontological level by technologies of global destruction’; yet, Hardt and Negri argue that ‘the reduction of war to police action does not take away but confirms its ontological dimension’ (ibid.: 19) War, in this way, ‘becomes the general matrix for all relations of power and techniques of domination, whether or not bloodshed is involved’ (ibid.:13). Not only

does global war begin to resemble ‘police action’ (cf. de Benoist 2007), it also takes on elements of ‘guerrilla and liberation warfare formerly used in the struggle against colonialism’ (Härting 2006: 6).

This state of war is characterised by a situation in which ‘*the state of exception has become permanent and general*’ (Hardt and Negri 2004: 7, emphasis in original). Two points of distinction to the preceding Agamben discussion, however. First, Hardt and Negri suggest that war during the time of state sovereignty was limited spatially and temporarily and, when war occurred, this could be understood as ‘a limited state of exception’ (ibid.: 8) in contrast to the contemporary sovereign formation of Empire in which war is both an instrument of rule and also, because of this, a permanent relation productive of order and life. It is in this sense that ‘*the state of exception has become permanent and general*’. Second, it is worth noting, however, that they do not remain with a legal understanding of ‘exception’ (the ‘German legal understanding’) but seek to relate this to US exceptionalism, which refers to the preponderant power of the US and its ability to order globality, but which also means ‘*exception from the law*’ (ibid.: 8, emphasis in original). The one legal permanent and general global state of exception is supported by the other, US exceptionalism. Importantly, moreover, an unlimited exception means that ‘the constant presence of an enemy and the threat of disorder are necessary’ in order to legitimate the exception and also ‘imperial’ violence (ibid.: 30).

The indistinction that plagues their account regarding ‘war’, ‘global war’ and ‘global civil war’ has already been noted, as has their problematic suggestion that all wars in the contemporary world are global or imperial civil wars. The former issue requires a delineation between, on the one hand, war / global war as an attribute of Empire – which is permanent, biopolitically productive of the subjects of Empire, and order-generating across this global terrain – and, on the other hand, actual wars fought as counter-insurgencies to suppress resistance to all of the above functions of war/ global war in Empire. Strictly speaking, it remains a question as to which understanding the term ‘global civil war’ ought to be restricted to: the former permanent global war or the latter, counter-insurgency, type of imperial civil war, which might be better called ‘imperial war’ or ‘war for imperial maintenance’, which Hardt and Negri sometimes

also use. This is also noted by Heike Härting who argues that Hardt and Negri ‘read all contemporary wars as “global civil wars” or “netwars”’ collapsing them as

postmodern phenomena rather than wars that either pursue particular imperial projects of reordering current global geopolitics or that have long-standing post-colonial roots but have mutated into global civil warfare. (2006: 6)

Despite their political commitment to resist this, such a conflation may end up supporting ‘a normalizing global imaginary of war’ (ibid.: 2) much like hegemonic discourses of global war.

### ***A world (order) without an exterior***

Jean-Luc Nancy does not utilise the exact terminology of ‘global civil war’ but his conceptual exposition places his post 9/11 thinking firmly within its bounds. There are a number of interesting contributions and connections that Nancy makes towards a thinking together of the global liberal order and the concept of ‘global civil war’. First, in the vein of the analyses in *Multitude* and *Empire*, Nancy’s conceptualisation also revolves around the theme of ‘internality’ but in a decisively distinct way. Rather than being internal to ‘Empire’, for Nancy the global civil war is internal to the West:

The present state of the world...is a civil war: it is the internal war of an enclosed city, of a civility, of an ‘urbanity’, which are in the process of *fanning out to the very limits of the world*, and, because of this, spreading right to the extremity of their own concepts. (Nancy 2003a: 23; emphasis added)

The reference to the ‘limits of the world’ suggests that Nancy does not conceive of the West in cultural-civilisational terms. Indeed, Nancy is keen to contest the dominant way of framing this ‘war’ as a clash of civilisations (Huntington 1996): ‘this...forbids us to speak of a “war of civilisations”, as if Western civilisation were confronting another civilisation, an Arabo-oriental one’ (Nancy 2003b: 51). Indeed, elsewhere Nancy speaks of ‘the instrumentation of religions, or the deviation, perversion, or betrayal of this or that religion (including the national theism of the United States)’ for the purposes of sustaining this dominant and influential framing (Nancy 2004: 109).<sup>14</sup>

Second, the reference to the ‘limits of the world’ and the theme of ‘internality’ itself point to Nancy’s insight that the present war is a global *civil* war, one internal to the

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<sup>14</sup> cf. Hardt and Negri 2004: 35. It is interesting to note that for Hardt and Negri the US denied that its global security policy and strategy amounts to a clash of civilisations because ‘the notion of civilization is too limited for their global vision’.

West as an order, or a way of being, whose end is to create a world ‘without an exterior’, as a ‘worldwide enclosure of absolute immanence’ (Ojakangas 2007: 215; cf. Schmitt 1995a: 447; 1995b). Such enclosure or internality means, at a superficial level, that the ‘war of monotheism’ waged by/in the West must be understood as a kind of civil war: it is ‘no longer the old war of sovereign States, not since the open conflict of 1914’ suggests Nancy, consistent in this way with other accounts of the demise of Westphalia at the time of the Great War (Nancy 2003b: 51; cf. Schmitt 2003: 140).

Yet, less superficially perhaps, internality or interiority also pertains to the presumed dissipation of the ‘age of the line’ [*das Zeitalter des globalen Liniendenkens*]: the end of both political thought structured by lines<sup>15</sup> and also of the ‘Westphalian’ world-ordering praxis of drawing lines, leading to a restructuring of world order and international law [*die Struktur des Völkerrechts*] (Schmitt 1995a: 447; cf. Odysseos 2007: 130-134 and Rasch 2005; cf. section three) that was decisive for ‘Westphalian’ world politics. Nancy’s ‘war of monotheism’, much like Hardt and Negri’s global war, is not war as such; rather, it may be best understood as that order-producing war and war-making order which is unlimited in scope, duration and space.<sup>16</sup> Schmitt had called this a ‘borderless, global pan-interventionism’ (1995a: 446-447).<sup>17</sup> Yet, in its claim to limitless scope and duration, this ‘war-order’ still divides space into zones of war and peace, though peace itself becomes ‘warlike’, filled with relations of force, surveillance etc., while war becomes a form of order and peace maintenance (cf. Hardt and Negri 2004; Beck 2005). Peace and war ‘must be understood in accordance with a substitutive value that makes the two terms absolutely contemporary with one another, starting with the inversion both of their functions and of their “classical” relations’ (Alliez and Negri 2003: 110). Such an order is no longer ‘open’ to multifarious possibilities of determination. As Mika Ojakangas notably illustrates, it may well be the function of enmity to ‘introduce[s] a moment of transcendence, and thereby a moment of openness and freedom, into the immanence of world order’ (Ojakangas 2007: 211).

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<sup>15</sup> In *The Nomos of the Earth* this becomes ‘global linear thinking’ (Schmitt 2003: 87).

<sup>16</sup> I thank Justin Pickard for prompting me to think this further.

<sup>17</sup> Schmitt had identified this with the United States after the denigration of the Western Hemisphere as the last global line, contrary to the clash of world-historical ideologies thesis put forward by Ernst Nolte (1996).

This points to a third significant insight, that the global civil war amounts to the ‘disorganisation of all the Western world’s own forms of equilibrium’ (Nancy 2003b: 51), in other words, to what we in IR call ‘balance of power or threat’ (see Schmitt 2003; Waltz 1979; Walt 1987). This is not trivial, not for IR, not for Nancy, and not for possibilities of order. This is because, as the discussion of ‘Westphalia’ below indicates, to *balance* involves a structuring of the field of politics (cf. Laclau 2005) that requires a recognition of the other as a (procedurally) just and equal enemy, with recognised rights to existence, neutrality and resistance (see Odysseos 2007). Balancing also means that, just as war can be waged with this kind of enemy, peace can also be negotiated and accepted (Schmitt 2003). The disavowal of balancing disavows also the commitment to a distinction between war and peace and makes it possible and permissible (‘licit’ is Agamben’s legal term, see 2000: 107) to eliminate the other as enemy (cf. Odysseos 2002).

Importantly, moreover, the withering of power-political forms of equilibrium is the twin process of what Nancy calls the ‘tendential obliteration of its “Western” distinction at the heart of the process of its own “globalisation”’ (Nancy 2003b: 51). The West’s ‘globalisation’ must be thought of as a replication of its normative-ideological and material-economic structures, as well as the governmentalisation of its political structures, as discussed above. Yet such replication *produces* the world order but also life and subjects (Foucault 1997a: 59; Hardt and Negri 2000, 2004; Althusser 1971). In the process of replicating its structures – its effective globalisation – the West can no longer sustain its own distinction from others, a distinction or difference which, however, forms the very basis on which it globalises itself. ‘The West has come to encompass the world, and in this movement disappears as what was supposed to orient the course of this world’ (Nancy 2007: 34): As Enrique Dussel argued a decade earlier, the West was never ‘an *independent*, autopoietic, self-referential system, but instead is *part* of a world-system’, a system nevertheless which it has helped bring into being and which it works to police and sustain; it is ‘in fact, its center’ (1998: 4; emphasis in original; cf. Schmitt 2003: 233). But if the distinct centre – which orients the course of the order or system – can no longer remain distinct or central, it begins to tear itself apart. The result of this rupture is

a situation that destabilises the splits of the old Europe and that produces, on the one hand, the American superpower, and, on the other hand, the heavy deficit of identity that is Europe’s lot, revealing to the full light of day the contradiction between its

claim to rational-moral universality (i.e., in science and democracy) and the glaring injustice of the situations created by its own domination. (Nancy 2003b: 51)

Thus, Nancy suggests that the West and its civilization is but a ‘work of death’ (2003a: 24) so that ‘everything takes place as if the world affected and permeated itself with a death drive that soon would have nothing else to destroy than the world itself...’ (Nancy 2007: 34).

Finally, what might this ‘work of death’ actually mean? For Nancy, arguably, global civil war is the product *and* character of that war-order propelled by a ‘civilisation’ ‘whose values of monotheism, self-presence, and truth have exhausted themselves’ (Härting 2006: 6). We clearly see the emergence of this kind of war-order as ‘the lot of a civilisation that is coming up against its own limit’ (Nancy 2003b: 52), which cannot, given Nancy’s critical *Abbau* of Heidegger, but remind us of the latter’s discussion of the end of philosophy and the ‘completion’ of metaphysics (Heidegger 1972). More specifically, for Nancy however, ‘global civil war designates an epistemological and material war’ of the West (Härting 2006: 6). That ‘the same Western world is in a permanent state of internal war’ (Nancy 2003b: 51), renders all talk of clash amongst civilisations inappropriate and ultimately ‘othering’, because it points to the causes of this war as the West’s ‘own spiritual emptiness and self-destructive logic of sameness’ (Härting 2006: 6).

This kind of spiritual exhaustion leads also to a blindness or hypocrisy: ‘The civilization that has represented the universal and reason – also known as the West – cannot even encounter and recognize any longer the relativity of its norms and the doubt of its own certainty’ (Nancy 2007: 34). Nancy does not, of course, think that this assumption of universalism and the hypocrisy or self deception to which it points, is new (cf., prominently, Koselleck 1988; Edwards 2006). ‘This was already the situation two centuries ago’, Nancy writes, referring to Hegel (Nancy 2007: 34). He might as well have pointed, as others have done, to the French Revolution (cf. Kesting 1959; Schnur 1963, discussed in section three). This is significant because, as Härting suggests, Nancy’s locating of this war(-order) as ‘Western’, yet at the same time as *global* civil war, ‘makes legible the ways in which global civil war arises as an epistemological problem of Western metaphysics’ (Härting 2006: 6).

Having outlined some of the contemporary ways in which the notion of the ‘global civil war’ has been used and the insights to be carried forward to section four, which rearticulates preliminarily the elements of a framework of a ‘global civil war’, the paper now turns to Schmitt’s reflections on the historical emergence and collapse of the Westphalian order and the becoming possible of a global liberal order which may be understood as something like ‘global civil war’. In particular, the following section discusses Schmitt’s analysis of the ambivalent achievements of Westphalia and the dangers of their dissipation, and using them to further ground his discussion of absolute enmity and ‘global civil war’ in *Theory of the Partisan*.

### **III. Schmitt and the notion of ‘global civil war’**

‘Schmitt does not belong to one clearly discernible era of modern European politics’, Jan-Werner Müller suggests in his important work, *A Dangerous Mind*; ‘rather, he was a thinker during a time of transition – and a thinker *of* the transition, in particular the transition from a European to a post-European age’ (Müller 2003: 245). It is for this reason, perhaps, that today we may still, after all objections to the contrary (e.g. Huysmans 1999), turn to Schmitt for conceptualising ‘global civil war’. In this section, it is argued that in order to understand the significance of this term, we need to examine Schmitt’s account of the emergence, and eventual collapse, of the bracketing of war and emergence of ‘just enmity’ as central achievements of the ‘Westphalian order’, an order whose genesis and demise he examines in *The Nomos of the Earth* (2003). We also, however, need to take into account Schmitt’s discussion of partisan warfare and its evolution through ‘revolutionary universalism’, to which he traces the emergence of absolute enmity and global civil war in *Theory of the Partisan* (2004/2007). Adding to Schmitt’s discussion of Marxist revolutionary ideology, and in particular Lenin’s (and to a lesser degree Mao’s) world-revolutionary struggle, the section also explores the expansion of the term ‘global civil war’ by a number of German post-World War II intellectuals, who in the 1950s and 1960s extended Schmitt’s insights by examining an older but, perhaps more important, revolutionary universalism, that of the *genre humain* erupting with, but by no means contained to, the French Revolution.

### ***From Hegung des Krieges to violence unbound***

Schmitt's *The Nomos of the Earth* provides a historical and legal-theoretic account of the genesis and demise of the first spatial order, which was uniquely 'global' in scope and which he called the *nomos* of the earth (Schmitt 1950/2003). This order was contemporaneous with the processes of secularisation and the advent of the modern state as a form of social organisation on the political stage, a development which transformed the *institutional* and legal basis of political coexistence of peoples and princes in Europe (cf. Colombo 2007). In IR we refer to this same order as the 'Westphalian system' to designate the system of relations among 'sovereign' states in an anarchical environment, whose myth of origin (see Teschke 2003) has it established after the Peace of Westphalia of 1648, and more broadly to refer to the ontology of international politics where the state is the primary sovereign actor (Brown 2002).

Given that Schmitt's admittedly nostalgic and almost apologetic account coheres, when read in a superficial way, with the mythology of International Relations, it is worth noting that he distinctly traces the creation of this order to the unrepeatable event of the European 'discovery' of the 'New World' (cf. Dussel 1995). For scholars of International Relations the value of Schmitt's analysis lies in the explicit locating of the creation of 'Westphalia' within an expansionist colonial modernity and its 'global linear thinking' (see Schmitt 2003: 87ff). This outlook emerges from his analyses of 'Westphalia' as a global spatial order predicated on a set of distinctions, or *lines*, drawn between European soil and the so-called 'free space' of non-European soil (Odysseos 2007; Odysseos and Petito 2007; cf. Schmitt 1995a). Contentiously, one might say reading Schmitt, that one of the main purposes of 'European international law' (cf. Ulmen 2003), the *jus publicum Europaeum*, was the facilitation of the 'colonial' (political, military and economic) land-appropriation of this 'New World': Westphalia is inextricable from the expansion of colonialism and capitalism (cf. Dussel 1998; Härtig 2006).

On the basis of such lines and distinctions, the *nomos* of the Earth achieved *eine Hegung des Krieges* on European soil: a limiting, rationalising and, in a sense, humanising of interstate, or better, *inter-sovereign* war. In its exposition of concepts, its historical claims about the state as the 'adequate bearer of order' (Colombo 2007:

26ff) and as the ‘historical agency of detheologization and rationalization’ of ‘public life’ (Schmitt 2003: 159 and 140), its critique of the emerging international law, the *Nomos* is a complex, multi-layered and very much contested book (cf. Koskeniemi 2004). The analysis here merely outlines what may well be the two most significant achievements of this global order: first, the evolution of ‘bracketed war’ and, second, the development of the notion of *justus hostis*, a just enemy. Both are worth examining, it is argued, precisely because their dissipation is of particular importance for Schmitt’s later analyses of violence and enmity in the post-1945 world and its tendency towards global civil war.

The first achievement concerns the aforementioned bracketing and ‘regulation’ of war, which can be traced, as argued elsewhere, both to the emergence of the state as an agent of rationalisation and ‘detheologisation’ of public life but also to the drawing and maintenance of lines or distinctions (the so-called ‘amity lines’) between European soil and the ‘free space’ of extra-European lands available for appropriation (Odysseos and Petitto 2007).<sup>18</sup> The amity lines set aside two distinct areas considered ‘open spaces’ (Schmitt 2003: 94-95): on the one hand, the landmass of the New World, whose belonging to the native populations was not recognised, and on the other, the newly mapped and navigable seas. In both types of ‘open space’, force could be used freely and ruthlessly as these were areas ‘designated for agonal tests of strength’ amongst European powers (Schmitt 2003: 99). Schmitt does not deny that this spatial distinction ‘presupposed the consignment of unrestrained violence to the rest of the world’ (Rasch 2005: 258)<sup>19</sup>, but it was precisely this which negated the need for expansive war on European soil, and allowed limited war, *guerre en forme*, to emerge as the norm. In this peculiar way, therefore, the interstate order which existed until 1914 (cf. Nancy 2003b: 51) had sought ‘to prevent wars of annihilation, i.e. to the extent that war was inevitable, to bracket it’ (Schmitt 2003: 246). This was wholly different from later liberal attempts to abolish or banish war, that is, to end

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<sup>18</sup> Schmitt documents how, in fact, there were three lines drawn at different historical junctures and resulting in distinct spatial orders: the distributive *rayas* (2003: 90-92 and 287), agonal *amity lines* (2003: 92-99 and 287) and the final global line of the Western hemisphere (2003: 99-100 and 281ff), which did not concern land-appropriation as did the previous two lines but which signal the isolation sphere of the United States that displaced Europe, the old West, with a new, truer and more just West. Schmitt discusses the end of the Western Hemisphere as the ‘last global line and with it the age of the global line in 1995a.

<sup>19</sup> As Achille Mbembe writes in ‘Necropolitics’, ‘all manifestations of war and hostility that had been marginalized by a European legal imaginary find a place to reemerge in the colonies’ (2003: 25).

war *as such* (Joas 2003; Reid 2006). The *jus publicum Europaeum* recognised that ‘any abolition of war without true bracketing resulted only in new, perhaps even worse types of war, such as reversions to civil war and other types of wars of annihilation’ (Schmitt 2003: 246). It accepted war as an inevitable occurrence of international political order and, in doing so, laid a foundation for ‘a bracketing of war’ which rendered it as ‘a regulated contest of forces gauged by witnesses in a bracketed space. Such wars are the opposite of disorder’ (Schmitt 2003: 187).

The acceptance of this type of regulated but limited warfare also enabled the recognition of the opponent as an enemy on equal grounds. This development of the notion of *justus hostis* (just enemy), associated with the denigration of *justa causa* (just cause) reasoning in the commencement and waging of war, was the second achievement of this order.<sup>20</sup> The concept of an ‘equal and just enemy’ evolved alongside the emergence and consolidation of the modern state as the predominant political entity, as well as the weakening of the moral authority of the Church out of the demise of the *respublica Christiana*, though these occurred through long and hesitant transitions. Under these conditions, warfare became divorced from substantive causes of justice. Since war was the means by which land could change ownership status, it became a type of political relation amongst states (Schmitt 2003: 100). Any enemy which had the form of a state was a just enemy and war could be waged against it. This avoided wars of conviction, creed and religion (that is, based on *justa causa*) which had historically led to unlimited war that had sought the enemy’s annihilation. As he would say almost two decades later, ‘with the bracketing of war, European humanity had achieved something extraordinary: renunciation of the criminalization of the opponent, i.e. the relativization of enmity, the negation of absolute enmity’ (Schmitt 2007: 90). For Schmitt, ‘renouncing the discrimination and defamation of their enemies’ was a significant and rare achievement, in fact, a most ‘human’ development (Schmitt 2004: 64). Since Schmitt thought that war was an inevitable part of political life, regarding an enemy as both just and as an equal partner meant that peace could be made with that enemy. His ultimate destruction was not sought, but conflict with him was possible and regulated by established norms and

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<sup>20</sup> ‘Just’ here refers to a ‘procedural’ kind of justice arising from a recognition of sovereignty, which is none other than the recognition of the right of survival and resistance, a ‘purified’ violence pointing to a ‘purified’ or ‘hostility without affect or, at least, without an individual or “private” affect’, see (Derrida 1998: 124).

rules. The development of the notion of *justus hostis* and the elimination of just cause, moreover, also indicated an order of relations and a system of war which recognized the enemy's 'right' to resistance and self-defence. In sum, Schmitt associates the 'nomos of the earth' with the emergence of limited and regulated wars that sought balance and the avoidance of preponderance, rather than the extermination of the enemy in the name of a just cause.

At the same time, Schmitt's *Nomos of the Earth* is an elegy for the collapse of the *jus publicum Europaeum*. In fact, this elegy is narrated in light of Schmitt's concerns with the co-emergence of a new kind of universalism, legal positivism and, importantly for world order, an American 'pan-interventionism' (1995a: 445), that threw the peculiar statist-institutional character of Westphalian world politics into irreparable crisis in the early decades of the 20<sup>th</sup> century (on the realist institutionalism of Schmitt, see Colombo 2007). What were the primary reasons for this collapse, however? The answer is complex and involves structural and normative/ideological elements, as well as changes in the conduct and means of war. Amongst the structural changes, one must note at least two: first, the emergence of the United States out of its own global line of the Western Hemisphere which had allowed it since the articulation of the Monroe Doctrine in 1823 to articulate an isolationism that amounted to an emerging international, rather than European-global, order (Schmitt 2003: 289). The US had till 1917 oscillated between isolationism and interventionism and had historically participated in international politics with effective absence; a post-Westphalian, or a 'post-European', era is traced by Schmitt to the US's decisive swing towards a global pan-interventionism which strives to reorder the Earth as a globe, leaving no 'internal' space and society unchanged (1995a: 445-448), and that seeks to produce, as noted above, a borderless 'world without an exterior' (Ojakangas 2007; Petitto 2007). Second, Europe's self-decentring through the colonial expansions of European powers and the subsequent recognition of former colonies as sovereign states, especially when such sovereignty was purely artificial (what Schmitt calls 'the territorial parity of states and colonies in international law' as occurred in the Congo Conference of Berlin 1884-85, see Schmitt 2003: 218). In the purely superficial, rather than effective, replication of the state-form, the development of which out of the experience of 'European' modernity Schmitt had documented, and the attempt to 'expand' international law to include

former and current colonies makes evident Europe's 'ultimate, universal and common standard' to replace, at least in name, the previous distinctions of European and non-European lands (2003: 220-221).

The normative/ideological background of the dissolution of the *jus publicum Europaeum*, however, was the emergence of a 'spaceless' or abstract universalism. With regards to universalism, Schmitt was concerned about the effects of 'de-concretisation' – the move away from concrete spatial thinking and ordering towards abstract ideals and justice in international politics. This concern remained alive for him throughout the post-1945 era, when he analysed the 'tellurian' character of 'genuine' partisans, signifying an admittedly romantic view of them as earth-bound, territorial and autochthonous, which preserved them from taking on absolute and more abstract ideals of justice, as happened with the transition towards world-revolutionaries (Schmitt 2004: 13).

Specifically confronting the liberal universalism of the newly emerging global liberal order, Schmitt argued that the 'spaceless universalism' that followed the *jus publicum Europaeum*, exemplified in the inability and unwillingness to draw lines and spatial distinctions, could in no way lead to a world of boundless inclusion. Consistent with his earlier works, such as *The Concept of the Political* (Schmitt 1996a: 56), he criticised the discourse of humanity that characterised such universalism, and that still describes much liberal and cosmopolitan thinking today, as inherently exclusionary or othering to its adversaries. The distinction that 'humanity' draws – through those who designate themselves as its arbiters – is between human or humane as against the inhuman; good or freedom-loving as against evil or freedom-hating, to borrow from the vocabulary of recent US foreign policy. This is a distinction that seeks to subsume, it is an act of consumption, devouring and using-up the other and, as such, it points to an absolute kind of enmity, rather than the 'real' enmity of the *justus hostis* (Schmitt 2004: 64-68).

The dissipation of the admittedly ambivalent achievements of the *jus publicum Europaeum* was already evident in the League of Nations and the creation of the crime of wars of aggression – which Schmitt had already criticised in many essays in the 1920s and 1930s (see Schmitt 1994). Schmitt was concerned that this would have

inescapable effects on the conduct of war and the management of enmity, leading ultimately, as he would write in 1963, to an ‘unbounding’ of violence unfolding through ‘ever new, ever deeper discriminations, criminalizations, and devaluations to the point of annihilating all of unworthy life [*lebensunwerten Lebens*]’ (Schmitt 2004: 67; cf. Schmitt 1996b: 27). Coupled with changes in the meaning of war with the criminalisation of ‘wars of aggression’ (Schmitt 2003: 273), but equally with the changes in the conduct and weapons of war, primarily with the advent of air war over land and sea which, for Schmitt, absolutely ‘dissolved the connection between the force applying power and the population in question’, the spatial orientation and bracketing of war ceases to exist (Schmitt 2003: 320). Hardt and Negri have called this the ontologisation of war (2004: 19).

### ***Revolutionary universalism and global civil war***

As noted above, for Schmitt, the theory and practice of bracketed war and just enmity had undergone a gradual, but with hindsight undisputed, dissolution with the convergence of the aforementioned developments. In the post-1945 era Schmitt continued the investigation of the world-political effects of the collapse of *jus publicum Europaeum*, most notably in *Theory of the Partisan* (1963/2004/2007), but also through his influence on an important circle of students, despite the fact that he was prohibited, as a Nazi, from holding university positions in the Federal Republic of Germany. Whereas Schmitt continued to theorise the transformation of order, war and enmity by looking specifically at the historical and theoretical emergence of the figure of the partisan and its evolution with the advent of the Marxist-Leninist world-revolutionary ideology, this circle of students, which included Reinhart Koselleck, tackled another revolutionary ideology of world significance, that of Enlightenment humanism. Schmitt and ‘his’ students, therefore, provide parallel insights about the juncture of enmity and global civil war, to which the paper turns next.

#### *Theory of the Partisan*

Schmitt’s two lectures on the partisan in 1962, published as *Theorie des Partisanen* in 1963, expanded the notion of ‘global civil war’, which had been given its initial orientation in ‘Die Letzte Globale Linie’ (1995a) around the erasure of geopolitical global lines and the rise of US global interventionism. In *Theory of the Partisan*

Schmitt explores 'global civil war' as characterised by the transition from real enmity (discussed above as *justus hostis*) to absolute enmity within a global order in which the state was no longer the 'adequate bearer of order' and in which bracketed war had collapsed; an order being given definition and coming into being around new structurations of politics with partisan and world-revolutionary warfare.<sup>21</sup> This short book historically traces the emergence of partisanship with the Spanish Civil War of 1808-1813 (cf. Hardt and Negri 2004: 71). It outlines the main characteristics of the partisan precisely at a time when Schmitt argued that partisan warfare was in a state of flux with the advent of mechanisation and motorisation, but also with its infusion of revolutionary and universalist fervour (Schmitt 2004: 13). Although an irregular and highly flexible and mobile fighter by standards of regular troops, the partisan was characterised by 'intense political commitment', usually to a 'fighting warring or politically active group' and this is what enables us to sustain his distinction from 'a common thief or criminal' (ibid.: 10).

This intense commitment to a political objective, rather than private enrichment, is also related to the 'tellurian character of the partisan', by which Schmitt means that he is tied to a particular territory as 'the defender of house, hearth and homeland [*Haus und Herd und Heimat*]' (ibid.: 20). For Schmitt, then, the partisan exists in an essentially 'defensive situation' and it is this defense of an attacked or threatened territory, which makes his political activities spatially specific and concrete, rather than universal and abstract (ibid.: 13). Just as importantly, moreover, this means that the traditional partisan still operates within an idea of 'real' enmity, limited by its desire to *defend*, which 'preserve[s] it from the absolutism of abstract justice' (ibid.: 13). For instance, the partisans of the Spanish Civil War of 1808-13 placed themselves

on the defensive side of the old European continental states whose old regularity, worn down to mere convention and game, showed itself to be no match for the revolutionary new Napoleonic regularity. The enemy thus became a real enemy again, war again real war. The partisan defending national soil against the foreign conqueror became a hero who was fighting a real enemy in a real sense. (ibid.: 63)

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<sup>21</sup> As Gary Ulmen explains, Schmitt used the adjectives 'real' and 'absolute' to enable a distinction between 'enemy' and 'foe' which is not easily accommodated in German (Schmitt 2007: 89, n. 90; Ulmen 1987; Schwab 1987).

Obviously, the relinquishment of limited, or real, enmity was amongst the most noticeable of changes (alongside a certain regularisation) once the partisan begins to 'identif[y] with the absolute aggressiveness of a world-revolutionary or technologizing ideology' (ibid.: 13). And, it is by highlighting and analysing the changes to the figure of the partisan, from the defensive irregular fighter of the Spanish Civil War through to its theorisation by Lenin and later Mao Tse-tung, that Schmitt grasps the notion of absolute enmity and relates it to the notion of 'global civil war'.

For Lenin, Schmitt argues, the absolute enemy was 'the class enemy, the bourgeois, the western capitalist and his social order in every country in which they ruled' (ibid.: 35). The struggle against him, therefore, had to correspond to the enemy's own universal presence. As Schmitt writes, 'Lenin was the first who consciously conceived of the partisan as an important figure of national and international civil war [*des nationalen und des internationalen Bürgerkrieges*], and tried to make him into an effective instrument of central communist-party leadership' (ibid.: 34).<sup>22</sup> According to Schmitt, Lenin conceived partisan warfare as belonging 'to the realm of the methods of civil war'; what preoccupied Lenin were 'purely tactical or strategic question[s] relating to the concrete situation', but he also felt that partisan war must use any means 'legal or illegal, peaceful or violent, regular or irregular' to achieve its purpose, the 'communist revolution in all countries of the world; whatever serves this purpose is good and just' (ibid.: 35). For a universal war against an absolute enemy no bracketing [*Hegung*] remains possible.

In this way, 'only revolutionary war is true war for Lenin, because it derives from absolute enmity. Everything else is a conventional game' (ibid.). It is worth noting that Mao Tse-tung, like Lenin, was a professional revolutionary, and like Lenin, he aimed the struggle at the world-wide class enemy. However, the tellurian character of the partisan intensifies with Chinese communism and Mao, while being exploded by Lenin and his revolutionaries. As Schmitt puts it:

Mao's revolution is fundamentally more telluric than Lenin's. The bolshevik avant-garde, which seized power in Russia under Lenin's leadership in October 1917, is different in every way from the Chinese communists who, after a war of more than

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<sup>22</sup> It should be noted that in the text Schmitt utilises a number of cognate terms: 'national', 'international' and 'global' civil war but that the last two are not necessarily interchangeable.

twenty years, took charge of China in 1949. The differences lie not only in the internal structure of the group but also in the relationship to the soil and the people they seized. (ibid.: 40)<sup>23</sup>

Central to Schmitt's definition of the political is the *distinction* between friend and enemy (1996a) and 'it presupposes both friend and enemy' (2004: 65). In *Theory of the Partisan*, he notes how 'war finds its meaning in enmity...The question, however, is whether the enmity can be contained and regulated, that is, whether it represents relative or absolute enmity'; Schmitt's answer is, perhaps, to be expected: 'The warring party alone must decide this on its own account' (ibid.: 41). What is obvious once this decision is made, however, is that 'the war of absolute enmity knows no bracketing. The consistent fulfillment of absolute enmity provides its own meaning and justification' (Schmitt 2007: 52, 2004: 38). It is the constant, ceaseless search for and fulfilment of absolute enmity that comes to characterise 'global civil war'.

This has wide-ranging repercussions for the phantoms of the *jus publicum Europaeum* and the Westphalian order, the dissolution of which Schmitt had dated to decades earlier, because as Jan-Werner Müller rightly observes, 'the partisan or terrorist is in certain respects a symptom of much larger structural problems' (Müller 2006: 5). The *Nomos* book had noted that in the *jus publicum Europaeum* civil and colonial wars had been excluded from the delimitation of war (Schmitt 2003: 309). As argued above, the limiting of European *land* war was predicated on the possibility of (non-European areas for) land-appropriations, that is, colonial wars (cf. Odysseos 2007: 126ff). As to civil wars, they too had been exorcised, to use a paradoxical but fitting term, by the denigration of *justa causa* reasoning based on absolute and abstract ideals of justice. The bracketing of war was not only its limitation or containment but also its rationalisation and 'humanisation'. In part, in International Relations we have tended to assume that this was down to the formula *cujus regio, ejus religio* which made impossible wars of creed and religion that had historically led to unlimited war. There is obviously another story of the, at best variable, success of this formula (Teschke 2003; Krasner 1999).

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<sup>23</sup> The fact that Chinese communist partisans fought the universal class enemy together (or in the form of?) with Japanese colonialism is but an 'inner contradiction in Mao's own situation' (Schmitt 2004: 41).

### *Revolutionary humanism*

Whereas in *Theory of the Partisan* Schmitt was concretely focused on theorising partisan warfare and its transformative encounter with the revolutionary, indeed, aggressive universalism of class struggle, his insights about the history of Europe and revolutionary spirit influenced a number of students studying in Heidelberg in the early post-war years, such as Reinhart Koselleck, Hanno Kesting, Nicolaus Sombart and Roman Schnur. Writing theses after World War II in Heidelberg, where the liberal humanist spirit was seeking ‘moral renewal’, they became Schmitt’s interlocutors and he became an important influence for them (see the excellent discussion in Müller 2003: 104-5). Generally, their work examined another revolutionary thinking: that of the Enlightenment and in particular its philosophies of history. Variably they examined the ‘pernicious effects’ of moral universalist critique of the absolutist state offered by the *philosophes* and the *sociétés de pensée* (Müller 2003: 106-111). Koselleck, for example, practised what he called ‘conceptual history’ in order to examine the moral critique of the *philosophes* against the absolutist state, which sought its abolition (1988; cf. Edwards 2006). He argued that such moral politics could not govern except by bringing about the Terror ‘and a total state, in which the sovereignty on actual individuals was hidden behind the façade of a supposedly anonymous government by morality’ (Müller 2003: 107).

As Müller documents, Hanno Kesting continued the examination of the Enlightenment critical project against the ‘pacifying absolutist state’ and argued that ‘under cover of seemingly pure moral argument, civil war became thinkable again, as the enemies of a morally unified humanity had to be treated not merely as enemies, but as criminals to be put *hors la loi*’ (ibid.: 108). This tied the Enlightenment philosophies of history to the outbreaks of the ‘global civil wars’ of the early and mid-twentieth century because ‘...philosophies of history, like morality, contained an inner dynamic, which, since it failed to understand power, had to resort to increasing (and ultimately unlimited) violence’ (ibid.: 113). In the French Revolution, this radicalised and moral politics ‘led directly to the crisis which then unfolded as a bloody civil war’ (ibid.: 107), itself ‘a prelude to the global civil war of the twentieth century, which had left no positive philosophical legacy whatsoever’ (ibid.: 117-8). It was really Roman Schnur, however, who turned his attention to the effects of the

Enlightenment on European international law and, more specifically, on the *jus publicum Europaeum*, in an essay published the same year as Schmitt's *Partisan*, which is discussed here briefly. It is he who gives an account of utopian war and its treatment of enmity, and who highlighted the particularities of the notion of 'global civil war' in the ideology of humanity.

Studying the writings of Jean-Baptiste du Val-de-Grâce, baron de Cloots and Jacques-Pierre Brissot de Warville (hereafter, Cloots and Brissot), Schnur would argue that 'The War of Utopia is ...not a war in the traditional sense' but rather,

a crusade, waged much like the crusades were waged in the past. Yet it has a more noble and holy object than the crusades in the Middle Ages, for it is a crusade of an already liberated people against the tyrants, in order to liberate other peoples. As Brissot says, it is a crusade of universal liberty (1963: 313).

As such, Cloots would propose, the revolutionary war should only be understood as 'the global mission, but not the mission of the Jesuits, who marched out for a phantom; rather it is the mission of freedom' (ibid.). It is for this reason that revolutionary war was conducted and heralded under the motto 'war against the kings, freedom to the citizens'. For Schnur this is,

the global civil war. This war knows not the battle of states against states, but that of global parties warring amongst one another, namely, the champions of freedom against the oppressors, yes, even public morality against social vices; in short, the good against the bad. Because it is the idea that fights here, it uses not only weapons, but also propaganda, and so the measures in this war are not those used between different states, but those of civil war. (ibid.: 314)

Propaganda rather than weapons, but also propaganda *and* weapons, the global civil war (and Schnur is speaking of *the* global civil war) suspends 'the formal separation between friend and enemy...and with it the foundation of the laws of war, the international law of the *jus publicum Europaeum*' (ibid.). With respect to the latter, Schnur's assessment was that it would have 'devastating consequences for future developments' in that 'now annexations are no longer an annexation of one state in relation to another state; rather it is much more a case of a *spontaneous incorporation of liberated peoples* into what is so far the sole representative of the human species – the French nation' (ibid.; emphasis added). Cloots had argued, Schnur suggests, that one cannot consider the victories of French revolutionary war as conquests or invasions in a traditional sense but, rather, that as 'the daily application of the Declaration of Human Rights'; these are conquests in which the victims, the

vanquished, are ‘tyrants’, and the only ‘victor is truth – a truth that is not subject to moral or legal judgement, because this truth is itself now the morality and law’ (1963: 314).

Schnur’s exposition of the revolutionary spirit of the *genre humain* and its ‘utopian’ thought leads to the unveiling, not of a moral discourse but, rather, a political discourse of humanity,<sup>24</sup> which still informs global liberal thinking today, and which forms a parallel with the Marxist revolutionary spirit that Schmitt himself discussed in *Theory of the Partisan*. This matrix makes it almost too easy, however, to suggest that ‘global civil war’ is the violent opposition of global ideologies (cf. Nolte 1987, 1996). To some, this would fit nicely with an account of the contemporary ‘global war on terrorism’ as a global civil war in the sense of the brutal clash of two totalising worldviews: aggressive liberal interventionism and Islamic fundamentalism. Yet, it is argued here that this ‘clash of ideology thesis’ is too restrictive and potentially essentialising as a concept of global civil war and needs to be relinquished, in favour of a concept that can account for the historical emergence, conceptual contours and political effects of the global liberal war-order. Moreover, as is discussed in the final section, there is a need to think together this war-order’s relation to and treatment of enmity. It is with such a necessarily preliminary discussion that the paper concludes below.

#### **IV. Towards an articulation of the elements of ‘global civil war’**

The paper began with the question as to how, if at all, recent usages of the notion of ‘global civil war’ could assist us in thinking about the global liberal order. The three recent philosophical accounts examined above offer important insights towards an articulation of ‘global civil war’ as a framework for understanding the particularities of the global liberal order as a set of impulses, globally active projects and set of ‘multiform tactics’. In addition, the paper examined the emergence of global liberal order as a product of post-Westphalian transitions: to the impulses and tactics of the population state, to the era of absolute enmity, to partisan and revolutionary warfare etc. To this end, the paper discussed Schmitt’s contentious account of the conditions

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<sup>24</sup> I thank Fabio Petito for making this point about the political discourse of humanity. Cf. Müller 2003.

and reasons for the dissolution of the main achievements of Westphalia, bracketed war and 'limited and regulated' enmity, as well as his account of the emergence of absolute enmity and global civil war in *Theory of the Partisan* with the arrival of revolutionary Marxist ideology. This was supplemented, in brief, through a recounting of discussions between German post-World War II intellectuals about 'global civil war' as a product of the Enlightenment.

The paper utilised the term 'war-order' as formally indicative of the global liberal order, to which a certain kind of war/violence is integral, as (in) a state of global civil war. This order-producing war and war-making order leads back, it is suggested here, to Schmitt's final sentence in *Theory of the Partisan*. Schmitt writes that: 'the theory of the partisan flows into the question of the concept of the political, into the question of the real enemy and of a new *nomos* of the earth' (Schmitt 2007: 95; cf. Schmitt 2004: 68). What does this signify, and how does it help us discern the elements needed to articulate a framework of 'global civil war' in which to understand the global liberal order? At the very least, that the question of theorising 'global civil war' is related to the question of the distinction between friend and enemy, but also to the question of 'unanticipated new sorts of enmity' that 'come into being' (Schmitt 2004: 68). Moreover, it is also tied to the question of the emergence of a new *nomos*, 'a new spatially concrete legal and political order. For Schmitt, *nomos* is the foundational act that creates a concrete order as unity of (legal) order and (spatial) orientation [*Ordnung und Ordnung*]' which has historically, at least in the example of Westphalia, been constituted by 'world-forming' processes of land-appropriation (Odysseos and Petito 2007: 4; cf. Schmitt 2003: 67-79; cf. Nancy 2007: 41). Taken alongside the more recent insights of Agamben, Hardt and Negri, and Nancy (sometimes complimenting and sometimes contesting) this association of the political / enmity / order helps us articulate the following elements of global civil war.

First, global civil war is that war-order in which bracketing becomes untenable, in which violence is unbound. Driven by globally active projects of population government, and supported ideologically by 'universalising and technologising' conceptions of justice, morality, society and economy, this war-order resists bracketing because it rescinds the distinction between real and absolute enmity. As Schmitt argued with respect to Lenin, 'the language and the conceptual world of the

contained war and the enmity measured in doses were no match any longer for the sudden emergence of absolute enmity' (Schmitt 2004: 38). The ideological drivers of an aggressive universalist spirit require that 'new kinds of absolute enmity must come into being', almost to allow the 'opponents [to] mutually consign each other to the abyss of total devaluation' and make possible their physical destruction and elimination, an annihilation which becomes 'completely abstract and completely absolute' (Schmitt 2007: 94). Yet, such annihilation is not even aimed at the enemy as such but 'serves only another, *ostensibly objective attainment of highest values*, for which no price is too high to pay. It is the renunciation of real enmity that opens the door for the work of annihilation of an absolute enmity' (Schmitt 2004: 67; emphasis added). One could argue, contra Schmitt, that in the contemporary war-order annihilation is aimed at the *spectre* of an (absolute) enemy, who must be both produced and who must also remain elusive and abstract. It is its abstractness that allows for the enemy's total renunciation. As Beasley-Murray argues, outside of bracketing of war,

in this transaction of death, what is absent is an exchange or even a relation between subjects who can recognize each other: both parties, on the ground or in the air, confront an unknowable foe...The enemy becomes abstract for both sides. (2005: 220)

The spectral presence and elusiveness of this enemy allows for the articulation and actualisation of the 'highest values', signalling the return of a radically different just cause: just cause now pertains to and, indeed, highlights the need for the 'internal production of repulsion'<sup>25</sup> coherent with what Jacques Derrida has called the autoimmunitary movements 'which produce, invent, and feed the very monstrosity they claim to overcome' (Habermas and Derrida 2003: 99)

Classical liberal values contained within the political discourse of humanity still operate, as Schnur documents, but these are now embellished or reformulated within a global order whose highest values include not only freedom/liberation but also governmentalisation (i.e. the emergence of population as the object of government); or better, freedom *for* governmentalisation. Yet, the making global of the governmentalisation of the state does not mean that territorial wars, which cohere in form with acts of 'conquest', 'annexation' (Schnur 1963) and land-appropriation (Schmitt 2003), do not take place. Yet when they do, for example, as in the territorial

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<sup>25</sup> This is Charlotte Rawson's phrase.

wars of the 'global war on terror', they serve the purpose of reconstituting the global liberal war-order as a governmental order: one in which 'the art of government' (governmentality) co-emerges with 'self-government' (Lemke 2001; Foucault 1997b, 2007a, 2007b). They are indeed for the sake of liberating others in non-governmentalised societies (Schnur 1963: 314) but this liberation is not classically liberal but, rather, governmental. Encouraging self-government requires the promotion of values of freedom and techniques of individualistic self-determination (or 'subjectivisation') (Foucault 1997a: 59). As Foucault suggests, these are 'techniques which permit individuals to perform a certain number of operations on their own bodies, on their own souls, on their own thought, on their own conduct...' (2007b: 154). Schnur is correct to have point to Clout's argument that only 'tyrants' need fear this kind of 'conquest', because 'tyrants' (the global war on terror's Saddam Hussein and the Taliban) resist the transition from a territorial to a population state, in other words, the governmentalisation of the state. They (all those 'tyrants' and their misled subjects) stand outside the world population, try to 'elude the apparatus by which the population...is preserved, subsists, and subsists at an optimal level' and, as such invoke repulsion (Foucault 2007a: 44). The 'absolute truth that will not subject itself to external judgement', the truth that is 'itself now the morality and law' (Schnur 1963: 314) is the truth of the art of productively managing populations, which produces life and self-creating subjects (Foucault 1997a, 2007b; cf. Hardt and Negri 2004 and Heidegger 1977). This is the new just cause which now legitimates the fight against the posited spectre of an absolute enemy, what Hardt and Negri rightly call 'justification by result' (2004: 30; cf. Beck 2005).

Second, related to the emergence of absolute enmity is the 'disorganisation' of the historically specific forms of balancing developed in the Westphalian era (Nancy 2003b; Schmitt 2003). The withering away of balancing points to both the dissipation of the figure of the just enemy and to the emergence of an enemy that must be totally devalued in the process of attaining the order's 'highest values'. Devaluation and dehumanisation of the enemy (his inclusion by exclusion, see Agamben 1998), recall contra Schmitt that 'global civil war' is also the space of anomie (and that anomie is at the heart of nomos) in which 'governmental violence' suspends the law while claiming to uphold and preserve it (Agamben 2005: 87). The global liberal order is best grasped as 'global civil war' when the state of exception can no longer be

distinguished from the norm. Yet contrary to Agamben's claim that the violence of the global liberal war-order assumes no juridical form, it is argued that the suspension of the law is but *one* of this order's multiform tactics of orienting, ordering and governing, which allows core distinctions of politics, such as that between war and civil war, that of citizen and detainee, that of war and peace begin to dissolve (Agamben 2003; cf. de Benoist 2007). Indeed, a developing framework of 'global civil war' makes it possible to say that 'civil peace is another way of war' (Hardt and Negri 2004: 12), and that peace itself becomes 'warlike', filled with relations of force, surveillance etc., while war becomes a form of order and peace maintenance (cf. Hardt and Negri 2004; Beck 2005): as Alliez and Negri have notably argued, peace practices and war practices have become 'absolutely contemporary with one another' (Alliez and Negri 2003: 110).

Finally, and perhaps most significantly, 'global civil war', much like national civil war, is characterised by internality. How does this manifest itself? The liberal war-order aims to create a world 'without an exterior', as a 'worldwide enclosure of absolute immanence' (Ojakangas 2007: 215; cf. Schmitt 1995a: 447; 1995b). In part, this internality arises from the unlimited scope, duration and space claimed by the global liberal war-order. Geopolitically, the unbounded nature of the war-order also relates to the ending of global lines and *Liniendenken* itself (Schmitt 1995a). Moreover, the interiority of this war-order is also produced by the universalization of the structures, through which it orients and orders the world. In 'globalising' its normative-ideological, material-economic and governmentalised political structures, however, this war-order can no longer sustain its own difference from others – it has rendered itself invisible to itself as a localised creation.

Yet, maintaining this difference is essential for producing, naming and repulsing the absolute enemy. In creating a 'world without an exterior' (Ojakangas 2007), the global liberal war-order aims to close off diverse possibilities of determination and to leave resistance without a concrete *outside* possibility (though this itself is a problematic assumption). Alternative visions thus remain abstract and are articulated often in opposition to the universalising ideals of the order but are granted no justice or legitimacy (cf. Schnur 1963: 314; Nancy 2003b, 2007). Even the progressive 'right' of the weak to 'bear arms' (Barkawi and Laffey 2006: 349-352) is increasingly

vacated of its traditional meaning. In this way, those who wish to resist are *directed*, in a governmental fashion, do so *through* participating and/or ‘self-government’, what Foucault called ‘technologies of the self’ (e.g. 2007b: 154).

To conclude, within the developing framework of the global liberal war-order as ‘global civil war’, central place must be accorded to the role of enmity. The above preliminary thoughts on the recent and older uses of ‘global civil war’ have sought to think enmity together with ‘order’ and war, but further reflection on the war-order’s constitution, ‘management’ of ‘enmity’ (which speaks of a spectrum from recognition to regulation to elimination, but also of orderly reinsertion) is urgently required. Of great importance is the delineation and analysis of the paths towards which the enemy is itself directed and is encouraged to take, along the lines articulated by Foucault under the heading of ‘self-government’ and also in the form of an unavoidable freedom (on this ‘enforced freedom’, see Odysseos 2008). Why is this focus on enmity ultimately vital? Because, one might say with Schmitt,

the enemy is our own question as *Gestalt*...The enemy is not something to be eliminated out of a particular reason, something to be annihilated as worthless. The enemy stands on my own plane. For this reason I must contend with him in battle, in order to assure my own standard [Maß], my own limits, my own *Gestalt*. (Schmitt 2004: 61)

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